

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING MAY 7, 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 May 7, 2019. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. 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, 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 24, 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.

### PROCLAMATION – NATIONAL PUBLIC WORKS WEEK

Mayor Kindig proclaimed May 19–25, 2019 as National Public Works Week and presented the proclamation to Director of Public Works Soucie and the other Public Work staff in attendance.

### SERVICE AWARD – JOHN HELWIG – 15 YEARS

Mayor Kindig presented a service award to John Helwig for 15 years of service to the City.

### PROCLAMATION – NATIONAL POLICE WEEK

Mayor Kindig proclaimed May 12–18, 2019 as National Police Week and presented the proclamation to Chief Lausten.

### APPOINTMENTS – CITIZEN ADVISORY BOARD – REAPPOINT JEFF SCHOVANEC, NANCY THOMPSON, RICK BURNS, AND ALAN NELSON AND APPOINT MICHAEL NARAK – 5 YEAR TERM; BOARD OF ADJUSTMENT – REAPPOINT BRENDA CARLISLE – 3 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint Jeff Schovanec Nancy Thompson, Rick Burns, and Alan Nelson and appoint Michael Narak to the Citizen Advisory Board for 5 year terms; and re-appoint Brenda Carlisle to the Board of Adjustment for a 3 year term. Councilmember Crawford motioned the approval, seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

### CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE APRIL 16, 2019 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – CITY OF OMAHA – SEWER FEES – \$8,725.45
4. REQUEST FOR PAYMENT – DESIGN WORKSHOP – PROFESSIONAL SERVICES – 84<sup>TH</sup> STREETSCAPE PLAN – \$50,636.93
5. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE GARAGE SECURITY PLANNING – \$747.50
6. REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES SIGNAL RETIMING – \$1,117.50
7. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE LOT 17 PARKING GARAGE NE – \$345.00

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8. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$27,032.75
9. REQUEST FOR PAYMENT – YANO'S NURSERY – MAINTENANCE SERVICES – THOMPSON CREEK – \$1,500.00
10. APPROVE MANAGER APPLICATION – CLASS D LIQUOR LICENSE – COSTCO WHOLESALE CORPORATION – DALE R. ROBERTSON
11. APPROVAL OF CLAIMS

88 TACTICAL BUILDING GROUP LLC, services	695.00
AA WHEEL & TRUCK SUPPLY, maint.	246.00
ACCO UNLIMITED CORP, maint.	83.55
ACTION BATTERIES, maint.	191.97
AED ZONE, bld&grnds	209.00
AMAZON.COM, services	117.77
APWA-AMER PUBLIC WORKS ASSN, services	850.00
ARCMATE MANUFACTURING CORP, services	750.34
A-RELIEF, services	338.00
AT&T MOBILITY LLC, phones	93.72
BAXTER CHRYSLER JEEP, INC, services.	898.00
BENNETT REFRIGERATION, services	458.93
BISHOP BUSINESS EQUIPMENT CO, services	1,564.91
BLACK HILLS ENERGY, utilities	3,606.52
BOBCAT OF OMAHA, maint.	132.66
BOOT BARN, apparel	118.99
BRYAN HILL ENTERTAINMENT, services	990.00
BUETHE, P., travel	110.10
CENTER POINT, INC., books	364.32
CENTURY LINK, phones	476.85
CENTURY LINK BUSN SVCS, phones	190.55
CINTAS CORP, apparel	31.19
CITY OF OMAHA, services	188,305.42
CITY OF PAPILLION, services	182,395.12
COLIBR SYSTEMS, books	1,165.80
COMP CHOICE INC, services	202.50
CORNHUSKER INTL TRUCKS, maint.	37.73
CREATIVE PRODUCT SOURCE, supplies	131.10
CULLIGAN OF OMAHA, services	70.25
CUMMINS CENTRAL POWER LLC, services	705.33
DANIELSON TECH SUPPLY INC, services	1,603.69
DI MAURO, J., travel	168.00
DIAMOND VOGEL PAINTS. services	202.90
DILLON BROS MOTORSPORTS, services	722.32
DULTMEIER SALES LLC, maint.	317.62
EDGEWEAR SCREEN PRINTING, apparel	278.80
EMBLEMS INC, apparel	172.50
EN POINTE TECHNOLOGIES SALES, services	1,632.00
EXPRESS DISTRIBUTION LLC, supplies	46.86
EYMAN PLUMBING INC services	3,095.82
FBG SERVICE CORP, bld&grnds	5,965.00
FELSBURG HOLT & ULLEVIG INC, services	5,088.75
FIRST NATIONAL BANK FREMONT, bonds	12,317.50
FITZGERALD SCHORR BARMETTLER, services	74,657.10
GALE, books	239.90
GCR TIRES & SERVICE, maint.	313.58
GENERAL FIRE & SAFETY EQUIP CO, services	785.00
GRAYBAR ELECTRIC CO, services	1,412.79
HANEY SHOE STORE, apparel	106.99
HDR ENGINEERING INC, services	7,663.29
HEARTLAND PAPER, supplies	997.00
HERRICK, ANGELA DAWN, services	80.00
HOME DEPOT, bld&grnds	134.56
INGRAM LIBRARY SERVICES, books	2,590.88

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JENNIFER VILLANUEVA, refund	43.00
JOHNSON CONTROLS, services	1,302.50
KATHARINE L VARBLE, payroll	269.08
KRIHA FLUID POWER, maint.,	136.86
KUBOTA OF OMAHA, maint.	156.86
LABRIE, DONALD P, services	150.00
LARSEN SUPPLY CO, supplies	479.40
LAUSTEN JR ROBERT S, services	1,360.00
LIBRARY IDEAS LLC, books	444.20
LOGAN CONTRACTORS SUPPLY, services	150.84
LOU'S SPORTING GOODS, supplies	987.50
MARCO INC, services	141.88
MARTIN ASPHALT - MONARCH OIL, maint.	1,036.00
MCCANN PLUMBING, services	89.00
MENARDS-RALSTON, bld&grnds	362.36
METRO AREA TRANSIT, services	1,587.00
METRO COMM COLLEGE, services	16,369.11
MUD, utilities	2,417.51
MID AMERICAN SIGNAL INC, services	920.00
MID-WEST MILITARY REAL ESTATE, services	40.00
MIDWEST TAPE, media	484.06
MSC INDUSTRIAL SUPPLY CO, maint.	35.94
NAFTO, services	450.00
NAT'L ENTERTAINMENT TECH INC, supplies	1,150.00
NE DEPT OF LABOR-WORKFORCE DEV, services	4,376.50
NE SALT & GRAIN CO, services	34,189.08
NEWMAN TRAFFIC SIGNS INC, services	834.73
NIGHT FLYER GOLF INC, supplies	337.50
NMC EXCHANGE LLC, services	3,167.06
NOVA FITNESS EQUIPMENT CO, services	171.50
OCLC INC, services	155.39
OFFICE DEPOT INC, supplies	1,152.30
OLSSON, INC, services	11,759.43
OPPD, utilities	6,047.61
OMAHA WINNELSON SUPPLY, services	98.00
OMAHA WORLD-HERALD, services	569.50
PAY-LESS OFFICE PRODUCTS, supplies	1,202.21
PCS MOBILE, services	1,565.00
PER MAR SECURITY, services	795.00
PETTY CASH, supplies	266.72
PITNEY BOWES GLOBAL, services	526.71
PLAINS EQUIPMENT GROUP, maint.	986.96
POKORNY, K., travel	281.00
PUBLIC AGENCY TRAINING COUNCIL, services	495.00
PULTE, WILLIAM C., services	1,550.00
RAINBOW GIRLS SOFTBALL LEAGUE, services	1,240.00
RALSTON ADVERTISING, services	686.00
RED WING BUSINESS ADVANTAGE, apparel	300.00
ROWMAN & LITTLEFIELD PUBLISHING CO, books	46.58
RUHGE, R., travel	1,500.00
SAFARILAND, LLC, apparel	2,148.38
SAPP BROS PETROLEUM, services	1,944.25
SARPY COUNTY ECONOMIC DEV. CORP, services	8,500.00
SARPY COUNTY TREASURER, services	13,396.76
SCHEMMER ASSOCIATES INC, services	1,520.00
SETCOM CORP, services	2,640.45
SMALL, B., travel	168.00
SE AREA CLERK'S ASSOC, services	20.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	578.41
STOLTENBERG NURSERIES, services	192.00

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SUPER SEER CORP, services	920.80
SUPERIOR SIGNALS INC, maint.	108.56
SUSPENSION SHOP INC, maint.	1,155.97
THE LIBRARY STORE INC, supplies	99.29
THOMPSON DREESSEN & DORNER, INC.services	3,103.50
TRACTOR SUPPLY, services	18.99
TROUT, DONNA L, services	480.00
UNITE PRIVATE NETWORKS LLC, services	3,850.00
UNITED DISTRIBUTORS INC, services	78.48
VERIZON WIRELESS, phones	209.27
VIERREGGER ELECTRIC CO, services	395.00
WAL-MART, supplies	1,030.48
WESTLAKE HARDWARE INC	1,819.38

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

## SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION – FIRST QUARTER REPORT

Sarpy County Economic Development Corporation Director Andrew Rainbolt presented the first quarter report.

## MAYOR'S YOUTH LEADERSHIP COUNCIL – COMMUNITY PROJECT REPORT

Samuel Cahill, President of the Mayor's Youth Leadership Council, gave a report on their community project, "Public Art in the Park."

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Recreation Director Scott Stopak reported the Snow Removal and Pothole Appreciation lunch will be May 9 and the Senior Prom will be held on May 21.

Community Relations Coordinator Beaumont reported on the Salute to Summer Festival. He reported that events include a medal presentation from the State of Massachusetts to the family of Joel Cahill and the dedication of Barmettler Drive.

Police Chief Lausten reported Sgt. Brian Stolley was selected as the Sarpy County Crimestopper of the Year; Tanner Ries won his match at the Guns & Hoses event; and on May 15, Peace Officers' Memorial Day, there will be a hot dog feed at the Police Station.

Director of Public Works Soucie reported the next road project is the Park View Blvd. Resurfacing project. There will be an open house in the Council Chambers before the May 21 Council Meeting to answer questions that the public may have regarding the project. He also reported that the newly-established Garden Club will meet on May 16 and that there will be a Fall Clean-Up.

## B. RESOLUTION – CITY OF LA VISTA & NEBRASKA DEPARTMENT OF TRANSPORTATION ACCEPTANCE OF RELINQUISHMENT AGREEMENT

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 19-066 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT AND MEMORANDUM OF UNDERSTANDING WITH THE NEBRASKA DEPARTMENT OF TRANSPORTATION (NDOT) SHIFTING THE JURISDICTIONAL RESPONSIBILITY FOR STATE HIGHWAY N85 (84<sup>TH</sup> STREET) FROM HARRISON STREET TO GILES ROAD.

WHEREAS, the City desires to enter into a relinquishment agreement with the Nebraska Department of Transportation (NDOT) to shift jurisdictional responsibility for State Highway N85 (84<sup>TH</sup> Street) Harrison Street to Giles Road from the State of Nebraska to the City of La Vista; and

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WHEREAS, on May 15, 2018, the City Council approved Resolution No. 18-068 authorizing that a letter be sent to the NDOT requesting the relinquishment of La Vista's portion of State Highway N85; and

WHEREAS, the Relinquishment Agreement and Memorandum of Understanding detail the terms, conditions and responsibilities associated with this transaction;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a Relinquishment Agreement and Memorandum of Understanding with the Nebraska Department of Transportation (NDOT) shifting the jurisdictional responsibility for State Highway N85 (84<sup>th</sup> Street) from Harrison Street to Giles Road.

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

## **C. RESOLUTION – FIBER OPTIC SERVICE AGREEMENT – 84TH STREET REDEVELOPMENT AREA – PARKING DISTRICT NO. 2 – STRUCTURE NO. 1**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-067 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN ORDER FOR TWO (2) ADDITIONAL STRANDS OF DARK FIBER FROM UNITE PRIVATE NETWORKS, LLC FOR CITY CENTRE PARKING STRUCTURE NO. 1 IN OFFSTREET PARKING DISTRICT NO. 2.

WHEREAS, the Mayor and Council have determined good technology communication between city facilities now and into the future is necessary; and

WHEREAS, the City entered into an agreement with Unite Private Networks, LLC in 2013 to provide dark fiber connections to seven City facilities, and this current order would provide two additional strands of fiber under the existing agreement to connect communication and data facilities of Parking Structure No. 1 in Offstreet Parking District No. 2 to the City's network at a cost of \$550 per month through January 31, 2029 and \$275 per month thereafter consistent with pricing of the existing agreement; and

WHEREAS, the monthly charge for this service will be part of the operating budget established for Offstreet Parking District No. 2;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby approve execution of a service order for two (2) additional strands of dark fiber to be installed under the existing agreement with Unite Private Networks, LLC and connect communication and data facilities of Parking Structure No. 1 in Offstreet Parking District No. 2 to the City's network at a cost of \$550 per month through January 31, 2029 and \$275 per month thereafter consistent with pricing of the existing agreement, subject to review and any modifications the City Administrator determines necessary or appropriate in consultation with the City Attorney.

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

## **D. RESOLUTION – MASTER AGREEMENT – COMMUNICATIONS CABLE & FACILITIES – MCIMETRO ACCESS TRANSMISSION**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-068 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AGREEMENT WITH MCIMETRO ACCESS TRANSMISSION SERVICES CORP. D/B/A VERIZON ACCESS TRANSMISSION SERVICES FOR USE OF PUBLIC RIGHTS-OF-WAY WITHIN CITY FOR INSTALLATION OF CERTAIN COMMUNICATIONS FACILITIES.

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WHEREAS, the Mayor and City Council find it necessary to have an agreement setting forth conditions for use of the rights-of-way within the City of La Vista, Nebraska for certain communications facilities to be proposed in plans submitted to Public Works and approved, or modified and approved, to the satisfaction of the City Engineer ("Proposed Communications Facilities"). Only below ground facilities to serve existing facilities will be proposed under this agreement; no poles or other above ground structures will be proposed; and

WHEREAS a Master Agreement for Communications Cable and Facilities in Public Rights-of Way is presented with the Resolution and incorporated herein by reference (the "Agreement"). The Agreement would grant MCImetro Access Transmission Services Corp. d/b/a Verizon Access Transmission Services permission to use public rights-of-way in the City of La Vista for the Proposed Communications Facilities. The Agreement includes a Statement of Policy and Standard Specifications for Communication Cable and Facilities in Public Rights-of-Way.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Agreement is hereby approved and the Mayor and City Clerk are hereby authorized to execute the Agreement.

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

## **E. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – 60TH ANNIVERSARY**

Councilmember Quick introduced and moved for the adoption of Resolution No.19-069 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH WELLINGTON, OVERLAND PARK, KANSAS, FOR PROFESSIONAL EVENT MANAGEMENT SERVICES IN AN AMOUNT NOT TO EXCEED \$23,625.

WHEREAS, the City desires to enter into a professional services agreement with Wellington for professional event management services for the City's 60th Anniversary; and

WHEREAS, the FY 2019/2020 Biennial Budget includes funding for the proposed professional services; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a professional services agreement with Wellington, Overland Park, Kansas, for professional event management services for the City's 60th Anniversary in an amount not to exceed \$23,625.

Seconded by Councilmember Frederick. Discussion was held regarding the scope of work which will be done. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## **F. RESOLUTION – CONTRACT AWARD – CONCESSION STAND ROOF REPLACEMENT**

Councilmember Frederick introduced and moved for the adoption of Resolution No.19-070 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO ERNCO, INC., CEDAR CREEK, NEBRASKA FOR THE REPLACEMENT OF THE CONCESSION STAND ROOF AT THE LA VISTA SPORTS COMPLEX IN AN AMOUNT NOT TO EXCEED \$11,925.00.

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WHEREAS, the City Council of the City of La Vista has determined that the replacement of the concession stand roof at the La Vista Sports Complex is necessary; and

WHEREAS, the FY19/FY20 Biennial Budget provides funding for this project; and

WHEREAS, bids were solicited; 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 the contract to ERNCO, Inc., Cedar Creek, Nebraska for the replacement of the concession stand roof at the La Vista Sports Complex in an amount not to exceed \$11,925.00.

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

## G. RESOLUTION – CHANGE ORDER NO. 1 – 84TH STREET PAVEMENT REHABILITATION

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-071 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE 84TH STREET PAVEMENT REHABILITATION CONTRACT WITH SWAIN CONSTRUCTION, INC., OMAHA, NEBRASKA, TO PROVIDE FOR A DEDUCTION TO THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED \$85,132.50.

WHEREAS, the City has determined it is necessary to make a deduction in the contract price; and

WHEREAS, the FY19/20 biennial budget provides funding for this project; and

WHEREAS, the change order will decrease the contract price by \$85,132.50 to a total of \$1,789,913.73; 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 Change Order No. 1 to the 84th Street Pavement Rehabilitation contract with Swain Construction, Inc., Omaha Nebraska, to provide for a deduction to the contract in an amount not to exceed \$85,132.50.

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

## H. RESOLUTION – CHANGE ORDER NO. 1 – PARK VIEW BLVD. RESURFACING 72ND ST. TO 84TH ST.

Councilmember Quick introduced and moved for the adoption of Resolution No.19-072 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE PARK VIEW BLVD RESURFACING 72ND ST. TO 84TH ST. CONTRACT WITH SWAIN CONSTRUCTION, INC., OMAHA, NEBRASKA, TO PROVIDE FOR A DEDUCTION TO THE CONTRACT PRICE IN AN AMOUNT NOT TO EXCEED \$10,575.50.

WHEREAS, the City has determined it is necessary to make a deduction in the contract price; and

WHEREAS, the FY19/20 biennial budget provides funding for this project; and

WHEREAS, the change order will decrease the contract price by \$10,575.50 to a total of \$793,983.55; and

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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 No. 1 to the Park View Blvd. Resurfacing 72nd St. to 84th St. contract with Swain Construction, Inc., Omaha Nebraska, to provide for a deduction to the contract in an amount not to exceed \$10,575.50.

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

## I. RESOLUTION – CHANGE ORDER NO. 2 – CIVIC CENTER PARK PHASE II

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-073 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 2 TO THE CONTRACT WITH BLADE MASTERS GROUND MAINTENANCE, INC., BENNINGTON, NEBRASKA, TO EXTEND THE SUBSTANTIAL COMPLETION DATE OF WORK FOR THE CIVIC CENTER PARK PHASE II CONTRACT UNTIL JULY 1, 2019.

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 2;

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 2 to the contract with Blade Masters Grounds Maintenance, Inc., Bennington, Nebraska, to extend the substantial completion date of work for the Civic Center Park Phase II contract until July 1, 2019.

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

## J. RESOLUTION – PURCHASE – TASER EQUIPMENT

Councilmember Quick introduced and moved for the adoption of Resolution No. 19-074 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A FIVE-YEAR SUPPLY AGREEMENT FOR THE PURCHASE OF TASERS FROM AXON ENTERPRISE, INC. OF SCOTTSDALE, ARIZONA, IN AN AMOUNT NOT TO EXCEED \$29,680.

WHEREAS, the City Council of the City of La Vista has determined that the replacement purchase of Tasers is necessary; and

WHEREAS, this purchase is necessary to preserve and protect the public health or safety of the City's residents; and

WHEREAS, Axon Enterprises is a sole source vendor, providing a unique and non-competitive article; and

WHEREAS, the FY19 General Fund budget does include funds for the said 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 Tasers for the La Vista Police Department and authorize a five-year supply agreement with Axon Enterprise, Inc. of Scottsdale, Arizona, for a total amount not to exceed \$29,680.

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

## **K. RESOLUTION – PURCHASE – BIKE, ROWER AND LATERAL TRAINER**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-075 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) STAGES SOLO BIKE & POWER METER, TWO (2) DEGREE FLUID ROWERS AND ONE (1) HELIX RECUMBENT LATERAL TRAINER FOR THE COMMUNITY CENTER FROM BODY BASICS FITNESS EQUIPMENT, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$10,396.00.

WHEREAS, the Mayor and City Council have determined that the purchase of exercise equipment for the Community Center is necessary; and

WHEREAS, the FY 2019/2020 Biennial Budget did include funds for the purchase of said equipment; 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 one (1) Stages Solo Bike & Power Meter, two (2) Degree Fluid Rowers and one (1) Helix Recumbent Lateral Trainer for the Community Center from Body Basics Fitness Equipment, Omaha, Nebraska, in an amount not to exceed \$10,396.00.

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

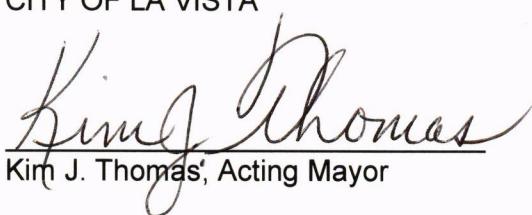
## **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig provided a Legislative update.

At 7:54 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF MAY 2019.

CITY OF LA VISTA

  
  
Kim J. Thomas, Acting Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk