

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING May 18, 2021

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 May 18, 2021. 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, Chief of Police Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, City Engineer Dowse, Community Development Director Fountain and Deputy City Clerk Patti Anderson.

A notice of the meeting was given in advance thereof by publication in the Times on April 30, 2021. 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 16 – 22, 2021 as National Public Works Week and presented the proclamation to the Public Works staff.

SERVICE AWARD: GARY GIST – 10 YEARS

Mayor Kindig recognized Gary Gist for 10 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MAY 4, 2021 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE APRIL 15, 2021 PLANNING COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT – MARCH 2021
5. 2021 ANNUAL TIF REPORT
6. REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – \$532.62
7. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC – PROFESSIONAL SERVICES – LA VISTA WAYFINDING – \$11,020.00
8. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC – PROFESSIONAL SERVICES – LA VISTA WAYFINDING – \$11,670.00
9. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC – MISCELLANEOUS SERVICES – \$4,837.50
10. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC – CENTRAL PARK IMPROVEMENTS – \$2,642.50
11. REQUEST FOR PAYMENT – MARC WOODLE – PROFESSIONAL SERVICES – CERTIFIED GENERAL APPRAISER – \$1,900.00
12. APPROVAL OF CLAIMS

1-800 RADIATOR, maint.	1,103.00
A-1 BODY INC, maint.	332.40
AA WHEEL & TRUCK SUPPLY INC, maint.	179.74
ACCURATE TESTING INC, services	579.15
ACTION BATTERIES, maint.	229.39
AED ZONE, services	300.00
AKRS EQUIPMENT SOLUTIONS INC, maint.	133.32
ALFRED BENESCH & CO, services	14,991.86
ALLDATA LLC, services	1,500.00
AMAZON, supplies	565.18

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A-RELIEF, services	141.00
ASPEN EQUIPMENT CO, maint.	1,297.00
BARCAL, ROSE, travel	74.37
BAUER BUILT INC, maint.	1,041.88
CENTER POINT INC, books	364.32
CINTAS CORP, services	407.90
CITY OF OMAHA, services	8,138.72
COMMERCIAL SEEDING, services	3,597.00
CORNHUSKER INTL TRUCKS INC, maint.	18.36
COX COMMUNICATIONS INC, services	280.55
CULLIGAN OF OMAHA, services	9.50
CUMMINS CENTRAL POWER LLC, maint.	255.32
D & K PRODUCTS, services	3,424.00
DELL MARKETING, services	4,632.96
DILLON BROS HARLEY DAVIDSON, maint.	313.48
DXP ENTERPRISES INC, services	119.50
FELSBURG HOLT & ULLEVIG INC, services	262.50
FIRST WIRELESS INC, services	560.00
GENUINE PARTS CO, maint.	58.74
GILMORE & BELL PC, services	2,500.00
GRAINGER, supplies	68.31
GRAYBAR ELECTRIC CO, bldg&grnds	46.53
GT DISTRIBUTORS INC, services	7,105.00
HANNAH CARDEN, services	924.00
HEARTLAND TIRES, maint.	53.49
HEARTLAND WOOD FLOORS, bld&grnds	2,448.50
HURST, JEAN, travel	74.03
INGRAM LIBRARY SERVICES, books	1,992.17
IVERSEN, BEN, tuition	1,500.00
J RETZ LANDSCAPE INC. services	531.00
KANOPY INC, media	106.00
KEVIN JONES, services	350.00
KEYMASTERS LOCKSMITH, bld&grnds	386.98
KRIHA FLUID POWER CO, maint.	34.89
LARSEN SUPPLY CO, supplies	890.72
LIBRA INDUSTRIES INC, apparel	152.00
LIBRARY ADVANTAGE, supplies	615.00
LIBRARY IDEAS LLC, media	9.50
LOGAN CONTRACTORS SUPPLY, services	397.75
LOVELAND GRASS PAD, services	7.98
MARCO INC, services	456.89
MENARDS-RALSTON, supplies	641.46
MIDWEST TAPE, media	185.05
MIDWEST TURF & IRRIGATION, maint.	336.27
MOTOROLA SOLUTIONS INC, services	20,913.60
MUNICIPAL PIPE TOOL CO, maint.	2,500.00
NATIONAL LEAGUE OF CITIES, services	1,563.00
NE LAW ENFORCEMENT, services	150.00
NE LIBRARY COMMISSION, services	2,566.56
NE NOTARY ASSOC, services	76.18
OCLC INC, services	161.21
OFFICE DEPOT INC, supplies	237.48
OLSSON INC, services	2,162.25
OMAHA SLINGS INC, supplies	152.77
OMNI ENGINEERING, supplies	84.00
ONE CALL CONCEPTS INC, services	359.19
O'REILLY AUTO PARTS, maint.	1,266.94
ORIENTAL TRADING CO, supplies	1,447.05
PAPILLION SANITATION, services	275.70
PER MAR SECURITY, services	126.63

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PETTY CASH, supplies	300.00
RAKA, NMC GROUP INC, maint.	438.97
RDG PLANNING & DESIGN, services	7,478.56
RED WING BUSINESS ACCT, apparel	150.00
SARPY COUNTY COURTHOUSE, services	4,313.96
SARPY COUNTY FISCAL ADMIN, services	1,941.91
SCHAEFFER MANUFACTURING CO, services	974.65
SCHOLASTIC LIBRARY PUBLISHING, books	72.80
SECRETARY OF STATE, services	30.00
SIGN IT, services	108.00
SIGN-O-VATION INC, services	427.33
SWAIN CONSTRUCTION INC, services	390,980.36
SWAN ENGINEERING LLC, services	10.40
TED'S MOWER SALES, maint.	223.28
THAI ORCHIDS RESTAURANT, refund	9.00
THE SCHEMMER ASSOCIATES INC, services	632.50
TORNADO WASH LLC, services	175.00
TRAFFIC & PARKING CONTROL CO, maint.	29.75
TRANS UNION RISK, services	75.00
TRUCK CENTER COMPANIES, maint.	477.19
TURFWERKS, maint.	118.21
U.S. CELLULAR, phones	1,822.08
UNITED PARCEL, services	19.49
US POSTAL, services	1,373.50
USBORNE BOOKS & MORE, books	337.76
USIQ INC, supplies	1,227.90
UTILITY EQUIPMENT CO, supplies	15.92
VERIZON CONNECT, phones	631.41
VERIZON WIRELESS, phones	344.06
WAGNER, SCOTT, supplies	86.97
WALMART, supplies	574.34
WELLINGTON, services	2,125.00
WESTLAKE HARDWARE, supplies	1,590.32
WOODHOUSE, maint.	69.84

Councilmember Thomas 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, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported on Salute to Summer.

Library Director Barcal reported on the Innovation Studio opening May 26-27, 2021.

Chief of Police Lausten provided an update on the search efforts for the missing La Vista boy and the upcoming Police Academy Graduation.

Director of Public Works Soucie reported they are getting the fields ready for Softball, Soccer, and Flag Football Tournaments this weekend, and he gave an update on 108th Street.

B. ZONING TEXT AMENDMENTS – WIRELESS TELECOMMUNICATION FACILITIES

1. PUBLIC HEARING

At 6:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed zoning text amendments.

At 6:11 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick,

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Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. ORDINANCE – AMEND SECTION 7.11 OF ZONING ORDINANCE

Councilmember Thomas introduced Ordinance No. 1419 entitled: AN ORDINANCE TO AMEND SECTION 7.11 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.11 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1419. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1419 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 Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

2. ORDINANCE – AMEND MASTER FEE ORDINANCE

Councilmember Thomas introduced Ordinance No. 1420 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1415, 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 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 Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1420. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1420 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 Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

C. AMERICAN HERITAGE FIREARMS, LLC – CONDITIONAL USE PERMIT – LOT 492 MILLARD HIGHLANDS SOUTH REPLAT - HOME OCCUPATION – GUNSMITHING

1. PUBLIC HEARING

At 6:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Conditional Use Permit. The applicant, Pat & Brian

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Lichter, presented an overview of their plans and were available to answer any questions.

At 6:20 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. 21-053 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR AMERICAN HERITAGE FIREARMS, LLC TO OPERATE A HOME OCCUPATION GUNSMITHING BUSINESS ON LOT 492 MILLARD HIGHLANDS SOUTH REPLAT.

WHEREAS, American Heritage Firearms, LLC has applied for approval of a conditional use permit for a home occupation gunsmithing business on Lot 492 Millard Highlands South Replat, located at 12806 Emiline Street; and

WHEREAS, the La Vista Planning Commission reviewed the application on April 15, 2021 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a 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 in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for American Heritage Firearms, LLC to allow for a home occupation gunsmithing business on Lot 492 Millard Highlands South Replat.

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

D. RESOLUTION – APPROVE INTERLOCAL AGREEMENT – JAIL SERVICES, PROSECUTORIAL AND INDIGENT DEFENSE SERVICES

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-054 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITIES OF LA VISTA, BELLEVUE, GRETNA, PAPILLION AND SARPY COUNTY, NEBRASKA TO PROVIDE JAIL, PROSECUTORIAL AND INDIGENT DEFENSE SERVICES.

WHEREAS, Sarpy County owns and maintains a jail facility, provides prosecutorial functions through the County Attorney's Office, and provides indigent defense services through the Office of the Public Defender; and,

WHEREAS, Sarpy County and the Cities are agreeable to housing persons cited or arrested, or sentenced in connection with a citation or arrest, under lawful authority ("Offenders") within the corporate boundaries of the Cities, including those offenders cited, arrested, or sentenced solely for violating a City Municipal Code, in the County Correctional Facility; and,

WHEREAS, Sarpy County and the Cities desire to acknowledge the prosecutorial services provided by the County Attorney and the indigent defense services provided by the Office of the Public Defender; and,

WHEREAS, such an agreement is authorized by the Interlocal Cooperation Act, Neb. Rev. Stat §§ 13-801 to 13-827.

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NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with between the Cities of La Vista, Bellevue, Gretna, Papillion and Sarpy County, Nebraska to provide jail, prosecutorial and indigent defense services.

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

E. RESOLUTION – APPROVE PERSONNEL MANUAL UPDATE

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-055 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AMENDING SECTION III OF THE CITY'S PERSONNEL MANUAL REGARDING A NEPOTISM POLICY AND A DIVERSITY AND INCLUSION STATEMENT.

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska, has determined that a need exists to make changes to the existing La Vista City Personnel Policy and Procedures Manual as adopted on December 20, 2005; and

WHEREAS, Section III in the manual regarding Nepotism and a Diversity and Inclusion Statement is amended to clarify language and incorporate a nepotism policy and diversity and inclusion statement; and

WHEREAS, it is the desire of the City Council to amend Section III of the Personnel Policy and Procedures Manual to incorporate the changes to the above listed section;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the existing La Vista City Personnel Policy and Procedures Manual adopted on December 20, 2005, is hereby amended to reflect the proposed changes to Subsection III.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commended the La Vista Police Department and citizen efforts in the search for the missing La Vista boy. He also commented on Salute to Summer and the Mayor's recognition of Dottie DeBoer, a long-time resident of La Vista.

Councilmember Quick thanked the City Council for the thoughts and support after her husband passed.

Central Park East/West – City Council Visit

City Council visited Central Park West and Central Park East.

At 7:16 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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PASSED AND APPROVED THIS 1ST DAY OF JUNE 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Patricia Anderson
Deputy City Clerk