

# MINUTE RECORD

A-2

No. 729 — REDFELD & COMPANY, INC. OMAHA E1310556LD

## LA VISTA CITY COUNCIL MEETING December 5, 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 December 5, 2017. 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, City Engineer Kottmann, Director of Administrative Services Pokorny, Community Development Director Birch, Finance Director Miserez, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on November 29, 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.

### A. CONSENT AGENDA

#### 1. APPROVAL OF THE AGENDA AS PRESENTED

#### 2. APPROVAL OF THE MINUTES OF THE NOVEMBER 21, 2017 CITY COUNCIL MEETING

3. REQUEST FOR PAYMENT — DESIGN WORKSHOP, INC. — PROFESSIONAL SERVICES — 84<sup>TH</sup> STREETSCAPE PLAN — \$54,718.81
4. REQUEST FOR PAYMENT — OLSSON ASSOCIATES — PROFESSIONAL SERVICES — LA VISTA CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE — \$16,182.57
5. REQUEST FOR PAYMENT — OLSSON ASSOCIATES — PROFESSIONAL SERVICES — LA VISTA 96<sup>TH</sup> & BRENTWOOD TRAFFIC SIGNAL — \$12,682.69
6. REQUEST FOR PAYMENT — OLSSON ASSOCIATES — PROFESSIONAL SERVICES — LA VISTA 84<sup>TH</sup> STREET REDEVELOPMENT SITE PREPARATION — \$18,651.22
7. REQUEST FOR PAYMENT — BLADE MASTERS GROUNDS MNTC., INC. — CONSTRUCTION SERVICES — GOLF COURSE TRANSFORMATION PHASE 1 GRADING — \$110,912.31
8. APPROVAL OF CLAIMS

AA WHEEL & TRUCK SUPPLY, maint.	\$126.43
ACTION BATTERIES, maint.	\$30.90
AMERICAN HERITAGE LIFE INS CO, services	\$1,498.13
ANDERSON BROTHERS ENGINEERING, bld&grnds	\$215.00
ASCAP, services	\$341.75
ATLAS COPCO COMPRESSORS LLC, services	\$217.35
BAXTER CHRYSLER DODGE JEEP, maint.	\$48.56
BAXTER FORD, maint.	\$17.88
BKD LLP, services	\$2,235.00
BLACK HILLS ENERGY, utilities	\$4,645.24
CENTER POINT PUBLISHING, books	\$318.18
CENTRAL PLAINS LIBRARY SYSTEM, supplies	\$12.65
CENTURY LINK BUSN SVCS, phones	\$31.34
CENTURY LINK, phones	\$151.79
CENTURY LINK, phones	\$132.78
CHRIS MADDEN, services	\$825.00
CHRYSTAN FERRELL LLC, maint.	\$2,200.00
CITY OF OMAHA, utilities	\$211,619.57
CONSOLIDATED MANAGEMENT, services	\$177.74

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CONTINENTAL RESEARCH CORP, services	\$580.50
CORNHUSKER STATE INDUSTRIES, services	\$202.04
COX COMMUNICATIONS, services	\$145.91
CROSSBUCK GUN CABINETS, services	\$750.00
D & K PRODUCTS, services	\$13,528.95
DLR GROUP, services	\$49,595.87
DULTMEIER SALES, bld&grnds	\$139.80
EBSCO INFORMATION, media	\$4,036.06
EDGEWEAR SCREEN PRINTING, apparel	\$57.00
FELSBURG HOLT & ULLEVIG, services	\$1,235.70
FIRST WIRELESS INC, services	\$75.80
FOCUS PRINTING, services	\$3,043.19
FOCUS PRINTING, services	\$3,043.19
GALE, books	\$164.18
GENERAL FIRE & SAFETY EQUIP CO, services	\$245.00
GOVERNMENT FINANCE OFFICER'S, services	\$190.00
GRAINGER, bld&grnds	\$140.57
GRAYBAR ELECTRIC CO, supplies	\$485.21
HDR ENGINEERING INC, services	\$19,427.04
HEIMES CORP, services	\$56.72
HOBBY LOBBY, supplies	\$83.46
HOME DEPOT, bld&grnds	\$104.13
INGRAM LIBRARY SERVICES, books	\$2,652.31
KSI CONSTRUCTION, services	\$89,119.09
LAUSTEN JR ROBERT S, services	\$1,400.00
LERNER PUBLISHING GROUP, books	\$713.39
LOGAN CONTRACTORS SUPPLY, maint.	\$89.00
LOGO LOGIX, apparel	\$120.00
LV COMM FOUNDATION, refund/payroll	\$1,560.00
MARCO INC, services	\$571.90
MARK A KLINKER, services	\$200.00
MARY HAGERUP, travel	\$94.95
MAX I WALKER UNIFORM, services	\$573.20
MENARDS-RALSTON, services	\$334.39
MICHAEL D SCHAWANG, services	\$750.00
MIDWEST TAPE, media	\$272.87
MNJ TECHNOLOGIES, services	\$1,047.00
MUD, utilities	\$313.66
MUD, utilities	\$1,661.09
NE DEPT OF REVENUE, sales tax	\$674.47
NE SALT & GRAIN CO, services	\$1,625.00
NE WELDING LTD, maint.	\$103.50
NEWMAN TRAFFIC SIGNS, services	\$1,014.50
NOVA FITNESS EQUIPMENT CO, services	\$960.20
NUTS & BOLTS INC, maint.	\$18.00
NWEA-NE WATER ENVIRONMENT ASSN, services	\$580.00
OCLC INC, services	\$149.77
OFFICE DEPOT INC, supplies	\$165.33
OFFICE DEPOT INC, supplies	\$865.27
OPPD, utilities	\$2,250.02
ORIENTAL TRADING CO, supplies	\$574.27
PAPILLION SANITATION, services	\$260.76
PAYFLEX SYSTEMS, services	\$291.75
PAYLESS OFFICE PRODUCTS, supplies	\$147.42
PENWORTHY CO, books	\$768.05
PETTY CASH, supplies	\$332.65
PHAM, RACHEL THUY LINH, services	\$60.00
QUICK, T., travel	\$55.00
RAINBOW GLASS & SUPPLY, services	\$246.06
READ ALOUD NEBRASKA, services	\$40.00

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READY MIXED CONCRETE CO, maint.	\$1,073.48
RETRIEVEX, services	\$151.49
ROCKY HENKEL, payroll	\$73.71
ROURKE PUBLISHING CO, books	\$738.30
RUNZA RESTAURANT, services	\$1,237.00
SARPY COUNTY COURTHOUSE, services	\$4,100.03
SCHEMMER ASSOCIATES INC, services	\$1,650.70
SIRCHIE FINGER PRINT LABS, services	\$73.24
SOUTHERN UNIFORM, apparel	\$628.45
SUSPENSION SHOP INC, maint.	\$735.00
TED'S MOWER SALES, maint.	\$9.49
THERMO KING CHRISTENSEN, maint.	\$136.01
THOMPSON DREESSEN & DORNER, services	\$170.00
TOSHIBA FINANCIAL, services	\$127.40
TRACTOR SUPPLY, maint.	\$49.99
TRAVELERS, services	\$756.76
UNITED RENT-ALL, services	\$394.66
VERIZON WIRELESS, phones	\$129.09
WAL-MART, supplies	\$893.30
WICK'S STERLING TRUCKS, maint.	\$110.11

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

Police Chief Lausten thanked those who helped with the Fraternal Order of Police's annual Shop with a Cop. Lausten stated that two officers will be graduating from the academy on Friday, Brian Straw and Tanner Ries. They will start as full-time officers next week and begin field training. The DARE Graduation at Portal Elementary will be December 15<sup>th</sup>.

Director of Public Works Soucie stated the playground surface at Val Verde is completed and the Applewood Creek project is almost complete.

City Engineer Kottmann gave a comprehensive construction update.

## **B. ORDINANCE -- AMEND MASTER FEE ORDINANCE**

Councilmember Sell introduced Ordinance No. 1318 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1313, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford 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.

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Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question, "Shall Ordinance No. 1318 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.

## **C. RESOLUTION - AUTHORIZE AGREEMENT FOR CIVIC CENTER PARK - PHASE 2 DESIGN SERVICES**

Councilmember Thomas introduced and moved for the adoption of Resolution No.17-154 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A PROFESSIONAL SERVICES AGREEMENT WITH RDG PLANNING & DESIGN FOR CIVIC CENTER PARK - PHASE 2 DESIGN SERVICES.

WHEREAS, the Mayor and City Council of the City of La Vista have determined that professional design services for Civic Center Park - Phase 2 are necessary; and

WHEREAS, the FY17/18 Biennial Budget contains funding for multiple potential public infrastructure improvements and associated services; and

WHEREAS, RDG Planning & Design was determined to meet the City's needs for this work; 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 purchase over \$5,000.00,

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby authorize an agreement with RDG Planning & Design for Civic Center Park - Phase 2 design services in the amount of \$84,400 plus reimbursable expenses.

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

## **D. RESOLUTION - STORM WATER CONSULTANT SERVICES AGREEMENT - 2017 PUBLIC EDUCATION & OUTREACH - AMENDMENT NO. 1**

Councilmember Hale introduced and moved for the adoption of Resolution No.17-155 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AMENDMENT NUMBER 1 TO THE AGREEMENT WITH CHRIS MADDEN OF UPSTREAM WEEDS FOR STORM WATER CONSULTANT SERVICES, 2017 PUBLIC EDUCATION & OUTREACH FOR THE THOMPSON CREEK WATERSHED MANAGEMENT PROJECT IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$1,650.00.

WHEREAS, the City Council of the City of La Vista has determined that said services are necessary; and

WHEREAS, the funding for these services will come from the NDEQ Annual Storm Water Management Plan Grant; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of an amendment to the agreement with Chris Madden of Upstream Weeds for storm water consultant services, 2017 public education and outreach for the Thompson Creek Watershed Management Project in an additional amount not to exceed \$1,650.00.

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

## **E. RESOLUTION – AWARD CONTRACT – STORM SEWER LINING – 72ND AND THOMPSON CREEK**

Councilmember Hale introduced and moved for the adoption of Resolution No.17-156 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MUNICIPAL PIPE TOOL COMPANY, LLC OF HUDSON IOWA FOR CONSTRUCTION OF THE 72<sup>ND</sup> STREET AND THOMPSON CREEK STORM SEWER LINING IN AN AMOUNT NOT TO EXCEED \$9,600.00.

WHEREAS, the City Council of the City of La Vista has determined construction of a storm sewer lining at 72<sup>nd</sup> Street and Thompson Creek is necessary; and

WHEREAS, the FY17/18 Biennial budget includes funding for the proposed project; and

WHEREAS, Bids were received from four (4) contractors, and

WHEREAS Municipal Pipe Tool Company, LLC, Hudson, Iowa 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 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 award a contract to Municipal Pipe Tool Company, LLC, Hudson, Iowa for construction of a storm sewer lining at 72<sup>nd</sup> Street and Thompson Creek in an amount not to exceed \$9,600.00.

Seconded by Councilmember Thomas. Councilmember Crawford commended Public Works for thinking outside the box on the cooperative effort with other agencies on this project. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **F. RESOLUTION – APPROVE PURCHASE – CELLEBRITE MOBILE FORENSIC EXTRICATION DEVICE**

Councilmember Quick introduced and moved for the adoption of Resolution No.17-157 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A CELLEBRITE UFED MOBILE FORENSIC EXTRACTION DEVICE FROM CELLEBRITE INCORPORATED, PARSIPPANY, NEW JERSEY IN AN AMOUNT NOT TO EXCEED \$9,085.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of technology related items is necessary; and

WHEREAS, the Police Department received grant funding from the Nebraska State Patrol for the purchase of a mobile forensic device; 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 purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the purchase of a Cellebrite UFED mobile forensic extraction device from Cellebrite Incorporated, Parsippany, NJ, in an amount not to exceed \$9,085.

Seconded by Councilmember Hale. Councilmember Quick asked if the police have seen this used. Police Chief Lausten stated they had. It is a portable device that can

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get information at scene such as information from a cell phone. Two people are trained on this device. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **G. RESOLUTION – APPROVE PURCHASE – UTILITY TASK VEHICLE**

Councilmember Sell introduced and moved for the adoption of Resolution No.17-158 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE POLICE DEPARTMENT TO PURCHASE A KAWASAKI MULE 4010 4X4 UTILITY VEHICLE FROM DILLON BROTHERS MOTORSPORTS, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$9,984.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a specialized 4x4 utility vehicle for use by the police department is necessary, and

WHEREAS, the FY17/18 Biennial budget provides funding for the proposed purchase, and

WHEREAS, staff researched various models of law enforcement use utility vehicles and concluded a Kawasaki Mule 4010 4X4 best fits the police department's need, and

WHEREAS, Dillon Brothers MotorSports, Omaha, Nebraska will extend GSA pricing on the unit, 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 police department to purchase one (1) 2017 Kawasaki Mule 4010 4x4 from Dillon Brothers Motor Sports, Omaha, Nebraska, in an amount not to exceed \$9,984.00.

Seconded by Councilmember Thomas. Mayor Kindig asked how often we use the utility vehicle we have. Police Chief Lausten stated that the current vehicle is used quite often and provided examples of the use and the need for another. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS: LAND ACQUISITION**

There was no executive session held.

## **COMMENTS FROM THE FLOOR**

Nicolas Crawford of 7008 Monterrey Drive addressed the Council regarding zoning regulations on having chickens within the city.

Mayor Kindig asked for direction from the Council. Councilmember Hale asked what the typical lifespan of a chicken is. Mr. Crawford stated eight to ten years. Councilmember Quick stated she would be interested in looking at the pros and cons. Councilmember Frederik stated it should be looked at. Councilmembers Sell, Ronan, Thomas, and Sheehan stated they would like to leave the zoning code as is. The Mayor directed staff to look into this and bring it back as a discussion item at a future meeting.

## **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Sheehan stated that many were delighted with Santa and the soup supper.

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At 7:36 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF DECEMBER, 2017.

CITY OF LA VISTA

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

ATTEST:

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