LA VISTA CITY COUNCIL
MEETING
March 7, 2017

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 March 7, 2017. Present were Councilmembers: 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, Director of Public Works Soucie, City Engineer Kottmann, Library Director Barcal, and Human Resource Manager Garrod.

A notice of the meeting was given in advance thereof by publication in the Times on February 22, 2017. 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 audience in the Pledge of Allegiance, and made the announcements.

SWEAR IN POLICE SERGEANT – SCOTT COLLETT

Mayor Kindig swore in Scott Collett as a Sergeant for the La Vista Police Department.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2017 CITY COUNCIL MEETING
3. MONTHLY FINANCIAL REPORT – DECEMBER 2016
4. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – 84TH STREET ADAPTIVE SIGNALS - $212.50
5. REQUEST FOR PAYMENT – ANDERSON EXCAVATING CO. – CONSTRUCTION SERVICES - DEMOLITION & SITE PREPARATION – MIXED USE REDEVELOPMENT PROJECT AREA - $138,150.00
6. REQUEST FOR PAYMENT – AECOM – PROFESSIONAL SERVICES – LA VISTA NEW AMPHITHEATER FEASIBILITY STUDY - $10,407.61
7. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – LA VISTA CITY CENTRE PARKING FACILITIES - $57,232.07
8. REQUEST FOR PAYMENT – OLSSON ASSOCIATES – PROFESSIONAL SERVICES - LA VISTA CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE - $46,237.06
9. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PUBLIC IMPROVEMENTS - $8,112.87
10. APPROVE CHANGE IN DATE OF CITY COUNCIL MEETING FROM AUGUST 1, 2017 TO AUGUST 2, 2017
11. RESOLUTION 17-021 – FIREWORKS DISPLAY – SALUTE TO SUMMER FESTIVAL - TEMPORARY USE OF HWY 85 (84TH STREET) ACCEPTANCE OF DUTIES

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING DUTIES AND LIABILITIES FOR TEMPORARY USE OF STATE HIGHWAY 85

WHEREAS, the City of La Vista desires to conduct a fireworks display on property adjacent to State Highway No. 85 in conjunction with the Salute to Summer Festival, and;

WHEREAS, the City of La Vista desires to make temporary use of State Highway No. 85 between Brentwood Drive and Harrison Street, and;
WHEREAS, the temporary use shall consist of the total closure of State Highway No. 85 to vehicular traffic, and;

WHEREAS, State Highway No. 85 between Brentwood Drive and Harrison Street is within the corporate limits of the City of La Vista, and;

WHEREAS, Section 39-1359 R.R.S. Neb. 2008 was amended on May 24, 2011, by Legislative Bill 589 to provide that a temporary use of a state highway system, including full and partial lane restrictions, can be made for a special event where the roadway is located in the corporate limits of a city, if such city through formal action of its governing body acknowledges and accepts the duties set forth in subsection (2) of Section 39-1359 and indemnifies and holds the State of Nebraska harmless against claims made arising out of the special event and provides thirty (30) days advance notice to the State of Nebraska.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, that pursuant to Section 39-1359 R.R.S. Neb. 2008, as amended by Legislative Bill 589 on May 24, 2011, the City of La Vista officially designates the La Vista Daze Fireworks Display as a special event under LB 589 and hereby notifies the State of Nebraska that it accepts the duties imposed by such law, and, if a claim is made against the state, shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event and the temporary use of State Highway No. 85 (aka 84th Street) from Brentwood Drive to Harrison Street between the hours of 9:00 pm and 10:30 pm on May 26, 2017 for traffic control during the fireworks display.

12. RESOLUTION 17-022 — PARADE — SALUTE TO SUMMER FESTIVAL — TEMPORARY USE OF HWY 85 (84TH STREET) ACCEPTANCE OF DUTIES

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING DUTIES AND LIABILITIES FOR TEMPORARY USE OF STATE HIGHWAY 85

WHEREAS, the City of La Vista desires to conduct a parade that will cross State Highway No. 85 in conjunction with the Salute to Summer Festival, and;

WHEREAS, the City of La Vista desires to make temporary use of State Highway No. 85 between Brentwood Drive and Harrison Street, and;

WHEREAS, the temporary use shall consist of the total closure of State Highway No. 85 to vehicular traffic, and;

WHEREAS, State Highway No. 85 between Brentwood Drive and Harrison Street is within the corporate limits of the City of La Vista, and;

WHEREAS, Section 39-1359 R.R.S. Neb. 2008 was amended on May 24, 2011, by Legislative Bill 589 to provide that a temporary use of a state highway system, including full and partial lane restrictions, can be made for a special event where the roadway is located in the corporate limits of a city, if such city through formal action of its governing body acknowledges and accepts the duties set forth in subsection (2) of Section 39-1359 and indemnifies and holds the State of Nebraska harmless against claims made arising out of the special event and provides thirty (30) days advance notice to the State of Nebraska.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, that pursuant to Section 39-1359 R.R.S. Neb. 2008, as amended by Legislative Bill 589 on May 24, 2011, the City of La Vista officially designates the La Vista Daze Parade as a special event under LB 589 and hereby notifies the State of Nebraska that it accepts the duties imposed by such law, and, if a claim is made against the state, shall indemnify, defend, and hold harmless the State of Nebraska from all claims, demands, actions, damages, and liability, including reasonable attorney's fees, that may arise as a result of the special event and the temporary use of State Highway No. 85 (aka 84th Street) from Brentwood Drive to Harrison Street between the hours of 12:30 pm and 4:30 pm on May 27, 2017 for traffic control during the parade.
13. APPROVAL OF CLAIMS

<table>
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<th>Company Name</th>
<th>Amount</th>
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<tr>
<td>ACTION BATTERIES, maint.</td>
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<td>AECOM TECHNICAL, services</td>
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<td>ASPHALT &amp; CONCRETE MATERIALS, maint.</td>
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<td>ATLAS AWNING, services</td>
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<td>BAKER &amp; TAYLOR, books</td>
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<td>BANK OF NEBRASKA, services</td>
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<td>BAXTER CHRYSLER DODGE JEEP, maint.</td>
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<td>BEACON BUILDING, services</td>
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<td>BISHOP BUSINESS EQUIPMENT, services</td>
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<td>BLACK HILLS ENERGY, utilities</td>
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<td>BUETHE, P., travel</td>
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<td>CENTURY LINK BUSN SVCS, phones</td>
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<td>CENTURY LINK, phones</td>
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<td>DATASHIELD CORP, services</td>
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<td>DEARBORN NATL LIFE INS CO, services</td>
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<td>DHHS REG/POOL PERMIT, services</td>
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<td>ELAN FINANCIAL, services</td>
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<td>FELSBURG HOLT &amp; ULLEVIG, services</td>
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<td>KIMBALL MIDWEST, supplies</td>
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<td>NAT'L EVERYTHING WHOLESALE, supplies</td>
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MINUTE RECORD
March 7, 2017

NE DEPT OF REVENUE, sales tax $899.20
NE SALT & GRAIN CO, maint. $10,292.19
NOBBIES INC, supplies $20.58
NUTS AND BOLTS INC, bld&grnds $27.13
ODB CO, maint. $207.42
OFFICE DEPOT INC, supplies $423.65
OMAHA WORLD-HERALD, services $1,830.62
OPPD, utilities $49,471.04
ORD TOWNSHIP LIBRARY, supplies $14.97
PAPILLION TIRE INC, maint. $87.67
PAYLESS OFFICE PRODUCTS, supplies $1,215.53
PETTY CASH, supplies $280.01
PLAINS EQUIPMENT GROUP, maint. $599.99
QP ACE HARDWARE, bld&grnds $608.54
QUALITY AUTO REPAIR & TOWING, services $75.00
REGAL AWARDS OF DISTINCTION, services $22.00
RETRIEVEX, services $145.18
SARPY COUNTY COURTHOUSE, services $3,976.44
SECURITY EQUIPMENT INC., services $79.00
SHEPPARD'S BUSINESS INTERIORS, services $2,875.27
SIGN IT, services $430.00
SIMPLEX GRINNELL LP, bld&grnds $2,483.68
SPENCER FANE LLP, services $1,502.11
SPRINT, services $119.97
TED'S MOWER SALES, services $3,200.00
TOSHIBA FINANCIAL, services $127.40
TRACTOR SUPPLY, bld&grnds $366.56
UNITED PARCEL, services $37.00
VERIZON WIRELESS, phones $37.00
WAL-MART, supplies $913.75

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Thomas. Councilmember Sell 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

Assistant City Administrator Ramirez reported that the transition of the Community Development to their new location at the 8110 building is complete. An open house will be held for Councilmembers prior to the next meeting.

Police Chief Lausten reported that Sarpy County 911 is now taking text messages. There is a campaign to encourage people to know where they are as GPS does not lock in on these texts. A three day honor guard training will be held soon.

City Engineer Kottmann gave an update on the construction at the 84th Street project.

B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the one and six year street improvement plan.

Street Superintendent Henkel presented the plan.

At 7:20 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: Frederick. Motion carried.
2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 17-023; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista’s One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista’s Capital Improvement Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.


C. RESOLUTION - AWARD BID - PHASE 1 GRADING - GOLF COURSE TRANSFORMATION

Councilmember Quick introduced and moved for the adoption of Resolution No. 17-024; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWAROUND A CONTRACT TO BLADE MASTERS GROUNDS MNTC INC OF BENNINGTON NEBRASKA FOR PHASE 1 GRADING, GOLF COURSE TRANSFORMATION FOR THE CIVIC CENTER PARK IN AN AMOUNT NOT TO EXCEED $1,121,368.50.

WHEREAS, the City Council of the City of La Vista has determined Phase 1 grading, golf course transformation for the Civic Center Park is necessary; and

WHEREAS, the FY17 and FY18 budgets include funding for this project in the Capital Improvement Program; and

WHEREAS, Bids were received from three (3) contractors, and

WHEREAS Blade Masters Grounds Mntc Inc., Bennington, Nebraska 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 award a contract to Blade Masters Grounds Mntc Inc., Bennington, Nebraska for Phase 1 grading, golf course transformation for the Civic Center Park, in an amount not to exceed $1,121,368.50.

Seconded by Councilmember Hale. City Engineer Kottmann showed a video of the proposed concept from TD2 of the lake area. Councilmember Thomas asked about the timeline. City Engineer Kottmann said it could vary based on weather as it is an area that will flood if it rains. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

D. RESOLUTION – AUTHORIZATION TO PURCHASE – PICKUP TRUCK

Councilmember Hale introduced and moved for the adoption of Resolution No.17-025; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2017 CHEVROLET 3500 EXTENDED CAB 4X4 HEAVY DUTY PICKUP TRUCK FROM SID DILLON COMMERCIAL /FLEET DIVISION, WAHOO, NEBRASKA FOR AN AMOUNT NOT TO EXCEED $54,156.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a pickup truck for the Parks Division is necessary, and

WHEREAS, the FY 17 General 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) 2017 Chevrolet 3500 Extended Cab 4X4 heavy duty pickup truck from Sid Dillon Commercial/Fleet Division, Wahoo, Nebraska for an amount not to exceed $54,156.


E. GENERATOR – FIRE STATION #4 AND COMMUNITY DEVELOPMENT BUILDING

1. RESOLUTION – APPROVE PURCHASE OF GENERATOR

Councilmember Hale introduced and moved for the adoption of Resolution No.17-026; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) CATERPILLAR GENERATOR FROM NATIONAL JOINT POWERS ALLIANCE FOR AN AMOUNT NOT TO EXCEED $38,954.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a generator for fire station #4 and the Community Development building located at 8110 Park View Blvd. is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed purchase, and

WHEREAS, 50% of the expense will be refunded through an agreement with Papillion Fire; 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) Caterpillar generator from National Joint Powers Alliance for an amount not to exceed $38,954.


2. RESOLUTION- AWARD ELECTRICAL WORK FOR GENERATOR

Councilmember Quick introduced and moved for the adoption of Resolution No.17-027; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING THE ELECTRICAL WORK FOR THE NEW GENERATOR AT THE FIRE STATION #4 BUILDING, 8110 PARK VIEW BLVD. TO VIERREGGER ELECTRIC FOR AN AMOUNT NOT TO EXCEED $13,880.

WHEREAS, the City Council of the City of La Vista has determined that the electrical work to provide electrical hookups for the new generator for fire station #4 and the Community Development building located at 8110 Park View Blvd. is necessary, and

WHEREAS, the FY17 General Fund Budget provides funding for the proposed project, and

WHEREAS, 50% of the expense will be refunded through an agreement with Papillion Fire; 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 award the electrical work for the new generator at the fire station #4 building, 8110 Park View Blvd. to Vierregger Electric for an amount not to exceed $13,880.


F. CLASSIFICATION AND COMPENSATION

1. RECEIVE AND FILE - CLASSIFICATION AND COMPENSATION STUDY

Director of Administrative Services Pokorny gave an overview of the study process. Dr. Robert Ottemann gave an overview of the study. Discussion was held. Councilmember Hale made a motion to receive and file the classification and compensation study. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick. Motion carried.

2. ORDINANCE - AMEND COMPENSATION ORDINANCE

Councilmember Sell introduced Ordinance No. 1303 entitled; AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWIT; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Quick 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: 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, discussion was held, and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1303 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.

G. DISCUSSION - SCHOOL RESOURCE OFFICER

Police Chief Lausten and Papillion La Vista Schools Superintendent, Dr. Rikly, brought forth information addressing the need for a Resource Officer to be placed at the Jr. High School. Councilmembers Sell stated an officer could be a positive influence on kids. Councilmember Crawford asked if having an officer in school would help cut down on bullying. Police Chief Lausten confirmed that it can help and is a step in the right direction, but it would not stop all bullying. Building relationships with students can give a tactical advantage to ward off negative behaviors prior to things getting out of hand. Councilmember Sheehan mentioned we have seen this advantage in regards to the DARE officer as they often build positive relationships with students and are treated as a best friend by many. Mayor Kindig and the Council supported Chief Lausten and staff to begin working on an interlocal agreement to share the cost of the officer with the school district. This would be a three-year agreement, with a target start date of March 2018. Dr. Rikly thanked the Council for this important step.

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

H. EXECUTIVE SESSION - STRATEGY SESSION - POTENTIAL REAL ESTATE ACQUISITION

At 8:03 p.m. Councilmember Crawford made a motion to go into executive for protection of the public to discuss a potential real estate acquisition. Seconded by Councilmember Thomas. 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 8:12 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. 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 MAYOR AND COUNCIL

Mayor Kindig stated that Sarpy County had a discussion to lower home appraisal values. The main topic is paying fair share for shared services with Douglas County.

At 8:17 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: Frederick. Motion carried.
MINUTE RECORD

March 7, 2017

PASSED AND APPROVED THIS 21ST DAY OF MARCH, 2017.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Mandy Garrod, DMC
Deputy City Clerk