

# MINUTE RECORD

A-2

No. 729 - REEDIE & COMPANY, INC. OMAHA E1310556LD

## LA VISTA CITY COUNCIL MEETING April 3, 2018

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 3, 2018. Present were Councilmembers: Ronan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Police Chief Lausten, Director of Public Works Soucie, City Engineer Kottmann, Director of Administrative Services Pokorny, Finance Director Miserez, City Planner Solberg, Library Director Barcal, Recreation Director Stopak and HR Director Czarnick.

A notice of the meeting was given in advance thereof by publication in the Times on March 21, 2018. 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 MARCH 20, 2018 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT - HDR ENGINEERING INC. - PROFESSIONAL SERVICES - PUBLIC IMPROVEMENTS AND OTHER WORKS - \$15,766.44
4. REQUEST FOR PAYMENT - SARPY COUNTY REGISTER OF DEEDS - RECORDING FEES - EASEMENTS - 96TH AND BRENTWOOD TRAFFIC SIGNAL - \$44.00
5. REQUEST FOR PAYMENT - DLR GROUP - PROFESSIONAL SERVICES - LA VISTA CITY CENTRE PARKING FACILITY - \$3,073.08
6. REQUEST FOR PAYMENT - UPSTREAM WEEDS - PROFESSIONAL SERVICES - STORMWATER OUTREACH - \$825.00
7. REQUEST FOR PAYMENT - THOMPSON DREESSEN & DORNER - PROFESSIONAL SERVICES - LA VISTA CITY CENTRE EXHIBITS FOR PARTY WALL AGREEMENT - \$487.50
8. REQUEST FOR PAYMENT - VIERREGGER ELECTRIC COMPANY - CONSTRUCTION SERVICES - 96TH & BRENTWOOD TRAFFIC SIGNAL - \$109,000.85
9. REQUEST FOR PAYMENT - GRAHAM CONSTRUCTION, INC. - CONSTRUCTION SERVICES - 84TH STREET REDEVELOPMENT CITY CENTRE INFRASTRUCTURE - \$128,888.82
10. REQUEST FOR PAYMENT - RDG PLANNING DESIGN - PROFESSIONAL SERVICES - LA VISTA CIVIC CENTER - \$22,515.46
11. RESOLUTION - 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;

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No. 720 — REEDFIELD & COMPANY, INC. OMAHA E1310558LD

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 84<sup>th</sup> Street) from Brentwood Drive to Harrison Street between the hours of 9:00 pm and 10:30 pm on May 25, 2018 for traffic control during the fireworks display.

## **12. RESOLUTION – 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 84<sup>th</sup> Street) from Brentwood Drive to Harrison Street between the hours of 12:30 pm and 4:30 pm on May 26, 2018 for traffic control during the parade.

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## 13. APPROVAL OF CLAIMS:

3M, media	\$450.97
AA WHEEL & TRUCK SUPPLY, maint.	\$192.96
ACCESS BANK, services	\$3,066.27
ACTION BATTERIES, supplies	\$17.70
ALLY BANK, services	\$356.91
A-RELIEF, services	\$84.00
ASPHALT & CONCRETE MATERIALS, services	\$943.73
BIBLIONIX LLC, books	\$3,815.00
BLACK HILLS ENERGY, utilities	\$5,414.21
BODY BASICS FITNESS EQUIPMENT, equipment	\$7,720.00
BOOT BARN, apparel	\$127.91
BUETHE, P., travel	\$188.90
CALENTINE, J., travel	\$232.00
CCH INC, services	\$3,958.00
CENTER POINT PUBLISHING, books	\$362.52
CENTURY LINK, phones	\$336.13
CENTURY LINK BUSN SVCS, phones	\$36.67
CITY OF OMAHA, services	\$160,851.84
CITY OF PAPILLION, services	\$189,686.26
COLIBRI SYSTEMS NA, INC, supplies	\$199.50
CORNHUSKER INT'L TRUCKS, maint.	\$40.70
COSGRAVE CO, bld&grnds	\$150.00
COX COMMUNICATIONS, services	\$145.91
D & K PRODUCTS, supplies	\$29.58
DATASHIELD CORP, services	\$144.25
DELL MARKETING L.P., services	\$44,752.50
DEMCO INC, supplies	\$543.43
DESIGN WORKSHOP INC, services	\$30,959.80
DOUGLAS COUNTY SHERIFF'S OFC, services	\$630.00
DXP ENTERPRISES INC, maint.	\$92.35
ELAN FINANCIAL SERVICES, services/supplies	\$9,806.74
EN POINTE TECHNOLOGIES SALES, services	\$629.26
ENTERPRISE FM TRUST, services	\$580.01
ESSENTIAL SCREENS, services	\$52.50
EXPRESS ENTERPRISES, services	\$3,545.00
FASTENAL CO, supplies	\$23.32
FEDEX KINKO'S, services	\$8.10
FILTER CARE, maint.	\$31.50
FIRST WIRELESS INC, maint.	\$114.94
FITZGERALD SCHORR BARMETTLER, services	\$30,312.45
FOCUS PRINTING, services	\$7,928.36
GALE, books	\$153.69
GCR TIRES & SERVICE, maint.	\$59.69
GRAYBAR ELECTRIC CO, bld&grnds	\$852.72
GT DISTRIBUTORS INC, supplies	\$2,349.00
HANEY SHOE STORE, apparel	\$124.99
HEARTLAND PAPER, supplies	\$177.00
HELWIG, J., travel	\$232.00
HOLIDAY INN-KEARNEY, travel	\$189.90
HY-VEE INC, supplies	\$595.00
INGRAM LIBRARY SERVICES, books	\$1,754.27
KRIHA FLUID POWER CO, maint.	\$26.90
LV COMM FOUNDATION, payroll	\$60.00
LARSEN SUPPLY CO, supplies	\$63.60
LEAGUE OF NE MUNICIPALITIES, services	\$565.72
LIGHT AND SIREN, maint.	\$820.00
LINCOLN NATIONAL LIFE INS CO, services	\$5,708.19
MARK A KLINKER, services	\$200.00

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MAX I WALKER UNIFORM, services	\$647.74
MENARDS-RALSTON, bld&grnds	\$272.63
METRO COMM COLLEGE, services	\$11,601.30
MUD, utilities	\$2,049.71
MID CON SYSTEMS INC, bld&grnds	\$1,175.71
MIDLANDS LIGHTING & ELECTRIC, services	\$34.05
MIDWEST TAPE, services	\$147.35
MIDWEST TURF & IRRIGATION, maint	\$61.50
MOBOTREX MOBILITY & TRAFFIC, services	\$1,400.00
NASRO, services	\$40.00
NE DEPT OF REVENUE-50G gaming	\$100.00
NE DEPT OF REVENUE-sales tax	\$640.18
NE ENVIRONMENTAL PRODS, services	\$10,116.00
NE SALT & GRAIN CO, services	\$3,414.06
NE TURF PRODUCTS, services	\$3,521.10
NUTS AND BOLTS INC, supplies	\$0.78
OCLC INC, books	\$299.54
OFFICE DEPOT INC, supplies	\$624.63
OPPD, utilities	\$2,024.69
OMAHA WINDUSTRIAL CO, maint.	\$21.47
OMAHA WINNELSON, bld&grnds	\$275.44
PAPILLION TIRE INC, maint.	\$101.95
PARK YOUR PAWZ INC, services	\$60.00
PAYLESS OFFICE PRODUCTS, supplies	\$70.07
PETTY CASH, supplies	\$365.21
PITNEY BOWES, postage	\$1,286.00
PLAINS EQUIPMENT GROUP, maint.	\$237.77
PROUHET, T., travel	\$180.00
REGAL AWARDS OF DISTINCTION, services	\$203.65
SARPY COUNTY COURTHOUSE, services	\$4,100.03
SHEPPARD'S BUSINESS INTERIORS, services	\$1,485.15
SIGN IT, services	\$4,648.00
SIMPLEX GRINNELL LP, services	\$1,636.00
SOLBERG, C., travel	\$575.84
SOUTHERN UNIFORM & EQUIPMENT, apparel	\$394.47
STOLLEY, B., travel	\$232.00
SUBURBAN NEWSPAPERS INC, services	\$52.50
THOMPSON DREESSEN & DORNER, services	\$8,990.64
TOSHIBA FINANCIAL, services	\$431.00
TOTAL MARKETING INC, bld&grnds	\$216.12
UTILITY EQUIPMENT CO, services	\$35.86
VERIZON WIRELESS, phones	\$201.29
WAL-MART, supplies	\$1,087.92
WICK'S STERLING TRUCKS INC, maint.	\$283.77

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Library Director Barcal advised of a new program at the library for youth which included show & tell "Box Books".

Director of Public Works Soucie stated that La Vista Clean-Up days will be held April 27 & 28. He advised that we have received a thank you from the American Legion Post 32 for the flag-rack made and donated by the Public Works Department. Also, letters from OPPD have been sent to the homeowners who will be affected by the power line relocation. Public Works Direct Soucie also reported on the status of the pothole

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repairs and the difference between the cold patch and hot mix, and the procedures the department follows on each method.

## **B. RESOLUTION – ADVERTISEMENT FOR BIDS – 84TH STREET REDEVELOPMENT AREA PUBLIC IMPROVEMENT REDEV. PROJECT – 84TH STREET ACCESS IMPROVEMENTS**

Councilmember Hale introduced and moved for the adoption of Resolution No.18-038 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR 84<sup>TH</sup> STREET ACCESS IMPROVEMENTS CONSTRUCTION.

WHEREAS, the Mayor and Council have determined that public improvements in the 84<sup>th</sup> Street Redevelopment Area is necessary, and

WHEREAS, the FY17/18 Biennial Budget provides funding for the proposed project; and

WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors April 11, 18 and 25, 2018

Open Bids April 27, 2018 at 10:00 am at City Hall

Council Award Contract May 15, 2018

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista Nebraska hereby authorize the advertisement for bids for 84<sup>th</sup> Street Access Improvements Construction.

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

## **C. RESOLUTION – INTERLOCAL AGREEMENT – ADDENDUM NO. 2 – GEOGRAPHIC INFORMATION SYSTEM (GIS)**

Councilmember Hale introduced and moved for the adoption of Resolution No.18-039 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE EXECUTION OF ADDENDUM #2 TO THE INTERLOCAL COOPERATION AGREEMENT FOR GEOGRAPHIC INFORMATION SYSTEM (GIS) WITH SARPY COUNTY, AND THE CITIES OF GRETNA, PAPILLION, BELLEVUE, AND SPRINGFIELD.

WHEREAS, each Party to the GIS Interlocal Cooperation Agreement is authorized pursuant to the Interlocal Cooperation Act of the State of Nebraska to enter into such Agreement, found at 13-801 et. Seq. Neb. Rev. Stat., '43, Reissue 1991; and

WHEREAS, each Party engages in the delivery of sundry services to the public supported by information regarding real estate, sewers, water, infrastructure, etc; and

WHEREAS, each Party desires to improve the coordination, cooperation, and efficiency in rendering such services through the development and implementation of a Geographic Information System (GIS); and

WHEREAS, the Parties had previously entered into an agreement for the first and second phase ("Phase I" and "Phase II") of achieving the GIS being the creation of a base map; obtaining related equipment necessary to utilize it; training for users; technical support; obtaining digital aerial photography and contours and creating and maintaining GIS data and projects for municipalities and creation of a coalition GIS user group; and

WHEREAS, the Parties desire to share costs for the 2018 Aerial Photo Share and total cost share for the Fiscal Year 2019; and

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WHEREAS, each Party understands that the development, operation and maintenance of the GIS will require long term commitment from the Parties; and

WHEREAS, additional phases and enhancement to the GIS will be determined by the financial considerations of all Parties to the Agreement primarily based upon the recommendations of the GIS User Group.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the La Vista, Nebraska, hereby approves the addendum #2 to the Interlocal Cooperation Agreement for Geographic Information System (GIS) with Sarpy County, and the cities of Gretna Papillion, Bellevue and Springfield; and authorizes the Mayor to execute said agreement.

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

## **D. RESOLUTION – APPROVAL OF PAY MATRIX FOR FY19 BUDGET**

Councilmember Quick introduced and moved for the adoption of Resolution No.18-040 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE USE OF THE EXISTING PAY MATRIX FOR THE EVALUATION PERIOD COVERED BY THE FY19 BUDGET.

WHEREAS, the Mayor and City Council have established an Employee Performance Management program; and

WHEREAS, the Council policy statement adopted in 2016 entitled Employee Compensation PFP calls for the governing body to annually determine the performance pay matrix for salary increases; and

WHEREAS, a recommendation has been made to use the existing pay matrix for the evaluation period covered by the FY19 budget

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska authorizing the use of the existing pay matrix for the evaluation period covered by the FY19 budget

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

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **E. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION; LITIGATION**

At 7:20 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations, land acquisition and litigation. Seconded by Councilmember Hale. Councilmembers voting aye: Ronan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frederick and Sheehan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:48 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, Thomas, Crawford, and Hale. Nays: None. Abstain: None. Absent: Frederick and Sheehan. Motion carried.

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## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig announced several upcoming events including the MAPA Council of Officials lunch, the Sarpy County Economic Development Corporation Quarterly Meeting, Arbor Day, CHI event honoring Fire Chief Bowes, G. Stanley Hall Carnival, and the Manhole Open. Mayor Kindig also gave a Legislative Update on items currently before the Nebraska Legislature.

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

PASSED AND APPROVED THIS 17TH DAY OF APRIL 2018.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk