

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING June 1, 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 June 1, 2021. Present were Councilmembers: 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, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, City Engineer Dowse, Community Development Director Fountain, and Finance Director Miserez.

A notice of the meeting was given in advance thereof by publication in the Times on May 16, 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.

### **SERVICE AWARDS: RYAN SOUTH – 10 YEARS; DENNIS IVERSON – 25 YEARS**

Mayor Kindig recognized Dennis Iverson for 25 years of service to the City and Ryan South 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 18, 2021 CITY COUNCIL MEETING**
- 3. APPROVAL OF THE MINUTES OF THE MAY 20, 2021 PLANNING COMMISSION MEETING**
- 4. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$698.52**
- 5. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – PROFESSIONAL SERVICES – 96TH & 108TH ST PAVEMENT REHABILITATION – \$212,900.35**
- 6. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 96TH & 108TH ST PAVEMENT REHABILITATION – \$27,388.40**
- 7. APPROVAL OF CLAIMS**

AA WHEEL & TRUCK SUPPLY INC, maint.	89.82
ACCENT DRYWALL SUPPLY CO, bld&grnds	70.56
ACCO UNLIMITED CORP, supplies	1,473.63
AMAZON, supplies	318.84
ANDERSON FORD OF LINCOLN, services	23,910.00
ANGELA HUSSMAN, refund	33.00
AT&T MOBILITY LLC, phones	97.40
AXON ENTERPRISE INC, services	2,468.30
BACON LETTUCE CREATIVE, services	3,000.00
BAUER BUILT INC, services	180.36
BERGANKDV LLC, services	2,000.00
BIBLIOTHECA LLC, media	1.39
BISHOP BUSINESS EQUIPMENT, supplies	133.34
BODY BASICS INC, services	472.00
CARROT-TOP INDUSTRIES INC, services	1,487.62
CENTER POINT INC, books	44.34
CINTAS CORP, services	168.01
CITY OF PAPILLION, services	219,476.37
CIVICPLUS, services	22,719.81
COMP CHOICE INC, services	355.00

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COX COMMUNICATIONS INC, services	147.03
CULLIGAN OF OMAHA, services	9.50
D & K PRODUCTS, supplies	7,481.00
DATASHIELD CORP, services	20.00
DELL MARKETING, services	343.99
DEMCO INC, supplies	363.93
DESIGN WORKSHOP INC. services	22,690.00
DIAMOND VOGEL PAINTS, supplies	292.50
DOUGLAS COUNTY SHERIFF, services	262.50
DULTMEIER SALES LLC, maint.	68.50
EDGEWEAR SCREEN PRINTING, apparel	4,994.00
FASTENAL CO, supplies	7.20
FBG SERVICE CORP, bld&grnds	5,965.00
FIKES COMMERCIAL HYGIENE, supplies	60.00
FITZGERALD SCHORR BARMETTLER, services	28,221.70
G I CLEANERS & TAILORS, services	196.25
GALE, books	124.45
GRAYBAR ELECTRIC CO, bld&grnds	102.24
GREAT PLAINS UNIFORMS, apparel	2,960.00
HANNAH CARDEN, services	275.00
HARM'S CONCRETE INC, services	215.00
HDR ENGINEERING INC, services	532.62
HEIMES CORP, services	88.74
HELGET SAFETY, supplies	90.00
HOBBY LOBBY, supplies	45.95
HY-VEE INC, services	110.00
INDUSTRIAL SALES CO, services	1,812.22
INGRAM LIBRARY SERVICES, books	201.50
J RETZ LANDSCAPE INC, services	5,693.19
KEYMASTERS LOCKSMITH, services	26.00
LV COMM FOUNDATION, payroll	980.05
LABRIE, DONALD P, services	187.50
LARSEN SUPPLY CO, supplies	712.56
LERNER PUBLISHING GROUP, books	426.51
LG PLAYGROUNDS LLC, services	45.75
LIBRARY IDEAS LLC, books	1,636.20
LOGAN CONTRACTORS SUPPLY, bld&grnds	145.25
LOU'S SPORTING GOODS, supplies	791.94
LOVELAND GRASS PAD, bld&grnds	781.08
MANDY GRYSKIEWICZ, refund	33.00
MARC WOODLE, services	1,900.00
MENARDS-RALSTON, maint.	211.34
METRO AREA TRANSIT, services	908.00
METRO COMM COLLEGE, services	9,665.93
MICROFILM IMAGING SYSTEMS INC, services	180.00
MIDWEST TAPE, media	146.96
MIRACLE RECREATION EQUIPMENT, services	1,813.82
MOBOTREX INC, bld&grnds	4,576.00
MOTOROLA SOLUTIONS INC, services	746.90
NICHE ACADEMY LLC, services	1,600.00
ODEYS INC, services	525.85
OFFICE DEPOT INC, supplies	361.40
OMAHA COMPOUND CO, supplies	235.09
OMAHA WORLD-HERALD, services	625.22
OMNI ENGINEERING, services	124.60
PAPILLION SANITATION, services	1,249.86
PEPSI COLA CO, supplies	794.04
PER MAR SECURITY, services	131.73
PETTY CASH-, supplies	50.00
PUBLIC AGENCY TRAINING COUNCIL, services	525.00

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READY MIXED CONCRETE CO, services	2,746.63
SARPY COUNTY COURTHOUSE, services	4,313.96
STOLTENBERG NURSERIES, bld&grnds	2,253.52
STREETSCAN, services	7,500.00
SUBURBAN NEWSPAPERS INC, services	813.16
SUN COUNTRY DISTRIBUTING LTD, supplies	167.93
SWAN ENGINEERING LLC, services	15.88
THE COLONIAL PRESS INC, services	9,365.37
THE NEW YORK TIMES, services	150.00
THOMPSON DREESSEN & DORNER INC, services	7,480.00
TY'S OUTDOOR POWER, services	51.13
UNITED STATES POSTAL, services	1,373.50
VOGEL TRAFFIC, services	12,812.50
WATCHGUARD INC, services	1,380.00
WESTLAKE HARDWARE INC, supplies	29.88
ZEE MEDICAL SERVICE INC, supplies	333.50

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

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

Recreation Director Stopak reported on the pool opening and on recreation center activities.

Chief of Police Lausten reported on grant funding for defibrillators and on the search efforts for the missing La Vista boy.

Director of Public Works Soucie introduced Public Works Intern Taytum Vance and announced that Jim Ruffner's last day of work was today.

City Engineer Dowse gave an update on 108<sup>th</sup> Street project and reported that the 96<sup>th</sup> Street project will be starting June 7<sup>th</sup>.

## **FIRST QUARTER REPORT - SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION**

Sarpy County Economic Development Corporation Executive Director Andrew Rainbolt presented the First Quarter Report.

### **B. ECONOMIC DEVELOPMENT PROGRAM**

#### **1. ORDINANCE – APPROVE APPLICATION SUPPLEMENT AND ADDITIONAL AWARD OF \$2,500,000 – CITY CENTRE MUSIC VENUE, LLC AND ASTRO THEATER, LLC**

Councilmember Quick introduced Ordinance No. 1421 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, LA VISTA, NEBRASKA, MAKING FINDINGS; APPROVING RECOMMENDATIONS, APPLICATION SUPPLEMENT AND ADDITIONAL AWARD OF \$2.5 MILLION UNDER CITY ECONOMIC DEVELOPMENT PROGRAM FOR EVENT CENTER TO BE CONSTRUCTED BY CITY CENTRE MUSIC VENUE, LLC, SUBJECT TO SPECIFIED CONDITIONS; AUTHORIZING FURTHER ACTIONS; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN 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: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1421. Councilmember Sell seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1421 be passed and adopted?" Upon roll call vote the following

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Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. 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.

## **2. RESOLUTION – AMEND RESOLUTION NUMBER 20-032 INCREASING ECONOMIC DEVELOPMENT PROGRAM BOND PRINCIPAL TO \$5,700,000**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-056 entitled: A RESOLUTION OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND RESOLUTION NO. 20-032, TO INCREASE THE AUTHORIZED PRINCIPAL AMOUNT OF ECONOMIC DEVELOPMENT FUND BONDS OF THE CITY OF LA VISTA, NEBRASKA, TO UP TO FIVE MILLION SEVEN HUNDRED THOUSAND DOLLARS (\$5,700,000) AND RELATED MATTERS.

BE IT RESOLVED by the Mayor and Council of the City of La Vista, Nebraska, as follows:

Section 1. The Mayor and Council of the City of La Vista, Nebraska, hereby find and determine as follows:

(a) Resolution No. 20-032 was adopted by the Mayor and Council on March 3, 2020, (the "Original Resolution") to authorize issuance of the City's Economic Development Fund Bonds, in the aggregate principal amount of not to exceed Three Million One Hundred Thousand Dollars (\$3,100,000) (the "Bonds"). Capitalized terms used in this resolution shall have the meanings provided in the Original Resolution unless otherwise defined or amended herein.

(b) That the City has received a supplemental application from City Ventures for an increase in the EDP Grant, and the supplemental application submitted by City Ventures has been recommended for approval and the City has approved the application pursuant to an ordinance passed and approved on June 1, 2021 (the "Supplemental Grant Ordinance")

(c) the City has agreed to provide an additional grant in the amount of \$2,500,000 to assist City Ventures (the "Supplemental EDP Grant"), subject to the terms and conditions of the Grant Ordinance and Supplemental EDP Grant Ordinance, thereby making the aggregate amount of the EDP Grant and Supplemental EDP Grant \$5,500,000;

(d) the Mayor and Council hereby declare it necessary and advisable for the City to increase the amount of economic development fund bonds authorized in the Original Resolution to a maximum principal amount of Five Million Seven Hundred Thousand Dollars (\$5,700,000) for the purpose of funding the EDP Grant and Supplemental EDP Grant, and make other amendments to the Original Resolution; and

(e) all conditions, acts and things required by law to exist or to be done precedent to the issuance of such bonds do exist and have been done as required by law.

Section 2. The Original Resolution is hereby amended to increase the authorized principal amount of the Bonds to the aggregate principal amount of not to exceed Five Million Seven Hundred Thousand Dollars (\$5,700,000).

Section 3. The first paragraph of Section 2 of the Original Resolution is hereby amended and restated in its entirety as follows:

To provide funds for the Program, including the funding of the EDP Grant and Supplemental EDP Grant, there shall be and there are hereby ordered issued negotiable bonds of the City of La Vista, Nebraska, to be designated as "Economic Development Fund Bonds, Series 2021" (which may be referred to as the "2020 Bonds", the "2021 Bonds" or the "Bonds") in the aggregate principal amount of not to exceed Five Million Seven Hundred Thousand Dollars (\$5,700,000). The Bonds or any portion thereof are hereby authorized to be sold pursuant to a negotiated sale with D.A. Davidson & Co., as initial purchaser (the "Underwriter"). In connection with such sale, the Mayor, City Administrator or Director of Administrative Services (each, an "Authorized Officer") are hereby authorized to specify, determine, designate, establish and appoint, as the case may be, in one or more written designations which may be included in a bond purchase agreement (each, a "Designation"), (i) the aggregate purchase price of the Bonds (including any original issue discount or premium) and the underwriting discount

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which shall not exceed 0.75% of the aggregate stated principal amount thereof, (ii) the form and contents of any bond purchase agreement in connection with such sale, (iii) the title (including series designation), dated date, aggregate principal amount (including the aggregate principal amounts of serial Bonds and term Bonds, if any), which aggregate stated principal amount shall not exceed \$5,700,000, and the final maturity date, which shall not be later than October 15, 2029, (iv) the principal amounts maturing in each year, (v) the rate or rates of interest to be borne by each principal maturity of the Bonds, provided that the true interest cost of the Bonds shall not exceed 3.0%, (vi) the principal payment dates and interest payment dates, (vii) whether the Bonds will be subject to redemption prior to their stated maturity, and if subject to such optional redemption, the provisions governing such redemption, including a redemption price not to exceed 104% of the principal amount then being redeemed plus accrued interest to the date of redemption, (viii) the amount and due date of each sinking fund installment for any of the Bonds issued as term Bonds, (ix) the designation of the Bond Registrar and Paying Agent (defined herein) and the form and content of any agreement between the City and such entity and (x) all other terms and provisions of the Bonds not otherwise specified or fixed by this Resolution.

Section 3. Section 10 of the Original Resolution is hereby amended and restated in its entirety as follows:

The City reserves the right to incur additional indebtedness payable from the Program on a parity with the Bonds so long as the annual obligations of the Program do not exceed an aggregate amount of \$2,000,000 per budget/fiscal year as set forth in the Program and are within other applicable limitations under Nebraska law.

Section 4. Section 14 of the Original Resolution is hereby amended and restated in its entirety as follows:

The proceeds of the Bonds shall be deposited with the City Treasurer and shall be held and applied in accordance with the terms of the Program Ordinance, the Grant Ordinance and the Supplemental Grant Ordinance. An Authorized Officer may designate any depository bank or banks and may contract for disbursing agent services as may be determined appropriate by such Authorized Officer. Investment earnings related to the proceeds of the Bonds shall be transferred to the Economic Development Fund and shall be deposited to the Bond Payment Account within such fund as established by this Resolution.

Section 5. Section 17 of the Original Resolution is hereby amended and restated in its entirety as follows:

The net principal proceeds of the Bonds, after payment of issuance expenses, shall be held in a separate account in the Economic Development Fund of the City of La Vista and shall be applied to make the EDP Grant in accordance with the terms of the Grant Ordinance and the Supplemental EDP Grant in accordance with the terms of the Supplemental Grant Ordinance.

Section 6. All documents, agreements, certificates, and instruments related to the Bonds shall be valid, binding, and enforceable against the City when executed and delivered by means of (i) an original manual signature; (ii) a faxed, scanned, or photocopied manual signature, or (iii) any other electronic signature permitted by electronic signatures laws, including any relevant provisions of the Uniform Commercial Code, in each case to the extent applicable. Each faxed, scanned, or photocopied manual signature, or other electronic signature, shall for all purposes have the same validity, legal effect, and admissibility in evidence as an original manual signature. Each document, agreement, certificate, and instrument related to the Bonds may be executed in any number of counterparts, each of which shall be deemed to be an original, but such counterparts shall, together, constitute one and the same document, agreement, certificate, or instrument, as applicable.

Section 7. Except as amended by this Resolution, the Original Resolution is hereby ratified and confirmed in all respects. All resolutions or orders, or parts thereof in conflict with the provisions of this Resolution are to be extent of such conflict hereby repealed.

Section 8. If any section, paragraph, clause or provision of this Resolution shall be held invalid, the invalidity of such section, paragraph, clause or provision shall not affect any of the other provisions of this Resolution.

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Section 9. This Resolution shall be in force and take effect from and after its adoption, as provided by law.

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

## **C. ORDINANCE – AMEND MUNICIPAL CODE § 37.13 (C) – DISCIPLINARY ACTION**

Councilmember Hale introduced Ordinance No. 1422 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 37.13 DISCIPLINARY ACTIONS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; TO PUBLISH IN PAMPHLET FORM; 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. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1422. Councilmember Sell seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1422 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. 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. RESOLUTION – APPROVE FINAL PLAT – LA VISTA CITY CENTRE REPLAT FOUR – LA VISTA CITY CENTRE, LLC**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-057 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO APPROVE THE FINAL PLAT FOR LA VISTA CITY CENTRE REPLAT FOUR, A REPLAT OF LOT 13 AND OUTLOT A, LA VISTA CITY CENTRE, AND LOT 1, LA VISTA CITY CENTRE REPLAT THREE SUBDIVISIONS, AS SURVEYED, PLATTED AND RECORDED IN THE SOUTHWEST QUARTER AND NORTHWEST QUARTER, TOGETHER WITH A PART OF TAX LOT 12 IN THE NORTHWEST QUARTER, ALL IN SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., CITY OF LA VISTA, SARPY COUNTY.

WHEREAS, the applicant, La Vista City Centre, LLC applied for approval of a final plat for La Vista City Centre Replat Four, which is a replat of Lot 13 and Outlot A, La Vista City Centre, and Lot 1, La Vista City Centre Replat Three, together with a part of Tax Lot 12 14-14-12 ("Final Plat"); and

WHEREAS, the City Engineer has reviewed the Final Plat; and

WHEREAS, on May 20, 2021, the La Vista Planning Commission reviewed the Final Plat and recommended approval subject to the following conditions:

1. Satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate, including without limitation, any applicable notices, hearings, approvals or property conveyances.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that, subject to satisfaction of all applicable requirements as the City Administrator or City Administrator's designee determines necessary or appropriate, including without limitation, any applicable notices, hearings, approvals or property conveyances, the

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Final Plat for La Vista City Centre Replat Four be, and hereby is, approved.

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

## **E. RESOLUTION – ROTELLA'S ITALIAN BAKERY & SUBSTANDARD DETERMINATION STUDY**

Councilmember Quick introduced and moved for the adoption of Resolution No. 21-058 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA REQUESTING THE PLANNING COMMISSION MAKE A RECOMMENDATION AS TO WHETHER THE ROTELLA'S ITALIAN BAKERY REDEVELOPMENT STUDY AREA IS A SUBSTANDARD AND BLIGHTED AREA AND SUBMIT THEIR RECOMMENDATION TO THE CITY COUNCIL.

WHEREAS, the Mayor and City Council hereby find and determine: that there has been placed on file with the City Clerk a study entitled Blight and Substandard Determination Study for area referred to as the "Rotella's Italian Bakery Redevelopment Area" prepared by Hanna-Keelan (the "Study"), and;

WHEREAS, under Section 18-2109, Nebraska Revised Statutes, it is necessary and appropriate to refer the Study to the Planning Commission of the City of La Vista, at its July 1<sup>st</sup> meeting, for its review and recommendations, and;

WHEREAS, the Study is hereby ordered submitted to the Planning Commission of the City for its review and recommendations, and;

WHEREAS, the City Clerk is hereby directed to set a public hearing upon the Study for the next practicable meeting of the Mayor and City Council for which notice can be given in accordance with such Section 18-2109 and 18-2115, Nebraska Revised Statutes, and which is to occur after the Planning Commission's recommendations are to be received. The City Clerk shall give notice of such hearing as required by law;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska to hereby requesting the Planning Commission make a recommendation as to whether the Rotella's Italian Bakery Redevelopment Area is a substandard and blighted area and submit their recommendation to the City Council.

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

## **F. RESOLUTION – APPROVE FIRST AMENDMENT – SARPY COUNTY AND CITIES WASTEWATER AGENCY – FY2020-2021 BUDGET**

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-059 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING FIRST AMENDMENT TO THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2020-2021 BUDGET.

WHEREAS, the City of La Vista is a party to an agreement (the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

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WHEREAS, pursuant to Section IX of the Agreement, the Agency Board has approved the proposed FY2020-2021 Budget Amendment, which was approved by the Agency Board at the Agency's Board Meeting on April 28, 2021; and

WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2020-2021 Budget which has been approved by the Agency Board and is attached to this Resolution as Exhibit A;

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2020-2021 Amendment Budget is hereby approved.

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

## **G. RESOLUTION – APPROVE BUDGET – SARPY COUNTY AND CITIES WASTEWATER AGENCY FY2021-2022**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-060 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY AND CITIES WASTEWATER AGENCY PROPOSED FY2021-2022 BUDGET.

WHEREAS, the City of La Vista is a party to an agreement (the "Agreement") entered into pursuant to the Interlocal Cooperation Act, set out at Neb. Rev. Stat. § 13-801 et seq. (the "Act"), by and between Sarpy County and the Cities of Papillion, Bellevue, Springfield, La Vista and Gretna (the "Members"), which formed the interlocal agency called the Sarpy County and Cities Wastewater Agency (the "Agency"); and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board is required to approve an itemized annual budget which shall be presented to and subject to approval of the individual governing body of each Member; and

WHEREAS, pursuant to Section IX of the Agreement, the Agency Board approved the proposed FY2021-2022 Budget, which was approved by the Agency Board at the Agency's Board Meeting on May 12, 2021; and

WHEREAS, the City Council deems it appropriate and advisable to approve the proposed FY2021-2022 Budget which has been approved by the Agency Board.

NOW, THEREFORE, BE IT RESOLVED by the City Council of La Vista, Nebraska that the proposed FY2021-2022 Budget is hereby approved.

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

## **H. RESOLUTION – APPROVE AWARD OF CONTRACT – LA VISTA LIBRARY & MCC SARPY CENTER ROOF REPLACEMENT**

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO APPROVE AWARD OF A CONTRACT BY METROPOLITAN COMMUNITY COLLEGE FOR THE LA VISTA PUBLIC LIBRARY/METROPOLITAN COMMUNITY COLLEGE SARPY CENTER ROOF REPLACEMENT PROJECT TO BOONE BROTHERS ROOFING IN AN AMOUNT NOT TO EXCEED \$318,090.00.

WHEREAS, the Mayor and City Council have determined that the replacement of the roof is necessary; and



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WHEREAS, the City of La Vista is responsible for 42% of the total project costs; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for the proposed 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 purchase over \$5,000.00;

WHEREAS, five bids were received by Metropolitan Community College;

Apple Roofing/Commercial Roofing	\$265,000
Boone Brother Roofing	\$276,600
10 Men Roofing, LLC	\$277,622
Kenbrooke Roofing	\$283,900
White Castle Roofing	\$394,900

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve award of a contract by Metropolitan Community College for the La Vista Public Library/Metropolitan Community College Sarpy Center roof replacement project to Boone Brothers Roofing for in an amount not to exceed \$318,090.00 with the City's portion of said contract not to exceed \$133,598.00.

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

## **I. RESOLUTION – AUTHORIZE AGREEMENT – CONSTRUCTION ENG. SERVICES – PARK VIEW BLVD PANEL REPLACEMENT 84TH ST TO 96TH ST**

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-062 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH ALFRED BENESH AND COMPANY FOR THE PROJECT MANAGEMENT, CONSTRUCTION OBSERVATION, MATERIALS TESTING, PROJECT CLOSEOUT AND PUBLIC INVOLVEMENT FOR THE PARK VIEW BOULEVARD PANEL REPLACEMENT, 84TH STREET TO 96TH STREET VARIOUS LOCATIONS PROJECT IN AN AMOUNT NOT TO EXCEED \$48,801.00.

WHEREAS, the City Council of the City of La Vista has determined that various panel replacements along Park View Boulevard between 84th Street and 96th Street are necessary; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for the proposed project; 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 authorize a Professional Services Agreement with Alfred Benesch and Company for the project management, construction observation, materials testing, project closeout and public involvement for the Park View Boulevard Panel Replacement, 84<sup>th</sup> Street to 96<sup>th</sup> Street Various Locations project in an amount not to exceed \$48,801.00.

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

# MINUTE RECORD

June 1, 2021

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

## **J. RESOLUTION – AUTHORIZE LEASE – TEMPORARY DOG PARK FENCING**

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE OF TEMPORARY DOG PARK FENCING FROM AMERICAN FENCE COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$10,579.57.

WHEREAS, the City Council of the City of La Vista has determined that the lease of temporary dog park fencing is necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for the proposed lease; 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 the City of La Vista, Nebraska, do hereby authorize the lease of temporary dog park fencing from American Fence Company, Omaha, Nebraska in an amount not to exceed \$10,579.57.

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

## **K. RESOLUTION – AUTHORIZE TO ADVERTISE – JANITORIAL SERVICE FOR LA VISTA FACILITIES**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-064 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF REQUEST FOR PROPOSALS FOR JANITORIAL SERVICES FOR CLEANING THE SIX (6) MUNICIPAL FACILITIES.

WHEREAS, the Mayor and Council have determined that it is desirable to take proposals for janitorial services for cleaning the city facilities; and

WHEREAS, specifications have been prepared for the request for proposals; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for these services; and

WHEREAS future year budgets will continue to provide funding for janitorial services;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the advertisement for request for proposals and the City Clerk is hereby authorized to advertise for the proposals in accordance with the specifications prepared by staff in a form and content satisfactory to the City Administrator or her designee, and said sealed proposals are due by 10:00 a.m. June 24, 2021, at City Hall, 8116 Park View Blvd., La Vista, Nebraska 68128.

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **COMMENTS FROM MAYOR AND COUNCIL**

# MINUTE RECORD

June 1, 2021

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

Mayor Kindig commented that it was good to see Jim Ruffner, and he thanked City Administration and the Police Department for their efforts in the search for a missing La Vista boy.

Councilmember Sell said that he and Councilmember Quick attended the 1-year anniversary ribbon cutting at Garbo's.

At 7:08 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF JUNE 2021.

CITY OF LA VISTA

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

ATTEST:

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