

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING January 20, 2015

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on January 20, 2015. 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 Public Works Soucie, 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 December 24, 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.

### PROCLAMATION – NATIONAL MENTORING MONTH

Mayor Kindig read the proclamation for National Mentoring Month and thanked all organizations who do mentoring. Councilmember Frederick introduced mentors and a mentee from Big Brothers Big Sisters and informed Council on how their program worked.

### APPOINTMENTS -

RE-APPOINT - LARRY FILBRANDT – PERSONNEL BOARD – 6 YEAR TERM;  
PAUL CHRISTENSEN – CIVIL SERVICE COMMISSION – 5 YEAR TERM; BRAD  
STRITTMATTER – BOARD OF ADJUSTMENTS – 3 YEAR TERM; JILL  
FREDERICK – LIBRARY ADVISORY BOARD – 2 YEAR TERM; HUYEN-YEN  
HOANG – LIBRARY ADVISORY BOARD – 2 YEAR TERM; CAROL WESTLUND –  
LIBRARY ADVISORY BOARD – 2 YEAR TERM; MIKE KRZYWICKI – PLANNING  
COMMISSION – 3 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like re-appoint Larry Filbrandt – Personnel Board – 6 year term; Paul Christensen – Civil Service Commission – 5 year term; Brad Strittmatter – Board of Adjustments – 3 year term; Jill Frederick – Library Advisory Board – 2 year term; Huyen-Yen Hoang – Library Advisory Board – 2 year term; Carol Westlund – Library Advisory Board – 2 year term; Mike Krzywicki – Planning Commission – 3 year term. Councilmember Sell motioned the approval, seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JANUARY 6, 2015 CITY COUNCIL  
MEETING
3. APPROVAL OF THE MINUTES OF THE DECEMBER 17, 2014 PARK &  
RECREATION ADVISORY COMMITTEE MEETING
4. PAY REQUEST FROM HEIMES – CONSTRUCTION SERVICES – 72<sup>ND</sup>  
STREET EMERGENCY PIPE REPAIR PHASE I - \$28,224.56
5. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER INC –  
PROFESSIONAL SERVICES – 120<sup>TH</sup> AND GILES ROAD TRAFFIC SIGNAL -  
\$832.80
6. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER INC –  
PROFESSIONAL SERVICES – CITY HALL BIO-BASIN - \$2,836.30
7. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER INC –  
PROFESSIONAL SERVICES – 124<sup>TH</sup> CIRCLE AND HARRISON STREET  
TRAFFIC SIGNAL - \$1,369.40
8. PAY REQUEST FROM LOGAN SIMPSON DESIGN INC - PROFESSIONAL  
SERVICES – COMPREHENSIVE PLAN UPDATE - \$9,333.21
9. RESOLUTION - 15-010 – ADVERTISEMENT OF BIDS – THOMPSON CREEK

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## CHANNEL REHABILITATION – GROUP “B” CHANNEL RECONSTRUCTION

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF BIDS FOR GROUP “B” CHANNEL RECONSTRUCTION OF THE THOMPSON CREEK CHANNEL REHABILITATION PROJECT.

WHEREAS, the City Council has determined that the Thompson Creek Channel Rehabilitation – Group “B” Channel Reconstruction is necessary, and

WHEREAS, the FY 14/15 Capital Improvement Program provides funding for this project, and

WHEREAS, Thompson, Dreessen, Dorner, has prepared plans and specifications for said project.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council do hereby authorize the advertisement of bids for the Thompson Creek Channel Rehabilitation – Group “B” Channel Reconstruction in accordance with plans and specifications prepared by Thompson, Dreessen, Dorner. Said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on February 20, 2015.

Publish Notice to Contractors      January 28 and February 4, 2015  
Open Bids      February 20, 2015 at 10:00 a.m. at City Hall  
City Council Award Contract      March 3, 2015

### 10. APPROVAL OF CLAIMS

3E-ELECTRICAL ENGINEERING, bld&grnds	\$471.16
ACCENT DRYWALL SUPPLY CO., supplies	\$794.88
ACTION BATTERIES, maint.	\$606.79
AKSARBEN GARAGE DOOR, bld&grnds	\$85.00
AKSARBEN HEATING/ARS, bld&grnds	\$182.25
ALAMAR UNIFORMS, apparel	\$842.41
ANDERSON EXCAVATING CO., services	\$49,454.82
ASCAP, services	\$338.78
BAKER & TAYLOR, books	\$264.78
BISHOP BUSINESS EQUIPMENT, services	\$1,063.27
BKD LLP, services	\$8,500.00
BLACK HILLS ENERGY, utilities	\$2,273.83
BOB'S RADIATOR REPAIR, maint.	\$249.50
BRENTWOOD AUTO WASH, maint.	\$42.00
CARDMEMBER SERVICE, services	\$8,950.27
CENTURY LINK BUSN SVCS, phones	\$68.39
CENTURY LINK, phones	\$137.86
CITY OF OMAHA, services	\$141,236.22
COLIBRI SYSTEMS, supplies	\$622.50
CONTECH ENGINEERED SOLUTIONS, maint.	\$7,863.00
CORNHUSKER INTL TRUCKS, maint.	\$91.30
CORNHUSKER STATE IND., supplies	\$750.47
COX COMMUNICATIONS, services	\$224.04
DANIELSON/TECH SUPPLY, services	\$448.20
DEMCO INC., supplies	\$334.15
DULTMEIER SALES & SERVICE, maint.	\$20.57
EDGEWEAR SCREEN PRINTING, apparel	\$708.50
ELECTRONIC ENGINEERING, maint.	\$284.28
FELSBURG HOLT & ULLEVIG, services	\$16,951.32
FILTER CARE, maint.	\$16.25
FITZGERALD SCHORR BARMETTLER, services	\$16,887.50
FOCUS PRINTING, supplies	\$883.06
FOSTER, T., travel	\$41.00
FREE LINC, supplies	\$1,080.93

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GAME PLAN TECH., services	\$1,240.00
GARROD, M., travel	\$43.35
GCR TIRES & SERVICE, supplies	\$1,224.90
GENERAL FIRE & SAFETY EQUIP CO., services	\$700.00
GENUINE PARTS CO., maint.	\$1,666.77
GLENDALE PARADE STORE, suplies	\$38.95
GRAYBAR ELECTRIC CO., bld&grnds	\$372.06
HALE, D., travel	\$1,121.25
HAMILTON COLOR LAB, services	\$2,174.00
HANEY SHOE STORE, apparel	\$293.95
HOME DEPOT, bld&grnds	\$71.88
INGRAM LIBRARY SERVICES, books	\$98.83
INLAND TRUCK PARTS, maint.	\$176.34
INTERSTATE POWER SYSTEMS, maint.	\$1,418.56
JOCHIM PRECAST CONCRETE CO., bld&grnds	\$1,950.00
JOHNSTONE SUPPLY CO, bld&grnds	\$203.60
KRIHA FLUID POWER CO., maint.	\$28.75
LAUGHLIN, KATHLEEN A, TRUSTEE	\$116.00
LOU'S SPORTING GOODS, supplies	\$311.00
LOWE'S, supplies	\$25.23
LUEDERS LOCK & KEY, bld&grnds	\$21.00
MASTER'S TRANPORTATION, maint.	\$204.65
MENARDS-RALSTON, bld&grnds	\$87.75
METROPOLITAN UTILITIES DIST., utilities	\$770.94
MIDLANDS LIGHTING, bld&grnds	\$967.71
MIDWEST TAPE, books	\$12.99
MINITEX - CPP, supplies	\$128.00
NEBRASKA CLERK SCHOOL, services	\$446.00
NEBRASKA ENVIRONMENTAL PROD, maint.	\$456.02
NEBRASKA IOWA SUPPLY, maint.	\$8,133.44
NEBRASKA LIFE MAGAZINE, books	\$24.00
NEFSMA-NE FLOODPLAIN/STORMWTR, services	\$100.00
NOBBIES INC, supplies	\$52.90
NOVA HEALTH EQUIP., services	\$798.00
NUTS AND BOLTS INC., bld&grnds	\$54.66
OFFICE DEPOT, supplies	\$1,056.73
O'KEEFE ELEVATOR CO., services	\$1,049.58
OMAHA PUBLIC POWER DISTRICT, utilities	\$49,702.58
OMAHA WINDUSTRIAL CO., bld&grnds	\$221.25
OMAHA WORLD-HERALD, legal	\$479.70
ONE CALL CONCEPTS, services	\$242.95
PAPILLION SANITATION, services	\$1,056.22
PAPILLION TIRE INC., maint.	\$91.75
PARAMOUNT LINEN & UNIFORM, apparel	\$329.56
PAYLESS OFFICE PRODUCTS, supplies	\$149.95
PETTY CASH	\$332.81
PETTY CASH	\$143.13
PLUTA, D., travel	\$41.00
PRO-PAPILLION RECREATION ORG, services	\$1,000.00
Q P ACE HARDWARE, bld&grnds	\$799.35
REGAL AWARDS, services	\$1,717.02
SAM'S CLUB, supplies	\$562.53
SARPY COUNTY ELECTION COMM., services	\$620.18
SARPY COUNTY TREASURER, services	\$2,206.50
SCARPA, D., travel	\$41.00
SCHLEGEL, J., travel	\$41.00
SESAC LLC, services	\$360.00
SHERRY, P., travel	\$133.74
SUBURBAN NEWSPAPERS INC., services	\$40.00
UHE, R., travel	\$41.00

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UHL, R., services	\$276.88
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED PARCEL, services	\$25.79
VIERREGGER ELECTRIC CO., services	\$24,587.48
VIERREGGER ELECTRIC CO., services	\$627.00
WHITE CAP CONSTR SUPPLY, services	\$39.00
WICK'S STERLING TRUCKS, maint.	\$674.96
WILLIAM TROY GRAVES, services	\$150.00

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Crawford reviewed the claims for this period 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.

## PRESENTATION – SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION – 4<sup>TH</sup> QUARTER REPORT

Andrew with the Sarpy County Economic Development Corporation presented the fourth quarter report.

Councilmember Sell made a motion to move Item F ahead of Reports from the City Administrator and Department Heads. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## F. DISCUSSION – MAPA – HEARTLAND 2050 – NEXT STEPS

Greg Youell with MAPA gave a presentation on Heartland 2050 and asked the Mayor and Council for their support as the project moves forward.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn informed Council that the Legislature is back in session.

Assistant City Administrator Ramirez gave an update on the Comprehensive Plan Update.

Police Chief Lausten gave a report on incidents which occurred over the weekend. Lausten also informed Council that the will be doing a "Pizza with Police" event at Mama's Pizza in the near future. The 2015 police academy will begin in March and will take place on Thursdays.

Director of Public Works Soucie informed Council that they will begin grinding Christmas trees tomorrow. Soucie gave updates of current projects going on throughout the City.

Recreation Director Stopak informed Council that applications are available for community garden plots and that some applications have already been received.

Library Director Barcal informed the Council that the winter reading program titled Adult Winter Reading Bingo is underway and goes through March 31. Barcal introduced Susan Krause who is a practicum student from Central Community College and will be working at the library for 40 hours. Barcal also reported that Margie Shaw was asked to be on a consulting board for a major publisher of children's literature.

## B. CONDITIONAL USE PERMIT – OUTDOOR STORAGE – LOT 2 PAPIO VALLEY 2 BUSINESS PARK REPLAT 1

### 1. PUBLIC HEARING

At 7:52 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on a Conditional Use Permit for outdoor storage on Lot 2 Papio Valley 2 Business Park Replat 1.

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At 7:53 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **2. RESOLUTION – APPROVE CONDITIONAL USE PERMIT**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.15-011: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR BELL AVENUE PROPERTIES, INC DBA WALDINGER CORPORATION FOR OUTDOOR STORAGE ON LOT 2, PAPIO VALLEY 2 BUSINESS PARK REPLAT 1 LOCATED NW OF 121<sup>ST</sup> AND CENTENNIAL ROAD.

WHEREAS, Bell Avenue Properties, Inc. dba Waldinger Corporation, represented by Blaine Wilcoxson, has applied for a conditional use permit for the purpose of having outdoor storage of materials on Lot 2, Papio Valley 2 Business Park Replat 1 located NW of 121<sup>st</sup> and Centennial Road ; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends 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, subject to the following conditions:

1. Maintenance of grounds to take care of weeds.
2. Fencing is required to have a minimum height of six feet.

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, for Bell Avenue Properties, Inc. dba Waldinger Corporation, represented by Blaine Wilcoxson, for the purpose of having outdoor storage of materials on Lot 2, Papio Valley 2 Business Park Replat 1 located NW of 121<sup>st</sup> and Centennial Road, subject to the conditions listed in the last recital above.

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

## **C. RESOLUTION – 84<sup>TH</sup> STREET REDEVELOPMENT AREA – PROFESSIONAL SERVICES AGREEMENT – MIDWEST RIGHT OF WAY SERVICES, INC.** **(ACTION ON THIS ITEM WILL BE TAKEN BY THE COMMUNITY DEVELOPMENT AGENCY)**

Councilmember Thomas introduced and moved for the adoption of Resolution No.15-012: A RESOLUTION OF THE LA VISTA COMMUNITY DEVELOPMENT AGENCY, APPROVING AN AGREEMENT FOR PROFESSIONAL SERVICES WITH MIDWEST RIGHT OF WAY SERVICES, INC, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$121,500.

WHEREAS, the Mayor and City Council, as the governing body of the La Vista Community Development Agency, have determined that acquisition and relocation services for the 84<sup>th</sup> Street Redevelopment Area are necessary; and

WHEREAS, Midwest Right of Way Services has submitted a proposal to provide acquisition and relocation services for this project to include negotiations with owners and tenants to acquire property and to relocate businesses; 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 expenditure over \$5,000.00.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council as the governing body of the La Vista Community Development Agency, of La Vista, Nebraska, do hereby approve an agreement for professional services with Midwest Right of Way Services, Inc., Omaha Nebraska in an amount not to exceed \$121,500.

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

## **D. RESOLUTION – APPROVAL OF AGREEMENT – SPORTS FACILITY USE (TABLED FROM THE 01/06/2015 MEETING)**

Councilmember Crawford introduced and moved for the adoption of Resolution No.15-013: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A FIVE YEAR AGREEMENT WITH TRIPLE CROWN SPORTS INC, FORT COLLINS CO, TO ALLOW USE OF THE CITY SPORTS FACILITIES FOR A YOUTH BASEBALL TOURNAMENT AND SLUMP BUSTER FESTIVAL .

WHEREAS, the City has determined that it is desirable to continue a long term agreement with Triple Crown Sports Inc.; and

WHEREAS, Triple Crown Sports have has had an agreement with the City for use of the Sports facilities for the last five years; and

WHEREAS, this agreement will insure the return of this event to the City of La Vista in the future; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign an agreement with Triple Crown Sports, Inc., Fort Collins CO, to allow use of the City sports facilities for a youth baseball tournament and slump buster festival for the next five years.

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 – SPECIAL DESIGNATED LIQUOR LICENSE – WOSTREL PRAIRIE FARMS – TASTING EVENT – FEBRUARY 10, 2015**

Councilmember Sell introduced and moved for the adoption of Resolution No.15-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT AN OPEN HOUSE AT 10933 HARRISON STREET ON FEBRUARY 10, 2015.

WHEREAS, 10933 Harrison Street is located within the City of La Vista; and

WHEREAS, Real Deals on Home Décor has requested approval of a Special Designated License to serve alcohol at an open house at 10933 Harrison Street on February 10, 2015 from 5:00 p.m. to 8:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Real Deals on Home Decor to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to serve alcohol at 10933 Harrison Street on February 10, 2015.

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

Councilmember Crawford made a motion to move Comments from the Floor up on the agenda ahead of Item G Executive Session. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## **G. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL**

At 8:02 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations and for the protection of an individual to discuss personnel matters. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:25 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan informed Council that the Sarpy County Chamber Coffee with State Senators is February 13 and Tiburon.

Mayor Kindig thanked staff for their work to put on the Thompson Creek open house.

At 8:27 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF FEBRUARY, 2015

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk