

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING APRIL 16, 2019

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 16, 2019. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, City Engineer Kottmann, Director of Public Works Soucie, Finance Director Miserez, Library Director Barcal, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on April 3, 2019. 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.

SERVICE AWARD – TIM KELLER – 15 YEARS

Mayor Kindig presented a service award to Tim Keller for 15 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE APRIL 2, 2019 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE MARCH 21, 2019 PLANNING COMMISSION MINUTES
4. MONTHLY FINANCIAL REPORT – FEBRUARY 2019
5. REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG – PROFESSIONAL SERVICES – LA VISTA QUIET ZONE AFFIRMATION – \$5,088.75
6. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PUBLIC IMPROVEMENTS AND OTHER WORKS - \$7,663.29
7. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$11,759.43
8. REQUEST FOR PAYMENT – SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION – PROFESSIONAL SERVICES – 2018 ANNUAL INVESTMENT VISIONARY LEVEL – \$8,500.00
9. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 1 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS – \$426.25
10. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 1 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS – \$2,677.25
11. RESOLUTION NO. 19-052 – APPOINTMENT OF SAFETY STEERING COMMITTEE MEMBERS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA PROVIDING FOR THE APPOINTMENT OF SAFETY STEERING COMMITTEE MEMBERS.

WHEREAS, The City Council of the City of La Vista has determined that the appointments to the La Vista Safety Steering Committee are necessary; and

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WHEREAS, a recommendation by the City Administrator, in consultation with the staff, has been made regarding appointments; and

WHEREAS, the recommended appointments comply with N.R.S. 48-443:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby appoint the following city employees to the La Vista Safety Steering Committee for the terms specified:

James Berger	Employee Representative (FOP)	2 year term through 4/2021
Jeff Sinnett	Employer Representative (Chairman)	2 year term through 4/2021
Pam Buethe	Employer Representative	2 year term through 4/2021
Brian Burke	Employee Representative	2 year term through 4/2021

12. APPROVAL OF CLAIMS

ABM SUPPLY, services	25.00
ACTION BATTERIES, maint.	144.32
ACTION SIGNS INC, maint.	163.75
AED ZONE, services	140.00
AMAZON.COM, services	59.97
ASPHALT & CONCRETE MATERIALS, maint.	4,538.11
BISHOP BUSINESS EQUIPMENT CO, supplies	208.60
BLACK HILLS ENERGY, utilities	1,845.38
CENTER POINT, INC, books	44.34
CENTURY LINK, phones	653.42
CENTURY LINK BUSN SVCS, phones'	145.11
CINTAS CORP, services	16.46
COMP CHOICE INC, services	127.50
CONTROL MASTERS INC, bld&grnds	393.42
CORNHUSKER INTL TRUCKS, maint.	1,340.58
COX COMMUNICATIONS, INC., services	277.40
CULLIGAN OF OMAHA, services	16.00
DIGITAL EXPRESS, services	63.90
DLR GROUP, services	1,495.00
EDGEWEAR SCREEN PRINTING, apparel	5,660.00
EN POINTE TECHNOLOGIES SALES, services	439.10
EXPRESS DISTRIBUTION LLC, supplies	40.98
EYMAN PLUMBING INC, bld&grnds	139.74
FASTENAL CO, services	242.40
FOCUS PRINTING, services	150.00
GALE, books	165.68
GCR TIRES & SERVICE, maint.	392.00
GENERAL FIRE & SAFETY, services	1,400.00
GENUINE PARTS CO, maint.	638.99
GRAYBAR ELECTRIC CO, supplies	296.64
GREATAMERICA FINANCIAL, services	1,216.50
H & H CHEVROLET LLC, maint.	285.44
HDR ENGINEERING INC, services	6,415.01
HOBBY LOBBY, supplies	32.99
INGRAM LIBRARY SERVICES, books	2,165.44
JOHNSTONE SUPPLY CO, bld&grds	85.65
KANOPY, INC, services	20.00
KRIHA FLUID POWER CO, maint.	33.84
LV COMM FOUNDATION, payroll	60.00
LARSEN SUPPLY CO, supplies	392.20
LIBRARY IDEAS LLC, media	3.00
LOGAN CONTRACTORS SUPPLY, supplies	190.59
LOU'S SPORTING GOODS, supplies	693.98
LUEDERS LOCK & KEY INC, bld&grds	91.00

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MARK A KLINKER, services	200.00
MARTIN ASPHALT - MONARCH OIL, services	1,616.90
MENARDS-RALSTON, maint.	217.35
MUD, utilities	55.21
MICHAEL A. CONDUFF, services	4,500.00
MIDWEST TAPE, media	350.85
MISEREZ, C., travel	247.00
MNJ TECHNOLOGIES, services	2,880.00
MOBOTREX, INC., services	1,400.00
NE SALT & GRAIN CO, services	6,870.32
ODEYS INC, services	476.00
OFFICE DEPOT INC, supplies	551.14
OPPD, utilities	49,355.09
OMAHA WINNELSON SUPPLY, bld&grds	147.18
OMAHA WORLD-HERALD, services	491.42
ONE CALL CONCEPTS INC, services	226.93
O'REILLY AUTO, maint.	106.99
PAPILLION SANITATION, services	1,112.46
PASTOR C PANTALEON JR, services	150.00
PER MAR SECURITY, services	834.39
PLAINS EQUIPMENT GROUP, maint.	1,209.31
SARPY COUNTY, services	4,207.68
SARPY COUNTY TREASURER, services	20,305.35
SIGN IT, services	90.00
SOUTH, R., travel	56.56
SOUTHERN UNIFORM & EQUIPMENT, apparel	400.23
SUNSET LAW ENFORCEMENT LLC, services	3,236.40
TODCO BARRICADE CO, services	850.00
TOSHIBA FINANCIAL, services	138.00
TRANS UNION RISK, services	50.00
TRUCK CENTER COMPANIES, maint.	14.04
TY'S OUTDOOR POWER, services	143.74
U.S. CELLULAR, phones	1,363.80
UNITE PRIVATE NETWORKS LLC, services	3,850.00
VERIZON CONNECT NWF, INC., phones	731.25
WESTLAKE HARDWARE, supplies	452.05
WHITE CAP CONSTR SUPPL, supplies	99.99
WICK'S STERLING TRUCKS INC, maint.	44.03

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Quick. Councilmember Sheehan reviewed the bills and stated everything was in order. He would like to see other cities contribute more to the Governance Training. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Director of Administrative Services Pokorny reported that the City will be sending a report on the TIF program to various entities as required by LB874. The report will be available for Council review in Dropbox. He also reported that the City received \$449,000 in special assessment fees from Southport West and John Q. Hammons.

Community Development Director Birch reported that Jeff Sinnett and Brad Baber have been helping with structure assessments in Sarpy County and Bellevue following the flooding.

Library Director Barcal introduced Jessy Colabello, Librarian I, and Ashley Wemhoff, Teen Coordinator.

Recreation Director Stopak reported that the City has over 19,000 candy-filled eggs for the Easter Egg Hunt on April 20th at the Sports Complex.

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Director of Public Works Soucie gave Council an updated list on the areas that have received asphalt. He also reported that Clean-Up Days will be April 25th – 28th with shredding services on Saturday, the 27th and that Public Works will start Summer Hours on April 29th.

B. ORDINANCE – RIGHT-OF-WAY VACATION – JOSEPHINE STREET EAST OF 69TH STREET (EBERLE-WALDEN PARK)

Councilmember Sell introduced Ordinance No. 1344 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA VACATING, AND RESERVING AND RETAINING TITLE IN THE CITY TO, A PART OF JOSEPHINE STREET RIGHT-OF-WAY EAST OF SOUTH 69TH STREET, LOCATED IN THE NW ¼ OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

Councilmember Thomas moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried. 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 Frederick. The Mayor then stated the question, "Shall Ordinance No. 1344 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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.

C. RESOLUTION – EBERLE WALDEN PARK REPLAT

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-053 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR CERTAIN VACATED RIGHT-OF-WAY RETAINED BY THE CITY THAT IS LOCATED BETWEEN LOTS 125 AND 126 OF LA VISTA REPLAT TO BE REPLATTED AS LOT 1 OF EBERLE WALDEN PARK REPLAT, A SUBDIVISION LOCATED IN THE NORTHWEST QUARTER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the City as owner has submitted for approval of a replat for certain vacated right-of-way retained by the City that is located between Lots 125 and 126 of La Vista Replat to be replatted as Lot 1 of Eberle Walden Park Replat; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on March 21, 2019, the La Vista Planning Commission held a meeting and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for certain vacated right-of-way retained by the City that is located between Lots 125 and 126 of La Vista Replat to be replatted as Lot 1 of Eberle Walden Park Replat, a subdivision located in the Northwest Quarter of Section 13, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located East of the intersection of S 69th Street and Josephine Street, be, and hereby is, approved.

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

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D. RESOLUTION – ROW DEDICATION – VICINITY OF PORTAL RD2

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-054 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF THE PLAT AND DEDICATION FOR PUBLIC STREET RIGHT-OF-WAY FOR PART OF THE PROPERTY IDENTIFIED AS TAX LOTS 9B1 and E1, LOCATED IN THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA AS IDENTIFIED IN THE ATTACHED EXHIBIT "A".

WHEREAS, with the construction of the new alignment for Portal Road, a revised alignment for the public right-of-way was also required; and

WHEREAS, the property needed for the revised right-of-way was deeded from Sarpy County to the city and recorded as Instrument #2019-05523; and

WHEREAS, the Portal Road improvements require the dedication of a parcel of real estate described as Part of Tax Lots 9B1 and E1 on Exhibit "A" for public right-of-way; and

WHEREAS, the City Council recommends approval of the plat and dedication document, as detailed in Exhibit A, attached hereto and incorporated herein by this reference, for the parcel described as Part of Tax Lots 9B1 and E1, located in the East ½ of the Southeast ¼ of Section 21, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; and

WHEREAS, the City Engineer and Public Works Director recommend approval of the dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the plat and dedication for public street right-of-way as shown on the attached Exhibit "A" and authorize the Mayor to sign the plat and dedication.

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

E. ROW DEDICATIONS – VICINITY OF PORTAL RD1

1. RESOLUTION – APPROVAL OF PLAT/DEDICATION – PARCEL 3

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-055 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF THE PLAT AND DEDICATION FOR PUBLIC STREET RIGHT-OF-WAY FOR THE PROPERTY IDENTIFIED AS PARCEL 3, PART OF TAX LOT 20C LOCATED IN THE EAST ½ OF THE SOUTHEAST ¼ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA AS IDENTIFIED IN THE ATTACHED EXHIBIT "A".

WHEREAS, with the construction of the new alignment for Portal Road, a revised alignment for the public right-of-way was also required; and

WHEREAS, the property needed for the revised right-of-way was deeded from Sarpy County to the city and recorded as Instrument #2018-20107; and

WHEREAS, the Portal Road improvements require the dedication of a parcel of real estate described as Parcel 3 on Exhibit "A" for public right-of-way; and

WHEREAS, the City Council recommends approval of the plat and dedication document, as detailed in Exhibit A, attached hereto and incorporated herein by this reference, for the parcel described as Parcel 3, Part of Tax Lot 20C located in the East ½ of the Southeast ¼ of Section 21, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; and

WHEREAS, the City Engineer and Public Works Director recommend approval of the dedication;

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the plat and dedication for public street right-of-way as shown on the attached Exhibit "A" and authorize the Mayor to sign the plat and dedication.

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

2. RESOLUTION – APPROVAL OF PLAT/DEDICATION – PARCEL 4

Councilmember Quick introduced and moved for the adoption of Resolution No.19-056 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF THE PLAT AND DEDICATION FOR PUBLIC STREET RIGHT-OF-WAY FOR THE PROPERTY IDENTIFIED AS PARCEL 4, PART OF TAX LOT 20C LOCATED IN THE NORTHEAST ¼ OF THE SOUTHEAST ¼ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA AS IDENTIFIED IN THE ATTACHED EXHIBIT "A".

WHEREAS, with the construction of the new alignment of the intersection of Portal Road and 97th Street, a revised alignment for the public right-of-way was also required; and

WHEREAS, the property needed for the revised right-of-way was deeded from Sarpy County to the city and recorded as Instrument #2018-20107; and

WHEREAS, the intersection improvements for Portal Road and 97th Street require the dedication of a parcel of real estate described as Parcel 4 on Exhibit "A" for public right-of-way; and

WHEREAS, the City Council recommends approval of the plat and dedication document, as detailed in Exhibit A, attached hereto and incorporated herein by this reference, for the parcel described as Parcel 4, Part of Tax Lot 20C located in the Northeast ¼ of the Southeast ¼ of Section 21, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; and

WHEREAS, the City Engineer and Public Works Director recommend approval of the dedication.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the plat and dedication for public street right-of-way as shown on the attached Exhibit "A" and authorize the Mayor to sign the plat and dedication.

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

3. RESOLUTION – APPROVAL OF PLAT/DEDICATION – PARCEL 8

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-057 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING APPROVAL OF THE PLAT AND DEDICATION FOR PUBLIC STREET RIGHT-OF-WAY FOR THE PROPERTY IDENTIFIED AS PARCEL 8, PART OF TAX LOT 20C LOCATED IN THE NORTH ½ OF THE SOUTHEAST ¼ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA AS IDENTIFIED IN THE ATTACHED EXHIBIT "A".

WHEREAS, with the construction of the new alignment for Portal Road, a revised alignment for the public right-of-way was also required; and

WHEREAS, the property needed for the revised right-of-way was deeded from Sarpy County to the city and recorded as Instrument #2018-20107; and

WHEREAS, the Portal Road improvements require the dedication of a parcel of real estate described as Parcel 8 on Exhibit "A" for public right-of-way; and

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WHEREAS, the City Council recommends approval of the plat and dedication document, as detailed in Exhibit A, attached hereto and incorporated herein by this reference, for the parcel described as Parcel 8, Part of Tax Lot 20C located in the North ½ of the Southeast ¼ of Section 21, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; and

WHEREAS, the City Engineer and Public Works Director recommend approval of the dedication;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the plat and dedication for public street right-of-way as shown on the attached Exhibit "A" and authorize the Mayor to sign the plat and dedication.

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

F. ORDINANCE – AMEND MUNICIPAL CODE § 33.25(A) REGULAR MEETING; QUORUM

Councilmember Thomas introduced Ordinance No. 1345 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 33.25; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: Sheehan. Absent: Hale. Motion carried. 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 Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. Mayor Kindig stated Councilmember Hale wished to go on record to say she was not in agreement with this change. The Mayor then stated the question, "Shall Ordinance No. 1345 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: Sheehan. Absent: Hale. 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.

G. RESOLUTION – CHANGE ORDER NO. 10 – 84TH STREET REDEVELOPMENT AREA PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 1

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 19-058 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 10 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO EXTEND THE SUBSTANTIAL COMPLETION DATE OF WORK FOR THE CONTRACT BY 28 DAYS.

WHEREAS, the City has determined it is necessary to extend the substantial completion date of work for the contract; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, there is no cost associated with change order number 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 change order number 10 to the contract with

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Hawkins Construction Co., Omaha, Nebraska, to extend the substantial completion date of work for the contract by 28 days.

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

H. RESOLUTION – AMENDMENT NO. 6 – 84TH STREET PAVEMENT REHABILITATION

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-059 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA APPROVING AMENDMENT NUMBER SIX TO THE PROFESSIONAL SERVICES AGREEMENT WITH OLSSON, INC. TO PROVIDE ADDITIONAL PROJECT MANAGEMENT AND CONSTRUCTION PHASE ENGINEERING SERVICES FOR 84TH STREET PAVEMENT REHABILITATION IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$126,100.00.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined additional project management and construction engineering services are necessary; and

WHEREAS, The FY19/20 Biennial Budget includes funding for this project; and

WHEREAS, The total contract amount will be \$1,116,326.50; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment number six to the professional services agreement with Olsson, Inc. to provide additional project management and construction phase engineering services for 84th Street Pavement Rehabilitation in an additional amount not to exceed \$126,100.00.

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

I. RESOLUTION – AGREEMENT – THE NATIONAL COMMUNITY SURVEY

Councilmember Sell introduced and moved for the adoption of Resolution No.19-060 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AGREEMENT WITH THE NATIONAL RESEARCH CENTER, BOULDER, COLORADO TO ADMINISTER, ANALYZE AND REPORT THE RESULTS FROM THE NATIONAL COMMUNITY SURVEY IN AN AMOUNT NOT TO EXCEED \$17,825.00.

WHEREAS, the Mayor and City Council have determined that the National Community Survey is integral to the City's strategic planning process; and

WHEREAS, the FY19 Budget includes funding for this service; and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize The National Research Center, Boulder, CO, to administer, analyze and report results from the National Community Survey in an amount not to exceed \$17,825.00.

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

J. RESOLUTION – AGREEMENT – SPORTS FACILITY USE

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A FIVE YEAR AGREEMENT WITH TRIPLE CROWN SPORTS INC, FORT COLLINS, CO, TO ALLOW USE OF THE CITY SPORTS FACILITIES FOR A YOUTH BASEBALL TOURNAMENT AND SLUMPBUSTER EVENT.

WHEREAS, the City has determined that it is desirable to continue a long term agreement with Triple Crown Sports Inc.; and

WHEREAS, Triple Crown Sports has had an agreement with the City for use of the Sports facilities for the last five years; and

WHEREAS, this agreement will insure the return of this event to the City of La Vista in the future;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign an agreement with Triple Crown Sports, Inc., Fort Collins, CO, to allow use of the City sports facilities for a youth baseball tournament and SlumpBuster event for the next five years.

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

K. RESOLUTION – AGREEMENT – FIBER OPTIC SERVICE – 84TH STREET REDEVELOPMENT AREA – PARKING DISTRICT NO. 2, STRUCTURE NO. 1

The Mayor stated that staff has requested this item be tabled to a future meeting. Councilmember Sell motioned to table the item to a future meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

L. RESOLUTION – MEMORANDUM OF UNDERSTANDING – DESIGN, OPERATIONS, AND MAINTENANCE OF THE 84TH STREET ADAPTIVE SIGNAL CONTROL PROJECT

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-062 entitled: A RESOLUTION OF THE CITY OF LA VISTA, APPROVING AN EXTENDED AND MODIFIED MEMORANDUM OF UNDERSTANDING FOR 84TH STREET ADAPTIVE SIGNAL CONTROL TECHNOLOGY PROJECT FROM WEST CENTER ROAD IN OMAHA TO LINCOLN ROAD IN PAPIILLION FOR AN ESTIMATED LOCAL COST NOT TO EXCEED \$57,939.00.

WHEREAS, the Mayor and City Council, have determined that an extension and modification of the April 28, 2016 Adaptive Signal Control Technology System Memorandum of Understanding is necessary; and

WHEREAS, the project secured Highway Safety Improvement Program funding for 90% of project costs; and

WHEREAS, the cost share for participating agencies, including the Cities of Omaha, Papillion, Ralston and La Vista, and the Nebraska Department of Transportation, have been updated to reflect NDOT's anticipated relinquishment of the N-85 corridor; and

WHEREAS, the participating agencies will retain ownership and maintenance responsibilities; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council do hereby approve an extended and modified Memorandum of Understanding with the City of Omaha for the 84th Street Adaptive Signal Control Technology Project on 84th Street from West Center Road in Omaha to Lincoln Road in Papillion for an estimated local cost not to exceed \$57,939.00 and authorize the Director of Public Works to execute the agreement.

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

M. RESOLUTION – AWARD CONTRACT – EASTERN NEBRASKA OFFICE ON AGING

Councilmember Quick introduced and moved for the adoption of Resolution No.19-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE EASTERN NEBRASKA OFFICE ON AGING FOR PROVISION OF A NUTRITION PROGRAM.

WHEREAS, the City of La Vista's Community Center has annually served as a hot meal site for senior citizens in conjunction with the Nutrition Program of the Eastern Nebraska Office on Aging (ENOA); and

WHEREAS, the Mayor and City Council believe it is desirable to continue to participate in this important program;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City of La Vista be, and hereby is, authorized to execute an agreement with the Eastern Nebraska Office on Aging for provision of a nutrition program.

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

N. RESOLUTION – APPROVE CONTRACT – MCC/LV CENTER PARKING LOT REHABILITATION

Councilmember Sell introduced and moved for the adoption of Resolution No.19-064 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE METROPOLITAN COMMUNITY COLLEGE CONTRACT WITH TR CONSTRUCTION, BENNINGTON, NEBRASKA FOR THE REHABILITATION OF THE NORTHEAST PARKING LOT AT THE METROPOLITAN COMMUNITY COLLEGE – SARPY CENTER / LA VISTA PUBLIC LIBRARY FOR A LOCAL COST NOT TO EXCEED \$294,653.70.

WHEREAS, the Mayor and City Council have determined that rehabilitation of the northeast parking lot is necessary; and

WHEREAS, the City is responsible for 42.28% of the project costs; and

WHEREAS, the contract has a total not-to-exceed cost of \$606,009.00 with the City's portion not-to-exceed \$294,653.70; and

WHEREAS, the FY19/20 Biennial Budget includes funding for the proposed project;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, approve the Metropolitan Community College contract with TR Construction, Bennington, Nebraska for the rehabilitation of the northeast parking lot at the Metropolitan Community College – Sarpy Center / La Vista Public Library for a local cost not to exceed \$294,653.70.

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

O. RESOLUTION – PURCHASE - LAPTOP COMPUTERS

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-065 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF FOUR (4) LAPTOP COMPUTERS FROM DELL IN AN AMOUNT NOT TO EXCEED \$6,045.04.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of four (4) laptop computers for the Library's GED program is necessary; and

WHEREAS, the Library has received a grant through the American Library Association and Dollar General Literacy Foundation for the proposed purchase; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of four (4) laptop computers for the Library's GED program from Dell in an amount not to exceed \$6,045.04.

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

P. POSITION DESCRIPTION UPDATE

Councilmember Thomas made a motion to receive and file the updated description for the position of Community Development Director. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

Councilmember Sell motioned to move Comments from the Floor up on the agenda ahead of item Q. Executive Session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

Q. EXECUTIVE SESSION – PERSONNEL

At 7:41 p.m. Councilmember Crawford made a motion to go into executive session for protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

Councilmember Hale arrived to take her seat at 7:42.

At 9:40 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

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At 9:40 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF MAY 2019.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe, CMC
City Clerk