

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING July 18, 2017

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 July 18, 2017. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Police Chief Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Finance Director Miserez, Community Development Director Birch, Recreation Director Stopak, City Clerk Buethe, and Library Director Barcal.

A notice of the meeting was given in advance thereof by publication in the Times on July 5, 2017. 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.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 5, 2017 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JUNE 15, 2017 PLANNING COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT – MAY 2017
5. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER INC. – PROFESSIONAL SERVICES – THOMPSON CREEK LANDSCAPING MAINTENANCE AND EROSION CONTROL OBSERVATIONS - \$343.50
6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER INC. – PROFESSIONAL SERVICES – CULVERT EXTENSION – 108<sup>TH</sup> AND CHANDLER - \$253.75
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER INC. – PROFESSIONAL SERVICES – BIG PAPIO CREEK SIPHON REPAIR - \$3,690.75
8. REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL SERVICES – 84<sup>TH</sup> STREET REDEVELOPMENT SITE PREPARATION - \$14,374.69
9. REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL SERVICES – LA VISTA PARKING DISTRICT ACCESS IMPROVEMENTS - \$7,921.17
10. REQUEST FOR PAYMENT – BLADE MASTERS GROUNDS MAINTENANCE INC. – CONSTRUCTION SERVICES - \$136,798.74
11. REQUEST FOR PAYMENT – AECOM – PROFESSIONAL SERVICES – AMPHITHEATER FEASIBILITY STUDY - \$2,411.75
12. REQUEST FOR PAYMENT – HDR ENGINEERING, INC. – PROFESSIONAL SERVICES – PUBLIC IMPROVEMENTS AND OTHER WORKS - \$45,184.62
13. RESOLUTION – APPROVE PAYMENT – TREE GRINDING SERVICES

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING PAYMENT TO DUDLEY'S DEW-RIGHT TREE SERVICE FOR GRINDING TREE BRANCHES AND LOGS AT THE STORM DEBRIS DROP OFF SITE IN AN AMOUNT NOT TO EXCEED \$9,800.00.

WHEREAS, the City Council of the City of La Vista has determined that the grinding of tree branches and logs from the storm debris drop off site is necessary, and

# MINUTE RECORD

July 18, 2017

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

WHEREAS, FY17 Budget savings will cover the expense, and  
WHEREAS, A Disaster Declaration through NEMA was filed and reimbursement for grinding services is anticipated, 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 payment to Dudley's Dew-Right Tree Service for grinding tree branches and logs at the storm debris drop off site in an amount not to exceed \$9,800.00.

## 14. RESOLUTION – ADVERTISE FOR BIDS – HARRISON STREET PANEL REPAIR

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR HARRISON STREET PANEL REPAIR.

WHEREAS, the Mayor and Council have determined that removal and replacement of damaged concrete panels along eastbound Harrison Street from La Vista Drive to Interstate 80 right of way is necessary, and  
WHEREAS, the FY17/18 Biennial Capital Improvement Program Fund Budget provides funding for the proposed project; and  
WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors	July 26 and August 2, 2017
Non-Mandatory Pre-Bid Meeting	August 3, 2017 at 10:00 am
Open Bids	August 7, 2017 at 10:00 am at City Hall
Award Contract	August 15, 2017

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista Nebraska hereby authorize the advertisement for bids for Harrison Street Panel Repair.

## 15. APPROVAL OF CLAIMS

A.S.P. ENTERPRISES INC, services	\$34.00
ACCO UNLIMITED CORP, supplies	\$625.92
ACTION BATTERIES, maint.	\$14.64
AN EVENING PRODUCTIONS LLC, services	\$1,200.00
ANDERSON EXCAVATING CO, services	\$71,986.25
A-RELIEF, services	\$181.50
ASPHALT & CONCRETE MATERIALS, maint.	\$384.34
BAUER BUILT TIRE, maint.	\$483.48
BAXTER FORD, maint.	\$116.83
BENNETT REFRIGERATION, services	\$357.51
BLACK HILLS ENERGY, utilities	\$110.10
BOB'S RADIATOR REPAIR, maint.	\$85.00
CENTER POINT PUBLISHING, books	\$309.78
CENTURY LINK BUSN SVCS, phones	\$92.94
CENTURY LINK, phones	\$668.08
CHRIS MADDEN, services	\$1,125.00
COMP CHOICE INC, services	\$1,103.00
COX COMMUNICATIONS, services	\$277.40
CPS HUMAN RESOURCE, services	\$1,102.50

# MINUTE RECORD

July 18, 2017

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

CUMMINS CENTRAL POWER LLC, maint.	\$1,967.44
D & K PRODUCTS, services	\$160.00
DAIKIN APPLIED, services	\$2,463.00
DALY'S MACHINE CO, services	\$320.00
DEMCO INC, supplies	\$821.99
DIAMOND VOGEL PAINTS, bld&grnds	\$332.25
DLR GROUP, services	\$10,745.00
EDUCATIONAL SERVICE UNIT #3, services	\$125.00
ELAN FINANCIAL, services	\$60.58
FELSBURG HOLT & ULLEVIG, services	\$1,007.50
FIRST NATIONAL BANK FREMONT, bonds	\$1,019,131.25
FITZGERALD SCHORR BARMETTLER, services	\$3,670.50
FOCUS PRINTING, services	\$75.00
GALE, books	\$234.65
GENUINE PARTS CO, maint.	\$506.57
GOODWIN TUCKER GROUP, supplies	\$50.69
GRAINGER, supplies	\$53.90
HANEY SHOE STORE, apparel	\$150.00
HOLSTEIN'S HARLEY DAVIDSON, maint.	\$8.03
HOME DEPOT, bld&grnds	\$140.59
IA NE SD PRIMA CHAPTER, services	\$85.00
INGRAM LIBRARY SERVICES, books	\$139.34
KRIHA FLUID POWER, maint.	\$137.50
LARSEN SUPPLY CO, supplies	\$78.88
LV COMM FOUNDATION, payroll	\$90.00
MANPOWER, services	\$2,710.32
MAPA-METRO AREA PLANNING AGNCY, services	\$54.00
MARCO INC, services	\$223.34
MARK A KLINKER, services	\$200.00
MAX I WALKER UNIFORM, services	\$588.83
MENARDS-RALSTON, supplies	\$20.52
METRO AREA TRANSIT, services	\$520.00
MID-AMERICAN BENEFITS INC, services	\$591.50
MIDWEST TAPE, media	\$443.23
MIDWEST TURF & IRRIGATION, services	\$27.23
MONARCH OIL INC, maint.	\$486.50
MUD, utilities	\$41.94
MULHALL'S, bld&grnds	\$1,314.00
NE CODE OFFICIALS ASSN, services	\$175.00
NUTS AND BOLTS INC, bld&grnds	\$5.84
OFFICE DEPOT INC, supplies	\$315.05
OLSSON ASSOCIATES, services	\$81,134.44
OMAHA WORLD-HERALD, services	\$804.97
ONE CALL CONCEPTS INC, services	\$343.77
OPPD, utilities	\$55,122.90
O'REILLY AUTO STORES, maint.	\$28.77
ORIENTAL TRADING CO, supplies	\$67.69
PAPILLION SANITATION, services	\$265.04
PAYFLEX SYSTEMS USA, services	\$285.30
PENWORTHY CO, books	\$746.88
PLAINS EQUIPMENT GROUP, maint.	\$176.20
QP ACE HARDWARE, bld&grnds	\$947.50
QUALITY AUTO REPAIR & TOWING, services	\$420.00
ROBERT S LAUSTEN JR, services	\$120.00
ROURKE PUBLISHING CO, books	\$75.80
SARPY COUNTY COURTHOUSE, services	\$3,976.44
SCHOLASTIC BOOK FAIRS, books	\$500.00
SIGN IT, services	\$423.92
SOUTHERN UNIFORM & EQUIPMENT, apparel	\$231.63
SUN COUNTRY DISTRIBUTING LTD, supplies	\$41.28

# MINUTE RECORD

July 18, 2017

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

SWANK MOTION PICTURES INC, services	\$678.00
TED'S MOWER SALES, services	\$324.85
THOMPSON DREESSEN & DORNER, services	\$9,509.27
TOSHIBA FINANCIAL, services	\$138.00
TRANS UNION RISK, services	\$25.00
TRAVELERS, services	\$1,846.25
U.S. CELLULAR, phones	\$703.36
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten stated National Night Out / Neighborhood Roll Call will be August 1<sup>st</sup>. This is an opportunity to get neighbors together. Signs will be posted as well as Community Relations Coordinator Beaumont will be sending information via social media and press releases. The Police Department did a train the trainer session on digital safety with Yahoo!. Officer Miller will take Officer Brown's place in Community Affairs.

## B. APPLICATION TO AMEND PUD SITE PLAN & CONDITIONAL USE PERMIT – LOT 2, MAYFAIR 2<sup>ND</sup> ADDITION REPLAT FIVE (SW OF BRENTWOOD DRIVE & 97<sup>TH</sup> PLAZA)

### 1. RESOLUTION – APPROVE AMENDMENTS TO PUD SITE PLAN

Councilmember Thomas introduced and moved for the adoption of Resolution No.17-087; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE AMENDED PLANNED UNIT DEVELOPMENT (PUD) SITE PLAN FOR LOT 2, MAYFAIR 2<sup>ND</sup> ADDITION REPLAT FIVE, A SUBDIVISION LOCATED IN THE SE 1/4 OF SECTION 16, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of an amended planned unit development site plan for Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Five; and

WHEREAS, the City Planner and the City Engineer have reviewed the final planned unit development plan; and

WHEREAS, on June 15, 2017, the Planning Commission held a public hearing and recommended approval of the amended PUD site plan contingent on Papillion Fire Department approval of the proposed changes to the fire lane and approval of building design prior to City Council review; and

WHEREAS, these two contingencies have been reviewed and approved.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the amendment to the Planned Unit Development (PUD) site plan for Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Five, located in the SE 1/4 of Section 16, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southwest of Brentwood Drive and 97<sup>th</sup> Plaza be, and hereby is, approved.

Seconded by Councilmember Hale. Nate Buss of Olsson and Associates representing the applicant appeared before Council. Marty Hag, representing the applicant stated that he has 31 years of Senior Housing experience. This development will have a Medical Staff 24/7 and Nurses available in the daytime. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

# MINUTE RECORD

July 18, 2017

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

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

Councilmember Sell introduced and moved for the adoption of Resolution No.17-088; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDED CONDITIONAL USE PERMIT FOR LA VISTA SENIOR HOUSING, LLC, TO ALLOW FOR A CONTINUING CARE RETIREMENT COMMUNITY ON LOT 2, MAYFAIR 2<sup>ND</sup> ADDITION REPLAT FIVE.

WHEREAS, La Vista Senior Housing, LLC, has applied to amend the conditional use permit for a continuing care retirement community on Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Five, located southwest of Brentwood Drive and 97<sup>th</sup> Plaza; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval contingent on Papillion Fire Department approval of the proposed changes to the fire lane and approval of building design prior to City Council review; and

WHEREAS, these two contingencies have been reviewed and approved; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of an amended 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 an amended Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for La Vista Senior Housing, LLC, to allow for a continuing care retirement community on Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Five.

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

## **C. RESOLUTION – AUTHORIZE PURCHASE – HVAC CONTROLS FOR COMMUNITY DEVELOPMENT/FIRE STATION #4 BUILDING**

Councilmember Frederick introduced and moved for the adoption of Resolution No.17-089; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND INSTALLATION OF ELECTRONIC CONTROLS FOR THE HVAC SYSTEM IN THE COMMUNITY DEVELOPMENT/FIRE DEPARTMENT BUILDING FROM CONTROL MASTERS, OMAHA NE, IN AN AMOUNT NOT TO EXCEED \$21,904.

WHEREAS, the City Council of the City of La Vista has determined that the purchase and installation of electronic controls for the HVAC system in the Community Development/Fire Department building is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed project, 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 and installation of electronic controls for the HVAC system in the Community Development/Fire Department building from Control Masters, Omaha Nebraska, an amount not to exceed \$21,904.

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

# MINUTE RECORD

July 18, 2017

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

## D. RESOLUTION – 84<sup>TH</sup> STREET REDEVELOPMENT AREA REDEVELOPMENT CONTRACT REVISIONS – MIXED USE REDEVELOPMENT PROJECT (ACTION ON THIS ITEM WILL BE TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY)

Councilmember Hale introduced and moved for the adoption of Resolution No.17-090; A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING AND AUTHORIZING THE MAYOR ON BEHALF OF THE AGENCY TO EXECUTE A FIRST AMENDMENT TO THE REDEVELOPMENT AGREEMENT, 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 Agency and La Vista City Centre LLC entered into a Redevelopment Agreement dated November 29, 2016 (the "Redevelopment Agreement"), and

WHEREAS, in the interests of eliminating and preventing recurrence of the substandard and blighted 84<sup>th</sup> Street Redevelopment Area, a First Amendment to the Redevelopment Agreement regarding access to public offstreet parking facilities in the 84<sup>th</sup> Street Redevelopment Area is proposed in form and content presented at this meeting ("First Amendment").

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

1. Recitals above are incorporated into this resolution by this reference.
2. The First Amendment is hereby adopted and approved.
3. The Mayor on behalf of the Agency is authorized to execute such First Amendment, subject to any additions, subtractions or modifications as the City Administrator determines necessary or advisable.
4. The Mayor, City Clerk, or City Administrator, or his or her designee, in addition to and not in limitation of any other authority otherwise granted, shall be authorized to take all actions on behalf of the Agency as necessary or appropriate to carry out the Redevelopment Agreement, as amended by the First Amendment, or actions approved herein.

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

## E. ORDINANCE – AMEND MASTER FEE ORDINANCE

Councilmember Hale introduced Ordinance No. 1311 entitled; AN ORDINANCE TO AMEND ORDINANCE NO.1300, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

# MINUTE RECORD

July 18, 2017

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

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

Said ordinance was then read by title, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1311 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## M. EXECUTIVE SESSION –CONTRACT NEGOTIATIONS

At 7:32 p.m. Councilmember Crawford made a motion to go into executive for the protection of the public interest to discuss contract negotiations. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:02 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

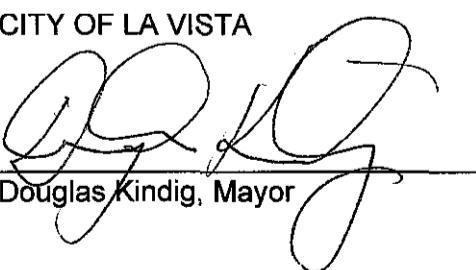
## COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor or Council.

At 8:03 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

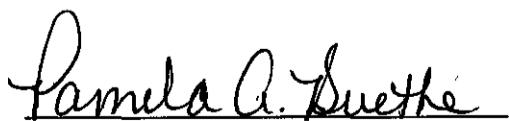
PASSED AND APPROVED THIS 2ND DAY OF AUGUST, 2017.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, CMC  
City Clerk

# MINUTE RECORD

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