

# MINUTE RECORD

No. 729 — REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING April 5, 2022

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 April 5, 2022. Present were Councilmembers: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Community Development Director Fountain, Finance Director Miserez, Recreation Director Stopak and City Engineer Dowse.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on March 23, 2022. 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.

Acting Mayor Thomas 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 MARCH 15, 2022 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT – METALAB, LLC – PROFESSIONAL SERVICES – 84<sup>TH</sup> STREET UNDERPASS – \$21,366.75
4. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$339,716.81
5. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$16,305.25
6. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PARKING STRUCTURE 2 – \$12,091.63
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$9,186.71
8. REQUEST FOR PAYMENT – HGM ASSOCIATES INC. – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE 2 FINAL DESIGN – \$25,513.53
9. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CHILI'S DEMOLITION ADDITIONAL SERVICES – \$1,420.00

### 10. APPROVAL OF CLAIMS

1-800 RADIATOR, maint.	1,463.98
AA WHEEL & TRUCK SUPPLY INC, maint.	277.06
ABM INDUSTRIES INC, services	8,995.31
ACEC OF NEBRASKA, services	25.00
ACTIVE NETWORK LLC, services	786.42
AGA, services	130.00
AMAZON, supplies	911.16
ANDERSON, P., travel	163.80
A-RELIEF, services	96.00
AT&T MOBILITY LLC. Phones	97.68
AUTOGRAPHIX INC, services	500.00
BADGER BODY & TRUCK EQUIP, maint.	860.00
BERGANKDV LLC, services	35,000.00
BIBLIONIX LLC, services	3,640.00
BIBLIOTHECA LLC, media	20.65
BIG RED LOCKSMITHS, bld&grnds	17.50
BISHOP BUSINESS EQUIPMENT, services	1,834.72



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BIZCO INC, services	4,772.64
BLACK HILLS ENERGY, utilities	11,027.92
BOBCAT OF OMAHA, services	1,681.50
BOK FINANCIAL, bonds	324,081.25
BUETHE, P., travel	310.05
CALENTINE, JEFFREY, tuition	1,500.00
CCAP AUTO LEASE LTD, services	391.12
CENTER POINT INC, books	45.54
CENTURY LINK, phones	1,062.12
CINTAS CORP, services	285.68
CITY CENTRE MUSIC VENUE LLC, grant	163,869.70
CITY OF OMAHA, services	258,475.54
CITY OF PAPILLION, services	233,475.00
COLLAB. SUMMER LIBRARY PRGM, supplies	501.50
COMP CHOICE INC, services	467.50
CORNHUSKER INTL TRUCKS INC, maint.	1,439.09
COX COMMUNICATIONS INC, services	294.06
CPS HUMAN RESOURCE, services	713.00
CRIMINAL ADDICTION INC, services	300.00
CULLIGAN OF OMAHA, supplies	151.25
CUMMINS CENTRAL POWER LLC, bld&grnds	645.06
D & K PRODUCTS, supplies	3,619.40
DASH MEDICAL GLOVES, supplies	155.90
DATASHIELD CORP, services	20.00
DEMCO INC, supplies	217.38
DESIGN WORKSHOP INC, services	900.00
DIAMOND VOGEL PAINTS, maint.	161.09
DOUGLAS COUNTY SHERIFF'S OFC, services	200.00
DULTMEIER SALES LLC, maint.	2,098.92
EBSCO INFORMATION, media	887.00
EMBLEM ENTERPRISES INC, apparel	721.18
ENCYCLOPEDIA BRITANNICA INC, media	900.00
EVENT STRUCTURE SOLUTIONS, services	6,651.67
FASTENAL CO, maint.	11.44
FEDEX, services	62.23
FERGUSON ENTERPRISES, bld&grnds	417.19
FILTER CARE OF NE, maint.	50.50
FIRST STATE BANK, services	6,536.93
FNIC, services	233,684.75
FUN EXPRESS LLC, supplies	540.40
GALE, books	523.86
GENERAL FIRE & SAFETY EQUIP, bld&grnds	180.00
GREAT PLAINS UNIFORMS, apparel	450.00
GREATAMERICA FINANCIAL, services	1,461.54
GREY HOUSE PUBLISHING, media	345.00
H & H CHEVROLET LLC, maint.	136.85
HANEY SHOE STORE, apparel	150.00
HDR ENGINEERING INC, services	1,449.38
HEIMES CORP, services	26,902.09
HUNTEL COMMUNICATIONS INC, services	170.00
HY-VEE INC, services	1,989.88
INGRAM LIBRARY SERVICES, books	3,047.82
JENSEN TIRE AND AUTO, maint.	92.15
JOHNSON CONTROLS, bld&grnds	327.15
KIMBALL MIDWEST, maint.	169.55
KRIHA FLUID POWER, maint.	198.20
LV COMM FOUNDATION, payroll	210.00
LABRIE, DONALD P, services	150.00
LARSEN SUPPLY CO, supplies	100.71
LARSON, CRYSTAL, supplies	450.00
LAUSTEN, ROBERT S, services	59.19

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LIBRARY IDEAS LLC, books	1,014.85
LOGO LOGIX EMBROIDERY, apparel	3,154.65
LOWE'S, supplies	168.51
MARCO INC, services	158.77
MENARDS-RALSTON, bld&grnds	1,620.61
METRO COMM COLLEGE, services	32,756.62
MUD, utilities	2,359.83
MID-AMERICAN BENEFITS, services	12,462.08
MIDWEST TAPE, media	329.29
MIDWEST TURF SUPPORT LLC, bld&grnds	2,790.00
MNJ TECHNOLOGIES DIRECT, services	368.00
MOSS ADAMS, services	38,606.25
NAT'L ENTERTAINMENT TECH INC, supplies	2,000.00
NE DEPT OF REVENUE 50G, gaming license	100.00
NE DEPT OF REVENUE, sales tax	62.37
NE DEPT OF TRANSPORTATION, services	8,696.54
NE STATE PATROL, services	2,230.50
NEBRASKALAND TIRE, maint.	1,366.06
NORM'S DOOR SERVICE, bld&grnds	582.00
NPZA-NE PLANNING, services	100.00
OFFICE DEPOT INC, supplies	1,544.92
OPPD, utilities	39,133.40
OMAHA WINNELSON SUPPLY, bld&grnds	311.82
OMNI ENGINEERING, maint.	457.38
ON THE SPOT PRODUCTIONS, services	6,960.00
PAYROLL MAXX, payroll & taxes	736,753.54
PER MAR SECURITY, services	895.92
PETTY CASH, supplies	400.00
POSITIVE CONCEPTS/ATPI, supplies	436.00
QUESTICA LTD, services	562.50
RAMADA CONF CENTER, travel	929.50
REACH SPORTS MARKETING, services	900.00
READY MIXED CONCRETE CO, services	918.23
ROBERT HALF, services	2,256.25
ROBERT T. HENNRICH, services	701.00
SAMPSON CONSTRUCTION, services	172,440.00
SAPP BROS, maint.	542.50
SARPY COUNTY COURTHOUSE, services	8,627.92
SIGN IT, services	961.00
SOUTHERN UNIFORM, apparel	205.24
SPIC & SPAN LINEN, services	95.00
STRATEGIC GOV'T RESOURCES INC, services	10,998.37
SUBURBAN NEWSPAPERS INC, services	628.84
SUCCESS FACTORS INC, services	11,408.51
TED'S MOWER SALES & SERVICE, maint.	131.17
THE COLONIAL PRESS, services	11,617.34
THE FILTER SHOP, bld& grnds	54.80
THE PENWORTHY CO, books	396.03
THOMPSON DREESSEN & DORNER, services	375.00
TOSHIBA, services	265.40
TRUCK CENTER COMPANIES, maint.	65.94
TY'S OUTDOOR POWER, maint.	174.90
UNITED PARCEL, services	20.25
UNIVERSITY OF NE LINCOLN, services	315.00
US BANK NATIONAL ASSOC, services	9,897.75
UTILITY EQUIPMENT CO, services	1,175.73
VERIZON, phones	1,015.22
VIVERE APARTMENTS, services	1,480.00
WALMART, supplies	316.64
WATKINS CONCRETE BLOCK, bld&grnds	42.90
WESTLAKE HARDWARE, bld&grnds	712.85

WOODHOUSE FORD OF OMAHA, maint.  
WOODHOUSE FORD-BLAIR, maint.

93.32  
688.88

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

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Henry Belik, President of the Mayor's Youth Leadership Council gave an update on what the group has been doing.

Community Development Director Fountain reported that they are having the Land Use Study meetings next week.

Director of Public Works Soucie reported on the UBAS Project update and Clean up days April 18th – April 24th, 2022.

Recreation Director Scott Stopak reported on upcoming activities at the Recreation Center.

Library Director Barcal reported that Author Jeff Barnes will be at the Library on April 10, 2022 and provided the Libraries Annual Report.

## **B. RESOLUTION – AUDITED COMPREHENSIVE ANNUAL FINANCIAL REPORT FOR FISCAL YEAR ENDING SEPTEMBER 30, 2021**

Tim Lens, with Bergan KDV, LLP, presented the audit reports and was available to answer any questions.

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 22-023 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE MUNICIPAL AUDIT FOR THE TWELVE MONTHS ENDED SEPTEMBER 30, 2021 AS PREPARED BY THE AUDITING FIRM OF BERGAN KDV, LLP, OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of Bergan KDV, LLP, Omaha, Nebraska, to complete an audit of the City's municipal operations for the twelve months ended September 30, 2021; and

WHEREAS, Bergan KDV, LLP has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, that the municipal audit for the twelve months ended September 30, 2021 is hereby accepted and approved.

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

## **C. COMPREHENSIVE PLAN – FUTURE LAND USE MAP AMENDMENT – LOTS 3 & 4 ECHO HILLS REPLAT FOUR**

### **1. PUBLIC HEARING**

At 6:17 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the proposed future land use map amendment – Lots 3 & 4 Echo Hills Replat Four. Brett West representing Echo Hills gave a presentation.

At 6:26 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.



## 2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1449 entitled: AN ORDINANCE TO AMEND SECTIONS 1 AND 2 OF ORDINANCE NO. 1436 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 TO UPDATE THE COMPREHENSIVE DEVELOPMENT PLAN AND RELATED FUTURE LAND USE MAP; TO REPEAL SECTIONS 1 AND 2 OF ORDINANCE NO. 1436 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 AND ANY OTHER CONFLICTING ORDINANCES AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1449. Councilmember Frederick seconded the motion. The Acting Mayor then stated the question, "Shall Ordinance No. 1449 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: 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.

### D. ZONING MAP AMENDMENT – LOTS 3 & 4 ECHO HILLS REPLAT FOUR

#### 1. PUBLIC HEARING

At 6:28 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the proposed zoning map amendment – Lots 3 7 4 Echo Hills Replat Four.

At 6:29 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## 2. ORDINANCE

Councilmember Sheehan introduced Ordinance No. 1450 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 Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion passed.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1450. Councilmember Hale seconded the motion. The Acting Mayor then stated the question, "Shall Ordinance No. 1450 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: 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.

### E. PLANNED DEVELOPMENT AMENDMENT – LOTS 1 - 4 ECHO HILLS REPLAT FOUR

#### 1. PUBLIC HEARING



At 6:30 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the proposed planned development amendment – Lots 1-4 Echo Hills Replat Four.

At 6:30 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **2. ORDINANCE**

Councilmember Quick introduced Ordinance No. 1451 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA AMENDING ESTABLISHED STANDARDS AND CONDITIONS FOR DEVELOPMENT UNDER THE FINAL PLANNED UNIT DEVELOPMENT PLAN; TO PROVIDE FOR SEVERABILITY; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1451. Councilmember Frederick seconded the motion. The Acting Mayor then stated the question, "Shall Ordinance No. 1451 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: 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.

## **F. REPLAT & SUBDIVISION AGREEMENT – ECHO HILLS REPLAT FIVE**

### **1. RESOLUTION – APPROVE REPLAT AGREEMENT**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 22-024 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 2-4 ECHO HILLS REPLAT FOUR, TO BE REPLATTED AS LOT 1 ECHO HILLS REPLAT FIVE, A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF THE NORTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described property applied for approval of a replat for Lots 2-4 Echo Hills Replat Four, to be replatted as Lot 1 Echo Hills Replat Five; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on March 3, 2022, 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 Lots 2-4 Echo Hills Replat Four, to be replatted as Lot 1 Echo Hills Replat Five, a subdivision located in the southeast quarter of the northeast quarter of Section 14, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of the intersection of S 144<sup>th</sup> Street and Chandler Road, be, and hereby is, approved, subject to adoption and execution of the corresponding Subdivision Agreement amendment presented at this Council meeting.

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



## **2. RESOLUTION – APPROVE SUBDIVISION AGREEMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-025 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE SUBDIVISION AGREEMENT FOR ECHO HILLS REPLAT FOUR.

WHEREAS, the City Council did on April 5, 2022, approve of Echo Hills Replat Five subject to certain conditions; and

WHEREAS, the Subdivider, West Management, LLC o.b.o. Vandelay Investments, LLC, Echo Hills Apartments, LLC, and Echo Hills ALMC, LLC, as owner(s) of the affected lots agreed to execute an amendment to the original Subdivision Agreement satisfactory in form and content to the City;

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement be and hereby is approved and the Mayor and City Clerk be and hereby are authorized to execute the same on behalf of the City, subject to any specified conditions of Council and any revisions that the City Administrator or City Engineer may determine necessary or advisable.

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

## **G. CONDITIONAL USE PERMIT AMENDMENT – LOTS 2 – 4 ECHO HILLS REPLAT FOUR**

### **1. PUBLIC HEARING**

At 6:33 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the proposed Conditional Use Permit – Lots 2-4 Echo Hills Replat Four.

At 6:33 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### **2. RESOLUTION**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-026 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO THE CONDITIONAL USE PERMIT FOR ECHO HILLS APARTMENTS, LLC FOR MULTIPLE FAMILY DWELLINGS ON LOTS 2-4 ECHO HILLS REPLAT FOUR.

WHEREAS, West Management, LLC o.b.o. Echo Hills Apartments, LLC has applied for approval of a Conditional Use Permit Amendment for the construction and operation of multiple family dwellings (apartments) on Lots 2-4 Echo Hills Replat Four (proposed Lot 1 Echo Hills Replat Five), generally located northwest of the intersection of S 144<sup>th</sup> Street and Chandler Road; and

WHEREAS, the La Vista Planning Commission reviewed the application on March 3, 2022 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the amendment of the 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 Amendment in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for Echo Hills Apartments, LLC to allow for the construction and operation of multiple family dwellings on Lots 2-4 Echo Hills Replat Four (proposed Lot 1 Echo Hills Replat Five).



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

## **H. RESOLUTION – AWARD CONTRACT – CONCESSION STAND OPERATIONS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-027 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR CONTRACT WITH A.L. VENDING AND CONCESSIONS, LLC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with A.L. Vending and Concessions, LLC.; and

WHEREAS, A.L. Vending and Concessions, LLC. will operate concessions at various recreation sites in the City; and

WHEREAS, the current contract with David Johns Investment Company, LLC, Omaha, Nebraska was terminated on February 28, 2022; and

WHEREAS, the Recreation Director recommends awarding the contract to A.L. Vending and Concessions, LLC for one year; and

WHEREAS, the contract provides for A.L Vending and Concessions, LLC., to make payments of 10% of the gross revenue from all sales to the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a one-year contract with A.L Vending and Concessions, LLC., Omaha, Nebraska, for the operation of the concessions at the Softball Complex, Soccer Complex, City Park, and La Vista Community Center.

Seconded by Councilmember Frederick. Monica Larsen was present to answer any questions. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **I. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – CENTRAL PARK EAST – ACCESS ROAD/PLAZA PHASE 1**

Councilmember Hale introduced and moved for the adoption of Resolution No. 22-028 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR GRADING, PAVING, STORM SEWER AND LIGHTING WORK WITHIN CENTRAL PARK EAST.

WHEREAS, the Mayor and Council have determined that the Central Park East Project is necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for this project; and

WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors April 13, 2022 and April 20, 2022

Open Bids April 22, 2022 at 10:00am at City Hall

City Council Award Contract May 3, 2022

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the advertisement for bids for grading, paving, storm sewer and lighting work within Central Park East.

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



## **J. RESOLUTION – APPROVE AMENDMENT NUMBER 2 – ACCESS ROAD MODIFICATIONS – CENTRAL PARK PLAZA – SECTION 1**

Councilmember Hale introduced and moved for the adoption of Resolution No. 22-029 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NO. 2 TO A PROFESSIONAL SERVICES AGREEMENT WITH THOMPSON, DREESSEN AND DORNER (TD2) FOR ADDITIONAL SERVICES RELATED TO THE CENTRAL PARK ACCESS ROAD – PARK VIEW PROJECT, INCREASING THE NOT TO EXCEED AMOUNT BY \$95,880 FOR A TOTAL NOT TO EXCEED AMOUNT OF \$264,380.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined the Central Park Access Road – Park View Project is necessary; and that

WHEREAS, The FY21/FY22 Biennial Budget provides funding for this project; 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, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of Amendment No. 2 to a professional services agreement with Thompson, Dreessen and Dorner (TD2) for additional services related to the Central Park Access Road – Park View project, increasing the not to exceed amount by \$95,880 for a total not to exceed amount of \$264,380.

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

## **K. APPROVAL OF A CLASS I LIQUOR LICENSE APPLICATION – HAIL VARSITY CLUB LLC DBA HAIL VARSITY CLUB**

### **1. PUBLIC HEARING**

At 6:38 p.m. Acting Mayor Thomas opened the public hearing and stated the floor was now open for discussion on the proposed Class I Liquor License application – Hail Varsity Club LLC dba Hail Varsity Club.

At 6:41 p.m. Councilmember Sell made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, and Sell. Nays: None. Abstain: Hale. Absent: Ronan. Motion carried.

### **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-030 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF A CLASS I LIQUOR LICENSE FOR HAIL VARSITY CLUB LLC DBA HAIL VARSITY CLUB IN LA VISTA, NEBRASKA.

WHEREAS, Hail Varsity Club LLC dba Hail Varsity Club, 12744 Westport Pkwy Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I Liquor License; and

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

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

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



# MINUTE RECORD

April 5, 2022

No. 729 — REDFIELD DIRECT E2106195KV

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of a Class I Liquor License submitted by Hail Varsity Club LLC dba Hail Varsity Club, 12744 Westport Pkwy Street, La Vista, Sarpy County, Nebraska.

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

## **L. RESOLUTION – DECLARE EQUIPMENT SURPLUS**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-031 entitled: 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 12 pieces of equipment to be declared surplus; and

WHEREAS, the City Administrator and City Staff recommend that the following items be declared surplus and sold:

2010 Ford Road Rescue Ambulance 6259 (Fire)	2011 Dodge Charger 6552 (Police)
1990 Ford F350 XLT Lariat 9083 (Fire)	2010 Dodge Charger1136 (Police)
1997 E One Heavy Rescue7791 (Fire)	2012 Dodge Charger 6618 (Police)
2012 Powertach 72" snow blade 12008748 (Public Works)	Tractor 72" belly mower M00297X130602 (Public Works)
1996 Landpride 16" Pull-Behind Grooming Mower AFM4020000-32 (Public Works)	1990 Jacobsen 720EHL 14 HP Pull-behind leaf sweeper 3274 (Public Works)
2005 Fieldmaster FM6 Infield Groomer Drag (Public Works)	Flail Mower (Public Works)

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 12 pieces of equipment be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the Mutual Finance Organization with Papillion and the Papillion RFD will receive the revenue from the sale of the fire equipment and that the City of La Vista general fund will receive the revenue from the sale of the police and public works equipment.

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

## **M. RESOLUTION – AUTHORIZE PURCHASE – MEDIUM DUTY PICKUP TRUCK**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 22-032 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) MEDIUM DUTY PICKUP TRUCK IN AN AMOUNT NOT TO EXCEED \$95,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Medium Duty Pickup Truck is necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding 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 purchases over \$5,000;



# MINUTE RECORD

April 5, 2022

No. 729 — REDFIELD DIRECT E2106195KV

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) Medium Duty Pickup Truck in an amount not to exceed \$95,000.

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

## **N. APPROVAL OF APPOINTMENT TO FILL CITY COUNCIL VACANCY – WARD I**

Councilmember Hale made a motion to approve the Mayor's appointment of Terrilyn Quick to fill the vacancy in Ward I. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **COMMENTS FROM MAYOR AND COUNCIL**

There were no comments from the Mayor and Council.

At 6:50 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF APRIL 2022.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, MMC  
City Clerk