

# MINUTE RECORD

A-2

No. 729 -- REDFELD & COMPANY, INC. QUAMBA E1310556LD

## LA VISTA CITY COUNCIL MEETING JULY 2, 2018

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on July 2, 2018. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Also in attendance were City Attorney McKeon, City Administrator Gunn, City Clerk Buethe, Police Captain Waugh, Assistant Director of Public Works Calentine, Community Development Director Birch, City Engineer Kottmann, Library Director Barcal, Director of Administrative Services Pokorny, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on June 20, 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.

Acting Mayor Thomas 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 JUNE 19, 2018 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT - RDG PLANNING & DESIGN - PROFESSIONAL SERVICES - CIVIC CENTER PARK PHASE 1 - \$5,586.61
4. REQUEST FOR PAYMENT - THOMPSON, DREESSEN & DORNER, INC. - PROFESSIONAL SERVICES - GOLF COURSE TRANSFORMATION - PROPOSED LAKE IMPROVEMENTS - \$6,137.95
5. REQUEST FOR PAYMENT - DLR GROUP - PROFESSIONAL SERVICES - CITY CENTRE PARKING FACILITY - \$1,700.00
6. REQUEST FOR PAYMENT - OLSSON ASSOCIATES - PROFESSIONAL SERVICES - 84<sup>TH</sup> STREET REDEVELOPMENT SITE PREPARATION - \$399.00
7. REQUEST FOR PAYMENT - YANO'S NURSERY - THOMPSON CREEK MAINTENANCE - \$5,000.00
8. RESOLUTION 18-091 - CHANGE ORDER FOR ROOF REPAIR AT CITY HALL AND COMMUNITY CENTER - \$6,955.00

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A CHANGE ORDER FOR THE REPAIR AND RECOAT OF THE BARREL PORTIONS OF THE ROOF FOR THE CITY HALL AND COMMUNITY CENTER BUILDING TO AN AMOUNT NOT TO EXCEED \$64,703.00.

WHEREAS, the City Council of the City of La Vista has determined that repair and recoat of the roof on the City Hall and Community Center Building is necessary; and

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

WHEREAS, three estimates were received; and

WHEREAS, Elevate Roofing, Denison, 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 secures Council approval prior to authorizing any purchase over \$5,000.00.

WHEREAS, Resolution 18-090, passed by City Council on June 19, 2018 approved a not to exceed price of \$57,748.00 which was a portion of the quote.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorize a change order for the repair and recoat of the barrel portions of the roof for the City Hall and Community Center building to an amount not to exceed \$64,703.00.

## 9. APPROVAL OF CLAIMS

ACCO UNLIMITED CORP, supplies	\$332.00
ACCURATE TESTING INC, services	\$825.00
ALLY BANK, services	\$356.91
A-RELIEF, services	\$84.00
ASPHALT & CONCRETE MATERIALS, maint.	\$932.33
BARONE SECURITY SYSTEMS, services	\$126.00
BAUER BUILT TIRE, maint.	\$1,279.00
BAXTER CHRYSLER DODGE, maint.	\$47.32
BAXTER FORD, maint.	\$536.62
BISHOP BUSINESS EQUIPMENT, services	\$1,451.22
BLACK HILLS ENERGY, utilities	\$1,441.27
BOBCAT OF OMAHA, maint.	\$77.19
BOB'S RADIATOR REPAIR, maint.	\$128.00
CENTER POINT PUBLISHING, books	\$408.66
CENTURY LINK, phones	\$350.78
CENTURY LINK BUSN SVCS, phones	\$12.92
CIOX HEALTH, LLC, services	\$20.00
CITY OF OMAHA, services	\$186,143.83
CITY OF PAPILLION, services	\$175,777.00
COLIBRI SYSTEMS N.A., supplies	\$1,215.35
CONSOLIDATED MANAGEMENT, services	\$7.88
COX COMMUNICATIONS, services	\$147.03
CPS HUMAN RESOURCE SVCS, services	\$750.45
D & K PRODUCTS, bld&grnds	\$12.80
DAIKIN APPLIED, bld&grnds	\$1,763.67
DATASHIELD CORP, services	\$60.00
DEMCO INC, supplies	\$197.38
DESIGN WORKSHOP INC, services	\$394.63
DIAMOND VOGEL PAINTS, supplies	\$386.00
DILLON BROS HARLEY DAVIDSON, maint.	\$1,188.02
DOUGLAS COUNTY SHERIFF'S OFC, services	\$212.50
EDGEWEAR SCREEN PRINTING, apparel	\$85.60
EN POINTE TECHNOLOGIES SALES, services	\$308.77
ENTERPRISE FM TRUST, services	\$580.01
ESSENTIAL SCREENS, services	\$52.50
EXPRESS DISTRIBUTION LLC, supplies	\$614.29
FILTER CARE, maint.	\$24.80
FIRST NATIONAL BANK FREMONT, bonds	\$16,455,595.35
FIRST WIRELESS INC, supplies	\$96.80
GALE, books	\$126.70
GRAINGER, bld&grnds	\$88.45
GREATAMERICA FINANCIAL, services	\$805.00
GREY HOUSE PUBLISHING, books	\$164.00
HDR ENGINEERING INC, services	\$18,345.37
HEARTLAND TIRES AND TREADS, maint.	\$350.48
HERITAGE CRYSTAL CLEAN, maint.	\$687.05
HOME DEPOT, bld& grds	\$130.21
INGRAM LIBRARY SERVICES, books	\$528.07
J & J SMALL ENGINE, services	\$53,003.00
LERNER PUBLISHING GROUP, books	\$38.22
LOGAN CONTRACTORS SUPPLY, maint.	\$289.10
LOU'S SPORTING GOODS, supplies	\$120.00
L-TRON CORP, services	\$12,454.54

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MARCO INC, services	\$110.84
MARK A KLINKER, services	\$17.00
MARTIN MARIETTA AGGREGATES, services	\$219.05
MAX I WALKER, services	\$657.50
MENARDS-RALSTON, bld&grnds	\$87.95
MUD, utilities	\$12,080.89
MIDWEST RIGHT OF WAY, services	\$85.00
MIDWEST TAPE, media	\$81.35
MNJ TECHNOLOGIES, services	\$1,004.00
MONARCH OIL INC, maint.	\$532.80
NAT'L EVERYTHING WHOLESale, supplies	\$794.84
NE DEPT OF REVENUE, sales tax	\$962.90
NE LAW ENFORCEMENT, services	\$604.00
NEBRASKA MUNICIPAL CLERKS ASSN, services	\$45.00
NETWORKFLEET, INC, maint.	\$59.90
NOBBIES INC, supplies	\$84.88
NUTS AND BOLTS INC, bld&grnds	\$5.05
OCLC INC, services	\$149.77
ODEY'S INC, bld&grnds	\$1,712.00
OFFICE DEPOT INC, supplies	\$224.22
OMAHA COMPOUND CO, supplies	\$65.48
OMAHA TACTICAL LLC, services	\$539.00
OMNI, maint.	\$271.28
PAPILLION TIRE INC, maint.	\$101.95
PAPIO VALLEY NURSERY, services	\$301.00
PEPSI COLA CO, supplies	\$1,025.04
PLAINS EQUIPMENT GROUP, maint.	\$607.65
RDG PLANNING & DESIGN, services	\$4,659.07
READY MIXED CONCRETE CO, maint.	\$374.78
REAL PRINCESSES OMAHA, services	\$120.00
ROBERT D COCO, refund	\$22.00
RON TURLEY ASSOCIATES INC, services	\$1,700.00
ROTELLA'S ITALIAN BAKERY, supplies	\$68.90
SAPP BROS PETROLEUM INC, services	\$719.20
SCHEMMER ASSOCIATES INC, services	\$600.00
SHAMROCK CONCRETE CO, maint.	\$368.07
SOUTHERN UNIFORM & EQUIPMENT, apparel	\$447.82
SUN COUNTRY DISTRIBUTING LTD, supplies	\$21.76
SWAIN CONSTRUCTION INC, services	\$11,002.12
TED'S MOWER SALES, services	\$8.00
TOSHIBA FINANCIAL, services	\$127.40
TRUCK CENTER COMPANIES, maint.	\$208.16
TURFWERKS, services	\$32,159.65
UNITED PARCEL, services	\$13.23
UTILITY EQUIPMENT CO, supplies	\$58.48
VAL VERDE ANIMAL HOSPITAL INC, services	\$79.24
VERIZON WIRELESS, phones	\$209.14
VIERREGGER ELECTRIC CO, services	\$1,946.96
WAL-MART, supplies	\$3,445.28
WHITE CAP CONSTR, bld&grnds	\$34.95
WICK'S STERLING TRUCKS INC, maint.	\$2,131.07
ZEE MEDICAL SERVICE, supplies	\$282.69

Councilmember Hale made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Sell reviewed the bills and had informed staff everything was in order. City Attorney McKeon stated that the language in paragraph 11 regarding arbitration of the agreement in A-8 would be deleted. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

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## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Director of Administrative Services Pokorny reported that the Department of Revenue has completed an audit of La Vista Keno for October 1, 2014 through September 30, 2015. They auditors found everything in compliance.

Assistant Director of Public Works Calentine reported that they expect to receive the new asphalt hot box at the end of this week or first part of next week. The Public Works Department has almost doubled the amount of patching materials used year to date compared to last year.

## **B. RESOLUTION – APPROVAL – SATELLITE KENO LOCATION – PLAYMAKERS PIZZERIA & SPORTS GRILL**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 18-092 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A SATELLITE KENO LOCATION FOR THE CITY'S KENO LOTTERY GAME AT PLAYMAKERS ENTERTAINMENT GRP LLC, D/B/A PLAYMAKERS PIZZERIA & SPORTS GRILL, 12744 WESTPORT PKWY SUITE 1A, LA VISTA, NEBRASKA EFFECTIVE UPON RECEIPT OF THE KENO LICENSE FROM STATE.

WHEREAS, the current Keno Lottery Operator Agreement between the City of La Vista and La Vista Keno, Inc., dated August 8, 2008, and assigned and assumed to and by LVK Holdings LLC on April 5 2016 requires LVK Holdings LLC to obtain prior written consent of the City to establish a satellite location; and further that the satellite location shall comply with such qualification standards as adopted by the City pursuant to Nebraska Statutes, Section 9-642.01, governing lottery sales outlet locations, and such other terms and conditions determined necessary or advisable; and

WHEREAS, the City of La Vista, by Ordinance No. 1073, set forth qualification standards for Keno Lottery Sales Outlet Locations, which includes satellite locations ("Ordinance"); and

WHEREAS, LVK Holdings LLC has proposed a satellite location for the City's keno lottery game at Playmakers Entertainment GRP LLC dba Playmakers Pizzeria & Sports Grill, located at 12744 Westport Pkwy Suite 1A, La Vista, Nebraska pursuant to a Satellite Agreement between said parties dated April 30, 2018, a copy of which has been presented at this meeting ("Satellite Agreement"); and

WHEREAS, the requirements of the Lottery Operator Agreement and other Keno Requirements as defined in the Ordinance are incorporated into the Satellite Agreement pursuant to said Ordinance; and

WHEREAS, the City Clerk has determined that the standards for the Keno Lottery Sales Outlet Location at Playmakers Pizzeria & Sports Grill, located at 12744 Westport Pkwy Suite 1A, La Vista NE, have been met.

NOW, THEREFORE, BE IT RESOLVED: that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize and approve a satellite keno location for the City's keno lottery game at Playmakers Pizzeria & Sports Grill, located at 12744 Westport Pkwy Suite 1A, La Vista NE, and further approve the owner and operator thereof, Playmakers Entertainment GRP LLC, effective upon receipt of the keno license from that State and subject to the following:

- a. Submittal of all Exhibits to the Satellite Agreement in form and content satisfactory to the City;
- b. Any change of ownership or control of the satellite, Playmakers Entertainment GRP, LLC, or any membership interest of Playmakers Entertainment GRP, LLC, shall require prior written approval of the City of La Vista;

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- c. The satellite, Playmakers Entertainment GRP, LLC and members of Playmakers Entertainment GRP, LLC shall be bound by the Lottery Operator Agreement between the City of La Vista and LVK Holdings LLC and owe to LVK Holdings LLC all responsibilities and obligations which LVK Holdings LLC and its owner by said Lottery Operator Agreement, as secured, owe to the City of La Vista. The City of La Vista shall be a beneficiary entitled to enforce such responsibilities and obligations of the satellite, Playmakers Entertainment GRP, LLC and its members;
- d. City of La Vista shall have access at any time to the satellite location and keno-related funds, documents and records in the possession or control of the satellite owner or operator;
- e. City of La Vista shall be named as an additional named insured on any insurance required of the satellite owner or operator by the Satellite Agreement;
- f. City of La Vista, as owner of the La Vista keno game, retains authority over use of the term "La Vista keno"; and all uses of said term shall be subject to review and approval of the City and cease upon termination of the Satellite Agreement;
- g. Funds of the La Vista keno game handled by the satellite shall be the sole and exclusive property and held in trust for the benefit of the City of La Vista until properly paid in accordance with the Lottery Operator Agreement or Satellite Agreement; and
- h. Ongoing satisfaction by the satellite owner and operator of the Satellite Agreement and this Resolution, as well as the Lottery Operator Agreement, Ordinance and other Keno Requirements, as defined in said Ordinance.

BE IT FURTHER RESOLVED that, in addition to devices for satellite keno, the following gambling devices are hereby authorized at the satellite premises pursuant to Section 2(H) of the Ordinance: pickle card device.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign such documents, including, but not limited to, Nebraska Department of Revenue Form(s) 50G, and take such further actions as necessary or appropriate to carry out the actions approved herein.

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

## **C. RESOLUTION - REPLACE WALK-IN DOORS - PUBLIC WORKS AND PARKS FACILITIES**

Councilmember Crawford introduced and moved for the adoption of Resolution No.18-093 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPT THE QUOTE FOR THE REPLACEMENT OF WALK-IN DOORS AT THE PUBLIC WORKS AND PARKS FACILITIES FROM NEBRASKA/IOWA DOOR SERVICES, OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED \$22,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the replacement of walk-in doors at the Public Works and Parks facilities is necessary; and

WHEREAS, the FY17/18 Biennial Budget provides funding for this project; 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.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby accept the quote for the replacement of walk-in doors at the Public Works and Parks facilities from Nebraska/Iowa Door Services, Omaha, Nebraska in an amount not to exceed \$22,000.00.

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

## **D. RESOLUTION – AUTHORIZE – COMMUNITY INTEREST AND OPINION SURVEY**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 18-094 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING ETC INSTITUTE, OLATHE, KANSAS TO ADMINISTER, ANALYZE AND REPORT RESULTS FROM A COMMUNITY INTEREST AND OPINION SURVEY IN AN AMOUNT NOT TO EXCEED \$16,520.

WHEREAS, the Mayor and City Council have identified the need to support and improve the City's unique, high-quality community events and cultural services for residents and visitors; and improve the availability and effectiveness of recreational, athletic, educational, and park services; and

WHEREAS, the City Council of the City of La Vista has also determined, in order to effectively target improvements to service, quality and availability, as well as ensure the adequacy of facilities, a comprehensive analysis of citizens; needs and preferences is warranted.

WHEREAS, the FY17/18 Biennial Budget provides funding for a community survey; 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 ETC Institute, Olathe, Kansas to administer, analyze and report results from a community interest and opinion survey in an amount not to exceed \$16,520.

Seconded by Councilmember Hale. There was Council discussion regarding proportionate responses, subareas, and demographics. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **COMMENTS FROM MAYOR AND COUNCIL**

There were no comments from Mayor and Council.

At 6:16 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

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PASSED AND APPROVED THIS 17TH DAY OF JULY 2018.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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