

# MINUTE RECORD

A-2

No. 729 - REED & COMPANY, INC. OMAHA E1310566LD

## LA VISTA CITY COUNCIL MEETING February 16, 2016

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 February 16, 2016. 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, Recreation Director Stopak, Community Development Director Birch, Director of Public Works Soucie, Finance Director Miserez, Library Director Barcal, Human Resources Manager Garrod, and Assistant Public Works Director/City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on February 3, 2016. 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.

### LIFE SAVING AWARD PRESENTATIONS

Mayor Kindig and Police Chief Lausten presented life-saving awards to Police Officer Walters, Jacik, Miller, and Matthews along with members of the Papillion Fire Department.

### APPOINTMENT – PLANNING COMMISSION – RE-APPOINT JOHN GAHAN, HAROLD SARGUS, MICHAEL CIRCO – 3 YEAR TERMS; PARK & RECREATION ADVISORY COMMITTEE – GENE SVENSEN – FILL VACANCY

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint John Gahan, Harold Sargus and Michael Circo to the Planning Commission for 3 year terms and Gene Svensen to fill a vacancy on the Park & Recreation Advisory Committee. Councilmember Sell motioned the approval, seconded by Councilmember Quick. 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 19, 2016 CITY COUNCIL  
MEETING
3. APPROVAL OF THE MINUTES OF THE NOVEMBER 18, 2015 PARK &  
RECREATION ADVISORY COMMITTEE MEETING
4. APPROVAL OF THE MINUTES OF THE JANUARY 21, 2016 PLANNING  
COMMISSION MEETING
5. QUARTERLY FINANCIAL REPORT – OCTOBER – DECEMBER 2015
6. PAY REQUEST – THOMPSON DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – CITY PARKING DISTRICT ACCESS  
IMPROVEMENTS – DRAINAGE - \$18,583.50
7. PAY REQUEST – THOMPSON DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – THOMPSON CREEK - \$9,102.01
8. PAY REQUEST – THOMPSON DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – BIG PAPIO CREEK SIPHON REPAIR -  
\$1,735.00
9. PAY REQUEST – OLSSON ASSOCIATES – PROFESSIONAL SERVICES –  
PARKING DISTRICT ACCESS IMPROVEMENTS - \$17,081.91
10. PAY REQUEST – FELSBURG HOLT & ULLEVIG – PROFESSIONAL  
SERVICES – TRAFFIC REVIEW - \$2,850.00
11. PAY REQUEST – DOUGLAS COUNTY TREASURER – PROFESSIONAL  
SERVICES – HELL CREEK - \$2,550.00
12. PAY REQUEST – BERRYDUNN – PROFESSIONAL SERVICES – FINANCIAL  
INFORMATION SOFTWARE SYSTEM SELECTION - \$1,977.00

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**13. PAY REQUEST – UPSTREAM WEEDS – PROFESSIONAL SERVICES –  
– LA VISTA/PAPILLION PARTNERSHIP – CITIZEN ENGAGEMENT PROJECT  
-\$1,500.00**

**14. RESOLUTION 16-008 – APPOINTMENT OF SAFETY STEERING COMMITTEE  
MEMBER**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA PROVIDING FOR THE APPOINTMENT OF A SAFETY STEERING COMMITTEE MEMBER.

WHEREAS, The City Council of the City of La Vista has determined that the appointments to the La Vista Safety Steering Committee are necessary; and

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

WHEREAS, the recommended appointments comply with N.R.S. 48-443:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby appoint the following city employee to the La Vista Safety Steering Committee for the term specified:

Brian Burke Employee Representative 2 year term (new appointment to fill vacancy)

## **15. RESOLUTION 16-009 – PURCHASE OF ICE CONTROL SALT**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$20,295.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the FY 16 General Fund Budget provides funding for this purchase; and

WHEREAS, the ice control salt is used by Public Works for winter operations; 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, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$20,295.00.

## **16. APPROVAL OF CLAIMS**

A & D TECHNICAL SUPPLY CO, supplies	\$251.27
ABDO PUBLISHING CO, books	\$457.75
ABE'S PORTABLES INC, services	\$85.00
ACTION BATTERIES, bld&grnds	\$105.30
ALAMAR UNIFORMS, apparel	\$116.91
ASPEN EQUIPMENT CO, maint.	\$397.90
ASPHALT & CONCRETE MATERIALS, maint.	\$256.50
AWE-ADVANCED WORKSTATIONS, supplies	\$32.00
BAXTER CHRYSLER DODGE, maint.	\$195.56
BERRY DUNN, services	\$2,965.00
BISHOP BUSINESS EQUIPMENT, services	\$997.16
BLACK HILLS ENERGY, utilities	\$6,336.37
BOB'S RADIATOR REPAIR, maint.	\$240.00
BRENTWOOD AUTO WASH, maint.	\$24.00
BUILDERS SUPPLY CO, bld&grnds	\$1,003.80
CENTER POINT PUBLISHING, books	\$427.20

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CENTURY LINK BUSN SVCS, phones	\$129.91
CENTURY LINK, phones	\$896.43
CHRIS MADDEN, services	\$1,500.00
CLARITUS, supplies	\$123.01
COLIBRI SYSTEMS, supplies	\$815.00
COMP CHOICE INC, services	\$876.52
CORNHUSKER INTL TRUCKS INC, maint.	\$867.95
CSP 529, payroll	\$50.00
DATASHIELD CORP, services	\$48.60
DC ELECTRIC/HEARTLAND LIGHTING, refund	\$49.55
DEARBORN NATIONAL LIFE INS CO, services	\$5,628.15
DECOSTA SPORTING GOODS, apparel	\$288.00
DEMCO INC, supplies	\$213.46
DITCH WITCH OF OMAHA , maint.	\$140.00
DOUGLAS COUNTY SHERIFF'S OFC, services	\$225.00
EDGEWEAR SCREEN PRINTING, apparel	\$176.90
EFTPS, payroll	\$69,482.04
EMBASSY SUITES HOTEL, services	\$250.00
ENTERPRISE FM TRUST, payroll	\$580.01
FEDEX, services	\$14.13
FILTER CARE, maint.	\$26.15
FIRST NATIONAL BANK FREMONT, bonds	\$63,631.25
FOCUS PRINTING, services	\$260.75
G I CLEANER & TAILORS, services	\$343.00
GALE, books	\$150.69
GALLS LLC, apparel	\$410.16
GCSAA, services	\$375.00
GENUINE PARTS COMPANY, maint.	\$811.89
GRAYBAR ELECTRIC CO, bld&grnds	\$248.67
HAWKEYE TRUCK EQUIPMENT, maint.	\$42.75
HERITAGE CRYSTAL CLEAN, services	\$316.59
HOBBY LOBBY STORES INC, supplies	\$38.89
HOME DEPOT, supplies	\$1,194.83
HY-VEE INC, supplies	\$12.18
ICMA, payroll	\$35,732.09
INGRAM LIBRARY SERVICES, books	\$1,338.89
INLAND TRUCK PARTS, maint.	\$284.34
JENNIFER GOSS, services	\$18.95
JOHNSTONE SUPPLY CO, bld&grnds	\$97.89
KIMBALL MIDWEST, maint.	\$128.43
KRIHA FLUID POWER CO, maint.	\$70.79
LANDS' END BUSINESS OUTFITTERS, apparel	\$61.99
LARSEN SUPPLY CO, supplies	\$94.28
LEXIS NEXIS MATTHEW BENDER, books	\$523.86
LFOP DUES, payroll	\$1,220.00
LIBRARY IDEAS LLC, media	\$14.00
LOGAN SIMPSON DESIGN INC, services	\$1,209.44
MAPA-METRO AREA PLANNING AGENCY, services	\$30.00
MASTER'S TRANPORTATION INC, services	\$2,765.00
MATHESON TRI-GAS INC, supplies	\$10.91
MAX I WALKER UNIFORM RENTAL, apparel	\$763.84
MENARDS-RALSTON, maint.	\$1,034.77
MERCHANT CREDIT ADJUSTERS INC, services	\$79.45
METRO AREA TRANSIT, services	\$7,470.00
MIDLANDS LIGHTING & ELECTRIC, maint.	\$453.47
MIDWEST TAPE, media	\$426.57
MOCIC MID-STATES ORGANIZED, services	\$200.00
MSC INDUSTRIAL SUPPLY CO, supplies	\$33.60
MUD, utilities	\$1,178.02
NE CHILD SUPPORT PAYMENT CTR, payroll	\$966.08

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NE DEPT OF REVENUE, taxes	\$507.31
NE DEPT OF REVENUE-LOTT/51, taxes	\$84,763.00
NE STATE INCOME TAX, payroll	\$10,446.59
NEBRASKA NOTARY ASSOCIATION, services	\$100.00
NEBRASKA WELDING LTD, supplies	\$804.47
NEENAH FOUNDRY INC, maint.	\$480.00
NMC EXCHANGE LLC, maint.	\$607.06
NUTS AND BOLTS INC, maint.	\$673.77
OCLC INC, media	\$123.61
OFFICE DEPOT INC, supplies	\$507.40
O'KEEFE ELEVATOR CO INC, services	\$1,091.56
OLD NEWS, books	\$17.00
OMAHA WINNELSON, bld&grnds	\$257.50
OMAHA WORLD-HERALD, services	\$468.97
ONE CALL CONCEPTS INC, services	\$146.10
OPPD, utilities	\$49,632.69
O'REILLY AUTOMOTIVE STORE, maint.	\$83.73
PAPILLION SANITATION, services	\$1,488.15
PAPILLION TIRE INC, maint.	\$198.80
PITNEY BOWES, services	\$867.00
PLAINS EQUIPMENT GROUP, maint.	\$139.07
POLICE INSURANCE, payroll	\$261.89
PRUITT OUTDOOR POWER, maint.	\$47.52
SARPY COUNTY CHAMBER, travel	\$300.00
SARPY COUNTY ECONOMIC DEV.CORP, services	\$2,500.00
SCHLEGEL, J., travel	\$241.00
SHERRY, P., travel	\$241.00
SPRINT, services	\$119.97
STANDARD HEATING AND AIR COND, services	\$1,259.00
STANDARD INSURANCE CO, services	\$5,669.38
STATE STEEL OF OMAHA, maint.	\$254.34
SUSPENSION SHOP INC, maint.	\$720.00
TED'S MOWER SALES, services	\$202.87
THERMO KING CHRISTENSEN, maint.	\$26.60
TIJ CONSTRUCTION LLC, bld&grnds	\$347.00
TORNADO WASH LLC, maint.	\$280.00
TRACTOR SUPPLY, supplies	\$125.03
TRANE U S INC, bld&grnds	\$189.60
TURFWERKS, services	\$21,500.00
TY'S OUTDOOR POWER & SVC INC, maint.	\$955.46
UPSTART, services	\$387.72
VERIZON WIRELESS, phones	\$272.31
WAL-MART, supplies	\$2,368.63
WICK'S STERLING TRUCKS INC, maint.	\$326.00
WOODHAVEN COUNSELING ASSOCS, services	\$680.00
WOODHOUSE LINCOLN, maint.	\$211.21
ACCENT DRYWALL SUPPLY CO, bld&grnds	\$88.00
ACCREDITED COLLECTION SVC, payroll	\$270.09
ACI-NEBRASKA CHAPTER, services	\$30.00
ACTION BATTERIES, maint.	\$195.38
ALAMAR UNIFORMS, apparel	\$1,670.91
ALLIANCE FOR INNOVATION, services	\$1,860.00
ASPHALT & CONCRETE MATERIALS, maint.	\$148.50
ATLAS AWNING CO INC, maint.	\$150.00
AWARDS AND MORE CO, services	\$117.73
BABER, B., travel	\$300.00
BADGER BODY, maint.	\$485.00
BAXTER CHRYSLER DODGE, maint.	\$773.03
BEACON BUILDING, services	\$5,812.00
BISHOP BUSINESS EQUIPMENT, supplies	\$601.93

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BLACK HILLS ENERGY, utilities	\$8,883.25
BUILDERS SUPPLY CO, bld&grnds	\$5.55
CARDMEMBER SERVICE-ELAN, services	\$6,549.21
CATHERINE DEMES MAYDEW, services	\$2,925.00
CENTURY LINK BUSN SVCS, phones	\$81.27
CENTURY LINK, phones	\$165.42
CITY OF OMAHA, services	\$134,161.82
CONTROL MASTERS INC, bld&grnds	\$654.85
CORNHUSKER STATE INDUSTRIES, services	\$599.40
COX COMMUNICATIONS, services	\$303.07
CRANE, R., travel	\$176.00
CSP 529, payroll	\$50.00
CULLIGAN OF OMAHA, bld&grnds	\$72.30
CUMMINS CENTRAL POWER, services	\$955.56
DELL MARKETING, supplies	\$683.62
DEMCO INC, supplies	\$106.69
EFTPS, payroll	\$65,467.83
EN POINTE TECHNOLOGIES SALES, services	\$4,566.84
FBI NATIONAL ACADEMY, services	\$100.00
FITZGERALD SCHORR BARMETTLER, services	\$21,577.40
GALE, books	\$163.43
GCR TIRES & SERVICE, maint.	\$44.71
GENUINE PARTS CO, maint.	\$1,444.29
GRAINGER, bld&grnds	\$269.85
GRAPHIC SCREEN PRINTING, apparel	\$96.00
GRAYBAR ELECTRIC CO, bld&grnds	\$40.56
H & H CHEVROLET LLC, maint.	\$821.59
HAMPTON INN-KEARNEY, services	\$792.00
HARTS AUTO SUPPLY, maint.	\$315.80
HOME DEPOT, bld&grnds	\$93.92
HSMC ORIZON LLC, services	\$3,473.00
HUMANITIES NEBRASKA, services	\$50.00
IACP, services	\$170.00
ICMA, payroll	\$34,128.57
INGRAM LIBRARY SERVICES, books	\$208.82
INLAND TRUCK PARTS, maint.	\$17.66
INTERSTATE POWER SYSTEMS INC, maint.	\$72.59
KRIHA FLUID POWER CO, maint.	\$33.54
LA VISTA COMM FOUNDATION, payroll	\$60.00
LANDPORT SYSTEMS INC, services	\$250.00
LANDS' END BUSINESS OUTFITTERS, apparel	\$48.89
LEAGUE OF NEBR MUNICIPALITIES, services	\$90.00
LFOP DUES, payroll	\$1,220.00
LOGAN CONTRACTORS SUPPLY, maint.	\$126.00
LOGO LOGIX EMBROIDERY & SCREEN, apparel	\$395.00
LUEDERS LOCK & KEY INC, bld&grnds	\$166.00
MARK A KLINKER, services	\$200.00
MATHESON TRI-GAS INC, supplies	\$347.88
MAX I WALKER UNIFORM RENTAL, apparel	\$526.77
MENARDS, bld&grnds	\$238.85
METROPOLITAN COMMUNITY COLLEGE, services	\$13,850.11
MIDWEST TAPE, media	\$321.89
MNJ TECHNOLOGIES, services	\$1,158.00
MUD, utilities	\$2,293.69
NATIONAL EVERYTHING WHOLESALE, supplies	\$576.29
NE CHILD SUPPORT PAYMENT CTR, payroll	\$966.08
NE CODE OFFICIALS ASSN, services	\$130.00
NE STATE INCOME TAX, payroll	\$9,632.75
NOVA FITNESS EQUIPMENT CO, services	\$549.00
NUTS AND BOLTS INC, maint.	\$28.16

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OFFICE DEPOT INC, supplies	\$546.82
OPPD, utilities	\$17,165.96
O'REILLY AUTOMOTIVE STORES, maint.	\$67.73
PAPILLION SANITATION, services	\$847.61
PARK YOUR PAWZ INC, services	\$20.00
PAYFLEX SYSTEMS, services	\$526.30
PETTY CASH, supplies	\$628.83
PLAINS EQUIPMENT GROUP, maint.	\$781.42
POLICE INSURANCE, payroll	\$261.89
Q P ACE HARDWARE, bld&grnds	\$1,132.95
RETRIEVEX, services	\$117.10
SARPY COUNTY COURTHOUSE, services	\$8,200.74
SARPY COUNTY ECONOMIC DEV.CORP, services	\$140.00
SARPY COUNTY TREASURER, services	\$2,430.00
SCHOLASTIC LIBRARY PUBLISHING, books	\$370.50
SHERRY, P., travel	\$154.00
SINNETT, J., travel	\$300.00
SPRINT, phones	\$643.40
STANDARD HEATING AND AIR COND, bld&grnds	\$804.83
STOP STICK LTD, supplies	\$350.00
SUBURBAN NEWSPAPERS INC, services	\$42.00
SUNSET LAW ENFORCEMENT LTD, services	\$2,019.00
TASER INTERNATIONAL, apparel	\$398.73
TED'S MOWER SALES & SERVICE, services	\$167.74
TIGHTON FASTENER & SUPPLY INC, bld&grnds	\$19.95
UNITE PRIVATE NETWORKS, services	\$3,850.00
UNITED PARCEL, services	\$56.25
UPSTART, supplies	\$244.37
WHITE CAP CONSTR SUPPLY, apparel	\$7.29

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Sell. Councilmember Ronan and Councilmember Frederick 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 successful coat drive and use of the website.

Recreation Director Stopak stated the Senior Valentine Lunch was successful. Stopak stated that there is a new series scheduled toward youth ages 9-12.

Library Director Barcal reported on the hours worked by the UNO practicum student and reported on the number of people who attended the Library's Valentine's Day Party.

Police Chief Lausten reported that the blanket mailing from animal control didn't have the senior discount on it for licensing but it is on the online renewal.

## B. APPLICATION FOR FINAL PLAT, FINAL PUD & SUBDIVISION – LOTS 42,43A, 43B, 44A, 44B & 45 BROOK VALLEY BUSINESS PARK ( N OF HARRY WATANABE DRIVE & W OF 108<sup>TH</sup> STREET)

### 1. PUBLIC HEARING

At 7:24 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Final Plat, Final PUD & Subdivision – Lots 42,43A, 43B, 44A, 44B & 45 Brook Valley Business Park ( N of Harry Watanabe Drive & W of 108<sup>th</sup> Street)

A representative for the applicant presented the information and was available to answer any questions.

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At 7:31 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 FINAL PUD PLAN**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.16-010; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE FINAL PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR LOTS 1 THRU 5, BROOK VALLEY CORPORATE PARK, A SUBDIVISION LOCATED IN THE SE 1/4 OF SECTION 17, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a final planned unit development plan for Lots 1 thru 5, Brook Valley Corporate Park; and

WHEREAS, the City Planner and the City Engineer have reviewed the final planned unit development plan; and

WHEREAS, on January 21, 2016, the La Vista Planning Commission held a public hearing and reviewed the final PUD plan and recommended approval subject to corrections to the setbacks being changed from 50 feet to 60 feet.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the final Planned Unit Development (PUD) plan for Lots 1 thru 5, Brook Valley Corporate Park, located in the SE 1/4 of Section 17, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of 108<sup>th</sup> Street and Harry Watanabe Drive be, and hereby is, approved.

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

## **3. RESOLUTION – APPROVE FINAL PLAT**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-011; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE FINAL PLAT FOR LOTS 42, 43A, 43B, 44A, 44B AND 45, BROOK VALLEY BUSINESS PARK, TO BE REPLATTED AS LOTS 1 THRU 5, BROOK VALLEY CORPORATE PARK, A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a final plat for Lots 42, 43A, 43B, 44A, 44B and 45, Brook Valley Business Park, to be replatted as Lots 1 thru 5, Brook Valley Corporate Park; and

WHEREAS, the City Engineer has reviewed the final plat; and

WHEREAS, on January 21, 2016, the La Vista Planning Commission held a public hearing and reviewed the final plat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the final plat for Lots 42, 43A, 43B, 44A, 44B and 45, Brook Valley Business Park, to be replatted as Lots 1 thru 5, Brook Valley Corporate Park, a subdivision located in the Southeast 1/4 of Section 17, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of 108<sup>th</sup> Street and Harry Watanabe Drive, be, and hereby is, approved.

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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## 4. RESOLUTION – APPROVE SUBDIVISION AGREEMENT

Councilmember Quick introduced and moved for the adoption of Resolution No. 16-012; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOTS 1 THRU 5, BROOK VALLEY CORPORATE PARK SUBDIVISION.

WHEREAS, the City Council did on February 16, 2016, approve the final plat for Lots 1 thru 5, Brook Valley Corporate Park Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, BV 44, LLC, has agreed to execute a Subdivision Agreement satisfactory in form and content to the City; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the February 16, 2016, City Council meeting for the Brook Valley Corporate Park Subdivision be and hereby is approved and the Mayor and City Clerk be and hereby are authorized to execute same on behalf of the City, subject to the conditions of Council final plat approval and with such revisions that the City Administrator or City Engineer may determine necessary or advisable.

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

## C. AMENDMENT TO PUD ORDINANCE – SOUTHPORT WEST

### 1. PUBLIC HEARING

At 7:34 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Amendment to the PUD Ordinance for Southport West.

At 7:35 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. ORDINANCE – AMEND PUD ORDINANCE

Councilmember Sheehan introduced Ordinance No. 1267 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING ORDINANCES NO. 948, 970, 1004, 1013, 1038 AND 1237, AND THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; ESTABLISHING STANDARDS AND CONDITIONS FOR DEVELOPMENT UNDER THE FINAL PLANNED UNIT DEVELOPMENT PLAN; TO REPEAL ORDINANCES NO. 948, 970, 1004, 1013, 1038 AND 1237 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan 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 Hale. One of the business owners in that area inquired as to the access road. The Mayor then stated the question, "Shall Ordinance No. 1267 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

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approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **D. ZONING TEXT AMENDMENTS – PLANNED UNIT DEVELOPMENT OVERLAY DISTRICT, PARKING & LANDSCAPING**

### **1. PUBLIC HEARING**

At 7:37 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Zoning Text Amendments – Planned Unit Development Overlay District, Parking & Landscaping

At 7:38 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. ORDINANCE – AMEND SECTIONS 5.15, 7.07, AND 7.17**

Councilmember Sell introduced Ordinance No. 1268 entitled; AN ORDINANCE TO AMEND SECTIONS 5.15, 7.07, AND 7.17 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 5.15, 7.07 AND 7.17 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick 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 Hale. One of the business owners in that area inquired as to the access road. The Mayor then stated the question, "Shall Ordinance No. 1268 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.

## **E. STREET NAME DEDICATION – CITY PARKING DISTRICT ACCESS ROAD – PORTSIDE PARKWAY (SOUTHPORT WEST)**

### **1. PUBLIC HEARING**

At 7:38 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Street Name Dedication – City Parking District Access Road – Portside Parkway (Southport West).

At 7:39 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. ORDINANCE – STREET NAME APPROVAL**

Councilmember Quick introduced Ordinance No. 1269 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO DEDICATE THE NAME OF THE CITY PARKING DISTRICT ACCESS ROAD, FROM SOUTH 125<sup>TH</sup> STREET WEST TO WESTPORT PARKWAY LOCATED IN THE SOUTHPORT WEST SUBDIVISION, AS PORTSIDE PARKWAY; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

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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. 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 Hale. One of the business owners in that area inquired as to the access road. The Mayor then stated the question, "Shall Ordinance No. 1269 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.

## F. APPROVAL OF A CLASS I LIQUOR LICENSE – EL VALLARTA III LLC DBA EL VALLARTA MEXICAN RESTAURANT

### 1. PUBLIC HEARING

At 7:41 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Approval of a Class I Liquor License – El Vallarta III LLC dba El Vallarta Mexican Restaurant. A representative of the Restaurant was in attendance to answer any questions.

At 7:42 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

Councilmember Hale introduced and moved for the adoption of Resolution No.16-013; 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 I LIQUOR LICENSE APPLICATION FOR EL VALLARTA III, LLC DBA EL VALLARTA MEXICAN RESTAURANT IN LA VISTA, NEBRASKA.

WHEREAS, El Vallarta III, LLC dba El Vallarta Mexican Restaurant, 8045 S 83<sup>rd</sup> Avenue, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I 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 I Liquor License application submitted by El Vallarta III, LLC dba El Vallarta Mexican Restaurant, 8045 S 83<sup>rd</sup> Avenue, La Vista, Sarpy County, Nebraska.

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

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## **G. RESOLUTION – COUNCIL POLICY STATEMENT – EMPLOYEE PERFORMANCE MANAGEMENT**

Councilmember Sheehan introduced and moved for the adoption of Resolution No.16-014; 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 I LIQUOR LICENSE APPLICATION FOR EL VALLARTA III, LLC DBA EL VALLARTA MEXICAN RESTAURANT IN LA VISTA, NEBRASKA.

WHEREAS, El Vallarta III, LLC dba El Vallarta Mexican Restaurant, 8045 S 83<sup>rd</sup> Avenue, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I 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 I Liquor License application submitted by El Vallarta III, LLC dba El Vallarta Mexican Restaurant, 8045 S 83<sup>rd</sup> Avenue, La Vista, Sarpy County, Nebraska.

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

## **H. RESOLUTION – APPROVE AMENDED AND RESTATED INTERLOCAL AGREEMENT – SALT SHED FACILITY AND FUELING ISLAND**

Councilmember Hale introduced and moved for the adoption of Resolution No.16-015; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDED AND RESTATED INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PAPILLION GRANTING THE CITY OF LA VISTA A LICENSE TO USE AND OCCUPY THE SALT STORAGE FACILITY AND FUELING ISLAND LOCATED AT 9909 PORTAL ROAD.

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, the City of Papillion constructed a Public Works Facility across the street from the La Vista Public Works Facility, and;

WHEREAS, in June 2015 the City of Papillion and the City of La Vista entered into an Interlocal and License Agreement for the salt storage facility and fueling island, and;

WHEREAS, the agreement is being amended and restated to create a separate administrative committee relating to those infrastructure facilities and to include provisions and benchmarks relating to the long-term development of cooperative efforts between the Parties with regard to such facilities

WHEREAS, the participants agree that this amended and restated Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

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WHEREAS, such an amended and restated agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the execution of an Amended and Restated Interlocal Cooperation Agreement with the City of Papillion granting the City of La Vista a license to use and occupy the salt storage facility and fueling island located at 9909 Portal Road in form and content approved by the City Attorney.

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 – SEWER CAMERA CABLE

Councilmember Quick introduced and moved for the adoption of Resolution No.16-016; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) CUES CAMERA CABLE FROM MUNICIPAL PIPE TOOL COMPANY, LLC, HUDSON IOWA IN AN AMOUNT NOT TO EXCEED \$5,471.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of 1000 feet of CUES Camera Cable is necessary, and

WHEREAS, the FY16 Sewer Fund budget provides funding for the proposed purchase, 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 one (1) CUES Camera Cable from Municipal Pipe Tool Company, LLC, Hudson Iowa in an amount not to exceed \$5,471.00.

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

## J. RESOLUTION – AUTHORIZE PURCHASE – SEWER COMBINATION TRUCK

Councilmember Hale introduced and moved for the adoption of Resolution No.16-017; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) VACALL MODEL AJVR 1015 COMBINATION SEWER CLEANER FROM MUNICIPAL PIPE TOOL COMPANY, LLC, HUDSON IOWA IN AN AMOUNT NOT TO EXCEED \$345,414.57.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Sewer Combination Truck is necessary, and

WHEREAS, the FY16 Sewer Fund budget provides funding for the proposed purchase, 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 one (1) Vacall Model AJVR 1015 Combination Sewer Cleaner from Municipal Pipe Tool Company, LLC, Hudson Iowa in an amount not to exceed \$345,414.57

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

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## **K. RESOLUTION – ADVERTISEMENT OF BIDS – CITY PARKING DISTRICT ACCESS IMPROVEMENTS**

Councilmember Thomas introduced and moved for the adoption of Resolution No.16-018; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CONSTRUCTION OF THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS FOR THE CITY OF LA VISTA.

WHEREAS, the Mayor and Council have determined that construction of the City Parking District Access Improvements is necessary, and

WHEREAS, the FY16 Capital Improvement Program provides funding for the proposed project; and

WHEREAS, Proposals will be due March 4, 2016 with the award of contract date of March 15, 2016;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the advertisement for bids for construction of the City Parking District Access Improvements for the City of La Vista.

Seconded by Councilmember Frederick. Discussion was held regarding the completion of the project. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **L. DISCUSSION – BUILDING CODE AMENDMENTS**

Discussion was held regarding Building Code Amendments including Property Maintenance Codes.

Councilmember Crawford made a motion to move Comments from the Floor ahead of Item M 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.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **M. EXECUTIVE SESSION – STRATEGY SESSION-POTENTIAL REAL ESTATE ACQUISITION; CONTRACT NEGOTIATIONS**

At 8:00 p.m. Councilmember Crawford made a motion to go into executive for protection of the public to discuss potential real estate acquisition and contract negotiations. 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 8:55 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Hale. 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**

Councilmembers Sheehan asked that we inform area businesses of the hours for alcohol sales.

Mayor Kindig gave a legislative update.

At 9:00 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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PASSED AND APPROVED THIS 1ST DAY OF MARCH, 2016

CITY OF LA VISTA

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

ATTEST:

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