

MINUTE RECORD

A-2

No. 729 — REIDEL & COMPANY, INC. OMAHA E1107788LD

LA VISTA CITY COUNCIL MEETING November 4, 2014

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 4, 2014. 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, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resource Manager Garrod and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on October 22, 2014. 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 and led the audience in the pledge of allegiance.

Mayor Kindig announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

SERVICE AWARDS – COLIN RUPPERT - 5 YEARS

Colin was not able to be present at this meeting, therefore the Mayor will present it to him at a future meeting.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE OCTOBER 21, 2014 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE SEPTEMBER 11, 2014 LIBRARY ADVISORY BOARD MEETING
4. APPROVAL OF THE MINUTE OF THE AUGUST 11, 2014 LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC.
5. PAY REQUEST FROM UNIVERSITY OF NEBRASKA AT OMAHA – PROFESSIONAL SERVICES – THOMPSON CREEK WATERSHED RESTORATION PROJECT BIOBLITZ - \$3,115.43
6. PAY REQUEST FROM KISSEL/E&S ASSOCIATES – LEGISLATIVE SERVICES - \$9,867.38
7. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 124TH CIRCLE AND HARRISON STREET TRAFFIC SIGNAL - \$680.45
8. PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 120TH AND GILES ROAD TRAFFIC SIGNAL - \$3,701.31
9. RESOLUTION NO. 14-141 – APPROVE INTERLOCAL AGREEMENT – FORENSIC AND CRIME SCENE SERVICES

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH DOUGLAS COUNTY FOR FORENSIC AND CRIME SCENE INVESTIGATION SERVICES.

WHEREAS, pursuant to the authority granted under Neb. Rev. Statute 13-801, et. Seq. Reissue 1997, the Mayor and City Council determine that it is in

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the best interest of the City to renew an interlocal cooperation agreement for the purpose of providing forensic and crime scene investigation services in an efficient and effective manner; and

WHEREAS, the La Vista Police Department has a need for forensic and crime scene investigation services; and

WHEREAS, Douglas County, Nebraska is qualified to provide such services as described in the attached Interlocal Cooperation Agreement.

WHEREAS, Douglas County, Nebraska entered into an Interlocal Cooperation Agreement with the City of La Vista for forensic and crime scene investigation services in November of 2009 and has been satisfied with the services provided.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with Douglas County for forensic and crime scene investigation services.

10. APPROVAL OF CLAIMS.

3CMA MEMBERSHIP, dues	390.00
3E-ELECTRICAL ENGINEERING, maint.	205.30
ACTION BATTERIES, supplies	195.38
AFL, LLC, vehicles	27,346.00
AKSARBEN HEATING, bld&grnds	439.99
ALAMAR UNIFORMS, apparel	108.99
ATLAS AWNING, maint.	350.00
BARCAL, R., travel	124.32
BCDM, services	4,043.49
BEACON BUILDING, services	5,812.00
BLACK HILLS ENERGY, utilities	2,423.26
BNA, dues	514.00
BUILDERS SUPPLY, bld&grnds,maint.	235.98
CED - MISSION, bld&grnds	401.00
CENTURY LINK, phone	321.31
CENTURY LINK, phone	59.21
CITY OF OMAHA, services	146,290.72
COCA-COLA, supplies	155.09
CONRECO INC., maint.	110.00
CONSOLIDATED MGMT, travel	13.75
CONTROL MASTERS INC., maint.	9,924.00
COUNCIL OF STATE GVNMTS, books	112.50
COX COMMUNICATIONS, IT	160.01
CUMMINS CENTRAL POWER, services	738.15
DATASHIELD CORP, services	31.10
DAVE BANGHART, refund	300.00
D. HALE, travel	446.70
DIGITAL ALLY INC., IT	395.00
DINAN, D., travel	55.00
DOSTALS CONSTRUCTION, services	8,835.25
EBSCO INFORMATION SVCS,supplies	1,585.00
EDGEWEAR SCREEN PRINTING, apparel	17.00
FILTER CARE, maint.	52.05
FLASH, M., travel	61.00
FOSTER, T., travel	30.00
GALE, boks	97.46
GAYLORD BROS, supplies	85.48
GCR TIRES & SERVICE, maint.	296.91
GOV HR USA, services	3,834.00
GRAINGER, maint.	40.62
GRAYBAR ELECTRIC, bld&grnds	551.31

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HARM'S CONCRETE, maint.	188.00
HARTS AUTO SUPPLY, maint.	346.00
HOME DEPOT, maint.	18.12
HONEYMAN RENT-ALL, bld&grnds,maint.	304.79
HOSE & HANDLING INC., supplies	31.40
HOST COFFEE, supplies	23.90
INGRAM LIBRARY SERVICES, books	117.64
IVERSON, D., travel	42.00
KLINKER, MARK A, services	200.00
KRIHA FLUID POWER, maint.	34.77
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYSTEMS, services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE	116.00
LEAGUE OF NEBRASKA MUNICIPALITIES, dues	36,867.00
LEE W.,services	400.00
LIBRARY IDEAS, books	8.00
LOGO LOGIX, apparel	315.00
LOU'S SPORTING GOODS, supplies	52.95
LOVELAND GRASS PAD, maint.	769.85
LUCKY BUCKET BREWING, supplies	89.95
LUKASIEWICZ, B., travel	225.00
MENARDS, maint.	41.96
METRO LANDSCAPE, services	140.00
MUD, utilities	0.00
MUD, utilities	0.00
MUD, utilities	4,961.32
MUD, maint.	311.13
MILLER PRESS, supplies	230.00
MNJ TECHNOLOGIES, services	7,780.00
MONARCH HEATING & COOLING INC, bld&grnds	92.50
NATIONAL SAFETY COUNCIL, dues	599.00
NE DEPT OF LABOR-WORKFORCE DEV	2,976.00
NE DEPT OF REVENUE, lottery taxes	80,827.00
NEBRASKA ENVIRONMENTAL PRODS, supplies	3,480.00
NEBRASKA IOWA SUPPLY, supplies	10,360.00
NEBRASKA WELDING, bld&grnds	27.58
NORTON, J., travel	124.32
NWEA, services	980.00
OCLC INC, supplird	117.99
OFFICE DEPOT, supplies	409.87
OMAHA COMPOUND CO., supplies	24.50
OMAHA ELECTRIC SERVICE, services	46,863.31
OMAHA INTL FOLK DANCERS, services	100.00
OMAHA PUBLIC POWER DISTRICT, utilities	69,239.96
OMAHA SYMPHONIC WINDS, services	100.00
ONE CALL CONCEPTS, services	366.75
PAPILLION TIRE INC, maint.	83.59
PARAMOUNT LINEN & UNIFORM, apparel	166.53
PAYFLEX SYSTEMS USA, services	250.00
PERFORMANCE CHRYSLER JEEP, maint.	83.02
PERFORMANCE FORD, maint.	99.85
PHYSICIANS MUTUALsupplies	105.00
PITNEY BOWES INC, supplies	204.00
PLAINS EQUIPMENT GROUP, maint.	1,065.37
PLUTA, D., travel	44.00
PUBLIC AGENCY TRAINING COUNCIL, services	590.00
QUALITY BRANDS OF OMAHA, supplies	117.25
QUILL CORPORATION, supplies	405.98
QUINN, JEFF, services	150.00
RAINBOW GLASS & SUPPLY, bld&grnds	228.93

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RAY ALLEN MANUFACTURING, supplies	81.99
READY MIXED CONCRETE, maint.	1,623.16
REPUBLIC NATIONAL DISTR CO, supplies	54.00
RETRIEVEX, IT	157.74
SAPP BROS PETROLEUM, maint.	14,477.70
SARPY COUNTY CHAMBER, travel	450.00
SARPY COUNTY COURTHOUSE, services	4,083.17
SARPY COUNTY REGISTER OF DEEDS, legal	34.00
SCARPA, D., travel	30.00
SCHLEGEL, J., travel	30.00
SECURITY EQUIPMENT, services	1,164.00
SHERRY, P., travel	30.00
SIGN IT, suplies	40.00
SIRCHIE FINGER PRINT LABS, supplies	65.97
SPRINT, phone	119.97
STOLLEY, B., trave;	61.00
STOLTENBERG NURSERIES, supplies	275.00
STOP TECH LTD, supplies	255.00
SUBURBAN NEWSPAPERS, legal	40.00
SUN VALLEY NATURAL STONE, bld&grnds	711.09
SUPERIOR VISION SVCS INC	586.60
SUTPHEN COR, maint.	206.79
TARGET BANK, suppleis	18.89
THERMO KING CHRISTENSEN, maint.	292.45
TOMSU, L., travel	124.32
TORNADO WASH, maint.	145.00
TRACTOR SUPPLY, maint.	29.99
TRIDENT FURNITURE, supplies	2,567.51
TURF CARS LTD, rental	200.00
TURFWERKS, maint.	598.97
UHE, R., travel	30.00
UNITED DISTRIBUTORS, maint.	71.20
UNITED SEEDS INC. services	68.75
UNIV OF NEBR BOARD OF REGENTS, services	100.00
VAN RU CREDIT CORPORATION	46.31
VERIZON WIRELESS, phone	171.99
VERIZON WIRELESS, phone	91.45
WAL-MART, supplies	691.05
WHITE CAP CONSTR SUPPLY, apparel	19.99

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Quick. Councilmember Hale reviewed the claims for this period and stated everything was in order. Councilmember Sheehan asked about the indemnity section in item A-9, in which each party will indemnify the other. City Attorney McKeon stated that the way it is written will work best for both parties to come to an agreement. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PRESENTATION – THIRD QUARTER REPORT – SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION

Jason Thiellen representing the Sarpy County Economic Development Corporation gave the Third Quarter Report giving an overview of net taxable sales, building permits, major valuation projects, housing permits, project inquiries, and site tags.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council about the excellent actions of the day shift officers on a potentially life threatening call.

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City Engineer Kottmann informed Council that the annual stormwater management grant from NDEQ has been awarded to the City. Kottmann stated there was a delay in the 120th and Giles signal project but it should still be completed by 12/1.

Library Director Barcal reported that the Halloween Storybook Walk was successful with approximately 144 people attending. Barcal thanked the community center and public works. Barcal stated they plan to do another walk in the Spring. Barcal also reported the Civil War Programming is winding down. There were 27 sessions held with 818 people in attendance total. The panels have moved on to Alabama.

Community Relations Coordinator Beaumont reported that approximately 1,400 people attended the Halloween Safe Night event held at the Community Center. He stated it was a great success and thanked all those who helped. Beaumont also reminded Council that the annual tree lighting ceremony and soup supper will be held December 1.

B. ORDINANCE – AMEND MASTER FEE ORDINANCE

Councilmember Thomas introduced Ordinance No. 1229 entitled; AN ORDINANCE TO AMEND ORDINANCE NO.1210, 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 Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

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. 1229 be passed and adopted?" Upon roll call vote the following Councilmember 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.

C. RESOLUTION – APPROVE AGREEMENT – PERFORMANCE MANAGEMENT CONSULTANT

Councilmember Crawford introduced and moved for the adoption of Resolution No. 14-142: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AGREEMENT WITH MANAGEMENT EDUCATION GROUP, INC. FOR PROFESSIONAL CONSULTING SERVICES RELATED TO REDEFINING THE PERFORMANCE MANAGEMENT SYSTEM IN AN AMOUNT NOT TO EXCEED \$20,800 PLUS TRAVEL EXPENSES.

WHEREAS, the City Council of the City of La Vista has determined that the selection of a consultant for redefining the City's performance management system is necessary; and

WHEREAS, the FY15 General Fund budget includes funding for this project; and

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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 La Vista, Nebraska do hereby approve an agreement with Management Education Group, Inc. for consulting services related to redefining the performance management system in an amount not to exceed \$20,800.

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 - ADVISORY COMMITTEE – COMPREHENSIVE PLAN

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-143: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA PROVIDING FOR THE DESIGNATION OF COMPREHENSIVE PLAN ADVISORY COMMITTEE MEMBERS.

WHEREAS, The City Council of the City of La Vista has determined that the designation of a Comprehensive Plan Advisory Committee are necessary; and

WHEREAS, a recommendation by the City Administrator, in consultation with the staff, has been made regarding appointments; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby designate the following people to the La Vista Comprehensive Plan Advisory Committee:

Mike Crawford
Jim Frederick
Gayle Malmquist
Harold Sargus
Kevin Wituski
Doug Kellner
Brad Strittmatter
Pat Lodes
Valerie Russell
Bill Ulrich
Leah Hoins
Angie Quinn
Mike Mathews
Debby Atchison
Annette Eyman

Lisa Wood
Keith Grimm
Bruce Fountain
Vince Mancuso
Rita Ramirez
Joe Soucie
Ann Birch
Chris Solberg
Court Barber
Scott Stopak
Rose Barcal
Mitch Beaumont
John Kottmann
Bryan Waugh

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

E. RESOLUTION – AWARD BID – 69TH STREET SANITARY SEWER LINING

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-144: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO MUNICIPAL PIPE TOOL CO., LLC OF HUDSON IA, FOR CONSTRUCTION OF THE 69TH STREET SANITARY SEWER LINING IN AN AMOUNT NOT TO EXCEED \$11,400.00.

WHEREAS, the City Council of the City of La Vista has determined that the construction of the 69th Street Sanitary Sewer Lining is necessary; and

WHEREAS, the FY 15 Capital Fund Budget provides funding for this project; and

WHEREAS, the City Council authorized the advertisement of bids for construction of the 69th Street Sanitary Sewer Lining on October 7, 2014, and

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WHEREAS Municipal Pipe Tool Co., LLC of Hudson IA has submitted the low, qualified 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 designate Municipal Pipe Tool Co., LLC of Hudson IA as the low qualified bidder for the 69th Street Sanitary Sewer Lining, in an amount not to exceed \$11,400.00.

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

F. LIQUOR LICENSE APPROVAL – WILDKAT RESTAURANTS DBA J-BIRDS

1. PUBLIC HEARING

At 6:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Liquor License approval for Wildkat Restaurants dba J-Birds. Skot Timm was in attendance to answer any questions.

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

2. RESOLUTION – APPROVE LIQUOR LICENSE

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-145: 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 CLASS C LIQUOR LICENSE APPLICATION FOR WILDKAT RESTAURANTS INC DBA J-BIRDS FOOD & SPIRITS IN LA VISTA, NEBRASKA.

WHEREAS, Wildkat Restaurants Inc dba J-Birds Food & Spirits, 9723 & 9725 Giles Road, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, 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 Class C Liquor License application submitted by Wildkat Restaurants Inc dba J-Birds Food & Spirits, 9723 & 9725 Giles Road, La Vista, Sarpy County, Nebraska.

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

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G. POSITION DESCRIPTION UPDATE

Councilmember Crawford made a motion to receive and file the Position Description update for the Finance Director. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

H. STRATEGIC PLAN UPDATE

Councilmember Sell made a motion to receive and file the Strategic Plan Update. Seconded by Councilmember Hale. City Administrator Gunn pointed out a few of the items in the plan moving forward including the sales tax, performance management group and Thompson Creek. Councilmembers voting aye: 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.

I. EXECUTIVE SESSION - PERSONNEL

There was no executive session.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig thanked Councilmembers for representing the City on events and committees.

At 6:29 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 18TH DAY OF NOVEMBER, 2014

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk