

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING FEBRUARY 5, 2019

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 February 5, 2019. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, City Engineer Kottmann, Director of Public Works Soucie, Library Director Barcal, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, and Finance Director Miserez.

A notice of the meeting was given in advance thereof by publication in the Times on January 23, 2019. 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 – BEN IVERSEN

Mayor Kindig swore in Ben Iversen as a Police Sergeant for the La Vista Police Department.

SWEAR IN POLICE CAPTAIN – TODD ARMBRUST

Mayor Kindig swore in Todd Armbrust as a Police Captain for the La Vista Police Department.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JANUARY 15, 2019 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE NOVEMBER 12, 2018 LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION MEETING
4. REQUEST FOR PAYMENT – BLADE MASTERS GROUNDS MAINT., INC. – CONSTRUCTION SERVICES – CIVIC CENTER PHASE 2 – \$77,860.43
5. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE PARKING GRAPHIC DESIGN – \$1,900.00
6. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE PARKING FACILITY – \$2,041.45
7. REQUEST FOR PAYMENT – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES SIGNAL RETIMING – \$2,661.11
8. REQUEST FOR PAYMENT – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES SIGNAL RETIMING – \$2,368.19
9. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PUBLIC IMPROVEMENTS AND OTHER WORKS – \$11,382.19
10. REQUEST FOR PAYMENT – NEBRASKA DEPARTMENT OF TRANSPORTATION – CONSTRUCTION SERVICES – 126TH STREET INTERCHANGE RAMPS – \$212,012.52
11. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$10,958.93
12. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE LOT 17 PARKING GARAGE – \$592.50
13. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – CIVIC CENTER PARK PHASE 1 – \$634.00
14. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION SERVICES – 84TH STREET ACCESS IMPROVEMENTS – \$4,737.00
15. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –

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PROFESSIONAL SERVICES -- PHASE 2 GOLF COURSE TRANSFORMATION -- PROPOSED LAKE IMPROVEMENTS -- \$ 7,509.75

16. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	34.00
A UNITED AUTOMATIC DOORS, bld&grnds	359.25
AA WHEEL & TRUCK SUPPLY INC, maint.	584.15
ACTION BATTERIES, maint.	90.28
ADVANCED ELECTRICAL SERVICES, refund	65.05
APWA-AMER PUBLIC WORKS ASSN, services	752.00
ASP ENTERPRISES INC, services	344.00
ASPHALT & CONCRETE MATERIALS, maint.	722.90
ASSET INSIGHT TECHNOLOGIES INC, maint.	2,695.00
BEAUMONT, M., travel	202.00
BISHOP BUSINESS EQUIPMENT CO, supplies	261.90
BKD LLP, services	4,035.00
BLACK HILLS ENERGY, utilities	8,767.57
BLADE MASTERS GROUNDS MNTNC, services	292,634.07
BOLD OFFICE SOLUTIONS, services	2,505.60
BRODART CO, supplies	114.62
BRYAN STRAW, refund	217.01
CAPSTONE PRESS INC, books	1,172.36
CATHERINE DEMES MAYDEW, services	5,232.50
CELEBRITY STAFF-OMAHA, services	905.00
CENTER POINT, INC, books	453.00
CENTURION TECHNOLOGIES, services	162.50
CENTURY LINK, phones	939.67
CITY OF BELLEVUE POLICE DEPT, services	600.00
CITY OF OMAHA, services	2,745.60
CITY OF PAPILLION, services	9,257.25
CITY OF PAPILLION PARKS/RECREATION, services	300.00
CONRECO INC, services	1,096.60
CONSOLIDATED MANAGEMENT CO, services	34.10
CORNHUSKER INTL TRUCKS INC, maint.	213.10
COX COMMUNICATIONS, services	147.03
CREATIVE PRODUCT SOURCE INC, supplies	361.70
CULLIGAN OF OMAHA, services	39.00
CUMMINS CENTRAL POWER LLC, maint.	645.06
D & K HEATING & AIR, refund	15.00
DAN WONDRA, refund	180.00
DELL MARKETING L.P., services	30,586.39
DESIGN WORKSHOP INC, services	31,723.87
DH WIRELESS SOLUTIONS, services	3,846.63
DOUGLAS COUNTY SHERIFF'S OFC, services	325.00
DULTMEIER SALES, services	558.10
EBSCO INFORMATION, services	3,928.05
EDGEWEAR SCREEN PRINTING, apparel	359.80
EN POINTE TECHNOLOGIES SALES, services	1,713.60
FBG SERVICE CORP, bld&grnds	5,965.00
FEDEX KINKO'S, services	36.00
FIRST NATIONAL BANK FREMONT, bonds	34,631.25
FOCUS PRINTING, services	11,259.90
GALE, books	212.91
GCR TIRES & SERVICE, maint.	858.90
GENUINE PARTS CO, maint.	860.58
GRAYBAR ELECTRIC CO INC, services	4,982.23
GREATAMERICA FINANCIAL, services	805.00
HANEY SHOE STORE, apparel	291.99
HARM'S CONCRETE INC, services	109.74
HARTS AUTO SUPPLY, maint.	189.00
HAWKEYE TRUCK EQUIPMENT, maint.	303.30

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INGRAM LIBRARY SERVICES, books	3,320.36
JOHNSON CONTROLS FIRE PROTECTION, bld&grnds	267.06
KINDIG, D., travel	167.71
KRIHA FLUID POWER CO INC, maint.	250.59
LABRIE, DONALD P, services	150.00
LENER PUBLISHING GROUP, books	1,210.42
LIBRARY IDEAS LLC, books	845.65
LIGHT AND SIREN, services	841.02
LOU'S SPORTING GOODS, supplies	110.00
LOYD, MIKE, supplies	59.96
MARCO INC, services	116.25
MATHESON TRI-GAS INC, supplies	376.00
MENARDS-RALSTON, bld&grnds	345.12
MERRYMAKERS ASSOC, services	1,200.00
MUD, utilities	2,335.15
MICHAEL TODD & CO, services	157.92
MIDLANDS LIGHTING & ELECTRIC, services	83.10
MIDWEST TAPE, media	643.84
MNJ TECHNOLOGIES DIRECT INC, services	2,226.00
MOTOROLA SOLUTIONS INC, services	25,558.18
MSC INDUSTRIAL SUPPLY CO, supplies	649.27
NATIONAL EVERYTHING WHOLESALE, supplies	601.65
NEBRASKA LAW ENFORCEMENT, services	196.00
NETWORKFLEET, INC, services	731.25
NEWMAN TRAFFIC SIGNS INC, services	1,235.20
NMC EXCHANGE LLC, maint.	205.72
NUTS AND BOLTS INC, bld&grnds	499.57
OCLC INC, services	155.39
OFFICE DEPOT INC, supplies	1,046.41
OLD NEWS, services	17.00
OLSSON, INC., services	6,880.19
OPPD, utilities	39,228.68
OMAHA TACTICAL LLC, services	2,140.00
ORIENTAL TRADING CO, supplies	620.86
PAPILLION SANITATION, services	817.91
PAPILLION TIRE INC, maint.	76.50
PAPIO-MO RIVER NRD, services	250,000.00
PER MAR SECURITY, services	111.00
PLAINS EQUIPMENT GROUP, maint.	1,583.13
RR DONNELLEY, services	61.81
SAPP BROS INC, services	326.48
SAPP BROS PETROLEUM INC, maint.	68.75
SARPY COUNTY SHERIFF'S OFFICE, services	600.00
SARPY COUNTY TREASURER, services	1,311.91
SCHEMMER ASSOCIATES INC, services	1,240.00
SIGN IT, services	165.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	469.94
SUBURBAN NEWSPAPERS INC, services	156.00
SWAIN CONSTRUCTION INC, services	7,502.00
SWAN ENGINEERING LLC, services	15.48
TESCO CONTROLS, INC, services	795.00
THE NOVAK CONSULTING GROUP, INC, services	14,130.00
TY'S OUTDOOR POWER, services	2,625.00
UNITED PARCEL, services	8.42
V & V MANUFACTURING INC, services	114.95
VERIZON WIRELESS, phones	209.53
VIERREGGER ELECTRIC CO, services	190.00
VOIANCE LANGUAGE, services	16.50
WAL-MART, supplies	1,720.15
WATCHGUARD, INC., services	31,364.50

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WOODHOUSE LINCLN-MAZDA, maint.	66.57
ZOO BOOKS MAGAZINE, books	29.95

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported the City Council Retreat will be held on February 16.

City Clerk Bueth reported Governance Training for elected officials will be held on February 20.

Director of Administrative Services Pokorny reported that the FY19/FY20 Biennial Budget books are ready and that the budget is available online.

Finance Director Miserez introduced Fernando Montanez, the new Financial Analyst.

Library Director Barcal reported the La Vista Public Library was one of 16 libraries nationwide to receive a \$10,000 American Dream Literacy Grant from the American Library Association and Dollar General Literacy Foundation. The grant will be used to expand the GED program. La Vista Public Library was the only library in Nebraska to receive this grant.

B. ZONING TEXT AMENDMENTS – TUTORING AND EXAM PREPARATION SERVICES

1. PUBLIC HEARING

At 7:13 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed text amendments to the zoning ordinance.

At 7:13 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

2. ORDINANCE

Councilmember Hale introduced Ordinance No. 1341 entitled: AN ORDINANCE TO AMEND SECTIONS 2.21, 5.10, 5.11, 5.12, AND 5.19 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 2.21, 5.10, 5.11, 5.12, AND 5.19 OF ORDINANCE NO. 848 AS 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 Frederick seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried. 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 Frederick. The Mayor then stated the question, "Shall Ordinance No. 1341 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. 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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C. RESOLUTION – NPDES MS4 DISCHARGE PERMIT – STORM WATER PUBLIC EDUCATION & OUTREACH – CONSULTANT SERVICES AGREEMENT

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-012 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PARTNERSHIP WITH THE CITY OF PAPILLION, NEBRASKA IN THE EXECUTION OF A CONSULTING SERVICES AGREEMENT WITH CIVIC NEBRASKA FOR PUBLIC EDUCATION AND OUTREACH REGARDING THE NPDES MS4 PERMIT FOR PUBLIC STORM SEWER DISCHARGES IN AN AMOUNT NOT TO EXCEED \$3,000.00

WHEREAS, the Mayor and City Council have determined that public education and outreach regarding the NPDES permit for public storm sewer discharges is necessary; and

WHEREAS, it is desirable to partner with the City of Papillion to maximize outreach efforts; and

WHEREAS, the consulting services agreement has a not-to-exceed cost of \$6,000 with each City responsible for 50 percent of the consulting services; and

WHEREAS, the FY19/20 Biennial Budget includes funding for the proposed project and related costs;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a consulting services agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Civic Nebraska for public education and outreach in an amount not to exceed \$3,000.00.

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

D. RESOLUTION – AMENDMENT NO. 6 – ARCHITECTURAL SERVICES – PUBLIC OFFSTREET PARKING FACILITIES – 84TH STREET PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT

Councilmember Frederick introduced and moved for the adoption of Resolution No.19-013 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AMENDMENT NUMBER SIX TO THE PROFESSIONAL SERVICES AGREEMENT WITH DLR GROUP, LLC TO PROVIDE ADDITIONAL ARCHITECTURAL CONSULTING SERVICES RELATED TO THE OFF STREET PARKING FACILITY IN AN ADDITIONAL AMOUNT NOT TO EXCEED \$21,458.00.

WHEREAS, the Mayor and City Council of the City of La Vista Nebraska have determined additional architectural consulting services related to the off street parking facility are necessary; and

WHEREAS, the City Council on behalf of the City of La Vista desires to approve amendment number six to the professional services agreement with DLR Group, LLC to provide additional architectural consulting services; and

WHEREAS, The FY19/FY20 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 expenditure over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve amendment number six to the professional services agreement with DLR Group, LLC to provide additional architectural consulting services related to the off street parking facility in an additional amount not to exceed \$21,458.00.

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

E. RESOLUTION – PURCHASE OF COMPUTER SOFTWARE

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 19-014 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A MS EXCHANGE ONLINE SUBSCRIPTION FOR CITYWIDE SERVICES FROM EN POINTE TECHNOLOGIES IN AN AMOUNT NOT TO EXCEED \$7,500.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a MS Exchange Online Subscription for Citywide services is necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the proposed Information Technology purchases; 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 the purchase of a MS Exchanged Online Subscription for Citywide services from En Pointe Technologies in an amount not to exceed \$7,500.00.

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

F. RESOLUTION – PURCHASE OF MARKED POLICE VEHICLE

Councilmember Sell introduced and moved for the adoption of Resolution No. 19-015 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO SID DILLON CHEVROLET, WAHOO, NEBRASKA FOR THE PURCHASE OF ONE (1) 2019 CHEVROLET TAHOE POLICE UTILITY VEHICLE ALONG WITH UP-FITTING FROM 911 CUSTOM, OVERLAND PARK, KANSAS, IN AN AMOUNT NOT TO EXCEED \$48,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new marked police vehicle is necessary; and

WHEREAS, the FY 2019 General Fund budget does include funds for the purchase of one (1) said vehicle; and

WHEREAS, the State of Nebraska did receive bids for 2019 police vehicles; and

WHEREAS, Sid Dillon Chevrolet, Wahoo, Nebraska, was awarded the state bid for Nebraska for the 2019 Chevrolet Tahoe Police Utility Vehicle and will extend that price to the City of La Vista; and

WHEREAS, 911 Custom is a highly qualified and specialty emergency vehicle up-fitter; 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 accept the Nebraska state bid of Sid Dillon Chevrolet, Wahoo, Nebraska and authorize the purchase of one (1) 2019 Chevrolet Tahoe Police Utility vehicle and up-fitting from 911 Customs, Overland Park, Kansas, in an amount not to exceed \$48,000.

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

Councilmember Crawford motioned to move Comments from the Floor up on the agenda ahead of item G. Executive Session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

G. EXECUTIVE SESSION – CONTRACT NEGOTIATION GUIDANCE; DISCUSSION OF SECURITY PROTOCOLS

At 7:21 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for contract negotiation guidance and discussion of security protocols. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:39 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council of the Senior Center Valentines Lunch, and he gave an update on legislative issues.

At 7:41 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF FEBRUARY, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk