

MINUTE RECORD

A-2

No. 729 — REEDIE & COMPANY, INC. OMAHA E1810556LD

LA VISTA CITY COUNCIL MEETING April 19, 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 April 19, 2016. Present were Councilmembers: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Absent: Frederick. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Community Development Director Birch, Director of Public Works Soucie, Director of Administrative Services Pokorny, Finance Director Miserez, Library Director Barcal, Human Resources Manager Garrod, Recreation Director Stopak and Assistant Public Works Director/City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on April 6, 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.

Mayor Kindig called the meeting to order, led the group in the Pledge of Allegiance and made the announcements.

Mayor Kindig and Mike Branigan recognized Mary Kay Bellino on behalf of her and Rich Bellino for their many years of support of the community. Mayor Kindig presented her with a gift card.

SERVICE AWARD – ALLISON HANSON – 5 YEARS

Mayor Kindig presented a service award to Allison Hanson for 5 years of service to the City of La Vista.

PROCLAMATIONS – ARBOR DAY; EARTH DAY

Mayor Kindig read proclamations for Arbor Day and for Earth Day.

1. CONSENT AGENDA
2. APPROVAL OF THE AGENDA AS PRESENTED
3. APPROVAL OF THE MINUTES OF THE APRIL 5, 2016 CITY COUNCIL MEETING
4. MONTHLY FINANCIAL REPORT – FEBRUARY 2016
5. REQUEST FOR PAYMENT – UPSTREAM WEEDS – PROFESSIONAL SERVICES – PAPILLION-LA VISTA PARTNERSHIP – \$1,990.05
6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK - \$1,146.32
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CITY PARKING DISTRICT ACCESS IMPROVEMENTS - DRAINAGE - \$2,340.00
8. REQUEST FOR PAYMENT – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES – SOUTHPORT PARKWAY TURN LANE PROJECT - \$1,675.00
9. REQUEST FOR PAYMENT – BERRYDUNN – PROFESSIONAL SERVICES – FINANCIAL INFORMATION SOFTWARE SYSTEM SELECTION - \$875.00
10. REQUEST FOR PAYMENT – ANDERSON EXCAVATING CO. – CONSTRUCTION SERVICES – THOMPSON CREEK CHANNEL REHABILITATION GROUP B – CHANNEL RECONSTRUCTION - \$120,440.20
11. APPROVAL OF CLAIMS.

ABE'S PORTABLES INC, services	\$40.60
ACCREDITED COLLECTION SVC INC, payroll	\$162.08
ALAMAR UNIFORMS, apparel	\$873.00
AMERICAN LEGAL PUBLISHING CO, services	\$62.00
A-RELIEF INC, services	\$280.00

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ASPHALT & CONCRETE MATERIALS, maint.	\$247.50
AUTO BRAKE & CLUTCH CO, maint.	\$83.00
AWE ACQUISITION INC, services	\$1,050.00
BAKER & TAYLOR, books	\$7.24
BARCAL, R., travel	\$152.20
BARONE SECURITY SYSTEMS, bld&grnds	\$222.50
BAXTER CHRYSLER DODGE JEEP RAM, maint.	\$24.45
BAXTER FORD, maint.	\$145.71
BIBLIONIX LLC, services	\$4,025.00
BISHOP BUSINESS EQUIPMENT, services	\$1,117.80
BLACK HILLS ENERGY, utilities	\$815.51
BOLTE, J., travel	\$345.00
BRENTWOOD AUTO WASH, maint.	\$24.00
BRIDGESTONE GOLF INC, supplies	\$309.00
BUETHE, P., travel	\$1,191.70
BUILDERS SUPPLY CO INC, bld&grnds	\$1,264.01
CALENTINE, J., travel	\$119.50
CALLAWAY GOLF COMPANY, supplies	\$743.24
CARROT-TOP INDUSTRIES INC, supplies	\$1,619.64
CATHERINE DEMES MAYDEW, services	\$97.50
CENTURY LINK BUSN SVCS, phones	\$79.30
CENTURY LINK, phones	\$654.03
CHOICE MARKETING SPORTS CARDS, services	\$364.45
CHRIS MADDEN, services	\$1,500.00
CITY OF OMAHA, services	\$325,173.07
CITY OF PAPILLION, services	\$150,654.00
CLASSIC REFRIGERATION, services	\$430.56
COCA-COLA BOTTLING CO, supplies	\$1,307.69
COMFORT INN-KEARNEY, travel	\$539.70
CONSOLIDATED MANAGEMENT, travel	\$209.25
COX COMMUNICATIONS, services	\$143.00
CREDIT MANAGEMENT SVCS, payroll	\$2.02
CROUCH, JAMIE, refund	\$85.00
CSP 529, payroll	\$50.00
DASH MEDICAL GLOVES, supplies	\$65.90
DATASHIELD CORPORATION, services	\$12.45
DEMCO INC, supplies	\$1,095.63
DIAMOND VOGEL PAINTS, bld&grnds	\$340.22
DISPLAY SALES, supplies	\$128.00
DXP ENTERPRISES INC, maint.	\$55.11
EDGEWEAR SCREEN PRINTING, apparel	\$3,973.25
EFTPS, payroll	\$67,561.18
FEDEX, supplies	\$12.15
FELSBURG HOLT & ULLEVIG, services	\$262.50
FITZGERALD SCHORR BARMETTLER, services	\$26,785.50
GCR TIRES & SERVICE, maint.	\$722.26
GENUINE PARTS COMPANY, maint.	\$1,942.47
GRAYBAR ELECTRIC CO, bld&grnds	\$2,201.73
H & H CHEVROLET LLC, maint.	\$116.10
HARM'S CONCRETE INC, maint.	\$85.00
HEARTLAND PAPER, supplies	\$280.00
HERITAGE CRYSTAL CLEAN, services	\$633.47
HOME DEPOT, bld&grnds	\$68.00
HUNDEN STRATEGIC PARTNERS, services	\$4,900.00
HY-VEE INC, supplies	\$2,598.99
ICMA, payroll	\$35,633.42
INGRAM LIBRARY SERVICES, books	\$939.80
J & J SMALL ENGINE SERVICE, maint.	\$155.74
JONES AUTOMOTIVE INC, maint.	\$203.00
KRIHA FLUID POWER CO INC, maint.	\$205.81

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LANDPORT SYSTEMS INC, services	\$125.00
LARSEN SUPPLY CO, supplies	\$159.60
LFOP DUES, payroll	\$1,220.00
LIBRA INDUSTRIES INC, supplies	\$86.85
LOU'S SPORTING GOODS, supplies	\$1,335.90
LOWE'S CREDIT SERVICES, bld&grnds	\$109.02
MATHESON TRI-GAS INC, apparel	\$462.44
MAX I WALKER UNIFORM RENTAL, services	\$609.77
MC CANN PLUMBING SERVICE INC, bld&grnds	\$21.39
MENARDS, bld&grnds	\$370.07
METRO AREA TRANSIT, services	\$816.00
METRO LANDSCAPE MATERIALS, bld&grnds	\$210.00
MID CON SYSTEMS INC, bld&grnds	\$320.60
MIDWEST TAPE, media	\$26.24
MISEREZ, C., travel	\$119.50
MOBOTREX MOBILITY & TRAFFIC, maint.	\$95.25
MONARCH OIL INC, maint.	\$262.50
MUD, utilities	\$1,578.83
MUNICIPAL PIPE TOOL CO, services	\$5,471.00
NATIONAL EVERYTHING WHOLESALE, supplies	\$158.35
NE CHILD SUPPORT PAYMENT CTR, payroll	\$966.08
NE STATE INCOME TAX, payroll	\$9,995.73
NEBRASKA BUSINESS ELECTRONICS, services	\$25.00
NEBRASKA ENVIRONMENTAL PRODS, maint.	\$481.84
NEBRASKA LANDSCAPE SOLUTIONS, supplies	\$1,314.52
NEBRASKA LIBRARY COMMISSION, media	\$2,444.28
NEBRASKA TURF PRODUCTS, supplies	\$2,444.00
NEBRASKA WELDING LTD, maint.	\$30.91
NMC EXCHANGE LLC, maint.	\$24.18
OFFICE DEPOT INC, supplies	\$673.81
OMAHA MAGAZINE LTD, services	\$446.00
OMAHA WORLD-HERALD, services	\$610.72
OPPD, utilities	\$50,070.24
O'REILLY AUTOMOTIVE STORES INC, maint.	\$420.70
PAPILLION SANITATION, services	\$2,684.31
PLAINS EQUIPMENT GROUP, maint.	\$1,415.19
POLICE INSURANCE, payroll	\$261.89
PREMIER-MIDWEST BEVERAGE CO, supplies	\$177.70
QP ACE HARDWARE, bld&grnds	\$1,045.83
QUALITY BRANDS OF OMAHA, supplies	\$292.00
READY MIXED CONCRETE CO, bld&grnds	\$2,824.63
SARPY COUNTY ECON DEV.CORP, services	\$25.00
SARPY COUNTY REGISTER OF DEEDS, services	\$32.00
SIRCHIE FINGER PRINT LABS, services	\$101.46
SOLBERG, C., travel	\$215.74
SOUCIE, J., travel	\$119.50
SOUTHEAST AREA CLERK'S ASSN, services	\$20.00
SPRINT, phones	\$643.40
TAMMI LARSEN, refund	\$85.00
THEATRICAL MEDIA SERVICES INC, services	\$845.40
THOMPSON DREESSEN & DORNER, services	\$14,878.15
TOM MILLER, travel	\$190.08
TRACTOR SUPPLY, apparel	\$49.99
TRILLIUM CNG (1700), supplies	\$8.30
TURFWERKS, maint.	\$250.00
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED DISTRIBUTORS INC, bld&grnds	\$74.76
VAN RU CREDIT CORPORATION, payroll	\$39.45
VIERREGGER ELECTRIC CO, maint	\$19,796.81
WHITE CAP CONSTR SUPPLY, apparel	\$56.99

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WICK'S STERLING TRUCKS INC, maint.	\$19.77
ZIMCO SUPPLY CO, supplies	\$2,370.00

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Sheehan reviewed the bills and stated everything was in order. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded the Mayor and Council of the Park Tour on May 10, 2016 at 5:30.

Police Chief Lausten reported on active shooter training which took place in some of the city facilities.

Director of Public Works Soucie gave updates on Thompson Creek and 66th Street. Soucie also reminded Council that clean up days are April 22nd and 23rd.

B. COX COMMUNICATION CABLE OPERATOR FRANCHISE – REQUEST FOR RENEWAL

1. PUBLIC HEARING

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Cox Communication Cable Operator Franchise – request for renewal. Nick Paden representing Cox Communications was in attendance to answer any questions. Councilmember Sell asked what the City's controls are. City Attorney McKeon stated that there were customer service requests that they have addressed and once the public hearing is concluded the City would begin negotiations on the franchise agreement.

At 7:20 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

C. AMEND VARIOUS SECTIONS OF THE LA VISTA MUNICIPAL CODE

1. ORDINANCE – AMEND SECTION 73.01

Councilmember Hale introduced Ordinance No. 1279 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 73.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell 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: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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 Thomas. The Mayor then stated the question, "Shall Ordinance No. 1279 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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.

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2. ORDINANCE - AMEND SECTION 93.025

Councilmember Hale introduced Ordinance No. 1280 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 93.025; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell 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: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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 Thomas. The Mayor then stated the question, "Shall Ordinance No. 1280 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. 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.

D. RESOLUTION - APPROVE CHANGE ORDER NO. 2 - THOMPSON CREEK CHANNEL REHABILITATION - GROUP B CHANNEL RECONSTRUCTION

Councilmember Hale introduced and moved for the adoption of Resolution No.16-039; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH ANDERSON EXCAVATING COMPANY, OMAHA, NEBRASKA, TO PROVIDE FOR CHANGES TO VARIOUS WORK ITEMS IN THE THOMPSON CREEK CHANNEL REHABILITATION - GROUP B CHANNEL RECONSTRUCTION CONTRACT

WHEREAS, the City has determined it is necessary to delete a portion of the work in Central Park, channel Maintenance that will be contracted directly with a sub-contractor, and various extra work items due to unknown conditions encountered during construction; and

WHEREAS, this change order decreases the contract price from \$1,332,728.50 to \$1,326,880.41; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Anderson Excavating Company, Omaha, Nebraska to provide for changes to various work items in the Thompson Creek Channel Rehabilitation - Group B Channel Reconstruction Contract.

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

E. RESOLUTION - APPROVE AMENDMENT NO. 1 - SUPPLEMENTAL SERVICES - CITY PARKING DISTRICT ACCESS IMPROVEMENTS

Councilmember Hale introduced and moved for the adoption of Resolution No.16-040; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER ONE (1) TO A PROFESSIONAL SERVICES AGREEMENT WITH OLSSON ASSOCIATES FOR ADDITIONAL DESIGN PHASE ENGINEERING SERVICES RELATED TO THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS IN AN AMOUNT NOT TO EXCEED \$184,781.11.

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WHEREAS, the City Council of the City of La Vista has determined that said additional services for City Parking District access improvements are necessary; and

WHEREAS, the FY 16 Capital Improvement Program (CIP) provides funding for this project; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of amendment number one (1) to a professional services agreement with Olsson Associates for additional design phase engineering services related to the City Parking District Access Improvements in an amount not to exceed \$184,781.11.

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

F. RESOLUTION – COUNCIL POLICY STATEMENT – COMPENSATION POLICY

Councilmember Thomas introduced and moved for the adoption of Resolution No.16-041; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, changes to the City's Employee Performance Management Program are being recommended; and

WHEREAS, a Council Policy Statement entitled "Employee Compensation – Pay for Performance" has been created in conjunction with recommendations made by Management Education Group, the consultant engaged to assist the City in revising the performance management program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Employee Compensation – Pay for Performance" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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

G. RESOLUTION – APPROVE PURCHASE – UTILITY TASK VEHICLE – POLICE DEPARTMENT

Councilmember Quick introduced and moved for the adoption of Resolution No.16-042; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE A KAWASAKI MULE TRANS4X4 SE UTILITY VEHICLE FROM DILLON BROTHERS MOTORSPORTS, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$10,800.

WHEREAS, the police department has a need for a specialized 4x4 utility vehicle for use in the City, and

WHEREAS, staff researched various models of law enforcement use utility vehicles and concluded a Kawasaki Mule 4010 TRANS4X4 SE best fits the police department's need, and

WHEREAS, Dillon Brothers MotorSports, Omaha, Nebraska will extend GSA pricing on the unit, and

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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 police department to purchase one (1) 2016 Kawasaki Mule 4010 TRANS4x4 SE from Dillon Brothers MotorSports, Omaha, Nebraska, in an amount not to exceed \$10,800.

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

H. POSITION DESCRIPTION UPDATE

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

I. STRATEGIC PLAN UPDATE

Councilmember Sell made a motion to receive and file the Strategic Plan update. Seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

J. EXECUTIVE SESSION –STRATEGY SESSION-POTENTIAL REAL ESTATE ACQUISITION; PERSONNEL; POTENTIAL LITIGATION

At 7:29 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for a strategy session about potential real estate acquisition and potential real estate acquisition and for protection of an individual to discuss personnel matters. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:10 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan stated that there were going to be food trucks at 78th and Pacific and would be something to look into for La Vista.

At 9:12 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

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PASSED AND APPROVED THIS 3RD DAY OF MAY, 2016

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk