

# MINUTE RECORD

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

**LA VISTA CITY COUNCIL  
MEETING  
CORRECTED MINUTES  
July 19, 2016**

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on July 19, 2016. Present were Councilmembers: Sheehan, Thomas, Crawford, Quick, Hale and Sell. 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, 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 July 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 audience in the Pledge of Allegiance, and made the announcements.

**SWEAR IN POLICE OFFICERS – JAMES BERGER, AMANDA EBY, JAMES PARISIEN JR.**

Mayor Kindig gave the oath of office to three new police officers: James Berger, Amanda Eby, and James Parisien, Jr.

**SERVICE AWARD – DAVID KARLSON – 20 YEARS**

Mayor presented to David Karlson a service award for 20 years of service to the City of La Vista.

Mayor Kindig gave some clarification regarding the agenda stating that some agenda items are marked with an asterisk. These originally were scheduled for the June 21 agenda. Notices of regular meetings for the City and Community Development Agency are required to be published in the Papillion Times. In addition notices are posted at City Hall and on the City website. The paper failed to publish notices of the June 21 and July 5 Council meetings. Items from those meetings are included in tonight's agenda. The July 5 Council meeting was not held, so they are simply included on the agenda without any notation. With respect to items originally scheduled for June 21, the Mayor reminded Council to consider them as new and disregard any comments or information provided at the prior meeting and only consider comments or information provided at the meeting tonight.

**PRESENTATION – CERTIFICATES OF PARTICIPATION – MAYOR'S YOUTH COUNCIL**

Mayor Kindig stated that these certificates were presented at an earlier date.

**A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE JUNE 7, 2016 CITY COUNCIL MEETING**
- 3. APPROVAL OF THE MINUTES OF THE JUNE 2, 2016 PLANNING COMMISSION MEETING**
- 4. APPROVAL OF THE MINUTES OF THE JUNE 16, 2016 PLANNING COMMISSION MEETING**
- 5. MONTHLY FINANCIAL REPORT – APRIL 2016**
- 6. MONTHLY FINANCIAL REPORT – MAY 2016**
- 7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CIVIC CENTER PARK - \$17,138.87**

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8. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – CITY PARKING DISTRICT ACCESS IMPROVEMENTS – DRAINAGE - \$3,550.00
9. REQUEST FOR PAYMENT - THOMPSON, DREESSEN & DORNER, INC. – BIG PAPIO CREEK SIPHON REPAIR - \$1,455.00
10. REQUEST FOR PAYMENT – YANO'S NURSERY – THOMPSON CREEK - \$255.00
11. REQUEST FOR PAYMENT – CITY OF OMAHA – SEWER TRACT CONNECTION FEES - \$118,489.20
12. REQUEST FOR PAYMENT – SARPY COUNTY – INDUSTRIAL SEWER TRACT CONNECTION FEES - \$160,600.00
13. REQUEST FOR PAYMENT – UPSTREAM WEEDS – PROFESSIONAL SERVICES - STORMWATER OUTREACH - \$1,500.00
14. REQUEST FOR PAYMENT – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES ROAD DATA COLLECTION - \$4,100.00
15. REQUEST FOR PAYMENT – SARPY COUNTY PUBLIC WORKS – SHARED PROJECT COSTS – 66<sup>TH</sup> STREET FROM HARRISON TO GILES ROAD AND GILES ROAD FROM 66<sup>TH</sup> TO 69<sup>TH</sup> STREETS - \$272,441.99
16. APPROVAL OF CLAIMS.

ACCO UNLIMITED CORP, supplies	\$357.85
ACTION BATTERIES, maint.	\$157.51
ALAMAR UNIFORMS, apparel	\$548.93
ANDERSON EXCAVATING CO, services	\$257,435.89
A-RELIEF SERVICES INC, bld&grnds	\$420.00
ASPHALT & CONCRETE MATERIALS, maint.	\$834.62
BAXTER CHRYSLER DODGE JEEP RAM, maint.	\$129.00
BEACON BUILDING, services	\$6,012.00
BERRY DUNN, services	\$875.00
BLACK HILLS ENERGY, utilities	\$1,630.00
BMI, services	\$336.00
BOB MARCEAU, refund	\$151.47
BOBCAT OF OMAHA, maint.	\$128.38
BOLD OFFICE SOLUTIONS, services	\$1,150.86
BS&A SOFTWARE, services	\$43,165.00
BUETHE, P., travel	\$637.92
BUILDERS SUPPLY CO, bld&grnds	\$43.12
CENTER POINT PUBLISHING, books	\$302.58
CENTURY LINK, phones	\$348.56
CIACCIO ROOFING CORP, bld&grnds	\$297.00
CITY OF OMAHA, services	\$153,841.17
CITY OF PAPILLION, supplies	\$8,601.12
CLASS C SOLUTIONS GROUP, services	\$354.46
CNA SURETY, services	\$1,855.00
COMP CHOICE INC, services	\$673.00
CONSOLIDATED MANAGEMENT, services	\$452.59
COX COMMUNICATIONS, services	\$160.09
CUMMINS CENTRAL POWER, maint.	\$1,643.59
DEARBORN NATIONAL LIFE INS CO, services	\$992.00
DEERE & CO, services	\$35,986.79
DELL MARKETING, services	\$1,686.90
DEMCO INC, supplies	\$163.14
EDGEWEAR SCREEN PRINTING, apparel	\$505.50
ESRI INC, services	\$3,350.00
EXCHANGE BANK, services	\$305.79
FILTER CARE, maint.	\$16.55
FITZGERALD SCHORR BARMETTLER, services	\$32,843.36
FOCUS PRINTING, services	\$300.00
GALE, books	\$128.20
GCR TIRES & SERVICE, maint.	\$390.77
GRAYBAR ELECTRIC CO, bld&grnds	\$130.56

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GREENKEEPER CO, supplies	\$926.38
H & H CHEVROLET, maint.	\$44.29
HAMILTON COLOR LAB, services	\$6,067.60
HERITAGE CRYSTAL CLEAN, services	\$314.95
INDUSTRIAL SALES CO, bld&grnds	\$818.32
INGRAM LIBRARY SERVICES, books	\$445.02
INLAND TRUCK PARTS, maint.	\$227.64
JEFF MOORE, services	\$1,200.00
JENNIFER GOSS, services	\$24.95
JOHNSON HARDWARE CO, bld&grnds	\$93.68
KENNY'S SERVICES INC, bld&grnds	\$885.00
KRIHA FLUID POWER CO, maint.	\$98.05
LANDPORT SYSTEMS INC, services	\$125.00
LANDS' END BUSINESS OUTFITTERS, apparel	\$147.98
LARSEN SUPPLY CO, supplies	\$340.84
LEXIS NEXIS MATTHEW BENDER, books	\$59.08
LIBRARY ADVANTAGE, supplies	\$560.00
LIBRARY IDEAS LLC, media	\$7.00
LIGHT AND SIREN, maint.	\$1,393.72
LOGAN SIMPSON DESIGN INC, services	\$5,859.55
LV COMM FOUNDATION, payroll	\$60.00
MARK A KLINKER, services	\$200.00
MAX I WALKER UNIFORM, services	\$570.60
MBC CONSTRUCTION, services	\$117,013.21
MENARDS-RALSTON, bld&grnds	\$99.99
METRO COMM COLLEGE, services	\$15,715.88
MICHAEL TODD & CO, maint.	\$1,114.20
MID CON SYSTEMS INC, maint.	\$159.08
MIDWEST TAPE, media	\$387.81
MONARCH OIL INC, maint.	\$175.00
MUD, utilities	\$9,361.88
MUNICIPAL PIPE TOOL CO, maint.	\$15.91
NATIONAL EVERYTHING WHOLESALE, supplies	\$366.81
NE DEPT OF LABOR, bld&grnds	\$140.00
NE LAW ENFORCEMENT, services	\$150.00
NIGHT FLYER GOLF INC, services	\$117.20
NMC EXCHANGE LLC, services	\$2,385.97
NORTHWEST AUTO CARE, maint.	\$1,187.20
ODEY'S INC, bld&grnds	\$6,735.14
OFFICE DEPOT INC, supplies	\$752.53
OMAHA COMPOUND CO, services	\$389.10
OMNIGRAPHICS INC, books	\$81.85
ONE CALL CONCEPTS, services	\$284.16
PAPILLION LA VISTA SCHL DISTR, services	\$20,889.56
PAPIO-MO RIVER NRD, services	\$116,220.90
PARK YOUR PAWZ INC, services	\$180.00
PAYFLEX SYSTEMS, services	\$251.55
PEPSI COLA CO, supplies	\$781.52
PLAINS EQUIPMENT GROUP, maint.	\$821.50
PREMIER-MIDWEST BEVERAGE, supplies	\$270.88
QUALITY AUTO REPAIR & TOWING, services	\$79.00
QUALITY BRANDS OF OMAHA, supplies	\$376.15
RAINBOW GLASS & SUPPLY, maint.	\$179.00
RALSTON ADVERTISING, services	\$209.00
RDG PLANNING & DESIGN, services	\$260.96
READY MIXED CONCRETE CO, maint.	\$243.40
REPUBLIC NATIONAL DISTR CO, supplies	\$135.00
RETRIEVEX, services	\$125.61
RON TURLEY ASSOCIATES, services	\$1,200.00
ROTELLA'S ITALIAN BAKERY, supplies	\$19.98

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SARPY COUNTY COURTHOUSE, services	\$4,100.37
SARPY COUNTY FISCAL ADMIN, services	\$7,933.00
SARPY COUNTY LANDFILL, bld&grnds	\$1,090.88
SARPY COUNTY REGISTER OF DEEDS, services	\$16.00
SARPY COUNTY TREASURER, services	\$9,282.75
SCHOLASTIC BOOK FAIRS, books	\$387.59
SHRM-SOCIETY FOR HR, services	\$190.00
SIGN IT, services	\$6,114.20
SPRINT, phones	\$119.97
SUPERIOR SPA & POOL, supplies	\$79.86
SWAN ENGINEERING, bld&grnds	\$8.94
SWANK MOTION PICTURES INC, services	\$578.00
THOMPSON DREESSEN & DORNER, services	\$12,978.42
TITAN MACHINERY, maint.	\$184.48
TODCO BARRICADE CO, services	\$400.00
TRADE WELL PALLET, bld&grnds	\$202.50
TRAFFIC & TRANSPORTATION PRODS, services	\$622.20
UNITED PARCEL, services	\$8.13
UNIV OF NEBR BOARD OF REGENTS, services	\$20.00
UNIVERSITY OF NEBRASKA LINCOLN, services	\$75.00
VERIZON WIRELESS, phones	\$306.85
WAL-MART, supplies	\$5,710.06
WHITE CAP CONSTR, supplies	\$16.95
WICK'S STERLING TRUCKS, maint.	\$81.03
ABE'S PORTABLES INC, services	\$95.00
ACCO UNLIMITED CORP, supplies	\$161.70
ACTION BATTERIES, bld&grnds	\$116.49
AKSARBEN HEATING, bld&grnds	\$118.00
ALAMAR UNIFORMS, apparel	\$490.45
ARCMATE MANUFACTURING CORP, supplies	\$161.25
A-RELIEF SERVICES, bld&grnds	\$855.00
ASPHALT & CONCRETE MATERIALS, maint.	\$476.87
BAKER & TAYLOR, books	\$1,760.32
BEAUMONT, M, travel	\$195.00
BENNETT REFRIGERATION, bld&grnds	\$2,875.00
BISHOP BUSINESS EQUIPMENT, services	\$1,972.63
BLACK HILLS ENERGY, utilities	\$107.29
BUILDERS SUPPLY CO, maint.	\$180.22
CAREERTRACK, services	\$198.00
CENTURY LINK BUSN SVCS, phones	\$53.25
CENTURY LINK, phones	\$134.32
CITY OF PAPILLION, services	\$150,654.00
CLARK CREATIVE GROUP, services	\$4,000.00
CLASS C SOLUTIONS GROUP, maint.	\$381.97
CNA SURETY, services	\$1,135.50
COCA-COLA BOTTLING CO, supplies	\$855.79
CONSOLIDATED MANAGEMENT, services	\$584.16
COX COMMUNICATIONS, services	\$143.00
CULLIGAN OF OMAHA, bld&grnds	\$63.00
CUMMINS CENTRAL POWER, maint.	\$615.21
DAVE BURGERS, refund	\$188.84
DEARBORN NATIONAL LIFE INS, services	\$4,441.61
DEBRA O'NEILL, refund	\$24.00
DIAMOND VOGEL PAINTS, bld&grnds	\$59.69
DITCH WITCH OF OMAHA, maint.	\$140.00
EDGEWEAR SCREEN PRINTING, apparel	\$162.00
EXPRESS ENTERPRISES, bld&grnds	\$1,680.31
FEDEX, services	\$72.04
FILTER CARE, maint.	\$30.60
FIRST WIRELESS INC, services	\$90.00

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FITZGERALD SCHORR BARMETTLER, services	\$32,945.30
FUN SERVICES, services	\$510.00
GALE, books	\$164.93
GCR TIRES & SERVICE, maint.	\$401.81
GENUINE PARTS CO, maint.	\$991.12
GRAINGER, bld&grnds	\$32.78
GRAYBAR ELECTRIC CO, bld&grnds	\$105.17
GREENKEEPER CO, supplies	\$1,322.38
GRETNA SMALL ENGINE, maint.	\$1,408.52
H & H CHEVROLET LLC, maint.	\$73.50
HANEY SHOE STORE, apparel	\$150.00
HEARTLAND TIRES AND TREADS, maint.	\$1,014.68
HEIMES CORP, maint.	\$142.03
HELMET & SHIELD, services	\$2,471.00
HOME DEPOT, bld&grnds	\$806.41
HUNDEN STRATEGIC PARTNERS, services	\$4,504.10
HUNTEL COMMUNICATIONS, services	\$110.00
HY-VEE INC, supplies	\$145.00
INDUSTRIAL SALES CO, bld&grnds	\$70.64
INGRAM LIBRARY SERVICES, books	\$184.75
KRIHA FLUID POWER CO, maint.	\$164.11
LAWRENCE SKARNULIS, refund	\$26.00
LIFEGUARD STORE INC, supplies	\$2,107.00
LOWE'S, supplies	\$94.05
MARTIN MARIETTA AGGREGATES, bld&grnds	\$244.69
MATHESON TRI-GAS INC, apparel	\$118.24
MAX I WALKER UNIFORM, services	\$580.97
MENARDS-RALSTON, bld&grnds	\$473.42
METRO AREA TRANSIT, services	\$425.00
MID CON SYSTEMS INC, maint.	\$184.18
MID-AMERICAN BENEFITS INC, services	\$604.50
MIDWEST TAPE, media	\$42.48
MISEREZ, C, travel	\$115.00
MULHALL'S, services	\$3,910.46
NEBRASKA BUSINESS ELECTRONICS, services	\$315.50
NEBRASKA CODE OFFICIALS ASSN, services	\$250.00
NMC EXCHANGE LLC, maint.	\$72.46
NOBBIES INC, supplies	\$301.39
NORTHWEST AUTO CARE, maint.	\$10.00
OFFICE DEPOT INC, supplies	\$1,176.88
OMAHA CHILDREN'S MUSEUM, services	\$195.00
OMAHA WORLD-HERALD, services	\$5,907.49
ONE CALL CONCEPTS, services	\$275.40
OPPD, utilities	\$57,060.76
O'REILLY AUTOMOTIVE STORES, maint.	\$68.03
PAPILLION SANITATION, services	\$2,224.01
PAYLESS OFFICE PRODUCTS, supplies	\$299.90
PEPSI COLA CO, supplies	\$256.32
PITNEY BOWES GLOBAL, supplies	\$169.97
PLAINS EQUIPMENT GROUP, maint.	\$659.33
PREMIER-MIDWEST BEVERAGE CO, supplies	\$177.50
QP ACE HARDWARE, bld&grnds	\$1,397.56
QUALITY BRANDS OF OMAHA, supplies	\$434.40
READY MIXED CONCRETE CO, maint.	\$2,134.30
REPUBLIC NATIONAL DISTR CO, supplies	\$68.53
RICHARD ROWLAND, refund	\$12.22
SCHEMMER ASSOCIATES INC, services	\$31.25
SIGN IT, services	\$20.00
SIRCHIE FINGER PRINT LABS, services	\$266.08
SKILL PATH SEMINARS, services	\$230.90

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

SPRINT, phones	\$643.30
SUPER SEER CORP, services	\$1,353.80
TED'S MOWER SALES, services	\$178.08
TIELKE'S SANDWICHES, supplies	\$96.67
TOM'S SHOE REPAIR, apparel	\$45.00
TRACTOR SUPPLY, maint.	\$539.88
TRADE WELL PALLET INC, bld&grnds	\$180.00
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
VERNON COMPANY, services	\$616.70
WHITE CAP CONSTR SUPPLY, apparel	\$21.99
WICK'S STERLING TRUCKS, maint.	\$142.18

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

## B. CONSENT AGENDA

1. RATIFY AND APPROVE REQUEST FOR PAYMENT – LOGAN SIMPSON – PROFESSIONAL SERVICES – COMPREHENSIVE PLAN UPDATE - \$1,724.43
2. RATIFY AND APPROVE REQUEST FOR PAYMENT – BS&A – PROFESSIONAL SERVICES – FINANCIAL INFORMATION SOFTWARE - \$43,165.00
3. RATIFY AND APPROVE REQUEST FOR PAYMENT – RDG PLANNING DESIGN – PROFESSIONAL SERVICES – THOMPSON CREEK OUTREACH - \$260.96
4. RATIFY AND APPROVE REQUEST FOR PAYMENT – PAPILLION LA VISTA COMMUNITY SCHOOLS – THOMPSON CREEK OUTREACH - \$20,889.56
5. RATIFY AND APPROVE REQUEST FOR PAYMENT – BERRYDUNN – PROFESSIONAL SERVICES – FINANCIAL INFORMATION SOFTWARE SYSTEM SELECTION - \$875.00
6. RATIFY AND APPROVE REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$12,978.42
7. RATIFY AND APPROVE REQUEST FOR PAYMENT – ANDERSON EXCAVATING CO. – CONSTRUCTION SERVICES – THOMPSON CREEK CHANNEL REHABILITATION GROUP B – CHANNEL RECONSTRUCTION - \$257,435.89
8. RATIFY AND APPROVE RESOLUTION 16-062 – CHANGE ORDER NO. 1 – CITY PARKING DISTRICT ACCESS IMPROVEMENTS – PORTSIDE PARKWAY

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MBC CONSTRUCTION CO., INC., OMAHA, NEBRASKA, FOR CHANGES IN STORM SEWER CONSTRUCTION ITEMS AND ADDITION OF STREET LIGHTING CONDUIT REPAIRS IN AN AMOUNT NOT TO EXCEED \$1,137.10.

WHEREAS, the City has determined it is necessary to make changes in storm sewer construction items and the addition of street lighting conduit repairs; and

WHEREAS, the FY16 Capital Fund Budget provides funding for this change order in the amount of \$1,137.10.

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 to the contract with MBC Construction Co., Inc., Omaha Nebraska, for changes in storm sewer construction items and addition of street lighting conduit repairs in an amount not to exceed \$1,137.10.

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- 9. RATIFY AND APPROVE REQUEST FOR PAYMENT – MBC CONSTRUCTION – CONSTRUCTION SERVICES – CITY PARKING DISTRICT ACCESS IMPROVEMENTS - \$117,013.21**
- 10. RATIFY AND APPROVE REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NRD – WATERSHED FEES - \$116,220.90**
- 11. RATIFY AND APPROVE PAYMENT OF CLAIMS.**

529 CSP, payroll	\$50.00
ABE'S PORTABLES INC, services	\$95.00
ACCO UNLIMITED CORP, suplies	\$933.42
ACTION BATTERIES, maint.	\$39.95
ALADDIN SCREEN PRINTING, apparel	\$72.00
ALAMAR UNIFORMS, apparel	\$2,124.91
ANDERSON EXCAVATING COMPANY, services	\$119,173.80
A-RELIEF, services	\$2,070.00
ASPHALT & CONCRETE MATERIALS, maint.	\$447.62
ATLAS AWNING CO INC, services	\$250.00
BAXTER CHRYSLER DODGE JEEP RAM, maint.	\$218.25
BAXTER FORD, maint.	\$56.82
BEACON BUILDING, services	\$1,375.00
BISHOP BUSINESS EQUIPMENT, services	\$1,630.55
BKD LLP, servcies	\$1,700.00
BLACK HILLS ENERGY, utilities	\$147.82
BOB MARCEAU, refund	\$151.47
BROWN, J.,services	\$100.00
CARDMEMBER SERVICE-ELAN, services	\$32.20
CARNAHAN EVANS CANTWELL &BROWN, services	\$75.00
CENTURY LINK BUSN SVCS, phones	\$85.36
CENTURY LINK, phones	\$572.53
CHRIS MADDEN, services	\$1,500.00
CITY OF PAPILLION, services	\$150,654.00
CIVICPLUS, services	\$14,829.18
CLASS C SOLUTIONS GROUP, maint.	\$282.41
CONSOLIDATED MGMT, services	\$584.16
COX COMMUNICATIONS, services	\$143.00
CREDIT MANAGEMENT SVCS, payroll	\$164.10
CULLIGAN OF OMAHA, bld&grnds	\$47.00
DOUGLAS COUNTY SHERIFF'S OFC, services	\$100.00
ED ROEHR SAFETY PRODUCTS, services	\$395.00
EFTPS, payroll	\$76,023.70
EXPRESS DISTRIBUTION LLC, supplies	\$112.11
FIRST NATIONAL BANK FREMONT, bonds	\$6,601.67
FOCUS PRINTING, services	\$78.75
GALE, books	\$164.18
GARROD, M., travel	\$100.27
GCR TIRES & SERVICE, maint.	\$87.00
GENUINE PARTS CO, maint.	\$2,099.18
GRAYBAR ELECTRIC CO, bld&grnds	\$199.70
GREAT PLAINS UNIFORMS, services	\$2,490.00
H & H CHEVROLET, maint.	\$236.13
HANEY SHOE STORE, apparel	\$150.00
HARTS AUTO SUPPLY, maint.	\$302.80
HOBBY LOBBY STORES, supplies	\$290.15
HOME DEPOT, bld&grnds	\$472.02
HOST COFFEE SERVICE, supplies	\$25.75
ICMA, payroll	\$37,046.52
INFOGROUP, media	\$1,250.00
INGRAM LIBRARY SERVICES, books	\$1,871.57
INLAND TRUCK PARTS, maint.	\$4.02
J Q OFFICE EQUIPMENT, services	\$33.00
JOE PUTJENTER, services	\$1,500.00

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KEVIN COBLE, services	\$400.00
KRIHA FLUID POWER CO INC, maint.	\$30.77
LANDS' END BUSINESS OUTFITTERS, apparel	\$275.79
LARSEN SUPPLY CO, supplies	\$136.78
LCW PRODUCTIONS, services	\$300.00
LFOP DUES, payroll	\$1,340.00
LISA LAIRD, services	\$335.00
LOU'S SPORTING GOODS, supplies	\$319.25
LOVELAND GRASS PAD, bld&grnds	\$2,523.22
LOWE'S, services	\$1,012.36
MAGIE MC COMBS, services	\$600.00
MASTER MECHANICAL SERVICE INC, bld&grnds	\$93.00
MAX I WALKER UNIFORMS, services	\$569.90
MENARDS-RALSTON, bld&grnds	\$426.12
MESSERLI & KRAMER, payroll	\$285.02
METRO AREA TRANSIT, services	\$403.00
MICHAEL TODD AND CO, maint.	\$635.38
MIDWEST TAPE, media	\$368.30
MILLER PRESS, services	\$135.00
MUD, utilities	\$676.49
MULHALL'S, services	\$2,185.06
NATIONAL RESEARCH CENTER INC, services	\$2,550.00
NE CHILD SUPPORT PYMT CTR, payroll	\$715.08
NE STATE INCOME TAX, payroll	\$11,127.23
NMC EXCHANGE LLC, maint.	\$60.47
NUTS AND BOLTS INC, bld&grnds	\$68.10
OCLC INC, media	\$123.61
OFFICE DEPOT INC, supplies	\$278.08
OMAHA WORLD-HERALD, services	\$1,456.51
OMNIGRAPHICS INC, books	\$163.70
OPPD, utilities	\$51,519.15
O'REILLY AUTOMOTIVE STORES, maint.	\$74.80
PAPILLION SANITATION, services	\$984.34
PITNEY BOWES FIN SVCS, supplies	\$526.71
PLAINS EQUIPMENT GROUP, maint.	\$535.93
POLICE INSURANCE, payroll	\$261.89
PREMIER-MIDWEST BEVERAGE CO, supplies	\$283.90
QP ACE HARDWARE, bld&grnds	\$1,621.28
QUALITY BRANDS OF OMAHA, supplies	\$516.20
RECORDED BOOKS, LLC, media	\$19.99
ROTELLA'S ITALIAN BAKERY, supplies	\$111.74
SCHEMMER ASSOCIATES INC, services	\$1,728.47
SCHOLASTIC LIBRARY PUBLISHING, media	\$614.00
SIGN IT, services	\$255.00
SPRINT, phones	\$643.30
STOLTENBERG NURSERIES, bld&grnds	\$305.00
TED'S MOWER SALES, services	\$2.02
THOMPSON DREESSEN & DORNER, services	\$22,228.58
TIELKE'S SANDWICHES, supplies	\$59.72
TRACTOR SUPPLY CREDIT PLAN, supplies	\$67.98
TRANS UNION RISK, services	\$25.00
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED RENT-ALL, services	\$1,569.87
VAN RU CREDIT CORP, payroll	\$11.36
VERNON CO, services	\$812.27
VIERREGGER ELECTRIC CO, bld&gnds	\$120.00

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Frederick reviewed the bills at an earlier date and had stated everything was in order. Councilmembers voting aye: Sheehan,

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

## REPORTS FROM CITY ADMINISTRATOR AND STAFF

Community Relations Coordinator Beaumont reminded Council of the Taste of La Vista event coming up on July 30.

Police Chief Lausten reported that 2 La Vista officers went to Dallas for the funeral of the fallen officers.

Fire Chief Bowes gave a mid-year update on the fire and rescue department calls.

### **C. APPLICATION FOR REZONING – LOTS 1-7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT NO. 1, LOTS 8A1, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT NO. 2, AND PORTIONS OF TAX LOT 12, 14-14-12 (SE OF 84<sup>TH</sup> ST. & SUMMER DR.)\***

#### 1. PUBLIC HEARING

At 6:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the application for rezoning in the area South East of 84<sup>th</sup> Street and Summer Drive. Chris Erickson representing City Ventures gave a presentation of the project on 84<sup>th</sup> Street stating that they have been working on this for the last 2 years. He showed the proposed layout of the area and talked about the phases of the project including demolition of old buildings and moving Summer Drive and new buildings. He said there are a lot of "moving parts" but the current timeline shows that the first opening would be in the fall of 2018. Councilmember Sheehan asked about the maximum number of stories in any building there and whether there will be diagonal parking. Chris stated that the maximum would be 5 stories and there will be diagonal parking according to the grid on the diagram. Councilmember Quick asked if there would be enough parking if everything is fully built out and occupied. Erickson stated that they believe they have the appropriate number of spaces.

At 6:40 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. Motion carried.

#### 2. ORDINANCE – REZONING

Councilmember Hale introduced Ordinance No. 1286 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: Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. 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 Hale. The Mayor then stated the question, "Shall Ordinance No. 1286 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. 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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**D. RESOLUTION – APPLICATION FOR PRELIMINARY PLAT, LOTS 1-7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT NO. 1, LOTS 8A1, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT NO. 2, AND PORTIONS OF TAX LOT 12, 14-14-12; AND WAIVER OF SECTION 4.24, SUBDIVISION REGULATIONS (SE OF 84<sup>TH</sup> ST. & SUMMER DR.)\***

Councilmember Quick introduced and moved for the adoption of Resolution No.16-071; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE PRELIMINARY PLAT FOR LOTS 1 THRU 7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT NO.1, LOTS 8A1, 8A2, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT NO. 2, AND PORTIONS OF TAX LOT 12, 14-14-12, TO BE REPLATTED AS LOTS 1 THRU 17 AND OUTLOTS A THRU C, LA VISTA CITY CENTRE, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 15 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, La Vista City Centre LLC, on behalf of the owners of the above described piece of property, have made application for approval of a preliminary plat for Lots 1 thru 7, Brentwood Crossing, Lots 8B and 8C, Brentwood Crossing Replat No. 1, Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, and portions of Tax Lot 12, 14-14-12; and

WHEREAS, the City Engineer has reviewed the preliminary plat; and

WHEREAS, on June 2, 2016, the La Vista Planning Commission reviewed the preliminary plat and recommended approval subject to the following conditions:

1. Approval of the waiver of Section 4.24 of the Subdivision Regulations.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the preliminary plat for Lots 1 thru 7, Brentwood Crossing, Lots 8B & 8C, Brentwood Crossing Replat No. 1, Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, and portions of Tax Lot 12, 14-14-12, to be replatted as Lots 1 thru 17 and Outlots A thru C, La Vista City Centre, a subdivision located in the southwest quarter of Section 14, Township 15 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southeast of 84<sup>th</sup> Street and Summer Drive, be, and hereby is, approved.

BE IT FURTHER RESOLVED that a waiver of Section 4.24 of the Subdivision Regulations, regarding the minimum centerline radius of a local street, be granted.

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

**E. RESOLUTION – PROPOSED REDEVELOPMENT PROJECTS FOR THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA\***

Councilmember Hale introduced and moved for the adoption of Resolution No.16-072; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA REGARDING REDEVELOPMENT PROJECTS IN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA

WHEREAS, the City Council on July 16, 2013 approved a Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area (“Redevelopment Plan”); and

WHEREAS, amendments to the Redevelopment Plan and City comprehensive development plan are being prepared for anticipated redevelopment projects involving areas on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, and Brentwood Crossing (“Amendments”).

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NOW THEREFORE, BE IT RESOLVED that the governing body of the City hereby finds, determines, and approves as follows:

1. The recitals above are incorporated into this resolution by reference.
2. Redevelopment projects within the 84<sup>th</sup> Street Redevelopment Area and involving the City of La Vista ("City") and La Vista Community Development Agency ("Agency") are proposed for areas on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, and Brentwood Crossing (in the vicinity of 84<sup>th</sup> and Brentwood Drive), with City or Agency involvement in the projects proposed to include without limitation, acquisition, construction, or improvement of public streets, offstreet parking facilities, or recreational or other public areas; demolition, removal, or disposal of existing buildings or improvements; relocation of existing utilities or businesses; grading or other preparation of the site; acquisition of all rights, and taking all actions, necessary or appropriate to perform the projects or work; and required funding ("Projects"). The engineer's preliminary estimate of costs of such multi-year Projects is \$54.1 million, with first phase costs in the initial years estimated at \$28.1 million for City or Agency work on the Brentwood Crossing site, and \$8.0 million for City or Agency work on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, or otherwise not on the Brentwood Crossing site. Allocation of performance or costs as between City and Agency shall be determined; initial estimates provide for allocation of performance as 90% City and 10% Agency.
3. The Projects are approved, subject to adoption of the Amendments, definitive documents, agreements, and instruments in form and content satisfactory to the City Administrator, and satisfaction of any other applicable requirements of the Community Development Law or other applicable laws.
4. The Projects as described in this resolution are subject to limited referendum for a period of thirty days after the first publication of such notice for such Projects and, after such thirty-day period, the Projects and measures related to them will not be subject to any further right of referendum.

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, City Clerk, or his or her designee is authorized to take such further actions as he or she determines necessary or appropriate to carry out the actions approved herein, including without limitation providing any notices.

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

## F. RESOLUTION - PROPOSED REDEVELOPMENT PROJECTS FOR THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA (ACTION ON THIS ITEM WILL BE TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY)\*

Mayor Kindig stated that action on this item will be taken by the Community Development Agency. Councilmember Thomas introduced and moved for the adoption of Resolution No.16-073; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, REGARDING REDEVELOPMENT PROJECTS IN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA

WHEREAS, the La Vista Community Development Agency ("Agency") consisting of and governed by the Mayor and City Council of the City of La Vista has been created; and

WHEREAS, the City Council on July 16, 2013 approved a Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area ("Redevelopment Plan"); and

WHEREAS, amendments to the Redevelopment Plan and City comprehensive development plan are being prepared for anticipated redevelopment

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projects involving areas on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, and Brentwood Crossing ("Amendments")

NOW THEREFORE, BE IT RESOLVED that La Vista Community Development Agency hereby finds, determines, and approves as follows:

1. The recitals above are incorporated into this resolution by reference.
2. Redevelopment projects within the 84<sup>th</sup> Street Redevelopment Area and involving the City of La Vista ("City") and La Vista Community Development Agency ("Agency") are proposed for areas on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, and Brentwood Crossing (in the vicinity of 84<sup>th</sup> and Brentwood Drive), with City or Agency involvement in the projects proposed to include without limitation, acquisition, construction, or improvement of public streets, offstreet parking facilities, or recreational or other public areas; demolition, removal, or disposal of existing buildings or improvements; relocation of existing utilities or businesses; grading or other preparation of the site; acquisition of all rights, and taking all actions, necessary or appropriate to perform the projects or work; and required funding ("Projects"). The engineer's preliminary estimate of costs of such multi-year Projects is \$54.1 million, with first phase costs in the initial years estimated at \$28.1 million for City or Agency work on the Brentwood Crossing site, and \$8.0 million for City or Agency work on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, or otherwise not on the Brentwood Crossing site. Allocation of performance or costs as between City and Agency shall be determined; initial estimates provide for allocation of performance as 90% City and 10% Agency.
3. The Projects are approved, subject to adoption of the Amendments, definitive documents, agreements, and instruments in form and content satisfactory to the City Administrator, and satisfaction of any other applicable requirements of the Community Development Law or other applicable laws.
4. The Projects as described in this resolution are subject to limited referendum for a period of thirty days after the first publication of such notice for such Projects and, after such thirty-day period, the Projects and measures related to them will not be subject to any further right of referendum.

BE IT FURTHER RESOLVED, that the Mayor, City Administrator, City Clerk, or his or her designee, on behalf of the Agency, is authorized to take such further actions as he or she determines necessary or appropriate to carry out the actions approved herein, including without limitation providing any notices.

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

## **G. ORDINANCE – PROPERTY CONVEYANCE – PORTIONS OF GOLF COURSE\***

Councilmember Hale introduced Ordinance No. 1287 entitled; AN ORDINANCE DIRECTING CONVEYANCE OF REAL ESTATE IN THE VICINITY OF SOUTHWESTERN AREAS OF LA VISTA FALLS GOLF COURSE, BEING A PART OF TAX LOT 12 LOCATED IN THE NORTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, AND THE MANNER AND TERMS THEREOF; AND TO PROVIDE FOR AN EFFECTIVE DATE HEREOF.

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

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Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. Three members of the public addressed Mayor and Council in favor of keeping the golf course. The Mayor then stated the question, "Shall Ordinance No. 1287 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. 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.

## **H. RESOLUTION – REDEVELOPMENT CONTRACT PROPOSAL FOR THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA (ACTION ON THIS ITEM WILL BE TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY)\***

Mayor Kindig stated that action on this item will be taken by the Community Development Agency. Councilmember Hale introduced and moved for the adoption of Resolution No.16-074; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, REGARDING REDEVELOPMENT CONTRACT PROPOSAL

WHEREAS, the La Vista Community Development Agency ("Agency") consisting of and governed by the Mayor and City Council of the City of La Vista has been created; and the City Council approved a Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area ("Redevelopment Plan"); and

WHEREAS, amendments to the Redevelopment Plan and City comprehensive development plan are being prepared for anticipated redevelopment projects involving areas on or in the vicinity of the La Vista Falls Golf Course, City swimming pool, and Brentwood Crossing (in the vicinity of 84<sup>th</sup> and Brentwood Drive) ("Amendments"); and

WHEREAS redevelopment and subdivision agreements are proposed for such areas and redevelopment projects with La Vista City Centre, LLC in preliminary form and content ("Agreements"). Notice inviting redevelopment contract proposals was published.

NOW THEREFORE, BE IT RESOLVED that the La Vista Community Development Agency hereby finds, determines, and approves as follows:

1. The recitals above are incorporated into this resolution by reference.
2. An authority under the Community Development Law may accept redevelopment contract proposals as it deems to be in the public interest and in furtherance of the Community Development Law if the authority has, not less than thirty days prior thereto, notified the governing body in writing of its intention to accept such redevelopment contract proposals.
3. Agency desires to notify the governing body of its intent to accept the Agreements, subject to (a) any additions, subtractions or modifications to the Agreements as the City Administrator determines necessary or appropriate, and final Agreements in satisfactory final form and content; (b) adoption of the Amendments, definitive documents, agreements, and instruments in form and content satisfactory to the City Administrator, and satisfaction of any other applicable requirements of the Community Development Law or other applicable laws; (c) any additional consideration or analysis as the City Administrator determines necessary or appropriate to confirm financial or legal ability of redevelopers under the Agreements to carry out their proposals or otherwise; and (d) actual acceptance of the Agreements ("Applicable Conditions").
4. The City Clerk, immediately upon passage and approval of this resolution, shall file and maintain a copy of it with the official records of the City; and such filing shall constitute notification to the governing

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body of the Agency's intention to accept such Agreements and redevelopment contract proposals, subject to satisfaction of the Applicable Conditions.

BE IT FURTHER RESOLVED that the Mayor, City Administrator, City Clerk, or his or her designee, on behalf of the Agency, is authorized to take such further actions as he or she determines necessary or appropriate to carry out the actions approved herein.

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

Mayor Kindig stated that motions for items I through L will be to Ratify and Approve.

**I. RESOLUTION – BID AWARD – STREET IMPROVEMENTS – INTERSECTION MODIFICATIONS\***

Councilmember Hale introduced and moved to ratify and adopt Resolution No.16-067; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO NL & L CONCRETE, INC., OMAHA NEBRASKA FOR CONSTRUCTION OF THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS – INTERSECTION MODIFICATIONS IN AN AMOUNT NOT TO EXCEED \$102,289.75.

WHEREAS, the City Council of the City of La Vista has determined that construction of the city parking district access improvements – intersection modifications is necessary; and

WHEREAS, the FY 16 Capital Fund Budget provides funding for this project; and

WHEREAS, Bids were received from two contractors, and

WHEREAS NL & L Concrete, Inc., Omaha Nebraska, has submitted the low, qualified bid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to NL & L Concrete, Inc., Omaha Nebraska for construction of the city parking district access improvements – intersection modifications, in an amount not to exceed \$102,289.75.

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

**J. RESOLUTION – ENGINEERING CONSULTING SERVICES FOR SITE PREPARATION – 84<sup>TH</sup> STREET REDEVELOPMENT AREA (ACTION ON THIS ITEM WILL BE TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY)\***

Mayor Kindig stated that action on this item will be taken by the Community Development Agency. Councilmember Sell introduced and moved to ratify and adopt Resolution No.16-068; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING A PROFESSIONAL SERVICES AGREEMENT WITH OLSSON ASSOCIATES TO PROVIDE DESIGN PHASE AND CONSTRUCTION PHASE ENGINEERING SERVICES FOR THE PROPOSED DEMOLITION AND SITE PREPARATION OR RELATED WORK - INITIAL REDEVELOPMENT PROJECT 84<sup>TH</sup> STREET REDEVELOPMENT AREA IN AN AMOUNT NOT TO EXCEED \$180,000.

WHEREAS, the Community Development Agency ("Agency") consisting of and governed by the Mayor and City Council of the City of La Vista has been created; and

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WHEREAS, The City Council, upon recommendation of the Agency and Planning Commission, on July 16, 2013 approved a Redevelopment Plan for the 84<sup>th</sup> Street Redevelopment Area, which included an Initial Redevelopment Project and demolition, clearance, preparation, improvement, or disposal of the Initial Redevelopment Project Area or improvements thereon to eliminate or prevent recurrence of the substandard and blighted area or otherwise carry out the Redevelopment Plan ("Demolition and Site Preparation"); and

WHEREAS, the City Council acting as the La Vista Community Development Agency desires to approve and enter into a professional services agreement with Olson Associates to provide design phase and construction phase engineering services.

NOW THEREFORE, BE IT RESOLVED that the City Council acting as the La Vista Community Development Agency hereby approves the Agreement presented with this Resolution.

BE IT FURTHER RESOLVED that the City Administrator on behalf of the Agency, is authorized to execute the Agreement; and the City Administrator or her designee, to include the City Engineer, is authorized to take such further actions as she or he determines necessary or appropriate to carry out the actions approved herein.

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

## **K. RESOLUTION – CHANGE ORDER NO. 3 – THOMPSON CREEK CHANNEL REHABILITATION – GROUP B CHANNEL RECONSTRUCTION\***

Councilmember Sell introduced and moved to ratify and adopt Resolution No.16-069; 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 IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$62,882.67.

WHEREAS, the City has determined it is necessary to address increases in some quantities of work, additional work to address high groundwater conditions, utility conflicts, and sidewalk repairs; and

WHEREAS, this change order increases the contract price from \$1,326,880.41 to \$1,389,763.08; 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 in an additional amount not to exceed \$62,882.67

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

## **L. RESOLUTION – AWARD BID – UNDERGROUND STORAGE TANK REMOVAL\***

Councilmember Hale introduced and moved to ratify and adopt Resolution No.16-070; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MORRIS EXCAVATING, COUNCIL BLUFFS, IOWA FOR REMOVAL OF THREE (3) UNDERGROUND STORAGE TANKS AT THE PUBLIC WORKS FACILITY IN AN AMOUNT NOT TO EXCEED \$13,525.

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WHEREAS, the City Council of the City of La Vista has determined that the removal of three (3) underground storage tanks at the Public Works facility is necessary; and

WHEREAS, the FY 16 Street Operating Budget provides funding for this project; and

WHEREAS, Bids were received from three contractors, and

WHEREAS Morris Excavating, Council Bluffs, Iowa, has submitted the low, qualified bid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to Morris Excavating, Council Bluffs, Iowa for removal of three (3) underground storage tanks at the Public Works facility, in an amount not to exceed \$13,525.

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

**M. ORDINANCE – AUTHORIZE THE ISSUANCE OF NOT TO EXCEED \$11,250,000 OF BOND ANTICIPATION NOTES TO PROVIDE INTERIM FINANCING FOR PUBLIC INFRASTRUCTURE PROJECTS (AS DEFINED IN THE LOCAL OPTION REVENUE ACT) WITHIN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA.**

Councilmember Sell introduced Ordinance No. 1288 entitled; AN ORDINANCE AUTHORIZING THE ISSUANCE AND SALE OF BOND ANTICIPATION NOTES, SERIES 2016, OF THE CITY OF LA VISTA, NEBRASKA, OF THE PRINCIPAL AMOUNT OF NOT TO EXCEED ELEVEN MILLION TWO HUNDRED FIFTY THOUSAND DOLLARS (\$11,250,000) FOR THE PURPOSE OF PROVIDING INTERIM FINANCING FOR PUBLIC INFRASTRUCTURE PROJECTS WITHIN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA PENDING THE ISSUANCE OF PERMANENT PROPERTY TAX SUPPORTED SALES TAX REVENUE BONDS; PRESCRIBING THE FORM OF SAID NOTES; AGREEING TO ISSUE PROPERTY TAX SUPPORTED SALES TAX REVENUE BONDS TO PAY THE NOTES AT MATURITY OR TO PAY THE NOTES FROM OTHER AVAILABLE FUNDS; AND ENTERING INTO A CONTRACT ON BEHALF OF THE CITY WITH THE HOLDERS OF SAID NOTES.

Councilmember Sheehan 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: Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. 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 Quick. A member of the public addressed Mayor and Council with regard to the financing of the project. The Mayor then stated the question, "Shall Ordinance No. 1288 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. 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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## N. RESOLUTION – APPROVAL – SATELLITE KENO LOCATION

Councilmember Sell introduced and moved for the adoption of Resolution No.16-075; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A SATELLITE KENO LOCATION FOR THE CITY'S KENO LOTTERY GAME AT WILDKAT RESTAURANTS, INC. D/B/A J-BIRDS FOODS & SPIRITS, 9723 & 9725 GILES ROAD LA VISTA NEBRASKA EFFECTIVE UPON RECEIPT OF THE KENO LICENSE FROM STATE.

WHEREAS, the current Keno Lottery Operator Agreement between the City of La Vista and La Vista Keno, Inc., dated August 8, 2008, and assigned and assumed to and by LVK Holdings LLC on April 5, 2016 requires LVK Holdings LLC to obtain prior written consent of the City to establish a satellite location; and further that the satellite location shall comply with such qualification standards as adopted by the City pursuant to Nebraska Statutes, Section 9-642.01, governing lottery sales outlet locations, and such other terms and conditions determined necessary or advisable; and

WHEREAS, the City of La Vista, by Ordinance No. 1073, set forth qualification standards for Keno Lottery Sales Outlet Locations, which includes satellite locations ("Ordinance"); and

WHEREAS, LVK Holdings LLC has proposed a satellite location for the City's keno lottery game at Wildkat Restaurants, Inc. dba J-Birds Foods & Spirits, located at 9723 & 9725 Giles Road, La Vista, Nebraska pursuant to a Satellite Agreement between said parties dated June 9, 2016, a copy of which has been presented at this meeting ("Satellite Agreement"); and

WHEREAS, the requirements of the Lottery Operator Agreement and other Keno Requirements as defined in the Ordinance are incorporated into the Satellite Agreement pursuant to said Ordinance; and

WHEREAS, the City Clerk has determined that the standards for the Keno Lottery Sales Outlet Location at J-Birds Foods & Spirits, located at 9723 & 9725 Giles Road, La Vista NE, have been met.

NOW, THEREFORE, BE IT RESOLVED: that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize and approve a satellite keno location for the City's keno lottery game at J-Birds Foods & Spirits, located at 9723 & 9725 Giles Road, La Vista NE, and further approve the owner and operator thereof, Wildkat Restaurants, effective upon receipt of the keno license from that State and subject to the following:

- a. Submittal of all Exhibits to the Satellite Agreement in form and content satisfactory to the City;
- b. Any change of ownership or control of the satellite, Wildkat Restaurants, or any stock of Wildkat Restaurants, shall require prior written approval of the City of La Vista;
- c. The satellite, Wildkat Restaurants and stockholders of Wildkat Restaurants shall be bound by the Lottery Operator Agreement between the City of La Vista and LVK Holdings LLC and owe to LVK Holdings LLC all responsibilities and obligations which LVK Holdings LLC and its owner by said Lottery Operator Agreement, as secured, owe to the City of La Vista. The City of La Vista shall be a beneficiary entitled to enforce such responsibilities and obligations of the satellite, Wildkat Restaurants and its stockholders;
- d. City of La Vista shall have access at any time to the satellite location and keno-related funds, documents and records in the possession or control of the satellite owner or operator;
- e. City of La Vista shall be named as an additional named insured on any insurance required of the satellite owner or operator by the Satellite Agreement;

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- f. City of La Vista, as owner of the La Vista keno game, retains authority over use of the term "La Vista keno"; and all uses of said term shall be subject to review and approval of the City and cease upon termination of the Satellite Agreement;
- g. Funds of the La Vista keno game handled by the satellite shall be the sole and exclusive property and held in trust for the benefit of the City of La Vista until properly paid in accordance with the Lottery Operator Agreement or Satellite Agreement; and
- h. Ongoing satisfaction by the satellite owner and operator of the Satellite Agreement and this Resolution, as well as the Lottery Operator Agreement, Ordinance and other Keno Requirements, as defined in said Ordinance.

BE IT FURTHER RESOLVED that, in addition to devices for satellite keno, the following gambling devices are hereby authorized at the satellite premises pursuant to Section 2(H) of the Ordinance: pickle card device.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign such documents, including, but not limited to, Nebraska Department of Revenue Form(s) 50G, and take such further actions as necessary or appropriate to carry out the actions approved herein.

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

## **O. CONDITIONAL USE PERMIT – STEPPER-ETTE STUDIOS, INC. – LOT 8, HARRISON HILLS (NE of 118<sup>th</sup> & Peel Circle)**

### **1. PUBLIC HEARING**

At 7:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the application for a Conditional Use Permit for Stepper-et Studios, Inc. – Lot 8, Harrison Hills (NE of 118<sup>th</sup> & Peel Circle). Kyle Haase representing the applicant gave a presentation.

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

### **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No.16-076; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR STEPPER-ETTE STUDIOS, INC., TO ALLOW FOR AN INDOOR RECREATIONAL FACILITY ON LOT 8, HARRISON HILLS.

WHEREAS, Stepper-Ette Studios, Inc., on behalf of the property owner, Harrison I-80, LLC, has applied for a Conditional Use Permit for to allow for an indoor recreation facility on Lot 8, Harrison Hills, located northeast of 118<sup>th</sup> Street and Peel Circle; and

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

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

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Stepper-Ette Studios, Inc., to allow for an indoor recreation facility on Lot 8, Harrison Hills.

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

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**P. RESOLUTION – APPLICATION FOR FINAL PLAT, LOTS 1-7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT NO. 1, LOTS 8A1, 8A2, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT NO. 2, AND PORTIONS OF TAX LOT 12, 14-14-12 (SE OF 84<sup>TH</sup> & SUMMER DRIVE)**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-077; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE FINAL PLAT FOR LOTS 1 THRU 7, BRENTWOOD CROSSING, LOTS 8B & 8C, BRENTWOOD CROSSING REPLAT NO.1, LOTS 8A1, 8A2, 8A3 & 8A4, BRENTWOOD CROSSING REPLAT NO. 2, AND PORTIONS OF TAX LOT 12, 14-14-12, TO BE REPLATTED AS LOTS 1 THRU 17 AND OUTLOTS A THRU C, LA VISTA CITY CENTRE, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, La Vista City Centre LLC, on behalf of the owners of the above described piece of property, have made application for approval of a final plat for Lots 1 thru 7, Brentwood Crossing, Lots 8B and 8C, Brentwood Crossing Replat No. 1, Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, and portions of Tax Lot 12, 14-14-12; and

WHEREAS, the City Engineer has reviewed the preliminary plat; and

WHEREAS, on June 16, 2016, the La Vista Planning Commission reviewed the final plat and recommended approval subject to the following conditions:

1. Approval of the waiver of Section 4.24 of the Subdivision Regulations;
2. City Council approval of the conditional rezoning; and
3. All items noted in the staff report under Review Comments.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the final plat for Lots 1 thru 7, Brentwood Crossing, Lots 8B & 8C, Brentwood Crossing Replat No. 1, Lots 8A1, 8A2, 8A3 and 8A4, Brentwood Crossing Replat No. 2, and portions of Tax Lot 12, 14-14-12, to be replatted as Lots 1 thru 17 and Outlots A thru C, La Vista City Centre, a subdivision located in the southwest quarter of Section 14, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southeast of 84<sup>th</sup> Street and Summer Drive, be, and hereby is, approved, subject to completion of all items noted in the staff report under Review Comments.

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

**Q. RESOLUTION – AUTHORIZE PURCHASE – METAL LATHE**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-078; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) ENCO 1236VUE METAL LATHE FROM MSC INDUSTRIAL DIRECT FOR AN AMOUNT NOT TO EXCEED \$5,585.38.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a metal lathe for the Streets Division is necessary, and

WHEREAS, the FY 16 Street Operating Budget provides funding for the proposed purchase, and

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 purchase of one (1) Enco 1236VUE

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Metal Lathe from MSC Industrial Direct for an amount not to exceed \$5,585.38.

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

## **R. RESOLUTION – AUTHORIZE DISPOSAL OF SURPLUS EQUIPMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No.16-079; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 55 pieces of equipment and vehicles located at the Public Works Facility to be surplus; and

WHEREAS, the City Administrator and Director of Public Works recommend that the above mentioned items be declared surplus and sold.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 55 pieces of equipment and vehicles located at the Public Works Facility be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the General fund will receive the revenue from the sale.

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

## **S. RESOLUTION – PROCURE AND PURCHASE PROFESSIONAL SERVICES**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-080; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA FOR PROCUREMENT AND PURCHASE OF PROFESSIONAL SERVICES

WHEREAS, the City desires to ratify and approve the procurement and purchase of professional services.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby ratify and approve the procurement and purchase of professional services as follows:

1. Scott Goldstein, as bankruptcy counsel and member of the Spencer Fane, LLP law firm, Kansas City, MO, to represent the City in the bankruptcy actions filed by affiliated entities of John Q. Hammons, as specified or approved from time to time by the Mayor, City Council, City Administrator or his, their, or her designee.
2. John Mullen, as member of the John P. Mullen, P.C., LLO, law firm, Omaha, NE, with respect to special projects as specified or approved from time to time by the Mayor, City Council, City Administrator or his, their, or her designee.

FURTHER RESOLVED, that the Mayor, City Administrator, or his or her designee shall be authorized to take all further actions on behalf of the City to carry out the actions approved herein, including without limitation entering or executing any agreement, document or instrument.

Seconded by Councilmember Sell. Discussion was held regarding costs of these services. Councilmembers voting aye: Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

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## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell stated that he had been contacted by a citizen about the length and duration of fireworks discharge. Council agreed that this should be placed on the August 2 agenda as a discussion item. Staff will prepare information for this item.

At 7:26 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Ronan. Motion carried.

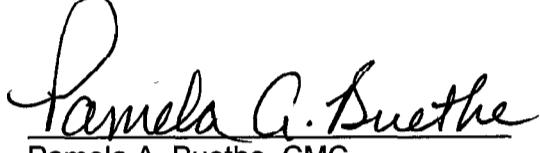
PASSED AND APPROVED THIS 16TH DAY OF AUGUST, 2016

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, CMC  
City Clerk

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