

MINUTE RECORD

A-2

No. 729 -- REOPENED DIRECT E2106195KV

LA VISTA CITY COUNCIL MEETING November 19, 2024

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 November 19, 2024. Present were Councilmembers: Frederick, Ronan, Sheehan, Quick and Hale. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueche, Director of Administrative Services Pokorny, Director of Public Works Soucie, Community Development Director Fountain, Library Director Barcal, Human Resources Director Lowery, Police Captain Kinsey and City Engineer Dowse.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on November 6, 2024. Notice was simultaneously given to 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 and made the announcements.

SERVICE AWARD: BRUCE FOUNTAIN – 5 YEARS

Mayor Kindig recognized Bruce Fountain for 5 years of service to the City.

APPOINTMENT – CIVIL SERVICE COMMISSION – REAPPOINT DESTYNIE SEWELL – 5 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to reappoint Destynie Sewell to the Civil Service Commission. Councilmember Thomas motioned the approval, seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Hale. Nays: None. Abstain: None. Absent: Sell and Wetuski. Motion carried.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE NOVEMBER 5, 2024 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE SEPTEMBER 12, 2024 LIBRARY ADVISORY BOARD MEETING
4. MONTHLY FINANCIAL REPORTS – SEPTEMBER 2024 AND OCTOBER 2024
5. REQUEST FOR PAYMENT – VALLEY CORPORATION – PROFESSIONAL SERVICES – CENTRAL PARK LIGHTING PROJECT – \$154,433.98
6. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE SURFACE PARKING LOT – \$15,552.00
7. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE SURFACE PARKING LOT – \$12,025.00
8. RESOLUTION NO. 24-137 – ELECTION OF DIRECTORS TO THE LA VISTA METROPOLITAN COMMUNITY COLLEGE BOARD OF DIRECTORS

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ELECT DIRECTORS OF THE LA VISTA/METROPOLITAN COMMUNITY COLLEGE BOARD OF DIRECTORS.

WHEREAS, the City of La Vista Facilities Corporation ("City Facility Corporation") and the Metropolitan Community College Facilities Corporation made and entered a Declaration and Master Deed of La Vista Metropolitan Community College Condominium Property Regime dated December 29, 1997 ("Declaration") for the purposes of administering the condominium property regime and maintaining common areas of the Library/Sarpy Center; and

WHEREAS, the La Vista/Metropolitan Community College Condominium Owners Association, Inc., ("Association") was incorporated for purposes of administering the condominium property regime and maintaining the common areas under the Declaration, and the Association is governed by a Board of Directors; and

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WHEREAS, pursuant to Article 1.24 of the Declaration, as amended, the City Facilities Corporation delegated to and authorized the City of La Vista ("City") to exercise voting rights with respect to the Association and its Board of Directors, and the City desires to exercise said voting rights to elect Directors of the Association; and

WHEREAS, the following positions (and the individuals holding the titles) have been designated by the Mayor and City Council to be the City's three directors ("City's Director's") on the Association's Board of Director's (Association's Board):

City Administrator
Library Director
Building Superintendent

WHEREAS, the Association held its 2024 Annual Meeting on November 11, 2024, at which time and at such meeting the City's Directors voted on behalf of the City and in accordance with the desire of the City Council and the Mayor to nominate and re-elect the City's Director's to the Association's Board; and

WHEREAS, the Mayor and City Council desire to designate, and ratify, affirm and approve the election of the City's Directors;

NOW, THEREFORE, BE IT RESOLVED, that the following are hereby designated and elected to serve as the City's appointees to the Board of Director's of the Association:

City Administrator
Library Director
Building Superintendent

and further that their attendance, participation, voting and exercise of other rights on behalf of the City (in exercise of the delegated rights of the City Facilities Corporation) to nominate and elect said individuals as directors at the annual meeting of the Association was held November 11, 2024 (and all other related actions) are hereby ratified, affirmed and approved.

9. APPROVAL OF CLAIMS

1000 BULBS, maint	409.34
ACTIVE NETWORK, services	74.75
ADP, payroll & taxes	474,314.68
ALCOLOCK USA, services	174.80
ALL MAKES OFFICE EQUIP, supplies	2,570.93
AMAZON, supplies	3,387.40
ARNOLD MOTOR SPLY, maint	4,158.81
ASPEN EQUIP, maint	757.39
AXON ENTERPRISE, supplies	918.00
AYALA, B, training	42.50
BACON LETTUCE CREATIVE, services	2,996.25
BATTERIES PLUS, maint	83.20
BIBLIOTHECA, books	6,759.00
BIG RED LOCKSMITHS, services	12.00
BELLEVUE JR SPORTS ASSN, services	800.00
BLACK HILLS ENERGY, utilities	1,784.16
BOK FINANCIAL, services	56,053.75
BURT, Z, training	41.33
CARAHSOFT TECH CORP, services	341.41
CENTER POINT, books	291.24
CENTURY LINK, phones	96.14
CINTAS, services	22.94
CITY OF OMAHA, services	643,623.90
CNA SURETY, services	100.00

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COMP CHOICE, services	90.00
CONCRETE SPLY, maint	6,974.50
CONRECO, maint	38.00
CONVERGINT TECH, services	4,828.26
CORNHUSKER SIGN, services	2,875.00
COX, phones	297.00
CPI TELECOM, utilities	1,741.06
CULLIGAN, services	14.75
DELL, supplies	2,384.66
DXP ENT, maint	137.13
ELASTEC, supplies	6,010.00
ESSENTIAL SCREENS, services	89.20
FERGUSON US, bldg & grnds	52.39
FH BLACK & CO, services	1,043.00
FIKES COMM HYGIENE, supplies	144.50
FNBO, services	50.00
FITZGERALD SCHORR, services	29,032.98
FOP, services	1,965.00
GENUINE PARTS CO, supplies	356.34
GRAINGER, maint	72.39
GREAT PLAINS COMM, utilities	1,085.99
GREAT PLAINS UNIFORMS, services	169.98
GUARDIAN ALLIANCE TECH, services	260.00
HARBOR FREIGHT TOOLS, supplies	293.96
HGM ASSOC, services	80,884.25
HOBBY LOBBY, supplies	142.59
INGRAM LIBRARY SRVS, books	1,724.39
J & J SMALL ENGINE, maint	108.34
J RETZ LANDSCAPE, supplies	685.00
K ELECTRIC, services	12,049.84
KANOPY, media	233.00
KRIHA FLUID POWER, maint	271.00
LABRIE, DONALD, services	375.00
LARSEN SPLY, supplies	759.94
LILLIANNA SPANGLER, services	358.98
LOGAN CONTRACT, maint	88.67
MACKIE CONST, services	93,858.33
MACQUEEN EQUIP, maint	9,270.84
MANGELSEN'S, supplies	150.00
MARCO, services	153.87
MATHESON TRI-GAS, services	280.36
MENARDS, supplies	444.77
MID-AMERICAN BENEFITS, services	4,629.27
MIDWEST TURF, maint	644.78
MILLARD METAL, maint	125.00
MISSIONSQUARE RETIRE, services	75,222.21
NE DEPT OF REVENUE, services	1047.58
OFFICE DEPOT, supplies	747.11
OPPD, utilities	570.54
OMAHA SLINGS, supplies	744.70
OMAHA TACTICAL, supplies	502.00
OMAHA WINNELSON, supplies	44.06
OMAHA WORLD-HERALD, services	82.20
OMNI ENGINEERING, maint	437.78
O'REILLY AUTO PARTS, supplies	1,742.11

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PAPILLION SANITATION, services	2,801.13
PAYROLL MAXX, payroll & taxes	845.75
PITNEY BOWES, supplies	19.08
POINT C HEALTH, services	5,143.57
POLICE & FIREMEN'S INS, services	255.66
REDFIELD & CO, supplies	431.63
RIVER CITY RECYCLING, services	654.00
SADLER ELECTRIC, services	37,448.00
SARPY CO COURTHOUSE, services	4,627.00
SARPY CO SHERIFF'S OFC, services	5,000.00
SA DOUG LAW ENF ACAD, services	32,500.00
SCATTER JOY ACRES, services	1,500.00
SHI INTL, services	6,200.00
SIRCHIE ACQ CO, services	120.89
SUBURBAN NEWSPAPERS, services	396.24
SUPERIOR DECKS, supplies	637.76
TED'S MOWER, maint	193.49
THE COLONIAL PRESS, services	4,880.32
THE PANCAKE MAN, services	1,240.00
THE PENWORTHY CO, books	398.78
THE SCHEMMER ASSOC, services	672.06
THREE RIVERS LIBRARY SYS, training	10.00
TITLECORE NATL, services	1,100.00
TORNADO WASH, services	350.00
TRANS UNION RISK, services	75.00
TRAVELERS, services	677.24
T ROZEBOOM, parking	12.00
TRI-TECH FORENSICS, services	3,423.00
TRUESCOPE, services	5,040.00
UBT, services	50.00
UNITE PRIVATE NETWORKS, services	4,950.00
UNMC, services	1,994.00
US BANK NATIONAL ASSOC, supplies	41,837.64
VALLEY CORP, services	112,417.75
VERIZON CONNECT FLEET, phones	608.00
VERIZON WIRELESS, phones	463.99
VOIANCE LANGUAGE, services	25.00
WALMART, supplies	1,534.92
WHITE CAP, apparel	606.90
WASTE MGMT, services	38.76

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. Mayor Kindig inquired about item 5. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Hale. Nays: None. Abstain: None. Absent: Sell and Wetuski. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Finance Director Harris presented the monthly reports.

Assistant City Administrator Ramirez provided an update on the Reflections Plaza.

Communications Manager Beaumont reported on upcoming events.

B. CONDITIONAL USE PERMIT -- CIMARRON TERRACE PHASE III -- LOT 2 CIMARRON WOODS REPLAT 3

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1. PUBLIC HEARING

At 6:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the Conditional Use Permit -- Cimarron Terrace Phase III -- Lot 2 Cimarron Woods Replat 3. Deputy Community Development Director Solberg gave a brief presentation.

At 6:24 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Hale. Nays: None. Abstain: None. Absent: Sell and Wetuski. Motion carried.

2. RESOLUTION

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-138 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 PEDCOR INVESTMENTS, LLC FOR A MULTIPLE FAMILY RESIDENTIAL DEVELOPMENT ON LOT 2 CIMARRON WOODS REPLAT THREE.

WHEREAS, Pedcor Investments, LLC, has applied for approval of a Conditional Use Permit for the construction and operation of multiple family dwellings (apartments) on Lot 2 Cimarron Woods Replat Three, generally located southwest of the intersection of S 96th Street and Harrison Street; and

WHEREAS, the La Vista Planning Commission reviewed the application on November 7, 2024 and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the 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 Pedcor Investments, LLC to allow for the construction and operation of multiple family dwellings on Lot 2 Cimarron Woods Replat Three.

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

C. RESOLUTION -- LA VISTA FACILITIES CORPORATION

Councilmember Frederick introduced and moved for the adoption of Resolution No. 24-139 entitled:

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DIRECTING THE DISSOLUTION OF THE CITY OF LA VISTA FACILITIES CORPORATION.

WHEREAS, the City of La Vista Facilities Corporation (the "Corporation") was formed as a Nebraska nonprofit corporation under the Nebraska Nonprofit Corporation Act (the "Act") pursuant to Articles of Incorporation filed with the Nebraska Secretary of State on April 2, 1991, (the "Articles of Incorporation") for the purpose of acquiring buildings, equipment and facilities as specified by and suitable for use by the City of La Vista, Nebraska (the "City"); and

WHEREAS, the Corporation's purposes have concluded, all obligations of the Corporation have been satisfied with no bonds or other obligations of the Corporation currently outstanding or unpaid, and it is therefore necessary and appropriate for the board of directors of the Corporation (the

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“Directors”) to dissolve the Corporation’s existence in accordance with the Articles of Incorporation and the Act; and

WHEREAS, the City has control over the Corporation and the Directors by provisions which authorize the City Council to remove and replace all Directors, and therefore it is appropriate for the Mayor and City Council to direct the dissolution of the Corporation through action by the Mayor and City Council;

NOW, THEREFORE, BE IT RESOLVED, be it resolved by the Mayor and City Council of the City of La Vista as follows:

Section 1. The Directors are hereby authorized and directed to take any and all action necessary or appropriate to dissolve the Corporation in accordance with the Articles of Incorporation and the Act and to satisfy all necessary conditions required for such action, specifically including without limitation distribution of any assets held by the Corporation to the City as required by the Articles of Incorporation.

Section 2. The Mayor, City Clerk, Director of Administrative Services and other officers, agents and employees of the City are hereby authorized and directed to take such further action and execute and deliver such other documents, certificates and instruments as may be necessary or desirable to effect the dissolution of the Corporation and carry out and comply with the intent of this Resolution. All actions heretofore taken by officers and employees of the City in connection with the actions contemplated by this Resolution are hereby ratified and confirmed.

Section 3. This Resolution shall be in full force and effect from and after its adoption by the City Council of the City.

Seconded by Councilmember Hale. Mike Rogers with Gilmore Bell gave a brief presentation. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Hale. Nays: None. Abstain: None. Absent: Sell and Wetuski. Motion carried.

D. RESOLUTION – AWARD CONTRACT – CONCESSION STAND OPERATIONS

Councilmember Frederick introduced and moved for the adoption of Resolution No. 24-140 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A TWO-YEAR CONTRACT WITH A.L. VENDING AND CONCESSIONS, LLC., OMAHA, NEBRASKA FOR THE OPERATION OF CONCESSIONS AT THE SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND LA VISTA COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City; and

WHEREAS, A.L. Vending and Concessions, LLC. was awarded a contract in April of 2022 to operate the City’s concession stands at various recreation sites in the City; and

WHEREAS A.L. Vending and Concessions, LLC has performed satisfactorily over the last year and is agreeable to extending the current contract for an additional year; and

WHEREAS, the Recreation Youth and Adult Sports Program Manager recommends awarding the contract extension to A.L Vending and Concessions, LLC for two years; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a two-year contract extension with A.L Vending and Concessions, LLC., Omaha, Nebraska for the operation of the concessions at the Softball Complex, Soccer Complex, City Park, and La Vista Community Center.

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

E. RESOLUTION - PURCHASE OF MARKED POLICE VEHICLES

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-141 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) 2024 CHEVROLET TAHOE POLICE VEHICLES FROM GREGG YOUNG CHEVROLET AUTO GROUP, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$108,970.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of two (2) new marked police vehicles are necessary, and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed purchase; and

WHEREAS, Gregg Young Chevrolet, Omaha, Nebraska was awarded the state bid for Nebraska for the 2024 Chevrolet Tahoe vehicles and will extend that price to the City of La Vista, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby authorize the purchase of two (2) 2024 Chevrolet Tahoe Police vehicles from Gregg Young Chevrolet Auto Group, Omaha, Nebraska in an amount not to exceed \$108,970.00.

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

F. RESOLUTION - AUTHORIZE PAYMENT - AMERICAN PUBLIC WORKS ASSOCIATION ACCREDITATION PROGRAM

Councilmember Quick introduced and moved for the adoption of Resolution No. 24-142 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING PAYMENT TO AMERICAN PUBLIC WORKS ASSOCIATION ACCREDITATION PROGRAM IN AN AMOUNT NOT TO EXCEED \$7,150.00.

WHEREAS, the City Council of the City of La Vista has determined that payment to American Public Works Association for the accreditation program is necessary; and

WHEREAS, the FY25/FY26 Biennial Budget provides funding for the proposed payment; 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 payment to American Public Works Association Accreditation Program in an amount not to exceed \$7,150.00.

Seconded by Councilmember Frederick. Deputy Director of Public Works Calentine gave a brief presentation. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Hale. Nays: None. Abstain: None. Absent: Sell and Wetuski. Motion carried.

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COMMENTS FROM THE FLOOR

Pastor Terry Brown introduced himself and his church.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Quick thanked the Mayor and City for the opportunity to attend the NLC Conference.

Mayor Kindig gave a legislative update.

At 7:05 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick and Hale. Nays: None. Abstain: None. Absent: Sell and Wetuski. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF DECEMBER 2024.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, MMC
City Clerk