

**LA VISTA CITY COUNCIL
MEETING
September 21, 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 21, 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.

A notice of the meeting was given in advance thereof by publication in the Times on September 8, 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 – COMMUNITY PLANNING MONTH

Mayor Kindig proclaimed the month of October 2021 as Community Planning Month and presented the proclamation to the Community Development Department.

SERVICE AWARDS: ROSE BARCAL – 20 YEARS; TERRY FOSTER – 15 YEARS

Mayor Kindig recognized Rose Barcal for 20 years of service to the City and Terry Foster for 15 years of service to the City.

A. CONSENT AGENDA

1. **APPROVAL OF THE AGENDA AS PRESENTED**
2. **APPROVAL OF THE MINUTES OF THE SEPTEMBER 7, 2021 CITY COUNCIL MEETING**
3. **APPROVAL OF THE MINUTES OF THE JULY 8, 2021 LIBRARY ADVISORY BOARD MEETING**
4. **MONTHLY FINANCIAL REPORT – JULY 2021**
5. **REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC – PROFESSIONAL SERVICES – LA VISTA WAYFINDING – \$1,935.00**
6. **REQUEST FOR PAYMENT – HDR ENGINEERING – PROFESSIONAL SERVICES – \$1,033.52**
7. **REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCE DISTRICT – STORMWATER MANAGEMENT FEES – \$164,280.57**
8. **REQUEST FOR PAYMENT – HGM ASSOCIATES, INC – PROFESSIONAL SERVICES – EAST LA VISTA SEWER & PAVEMENT REHABILITATION - \$16,052.01**
9. **REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 96TH TO 108TH STREET PAVEMENT REHABILITATION – \$36,904.02**
10. **REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 84TH TO 96TH STREET PANEL REPLACEMENT – \$9,361.86**
11. **REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG – PROFESSIONAL SERVICES – SOUTHPORT TRAFFIC IMPACT STUDY REVIEW – \$875.00**
12. **APPROVAL OF CLAIMS**

A-1 FLAGS, POLES, & REPAIR, services	125.00
AA WHEEL & TRUCK SUPPLY, maint	10.20
ABM INDUSTRIES INC, services	9,068.12
ACTION BATTERIES, maint.	109.90

ACTIVE NETWORK, services	51.15
ALFRED BENESCH & CO, services	52,150.32
AMAZON, bld&grnds	1,433.26
BARCO PRODUCTS INC, supplies	178.04
BAUER BUILT INC, maint.	168.72
BIBLIOTHECA LLC, media	6.24
BLACK HILLS ENERGY, utilities	1,122.84
BOBCAT OF OMAHA, services	456.00
BOB'S RADIATOR REPAIR, maint.	160.00
BOK FINANCIAL, bonds	284,527.50
BS&A SOFTWARE, services	5,000.00
CCAP AUTO LEASE LTD, services	449.00
CENTER POINT INC, books	408.66
CENTURY LINK/LUMEN, phones	148.15
CINTAS CORP, services	492.60
CITY OF OMAHA, services	279,660.37
COMP CHOICE INC, services	62.00
CONRECO INC, services	100.00
CORNHUSKER INTL TRUCKS INC, maint.	235.88
CULLIGAN OF OMAHA, services	19.00
DATASHIELD CORP, services	60.00
DELL MARKETING, services	10,113.20
DESIGN WORKSHOP INC, services	5,175.00
DITCH WITCH OF OMAHA, services	4,800.00
DLR GROUP, services	13,675.00
DXP ENTERPRISES INC, maint.	34.39
ECHO GROUP INC, bld&grnds	122.70
ED ROEHR SAFETY PRODUCTS CO, supplies	1,165.00
EMBLEMS INC, services	407.50
ESSENTIAL SCREENS, services	163.00
FASTENAL CO, supplies	505.49
FBG SERVICE CORP, bld&grnds	2,711.30
FEDEX, services	157.12
FERGUSON ENTERPRISES INC, bld&grnds	916.23
FIKES COMMERCIAL HYGIENE LLC, supplies	60.00
FIRST STATE BANK, services	12,205.78
GENERAL FIRE & SAFETY EQUIP CO, services	1,313.00
GENUINE PARTS CO, maint.	186.52
GOODWIN TUCKER GROUP, bld&grnds	463.01
GRAYBAR ELECTRIC CO, services	1,174.82
GREAT PLAINS COMMUNICATION, services	777.60
GREAT PLAINS UNIFORMS, apparel	99.00
GUARDIAN ALLIANCE TECH INC, services	708.00
HELGET SAFETY, supplies	80.00
HITOUCH BUS SVS, supplies	189.54
HOBBY LOBBY STORES INC, supplies	105.87
HUNTEL COMMUNICATIONS INC, services	6,373.00
INDUSTRIAL SALES CO, maint.	187.31
INGRAM LIBRARY SERVICES, books	1,848.56
J & J SMALL ENGINE, services	8,016.97
JOHNSON, ALLEN L, services	71.50
K ELECTRIC, bld&grnds	187.00
KANOPY INC, services	156.00
KIMBALL MIDWEST, supplies	122.72
KINDIG, D., services	104.80
LV COMM FOUNDATION, payroll	30.00
LIBRARY IDEAS LLC, books	1,021.80
LOGAN CONTRACTORS SUPPLY, services	154.00
LOGO LOGIX EMBROIDERY, apparel	490.00
LOVELAND GRASS PAD, supplies	3.99

LOWE'S, supplies	54.24
MARTIN ASPHALT - MONARCH OIL, services	521.70
MENARDS-RALSTON, bld&grnds	857.13
METRO COMM COLLEGE, bld&grnds	23,420.27
MICROFILM IMAGING SYSTEMS INC, services	3,800.00
MID-AMERICAN BENEFITS INC, services	2,042.75
MID-IOWA SOLID WASTE EQUIP, supplies	44.07
MIDLANDS LIGHTING & ELECTRIC, supplies	15.00
MIDWEST TAPE, media	73.12
MIDWEST TURF & IRRIGATION, bld&grnds	13.94
MOTOROLA SOLUTIONS INC, services	519.59
NE DEPT OF REVENUE, sales tax	269.39
NE IOWA DOOR SERVICES INC, bld&grnds	150.00
NE MUNICIPAL CLERKS ASSOC, services	90.00
NE SECRETARY OF STATE, services	30.00
NE TITLE CO, services	261,668.06
NLA-NEBRASKA LIBRARY ASSN, services	355.00
OFFICE DEPOT INC, supplies	1,721.22
OLSSON INC, services	2,120.00
OMAHA ELECTRIC SERVICE INC, services	65,446.06
OMNI ENGINEERING, services	1,020.51
ONE CALL CONCEPTS INC, services	307.63
O'REILLY AUTO PARTS, maint.	1,687.95
PAPILLION SANITATION, services	993.62
PAPIO-MISSOURI RIVER NRD, services	203,342.65
PAYROLL MAXX, payroll & taxes	437,195.22
PINOT'S PALETTE LA VISTA, services	2,940.00
QUALITY FENCE LLC, services	22,130.00
READY MIXED CONCRETE CO, services	1,998.39
RED WING, apparel	150.00
REDFIELD & CO, services	548.80
RIVER CITY RECYCLING, services	40.00
SECURITY EQUIPMENT INC, bld&grnds	187.50
SHERWIN-WILLIAMS, supplies	130.10
SHI INTERNATIONAL CORP, services	7,308.93
SOUCIE, JOSEPH, travel	555.48
SOUTHERN UNIFORM, apparel	364.51
SUBURBAN NEWSPAPERS INC, services	352.11
SWAIN CONSTRUCTION INC, services	705,789.38
TEMPLE DISPLAY LTD, services	487.00
THE COSGRAVE CO, bld&grnds	308.00
THE FILTER SHOP INC, bld&grnds	387.20
THE LIBRARY SUPPLY, services	829.88
THE WALDINGER CORP, bld&grnds	774.50
THOMPSON DREESSEN & DORNER INC, services	8,362.91
TR CONSTRUCTION LLC, services	259,267.43
TRAIL, RANDY, supplies	289.70
TY'S OUTDOOR POWER, maint.	590.80
U.S. CELLULAR, phones	2,184.39
UNITED PARCEL, services	9.65
VERIZON WIRELESS, phones	362.21
VIERREGGER ELECTRIC CO, services	5,493.08
WESTLAKE HARDWARE, supplies	1,312.72
WHITE CAP LP, apparel	140.58
WOODHOUSE BUICK, maint.	205.19
ZOOM VIDEO COMMUNICATIONS, services	1,999.00

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Quick 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

Recreation Director Stopak reported on programs through the Recreation Department and Senior Center.

Chief of Police Lausten reported that they met with residents on Josephine St. about options regarding parking and mail delivery issues.

City Engineer Dowse gave an update on street construction projects and the Thompson Creek Open House.

B. RESOLUTION — AMEND INTERLOCAL COOPERATION AGREEMENT — SARPY COUNTY

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-105 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AMENDMENT OF THE INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR HOSTED SERVICES.

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

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

WHEREAS, The FY22 Information Technology budget contains funding for the Hosted Services Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, approve the amendment of the Interlocal Cooperation Agreement with Sarpy County for Hosted Services.

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

C. RESOLUTION — AUTHORIZE NEGOTIATIONS FOR CONSTRUCTION MANAGEMENT AT RISK CONTRACT — CENTRAL PARK PAVILION AND SITE IMPROVEMENTS

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-106 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, REGARDING EVALUATION AND RANKING OF CONSTRUCTION MANAGERS AND AUTHORIZING NEGOTIATIONS FOR CONSTRUCTION MANAGEMENT AT RISK CONTRACT FOR PROPOSED CENTRAL PARK PAVILION AND SITE IMPROVEMENTS LOCATED NORTH OF 8302 CITY CENTRE DRIVE IN CENTRAL PARK.

WHEREAS, the Mayor and City Council authorized and approved Construction Management at Risk delivery system ("Construction Management at Risk" or "CMR") under Neb. Rev. Stat. Section 13-2901 et seq ("Act"), approved CMR policies ("Policies"), and approved Construction Management at Risk for the proposed Central Park Pavilion and Site Improvements project located north of 8302 City Centre Drive in Central Park; and

WHEREAS, the Mayor and City Council selected construction managers as prequalified and eligible to receive request for proposals for the CMR contract for the proposed Central Park Pavilion and Site Improvements project and authorized requesting proposal ("RFPs") from them, which RFPs were issued and proposals were received ("Proposals"); and

WHEREAS, the Proposals were referred to the City's CMR selection committee for evaluation and recommendation, which evaluation the selection committee carried out ("Selection Committee Evaluation") taking into

consideration applicable criteria and assigning points to each criterion listed in Neb. Rev. Stat. Section 13-2911(2) not in excess of the maximum percentages set forth in the RFPs ("Selection Committee Points Allocation"). Following are the selection committee recommendations based on the Selection Committee Evaluation and best meeting the criteria in the RFPs, including the Selection Committee Points Allocation, listed in order of recommended ranking ("Selection Committee Recommended Ranking"):

1. JE Dunn Construction Company
2. Lund Ross Construction Company
3. The Graham Group; and

WHEREAS, the Mayor and City Council desires to accept, adopt, and approve the Selection Committee Evaluation of the Proposals, Selection Committee Points Allocation, and Selection Committee Recommended Ranking, and authorize negotiation of a CMR contract.

NOW, THEREFORE, BE IT RESOLVED that the following is approved:

1. The recitals above are incorporated herein by reference and approved.
2. The Mayor and Council acknowledges receipt of the Selection Committee Evaluation of the Proposals, including the Selection Committee Points Allocation, and the Selection Committee Recommended Ranking.
3. The Mayor and City Council hereby accepts, adopts, and approves the Selection Committee Evaluation of the Proposals, Selection Committee Points Allocation, and Selection Committee Recommended Ranking, and makes and approves the following rankings of Proposals as in accordance with applicable requirements and best meeting the criteria in the RFPs:

1. JE Dunn Construction Company
2. Lund Ross Construction Company
3. The Graham Group

4. JE Dunn Construction Company is selected as the highest ranked construction manager and the City Administrator or City Engineer, or any designees of the City Administrator or City Engineer, is authorized to enter negotiations for a CMR contract with JE Dunn Construction Company. Any such CMR contract shall be subject to approval of the Mayor and City Council
5. The City Administrator or City Engineer, or any designee of the City Administrator or City Engineer, shall be authorized on behalf of the City to take all actions as she or he determines necessary or appropriate in connection with the Proposal, CMR contract negotiation, the actions approved in this Resolution or the CMR process, except for any action or approval that the Policies expressly require of the Mayor and City Council or the City's selection committee. The authorization provided by this paragraph "5" shall include without limitation:
 - a. Negotiating and preparing CMR contracts with prospective construction managers;
 - b. Determining applicable criteria and content of all proposed documents and instruments of the City; and
 - c. Taking all other actions as determined necessary or appropriate under the circumstances to prepare or present a proposed CMR contract to the Mayor and City Council for consideration or approval.

This resolution shall be in full force and take effect from and after adoption as provided by law.

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 -- APPROVAL OF APPLICATION FOR RECONSTRUCTION TO LIQUOR LICENSE -- CASEY'S GENERAL STORE

Councilmember Sell introduced and moved for the adoption of Resolution No. 21-107 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE APPLICATION FOR RECONSTRUCTION TO THE CASEY'S GENERAL STORE #6173 (PREVIOUSLY NAMED BUCKY'S EXPRESS 73) CLASS D LIQUOR LICENSE AT 7203 HARRISON STREET, LA VISTA, NEBRASKA.

WHEREAS, Casey's General Store (previously named Bucky's Express 73), 7203 Harrison St, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for reconstruction to their Class D Liquor License, and

WHEREAS, the reconstruction is for an interior remodel and will not affect the dimensions of the building or the licensed area, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the application for reconstruction to the Class D Liquor License submitted by Casey's General Store (previously named Bucky's Express 73), 7203 Harrison St, La Vista, Sarpy County, Nebraska

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

E. RESOLUTION -- INSURANCE BROKER AGREEMENT -- ADDENDUM ONE

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-108 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING ADDENDUM ONE TO THE AGREEMENT WITH FIRST INSURANCE GROUP LLC DBA FNIC (FORMERLY THE HARRY A. KOCH COMPANY) TO EXTEND THE EXPIRATION DATE OF THE INSURANCE BROKER SERVICES AGREEMENT THROUGH SEPTEMBER 30, 2022.

WHEREAS, The City of La Vista and First Insurance Group LLC dba FNIC (formerly The Harry A. Koch Company) entered into an Agreement dated June 5, 2019 ("Agreement"); and

WHEREAS, the term of the Agreement was for October 1, 2019 through September 30, 2020; and

WHEREAS, The City of La Vista and First Insurance Group LLC dba FNIC (formerly The Harry A. Koch Company) wish to execute Addendum One to extend the expiration date of the Agreement to September 30, 2022

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves Addendum One to the agreement with First Insurance Group LLC dba FNIC (formerly The Harry A. Koch Company) to extend the expiration date of the Agreement to September 30, 2022 and authorizes the Mayor to execute said addendum.

Seconded by Councilmember Sheehan. 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

Mayor Kindig commented on the Legislature working on redistricting.

At 6:21 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 5TH DAY OF OCTOBER 2021.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk