

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL

### MEETING

September 7, 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 September 7, 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, 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, Finance Director Miserez, Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on August 25, 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 AWARD: DENNIS DINAN – 15 YEARS

Mayor Kindig recognized Dennis Dinan for 15 years of service to the City.

### A. CONSENT AGENDA

1. APPROVAL OF THE MINUTES OF THE AUGUST 17, 2021 CITY COUNCIL MEETING
2. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC – PROFESSIONAL SERVICES – 84TH STREET BRIDGE – \$5,175.00
3. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 96TH & 108TH STREET PAVEMENT REHABILITATION – \$28,071.70
4. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 84TH TO 96TH STREET PANEL REPLACEMENT – \$24,078.62
5. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTER PARKING STRUCTURE 2 – \$13,675.00
6. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CITY CENTRE – \$2,120.00
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$6,975.41
8. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NRD – PROFESSIONAL SERVICES – WEST PAPIO TRAIL, GILES ROAD TO MILLARD – \$203,342.65
9. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION SERVICES – 96TH & 108TH STREET PAVEMENT RECONSTRUCTION & REHABILITATION – \$705,789.38
10. REQUEST FOR PAYMENT – TR CONSTRUCTION – PROFESSIONAL SERVICES – PARKVIEW BLVD PANEL REPLACEMENT - \$259,267.43
11. REQUEST FOR PAYMENT – OMAHA ELECTRIC SERVICE, INC – PROFESSIONAL SERVICES – 114TH AND GILES - \$65,446.06
12. APPROVAL OF CLAIMS

3C PAYMENT USA CORP, services	100.00
911 CUSTOM LLC, services	135.00
AA WHEEL & TRUCK SUPPLY INC, maint.	799.48
ABM INDUSTRIES INC, services	9,299.81
ACCO UNLIMITED CORP, supplies	286.50
ACTIVE NETWORK LLC, services	76.67
AKRS EQUIPMENT SOLUTIONS INC, maint.	495.67

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AMAZON, supplies	336.85
AMERICAN HERITAGE LIFE INS CO, services	1,197.43
AMERICAN RED CROSS, services	80.00
A-RELIEF, services	257.42
ASP ENTERPRISES INC, supplies	224.00
ASPEN EQUIPMENT CO, maint.	322.38
AT&T MOBILITY LLC, phones	97.40
BACON LETTUCE CREATIVE, services	840.00
BAUER BUILT INC, maint.	898.09
BEAUMONT, M., refund	493.00
BEN BEEDE, refund	20.00
BEN PRELLWITZ, refund	120.00
BIBLIOTHECA LLC, books	13.24
BISHOP BUSINESS EQUIPMENT, services	1,606.29
BIZCO INC, services	3,143.01
BLACK HILLS ENERGY, utilities	1,207.09
BROADCAST MUSIC INC, services	4.00
BUETHE, P., refund	100.00
BUILDERS SUPPLY CO INC, bld&grnds	417.73
CARROT-TOP INDUSTRIES INC, services	1,069.89
CCAP AUTO LEASE LTD, services	391.12
CENTER POINT INC, books	44.34
CENTURY LINK/LUMEN, phones	942.88
CHAD GUNN, refund	120.00
CINTAS CORP, services	321.96
CITIBANK COSTCO, supplies	95.93
CITY OF OMAHA, services	281,376.80
CITY OF PAPILLION, services	220,860.96
COLIBRI SYSTEMS, supplies	1,089.61
CORNHUSKER INTL TRUCKS, maint.	225.40
COX COMMUNICATIONS INC, services	147.03
CULLIGAN OF OMAHA, supplies	46.25
D & K PRODUCTS, services	3,701.00
DARECATALOG.COM, supplies	595.04
DATASHIELD CORP, services	140.00
DEARBORN NAT'L LIFE INS CO, services	7,550.50
DEFIANCE HARLEY-DAVIDSON, maint.	493.93
DESIGN WORKSHOP INC, services	1,399.08
DIAMOND BLADE DISTRIBUTORS LLC, maint.	624.95
DIAMOND VOGEL PAINTS, supplies	35.80
DOG WASTE DEPOT, supplies	150.26
DOUGLAS COUNTY SHERIFF'S OFC, services	612.50
ECHO GROUP INC, services	233.32
EDGEWEAR SCREEN PRINTING, services	311.00
EYMAN PLUMBING INC, bld&grnds	3,438.13
FEDEX, services	11.55
FERGUSON ENTERPRISES INC, bld&grnds	35.90
FIRST BANKCARD, supplies	12,550.36
FITZGERALD SCHORR BARMETTLER, services	27,046.60
GALE, books	124.45
GENERAL FIRE & SAFETY, bld&grnds	201.05
GENUINE PARTS CO, maint.	593.21
GRAYSHIFT LLC, services	11,158.43
GREAT PLAINS UNIFORMS, services	141.49
GREATAMERICA FINANCIAL, services	1,127.00
GUNN, B., refund	270.04
HARM'S CONCRETE INC, services	140.00
HEIMES CORP, services	80.00
HOBBY LOBBY, supplies	50.80
HOIT, CHRISTINE M, services	186.00

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HOME DEPOT, supplies	48.48
HUNTEL COMMUNICATIONS, services	115.00
HY-VEE, supplies	761.66
IDENTISYS INC, supplies	72.02
INDUSTRIAL SALES CO, supplies	34.21
INGRAM LIBRARY SERVICES, books	97.29
INLAND TRUCK PARTS & SERVICE, maint.	3,000.28
J RETZ LANDSCAPE INC, services	6,866.88
JOHN T RYDZYNSKI JR, refund	20.00
LV COMM FOUNDATION, payroll	120.00
LANOHA NURSERY INC, services	250.00
LARSEN SUPPLY CO, supplies	562.60
LEAGUE OF NEB MUNICIPALITIES, services	48,905.00
LINCOLN NATIONAL LIFE INS CO, services	6,277.06
LOGAN CONTRACTORS SUPPLY, services	877.52
LOVELAND GRASS PAD, services	15.96
MARCO INC, services	133.29
MARTIN ASPHALT - MONARCH OIL, services	532.80
MARVIN PLANNING CONSULTANTS INC, services	240.00
MATHESON TRI-GAS INC, supplies	217.65
MEDICA INSURANCE CO, services	108,676.72
MENARDS-RALSTON, supplies	275.30
METRO AREA TRANSIT, services	1,711.00
MUD, utilities	22,316.33
MID-AMERICAN BENEFITS INC, services	13,361.42
MIDWEST TAPE, media	337.52
MIDWEST TURF & IRRIGATION, maint.	230.49
NE DEPT OF REVENUE, sales tax	670.84
NOLL, MARGARET M, services	240.00
NPZA-NE PLANNING/ZONING ASSN, services	695.00
OFFICE DEPOT INC, supplies	1,034.80
OLSSON INC, services	2,107.50
OPPD, utilities	46,009.63
OMNI ENGINEERING, services	1,851.06
PAPILLION SANITATION, services	344.70
PAPILLION TIRE INC, maint.	477.42
PAYROLL MAXX, payroll & taxes	774,726.37
PER MAR SECURITY, services	55.33
PITNEY BOWES, postage	429.99
QUALITY AUTO REPAIR, maint.	83.00
RACHEL ROSS, refund	120.00
RAKA, NMC GROUP INC, maint.	5,515.80
RALSTON AREA BASEBALL ASSOC, services	1,140.00
RAY ALLEN MANUFACTURING CO INC, maint.	94.99
READY MIXED CONCRETE CO, services	2,047.81
REF'S SPORTS BAR & GRILL, services	348.80
REGAL AWARDS INC, services	26.50
RINGO, C., refund	60.00
RIVER CITY RECYCLING, services	60.00
ROBERT T. HENNRICH, services	519.00
SAPP BROS INC, maint.	504.00
SARPY COUNTY COURTHOUSE, services	4,313.96
SARPY DOUGLAS LAW ACADEMY, services	122.15
SIGN IT, services	236.80
SOUTHERN UNIFORM, apparel	115.00
SUBURBAN NEWSPAPERS INC, services	2,633.75
SUN COUNTRY DISTRIBUTING LTD, supplies	65.41
THE COLONIAL PRESS INC, services	1,347.01
THE WALDINGER CORP, bld&grnds	3,192.16
TORNADO WASH LLC, services	413.00

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TOSHIBA FINANCIAL, services	265.40
TRAIL, R., refund	15.98
TRANS UNION RISK, services	75.00
TRANSPARENT LANGUAGE INC, services	1,200.00
TRUCK CENTER CO, maint.	146.19
TY'S OUTDOOR POWER, services	199.96
U.S. CELLULAR, phones	2,354.07
UNITE PRIVATE NETWORKS, services	4,400.00
UNITED HEALTHCARE INS, services	1,009.58
VERIZON CONNECT NWF INC, phones	631.41
VERIZON WIRELESS, phones	413.97
WALMART, supplies	1,329.30
WOODHOUSE FORD, maint.	639.09

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Sell. Councilmember Crawford 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**

Community Relations Coordinator Beaumont reported on the Proclamation for Census.

Recreation Director Stopak reported on programs through the Recreation Department.

Chief of Police Lausten reported they will be assisting with the escort of Marine Daegan Page.

City Engineer Dowse gave an update on street construction projects.

## **SARPY/CASS HEALTH DEPARTMENT UPDATE**

Sarah Schram with the Sarpy/Cass Health Department gave an update on current COVID statistics.

## **PRESENTATION – THOMAS CREEK PROJECT – TD2**

Brad Huyke with TD2 presented an update on the Thomas Creek Project.

## **PRESENTATION - CITY CENTRE INTERFACE PROJECT - RDG**

Bruce Niedermeyer with RDG presented an update on the City Centre Interface Project.

## **B. CONDITIONAL USE PERMIT – JOHN GALASKA – LOTS 12, 15, 16 AND 17 CROSSROADS ADDITION (PORTAL ROAD BETWEEN HUPP DRIVE AND S. 97<sup>TH</sup> STREET**

### **1. PUBLIC HEARING**

At 6:51 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, John Galaska, presented an overview of his plans and was available to answer any questions.

At 6:53 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. RESOLUTION**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-097 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A CONDITIONAL USE PERMIT TO CONSTRUCT, OWN, AND OPERATE AN OUTDOOR STORAGE FACILITY AND AN

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## INDOOR SELF-SERVICE STORAGE FACILITY ON LOTS 12, 15, 16, AND 17 CROSSROADS ADDITION.

WHEREAS, an application has been submitted for a Conditional Use Permit to allow for outdoor storage and an indoor self-service storage facility on Lots 12, 15, 16, and 17 Crossroads Addition, generally located north of Portal Road between Hupp Drive and S. 97<sup>th</sup> Street; and

WHEREAS, the Planning Commission held a public hearing on August 5, 2021 to review the application and unanimously voted to recommend 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 approve and authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, subject to any additions, subtractions, or modifications that the City Administrator may determine necessary or advisable to construct, own, and operate an outdoor storage facility and an indoor self-service storage facility on Lots 12, 15, 16, and 17 Crossroads Addition.

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

### **C. FISCAL YEARS 20/21 AND 21/22 BIENNIAL BUDGET**

#### **1. APPROPRIATIONS ORDINANCE – FINAL READING**

City Clerk Buethe read Ordinance No. 1423 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1395 AND THE BIENNIAL BUDGET APPROPRIATING 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, 2020 AND ENDING ON SEPTEMBER 30, 2021; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022, AND TO AMEND AMOUNTS APPROPRIATED FOR THE FIRST AND SECOND YEARS OF SUCH BIENNIAL BUDGET FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2020 AND ENDING ON SEPTEMBER 30, 2021; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING SEPTEMBER 30, 2022, 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; TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES OR RESOLUTIONS AS ORIGINALLY ENACTED; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Thomas made a motion to approve final reading and adopt Ordinance 1423. Councilmember Frederick seconded the motion. Councilmember Crawford made a motion to revise the budget to include \$50,000 for campaigns for ballot questions. Councilmember Thomas seconded the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Councilmember Thomas revised his motion to approve the final reading as revised and adopt Ordinance 1423. Councilmember Frederick seconded the motion with the revision. The Mayor then stated the question, "Shall Ordinance No. 1423 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

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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. MASTER FEE ORDINANCE**

Councilmember Sell introduced Ordinance No. 1424 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1408, 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 Frederick 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: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question, "Shall Ordinance No. 1424 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.

## **3. INCREASE BASE OF RESTRICTED FUNDS AUTHORITY**

### **a. PUBLIC HEARING**

At 7:00 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed increased base of restricted funds authority.

At 7:00 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.

### **b. RESOLUTION**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-098 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE FISCAL YEAR 2022 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the Fiscal Year 2022 municipal budget on September 7, 2021; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the Fiscal Year 2022 municipal budget is allowed following the approval of at least 75% of the governing body.

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NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the Fiscal Year 2022 municipal budget by an additional one percent.

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

### **3. SETTING THE PROPERTY TAX LEVY**

#### **a. PUBLIC HEARING**

At 7:01 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed property tax levy.

At 7:01 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.

#### **b. RESOLUTION**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.21-099 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR THE FISCAL YEAR 2021-2022.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the City of La Vista passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW THEREFORE, the Governing Body of the City of La Vista, resolves that:

1. The 2021 – 2022 property tax request be set at \$10,789,513.00.
2. The total assessed value of property differs from last year's total assessed value by 14%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.483124 per \$100 of assessed value.
4. The City of La Vista proposes to adopt a property tax request that will cause its tax rate to be \$.54 per \$100 of assessed value; and
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of La Vista will increase last year's budget by 64%.
6. A copy of this resolution be certified and forwarded to the Sarpy County Clerk on or before October 13, 2021.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Mayor and City council of the City of La Vista Nebraska that the property tax to be distributed as follows:

**General Fund - \$9,790,484.00 (\$0.49 mill levy)**

**Bond Fund - \$999,029.00 (\$0.05 mill levy)**

A copy of this resolution and other required documents be certified and forwarded to the County Clerk and filed with the Auditor of Public Accounts in accordance with applicable law.

Seconded by Councilmember Thomas. Councilmember Frederick made a motion to set the property tax levy back to where it is currently. Seconded by Councilmember Sell. Discussion was held. Councilmembers voting aye: Frederick and Sell. Nays: Ronan, Sheehan, Thomas, Crawford, Quick and Hale. Motion failed. Mayor Kindig then asked for the vote on the motion made previously by Sheehan to adopt Resolution No. 21-099. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: Frederick. Abstain: None. Absent: None. Motion carried.

## **D. RESOLUTION – AMENDING THE COMPENSATION ORDINANCE AND SETTING RATES OF AUTO AND PHONE ALLOWANCE**

### **1. ORDINANCE – AMEND COMPENSATION ORDINANCE**

Councilmember Frederick introduced Ordinance No. 1425 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HERewith; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE 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: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Frederick. The Mayor then stated the question, "Shall Ordinance No. 1425 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Crawford, 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.

### **2. RESOLUTION – SETTING RATES OF AUTO AND PHONE ALLOWANCE**

Councilmember Frederick introduced and moved for the adoption of Resolution No.21-100 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MONTHLY VEHICLE AND MOBILE PHONE ALLOWANCES FOR SPECIFIC OFFICERS AND EMPLOYEES OF THE CITY.

WHEREAS, the Mayor and City Council establish by ordinance the compensation for officers and employees of the City of La Vista and said ordinance establishes that the Mayor and Council may additionally fix by resolution such vehicle and other allowances as may from time to time be fixed in the municipal budget; and

WHEREAS, the FY21 and FY22 municipal budgets establish funds for vehicle and mobile phone allowances for various officers, employees and volunteers of the City and are recommended by the Director of Administrative Services and City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the following vehicle and cellular phone allowances:

<u>Tier</u>	<u>Monthly Vehicle Allowance</u>	<u>Tier</u>	<u>Monthly Phone Allowance</u>
Tier 1	\$30	Tier 1	\$30
Tier 2	\$50	Tier 2	\$60
Tier 3	\$100	Tier 3	\$90
Tier 4	\$150		
Tier 5	\$300		

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. ORDINANCE – AMEND LA VISTA MUNICIPAL CODE – TITLE VII: TRAFFIC CODE - \$70.040 and \$72.19**

Councilmember Thomas introduced Ordinance No. 1426 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, RELATING TO PARKING OF VEHICLES AND TRAILERS, IN OR ADJACENT TO RESIDENTIAL ZONING



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DISTRICTS; TO AMEND SECTIONS 70.040 AND 72.19 OF THE LA VISTA MUNICIPAL CODE; TO REPEAL CONFLICTING ORDINANCES 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 Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Frederick. The Mayor then stated the question, "Shall Ordinance No. 1426 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Quick, Crawford, 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.

**F. RESOLUTION – AWARD CONTRACT – 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PUBLIC IMPROVEMENT PROJECT – OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 2**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-101 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO SAMPSON CONSTRUCTION OF PAPILLION, NEBRASKA FOR CONSTRUCTION OF STRUCTURE NO. 2 IN OFFSTREET PARKING DISTRICT NO. 2 IN THE 84<sup>TH</sup> STREET REDEVELOPMENT AREA IN AN AMOUNT NOT TO EXCEED \$12,514,000.00.

WHEREAS, the City Council of the City of La Vista has determined construction structure No. 2 in Offstreet Parking District No. 2 in the 84<sup>th</sup> street redevelopment area is necessary; and

WHEREAS, the FY 21/22 Biennial budget provides funding for this project; and

WHEREAS, Four (4) bids were received, and

WHEREAS, Sampson Construction submitted the low most responsible bid, 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 Sampson Construction of Omaha Nebraska for construction of structure No. 2 in Offstreet Parking District No. 2 in the 84<sup>th</sup> Street redevelopment area, subject to utilizing the superintendent proposed in the Sampson submittal, in an amount not to exceed \$12,514,000.00.

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

**G. RESOLUTION – APPROVE AMENDMENT NO. 8 – PROFESSIONAL SERVICES AGREEMENT – PARKING STRUCTURE NO. 2**

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-102 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AMENDMENT NUMBER EIGHT TO THE PROFESSIONAL SERVICES AGREEMENT WITH DLR GROUP FOR CONSTRUCTION ENGINEERING SERVICES FOR THE PARKING STRUCTURE #2 PROJECT FOR AN INCREASED AMOUNT NOT TO EXCEED \$337,100.50.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have

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determined additional Construction Engineering Services related to Parking Structure No. 2 are necessary; and

WHEREAS, the City Council on behalf of the City of La Vista desires to approve amendment number eight to the professional services agreement with DLR Group to provide additional construction phase engineering services; and

WHEREAS, for an increased amount not-to-exceed \$337,100.50; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment number eight to the professional services agreement with DLR Group for Construction Engineering Services for the Parking Structure #2 project for an increased amount not to exceed \$337,100.50.

Seconded by Councilmember Frederick. 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 – TRAFFIC STUDY – 84<sup>TH</sup> STREET CITY CENTRE/CENTRAL CITY VICINITY**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 21-103 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE EXECUTION OF AN AGREEMENT WITH FELSBURG HOLT & ULLEVIG (FHU) FOR ENGINEERING SERVICES FOR THE 84<sup>TH</sup> STREET CITY CENTRE/CENTRAL PARK VICINITY TRAFFIC SIGNAL STUDY IN AN AMOUNT NOT TO EXCEED \$28,050.

WHEREAS, Council has determined that a need exists for a traffic signal study on 84<sup>th</sup> Street; and

WHEREAS, The FY21/FY22 Biennial Budget provides funding for this service; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approve the execution of an agreement with Felsburg Holt & Ullevig (FHU) for Engineering Services for the 84<sup>th</sup> Street City Centre/Central Park vicinity traffic signal study in an amount not to exceed \$28,050.

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

## **I. RESOLUTION – AUTHORIZE PURCHASE – ZERO TURN MOWER**

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-104 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) EXMARK LAZER Z 60 INCH ZERO TURN MOWER FROM J AND J SMALL ENGINE SERVICE, BELLEVUE, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,283.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Exmark Lazer Z 60 inch Zero Turn Mower is necessary; and

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

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) Exmark Lazer Z 60 inch Zero Turn Mower from J and J Small Engine Service, Bellevue, Nebraska in an amount not to exceed \$7,283.00.

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

## COMMENTS FROM THE FLOOR

Judy Nauman and J. Ramirez commented on parking in front of mailboxes on Josephine Street between 72<sup>nd</sup> and 74<sup>th</sup> Streets and not receiving their mail.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on the ribbon cutting for the Dog Park.

At 7:46 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF SEPTEMBER 2021.

CITY OF LA VISTA

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

ATTEST:

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