

MINUTE RECORD

A-9

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

LA VISTA CITY COUNCIL EMERGENCY MEETING November 24, 2020

An emergency 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 November 24, 2020. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, and Chief of Police Lausten.

Mayor Kindig called the meeting to order and led the audience in the pledge of allegiance.

Mayor Kindig made an announcement regarding the location of the open meetings act and the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

A. STATEMENT OF NATURE OF EMERGENCY

Mayor Kindig stated the nature for the Emergency is the unprecedented positivity levels of Novel Coronavirus (COVID-19) in La Vista and adjacent parts of the metropolitan area. Over the past four weeks, the positivity rate for the Sarpy/Cass Health Department jurisdiction has doubled from 15.25% (week ending 10/17/20) to 31.51% (week ending 11/14/20). Over the same four-week period, the seven-day rolling average of cases/day/100,000 residents has increased from 41.6 cases per day to 96.9. Currently, there are 1,032 active cases in Sarpy County, with 108 active cases in the 68128 zip code area and 65 in 68138 (La Vista's ETJ).

The increasing positivity levels of Novel Coronavirus (COVID-19) necessitates an emergency meeting of the City Council to consider proposed rules and regulations requiring facial coverings to be worn in indoor public places as set forth in a proposed Ordinance presented at this meeting. Councilmember Thomas moved to hold the emergency meeting. Councilmember Frederick seconded the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick and Sell. Nays: Hale. Abstain: None. Absent: None. Motion carried.

B. APPROVE NOTICE OF MEETING AND AGENDA

Mayor Kindig stated a copy of the meeting notice was included in the packet for this meeting. The meeting notice and agenda were posted on the City's website and provided to the media, and the meeting notice was published in the November 19, 2020 edition of the Omaha World Herald. Councilmember Thomas moved to approve the Notice of Meeting and Agenda. Councilmember Sheehan seconded the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

C. PROPOSED REGULATION REQUIRING FACE COVERINGS IN THE CITY

Mayor Kindig reported that the Board of Health voted in favor of the Ordinance with a vote of three ayes and no nays.

Councilmember Thomas introduced Ordinance 1402 entitled: AN ORDINANCE TO AMEND CHAPTER 92 OF THE LA VISTA MUNICIPAL CODE TO ADD SUBCHAPTER 92.30 ENTITLED "PREVENTION OF COVID-19"; TO PROVIDE LEGISLATIVE FINDINGS AND INTENT; TO REQUIRE FACE COVERINGS WHILE INDOORS WITHIN THE CITY, NOTICE OF SUCH REQUIREMENT, AND EXCEPTIONS; TO DECLARE PUBLIC NUISANCE AND PROVIDE FOR PENALTIES, ABATEMENT, SUNSET AND REQUIRED REPORTING; TO REPEAL CONFLICTING PROVISIONS; AND TO PROVIDE FOR SEVERABILITY, PUBLICATION AND EFFECTIVE DATE.

Sarah Schram with the Sarpy Cass Health Department reported current statistics and information on the Coronavirus situation. Mayor Kindig asked for comments from the public. Members of the public spoke in favor of and in opposition of the ordinance requiring face coverings. Mayor Kindig stated that emails and letters received would be filed with the record of the meeting.

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

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Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. Discussion was held. The Mayor then stated the question, "Shall Ordinance No. 1402 be passed and adopted?" Upon roll call vote, the following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Sell. Nays: Crawford and Hale. 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. Mayor Kindig proclaimed Ordinance 1402 an emergency and stated the ordinance would go into effect on November 27, 2020 upon the first publication of the ordinance on the Omaha World Herald.

At 7:13 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 1ST DAY OF DECEMBER 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk