

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING AUGUST 21, 2018

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 August 21, 2018. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Public Works Soucie, Community Development Director Birch, City Engineer Kottmann, Library Director Barcal, Director of Administrative Services Pokorny, Finance Director Miserez, Recreation Director Stopak, and Human Resources Director Czarnick.

A notice of the meeting was given in advance thereof by publication in the Times on August 8, 2018. 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 – JEREMY SCHLEGEL – 10 YEARS; MICHAEL DORNBUSCH – 5 YEARS**

Mayor Kindig recognized Michael Dornbusch for 5 years of service to the City of La Vista. Jeremy Schlegel was not able to attend but the Mayor recognized him for 10 years of service to the City of La Vista.

#### **A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE AUGUST 8, 2018 CITY COUNCIL MEETING**
- 3. APPROVAL OF THE MINUTES OF THE JULY 19, 2018 PLANNING COMMISSION MEETING**
- 4. MONTHLY FINANCIAL REPORT – JUNE 2018**
- 5. REQUEST FOR PAYMENT – GRAHAM CONSTRUCTION, INC. – 84<sup>TH</sup> ST. REDEVELOPMENT AREA CITY CENTRE INFRASTRUCTURE – \$895,750.15**
- 6. REQUEST FOR PAYMENT – SARPY COUNTY – SEWER CONNECTION FEES – \$273,234.00**
- 7. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCE DISTRICT – STORMWATER FEES - \$256,495.82**
- 8. RESOLUTION NO. 18-106 – INTERLOCAL AGREEMENT – SARPY-DOUGLAS LAW ENFORCEMENT – ACADEMY VEHICLE**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH DOUGLAS COUNTY, NEBRASKA.

WHEREAS, the Parties are participating agencies in the Sarpy-Douglas Law Enforcement Academy (hereinafter "SDLEA"), which was formed to facilitate a metro area law enforcement basic training academy for participating agencies; and

WHEREAS, the viability and success of the SDLEA is dependent upon the shared use of resources between the participating agencies; and

WHEREAS, the SDLEA requires each participating agency to host various aspects of basic training, equipment and materials must be transported between each agency; and

WHEREAS, WHEREAS, the DCSO has a vehicle available for such use by the SDLEA Training Coordinator who is an employee of the LVPD; and

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WHEREAS, the Parties wish to enter this Agreement for such purposes pursuant to the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev Stat § 13-801 et. Seq. as amended (herein "Interlocal Cooperation Act");

NOW THEREFORE BE IT RESOLVED that the City Council of La Vista, Nebraska, hereby authorize the execution of an Interlocal Cooperation Agreement with Douglas County, Nebraska for the use of a vehicle for the Police Training Coordinator, subject to any changes the Police Chief determines advisable.

## 9. APPROVAL OF CLAIMS

A & D TECHNICAL, supplies	\$617.00
AA WHEEL & TRUCK SUPPLY INC, maint.	\$62.41
ACTION BATTERIES, maint.	\$103.68
AMERICAN UNDERGROUND SUPL, services	\$330.51
APWA-AMER PUBLIC WORKS ASSN, services	\$175.00
A-RELIEF, services	\$334.00
ASP ENTERPRISES INC, services	\$2,598.91
ASPHALT & CONCRETE MATERIALS, maint.	\$992.99
BARONE SECURITY SYSTEMS, services	\$111.00
BAUER BUILT TIRE, maint.	\$373.60
BAXTER CHRYSLER DODGE JEEP, maint.	\$27.82
BIG RIG TRUCK ACCESSORIES INC, maint.	\$487.60
BISHOP BUSINESS EQUIPMENT, services	\$261.90
BLADE MASTERS GROUNDS MNTNC INC, services	\$103,821.78
BUETHE, P., travel	\$178.22
BUILDERS SUPPLY CO INC, services	\$48.43
CARROLL CONSTRUCTION SUPPLY, maint.	\$24.64
CENTURY LINK, phones	\$583.92
CITY OF OMAHA, services	\$40.04
CIVIC NEBRASKA, services	\$1,919.69
CONSOLIDATED MANAGEMENT, services	\$8.74
COX COMMUNICATIONS, services	\$277.40
CULLIGAN OF OMAHA, services	\$7.00
D & K PRODUCTS, services	\$475.00
DEE JAY'S QSR OF NEBRASKA, INC., supplies	\$45.89
DELL MARKETING L.P., services	\$1,153.54
DEMCO INC, supplies	\$200.08
DIAMOND VOGEL PAINTS, maint.	\$357.00
DOG WASTE DEPOT, services	\$179.98
DOUGLAS COUNTY SHERIFF'S OFC, services	\$175.00
DULTMEIER SALES & SERVICE, maint.	\$42.00
EDGEWEAR SCREEN PRINTING, apparel	\$40.80
EMBLEM ENTERPRISES INC, apparel	\$817.79
ENVISIO SOLUTIONS INC, services	\$8,000.00
EXPRESS ENTERPRISES, bld&grnds	\$90.00
EYMAN PLUMBING INC, services	\$618.67
FASTENAL CO, bld& grnds	\$225.55
FOCUS PRINTING, services	\$4,000.07
GCR TIRES & SERVICE, maint.	\$286.42
GODFATHER'S PIZZA, services	\$636.00
GRAINGER, services	\$12.60
GRAYBAR ELECTRIC CO INC, bld&grnds	\$420.60
GREATAMERICA FINANCIAL, services	\$805.00
H & H CHEVROLET LLC, maint.	\$13.65
HAWKINS CONSTRUCTION CO, services	\$120,308.22
HEARTLAND PAPER, supplies	\$240.00
HEARTLAND TIRES AND TREADS, maint.	\$139.20
HOBBY LOBBY STORES INC, supplies	\$67.54
IDEAL IMAGES INC, apparel	\$30.00
INTERNATIONAL CODE COUNCIL INC, services	\$135.00

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J & J SMALL ENGINE, services	\$58.65
KRIHA FLUID POWER CO, maint.	\$44.00
LANDSCAPES UNLIMITED, LLC, services	\$4,941.50
LAUSTEN JR ROBERT S, services	\$1,480.00
LOWE'S, bld&grnds	\$89.04
L-TRON CORP, services	\$1,112.94
MASTER MECHANICAL SERVICE INC, bld&grnds	\$480.00
MAX I WALKER UNIFORM RENTAL, services	\$337.06
MC CANN PLUMBING SERVICE, bld&grnds	\$199.00
METRO COMM COLLEGE, services	\$21,821.94
MEYO ENTERPRISES, LLC, services	\$9,552.00
MIDLANDS LIGHTING & ELECTRIC, services	\$211.00
MIKTOM, INC, services	\$3,250.00
MONARCH OIL INC, maint.	\$995.30
MSC INDUSTRIAL SUPPLY CO, maint.	\$65.46
NATIONAL EVERYTHING WHOLESALE, supplies	\$689.87
NEBRASKA ARBORISTS ASSOCIATION, services	\$100.00
NEWMAN TRAFFIC SIGNS INC, services	\$1,475.46
OFFICE DEPOT INC, supplies	\$373.03
OLSSON ASSOCIATES, services	\$38,507.96
OPPD, services	\$4,029.18
OMAHA WORLD-HERALD, services	\$900.40
ONE CALL CONCEPTS INC, services	\$338.13
OVERHEAD DOOR CO OF OMAHA, bld&grnds	\$70.00
PAPILLION SANITATION, services	\$1,250.15
PARTSMASTER, supplies	\$283.74
PLAINS EQUIPMENT GROUP, maint.	\$428.00
RDG PLANNING & DESIGN, services	\$746.40
READY MIXED CONCRETE CO, maint.	\$360.44
REGAL AWARDS OF DISTINCTION, services	\$11.00
SARPY ECONOMIC DEV.CORP, services	\$25.00
SARPY COUNTY REGISTER OF DEEDS, services	\$100.00
SCHUMACHER CONCRETE PUMPING, INC, services	\$286.00
SIGN IT, services	\$1,164.50
SOUTHERN UNIFORM & EQUIPMENT, apparel	\$54.24
STATE STEEL OF OMAHA, services	\$73.43
SWANK MOTION PICTURES INC, services	\$613.00
TED'S MOWER SALES, services	\$442.00
TERRACON, services	\$950.00
THOMPSON DREESSEN & DORNER, services	\$10,835.90
TITAN MACHINERY, maint.	\$188.27
TOSHIBA FINANCIAL, services	\$138.00
TRANS UNION RISK, services	\$53.50
U.S. CELLULAR, phones	\$1,007.16
UNITED PARCEL, services	\$44.16
VERIZON WIRELESS, phones	\$208.95
WOODHOUSE LINCLN-MAZDA-PORSCHE, maint.	\$908.94

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez reported that 30 – 35 people attended an early morning meeting for businesses on 84<sup>th</sup> Street, on Friday, about the 84<sup>th</sup> Street Project.

Library Director Barcal reported that the number of Summer Reading Program participants was down, but there was an increase in materials read. She also reported that 300 people attended the Craig Johnson event.

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Recreation Director Stopak showed a video on summer events.

Police Chief Lausten reported that the Guns and Hoses and Potholes softball games will take place on September 16.

Assistant Director of Public Works Calentine reported on the OPPD power line relocation project. There will be a closure of the eastbound lane on Harrison St. between 96<sup>th</sup> and 84<sup>th</sup>, and they will schedule the closure around peak traffic times.

Councilmember Crawford made a motion to move Agenda Item C up on the agenda ahead of Agenda Item B. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **C. RENAMING PART OF COTTONWOOD AVENUE TO BARMETTLER DRIVE**

### **1. PUBLIC HEARING**

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on renaming part of Cottonwood Avenue to Barmettler Drive. Mayor Kindig asked the family of longtime City Attorney Joe Barmettler to come forward. Mrs. Barmettler thanked the City Council.

At 7:22 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. ORDINANCE**

Councilmember Sheehan introduced Ordinance No. 1325 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO CHANGE THE NAME OF A PORTION OF COTTONWOOD AVENUE (EAST AND WEST FROM MAIN STREET), LOCATED IN THE LA VISTA CITY CENTRE SUBDIVISION, TO BARMETTLER DRIVE; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question, "Shall Ordinance No. 1325 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. 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.

## **B. 84TH STREETCAPE SCHEMATIC DESIGN**

### **1. PUBLIC HEARING**

At 7:24 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the 84<sup>th</sup> Streetscape Schematic Design. Robb Berg of Design Workshop presented the design. Assistant City Administrator Ramirez presented the next steps. Council discussion was held.

At 7:53 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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## 2. RESOLUTION – ADOPTION OF THE DESIGN AS AN AMENDMENT TO THE COMPREHENSIVE PLAN

Councilmember Quick introduced and moved for the adoption of Resolution No.18-107 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ADOPTING THE 84TH STREETSCAPE SCHEMATIC DESIGN, AS PREPARED BY DESIGN WORKSHOP, AS AN AMENDMENT TO THE COMPREHENSIVE PLAN.

WHEREAS, the City of La Vista completed A Vision Plan for 84th Street; and

WHEREAS, the City Council approved the selection of Design Workshop to conduct the development of the 84th Streetscape Schematic Design; and

WHEREAS, the draft plan was developed after a successful public input process that included a steering committee, public input meetings, comment cards, a webpage, social media, and two online surveys; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the 84th Streetscape Schematic Design as submitted and reviewed by the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the 84th Streetscape Schematic Design as submitted and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and adopted as an amendment to the Comprehensive Plan.

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

## D. AMENDMENT TO PLANNED UNIT DEVELOPMENT SITE PLAN – LB SOUTHWEST LLC, - LOTS 1 AND 2, WOODHOUSE PLACE

### 1. PUBLIC HEARING

At 7:55 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the amendment to the planned unit development (PUD) site plan. Brent Beller, representing Woodhouse, gave an overview of the request to amend the PUD.

At 7:56 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### 2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No.18-108 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF AN AMENDMENT TO THE PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR LOTS 1 AND 2, WOODHOUSE PLACE, A SUBDIVISION LOCATED IN THE NE 1/4 OF SECTION 23, T14N, R11E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the applicant, LB Southwest, LLC, has made application for approval of an amendment to the planned unit development plan for Lots 1 and 2, Woodhouse Place; and

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

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

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the amended Planned Unit Development (PUD) plan for Lots 1 and 2, Woodhouse Place, located in the NE 1/4 of Section

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23, T14N, R11E of the 6th P.M., Sarpy County, Nebraska, generally located southwest of 144th Street and Giles Road be, and hereby is, approved.

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

## 3. ORDINANCE

Councilmember Sheehan introduced Ordinance No. 1326 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMMENDING THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; ESTABLISHING 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 Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question, "Shall Ordinance No. 1326 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. 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. FISCAL YEAR 18/19 & FISCAL YEAR 19/20 MUNICIPAL BUDGETS

### 1. APPROPRIATIONS ORDINANCE – SECOND READING

Councilmember Quick introduced Ordinance No. 1323 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2018 AND ENDING ON SEPTEMBER 30, 2019; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020 SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE FILING AND CERTIFICATION OF THE BUDGET AND TAX LEVY HEREIN SENT TO THE STATE AUDITOR AND COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Hale made a motion to approve Ordinance No. 1323 on its second reading and pass it on to final reading. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### 2. MASTER FEE ORDINANCE – SECOND READING

Councilmember Hale introduced Ordinance No. 1324 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1318, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR

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TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Frederick made a motion to approve Ordinance No. 1324 on its second reading and pass it on to final reading. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **F. RESOLUTION – APPROVE COLLECTIVE BARGAINING AGREEMENT – LA VISTA FRATERNAL ORDER OF POLICE**

Councilmember Crawford introduced and moved for the adoption of Resolution No.18-109 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING THE PROPOSED COLLECTIVE BARGAINING AGREEMENT BETWEEN THE CITY OF LA VISTA AND THE LA VISTA FRATERNAL ORDER OF POLICE, LODGE NO. 28 FOR FY19 THROUGH FY23 AND AUTHORIZING THE MAYOR TO EXECUTE SAID AGREEMENT.

WHEREAS, the City of La Vista has recognized the La Vista Police Officers Association for the purpose of collective bargaining by Resolution No. 78-020; and

WHEREAS, the La Vista Police Officers Association is now a member of and affiliated with the Fraternal Order of police and is known as the La Vista Fraternal Order of Police Lodge No. 28 ("LVFOP"); and

WHEREAS, the City Administrator and the LVFOP's appointed negotiating team have reached a tentative agreement as authorized by and in accordance with Resolution No. 78-020;

WHEREAS, the membership of the LVFOP did vote on and approve the tentative agreement reached by the City Administrator and the LVFOP's negotiating team with said votes being tabulated on August 6, 2018.

NOW, THEREFORE, BE IT RESOLVED that the City Council of the City of La Vista, Nebraska, does hereby accept the terms of the negotiated agreement and authorizes the Mayor of the City of La Vista, Nebraska, to execute the same on behalf of the City subject to approval of form by the city attorney and city administrator.

BE IT FURTHER RESOLVED that the Mayor and City Council hereby agree and declare that the effective date of the Agreement shall be October 1, 2018.

Seconded by Councilmember Thomas. Todd Armbrust, on behalf of the FOP, thanked the City Council and the negotiating team for being transparent and for the smoothest and friendliest negotiations. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **G. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PUBLIC INFRASTRUCTURE PROJECTS – AUTHORIZE AMENDMENT NO. 2 (ACTION ON THIS ITEM WILL BE TAKEN BY THE LA VISTA COMMUNITY DEVELOPMENT AGENCY)**

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-110 entitled: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, ACTING AS THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING AMENDMENT NUMBER TWO TO THE JOINT AGREEMENT FOR PROFESSIONAL SERVICES WITH HDR, INC. TO PROVIDE ADDITIONAL ENGINEERING SERVICES INCLUDING SPECIAL INSPECTION SERVICES FOR THE LA VISTA COMMUNITY DEVELOPMENT AGENCY AND THE CITY OF LA VISTA IN AN AMOUNT NOT TO EXCEED \$675,289.

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

WHEREAS, the City Council acting as the La Vista Community Development Agency desires to approve amendment number two to the joint agreement for professional services with HDR, Inc. to provide additional engineering services including special inspection services for the Agency and the City;

NOW THEREFORE, BE IT RESOLVED that the City Council acting as the La Vista Community Development Agency hereby approves amendment number two to the joint agreement for professional services with HDR, Inc. to provide additional engineering services including special inspection services for the La Vista Community Development Agency and the City of La Vista in an amount not to exceed \$675,289.

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

## **H. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PUBLIC INFRASTRUCTURE PROJECTS – AUTHORIZE AMENDMENT NO. 2**

Councilmember Quick introduced and moved for the adoption of Resolution No.18-111 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA APPROVING AMENDMENT NUMBER TWO TO THE JOINT AGREEMENT FOR PROFESSIONAL SERVICES WITH HDR, INC. TO PROVIDE ADDITIONAL ENGINEERING SERVICES INCLUDING SPECIAL INSPECTION SERVICES FOR THE CITY OF LA VISTA AND THE LA VISTA COMMUNITY DEVELOPMENT AGENCY IN AN AMOUNT NOT TO EXCEED \$675,289.

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

WHEREAS, the City Council on behalf of the City of La Vista desires to approve amendment number two to the joint agreement for professional services with HDR, Inc. to provide additional engineering services including special inspection services for the City and the Agency;

WHEREAS, The FY17/18 Biennial Budget provides funding for the proposed expense; 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 two to the joint agreement for professional services with HDR, Inc. to provide additional engineering services including special inspection services for the City of La Vista and the La Vista Community Development Agency in an amount not to exceed \$675,289.

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

## **I. RESOLUTION – AWARD CONTRACT – 84<sup>TH</sup> STREET DEVELOPMENT AREA – CIVIC CENTER PARK – SANITARY SEWER RELOCATION**

Councilmember Hale introduced and moved for the adoption of Resolution No.18-112 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO GRAHAM CONSTRUCTION,

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INC., OMAHA, NEBRASKA FOR CIVIC CENTER PARK SANITARY SEWER RELOCATION IN AN AMOUNT NOT TO EXCEED \$260,000.00.

WHEREAS, the City Council of the City of La Vista has determined Civic Center Park Sanitary Sewer Relocation is necessary; and

WHEREAS, the FY17/18 biennial budget include funding for this project in the Capital Improvement Program; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to Graham Construction, Inc., Omaha, Nebraska for Civic Center Park Sanitary Sewer Relation in an amount not to exceed \$260,000.00.

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

## J. RESOLUTION – CHANGE ORDER NO. 4 – KSI CONSTRUCTION – CITY CENTRE PHASE 1B PAVEMENT AND SEWERS

Councilmember Sell introduced and moved for the adoption of Resolution No. 18-113 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH KSI CONSTRUCTION, INC., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK TO THE CONTRACT IN AN AMOUNT NOT TO EXCEED \$135.60.

WHEREAS, the City has determined it is necessary to make additions to the work in the contract; and

WHEREAS, the FY17/18 biennial budget provides funding for this project. The change order will increase the contract price by \$135.60 to a total of \$408,650.62;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order to the contract with KSI Construction, Inc., Omaha Nebraska, to provide for additions of work to the contract in an amount not to exceed \$135.60.

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

## K. RESOLUTION – CHANGE ORDER NO. 4 – HAWKINS CONSTRUCTION CO. – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 1

Councilmember Thomas introduced and moved for the adoption of Resolution No.18-114 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 4 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS AND DELETIONS OF WORK TO THE CONTRACT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$10,503.00.

WHEREAS, the City has determined it is necessary to make changes to provide for additions and deletions of work to the contract; and

WHEREAS, the FY17/18 Biennial Budget provides funding for the project; and

WHEREAS, the contract price will increase with change order number 4 by \$10,503.00.

# MINUTE RECORD

August 21 2018

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

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 4 to the contract with Hawkins Construction Co., Omaha, Nebraska, to provide for additions and deletions of work to the contract in an additional amount not to exceed \$10,503.00.

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

## **L. RESOLUTION – AUTHORIZE AGREEMENT FOR PROFESSIONAL CONSULTING SERVICES – SEWER RATE STUDY FY20 – FY24**

Councilmember Quick introduced and moved for the adoption of Resolution No. 18-115 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH BURNS & MCDONNELL ENGINEERING COMPANY, INC. TO PERFORM A SANITARY SEWER RATE STUDY FOR THE FY 20 THROUGH FY 24 TIME PERIOD IN AN AMOUNT NOT TO EXCEED \$41,640.

WHEREAS, the Mayor and City Council have determined that it is desirable to perform a sewer rate study; and

WHEREAS, the City Council authorized the request for letters of interest for engineering services to perform a sewer rate study on February 6, 2018; and

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

WHEREAS, five proposals were received and reviewed, and three firms were interviewed by a committee; and

WHEREAS, staff has recommended that an agreement be executed with Burns & McDonnell Engineering Company, Inc.; 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, by the Mayor and City Council of La Vista, Nebraska, that a professional services agreement in a form satisfactory to the City Administrator and City Attorney, be authorized with Burns & McDonnell Engineering Company, Inc. for the preparation of a sewer rate study for FY 20 through FY 24 in an amount not to exceed \$41,640.00, and that the Mayor is hereby authorized to execute said agreement and the City Clerk is further directed to attest to the same.

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

## **M. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – HOSTED SERVICES AGREEMENT**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 18-116 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA FOR HOSTING COMPUTER SERVICES.

WHEREAS, the City Council has determined that a need exists to contract for hosting computer services; and

WHEREAS, Sarpy County has the resources and technology to provide said Hosting Services; and

# MINUTE RECORD

August 21 2018

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

WHEREAS, Sarpy County has proposed an interlocal agreement between the City of La Vista and the County for a period of three years to provide Information Technology Services to the City;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed interlocal agreement between Sarpy County and the City of La Vista regarding hosting computer services for the City of La Vista is hereby approved subject to review by the City Attorney as to form, and that the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of La Vista.

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

## **N. RESOLUTION – PURCHASE OF RECORDS MANAGEMENT SYSTEM**

Councilmember Hale introduced and moved for the adoption of Resolution No. 18-117 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE PURCHASE AND IMPLEMENTATION OF A RECORDS MANAGEMENT SYSTEM FROM MICROFILM IMAGING SYSTEMS, INC., OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED \$15,545.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of records management system is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed purchase; and

WHEREAS, Quotes were obtained with Microfilm Imaging Systems, Inc. having the lowest most responsible quote.

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 the City of La Vista, Nebraska, do hereby approve the purchase and implementation of a Records Management System from Microfilm Imaging Systems, Inc., Omaha Nebraska in an amount not to exceed \$15,545.00.

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

## **O. RESOLUTION – AUTHORIZE TRAFFIC COUNTER PURCHASE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 18-118 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2018 WAVETRONIX RADAR CONTROLLED TRAFFIC COUNTER IN AN AMOUNT NOT TO EXCEED \$6,236.00.

WHEREAS, the City Council of the City of La Vista has determined that the replacement of one traffic counter is necessary; and

WHEREAS, the FY17/18 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 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)

# MINUTE RECORD

August 21 2018

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

2018 Wavetronix radar controlled traffic counter in an amount not to exceed \$6,236.00.

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

## **P. DISCUSSION – FIREWORKS**

Council discussed the dates and hours for the sale and discharge of fireworks. Following the discussion, there was Council consensus to leave the current regulations as they are at this time.

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **Q. EXECUTIVE SESSION – PERSONNEL**

At 8:37 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, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:13 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig reported that he met with the Commissioner of the Department of Revenue.

At 9:14 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 4TH DAY OF SEPTEMBER, 2018.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk