

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING MARCH 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 March 5, 2019. 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, City Engineer Kottmann, Director of Public Works Soucie, Library Director Barcal, Director of Administrative Services Pokorny, Community Development Director Birch, and Assistant Recreation Director Karlson.

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

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE FEBRUARY 16, 2019 CITY COUNCIL WORK SESSION
3. APPROVAL OF THE MINUTES OF THE FEBRUARY 19, 2019 CITY COUNCIL MEETING
4. APPROVAL OF THE MINUTES OF THE FEBRUARY 21, 2019 PLANNING COMMISSION MEETING
 5. REQUEST FOR PAYMENT – FELSBURG, HOLT, & ULLEVIG – PROFESSIONAL SERVICES – GILES SIGNAL RETIMING – \$722.50
 6. REQUEST FOR PAYMENT – GRAHAM CONSTRUCTION, INC. – CONSTRUCTION SERVICES – 84TH STREET REDEVELOPMENT AREA – CITY CENTRE INFRASTRUCTURE – \$108,887.11
 7. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE – \$19,006.53
 8. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE LOT 17 PARKING GARAGE – \$620.75
 9. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – CIVIC CENTER PARK PHASE 1 – \$418.00
 10. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 2 GOLF COURSE TRANSFORMATION – \$2,449.95
11. RESOLUTION NO. 19-024 – APPROVE PURCHASE – ICE CONTROL SALT

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$65,000.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the FY19/20 Biennial Budget provides funding for this purchase; and

WHEREAS, the ice control salt is used by Public Works for winter operations; 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 purchases over \$5,000;

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$65,000.00.

12. APPROVAL OF CLAIMS

ACTION BATTERIES UNLTD INC, maint.	90.28
AMAZON.COM SERVICES, INC, supplies	177.62
ARTHUR J GALLAGHER RISK MGMT, services	196,441.00
ASPHALT & CONCRETE MATERIALS, maint.	568.97
AT&T MOBILITY LLC, phones	93.74
BADGER BODY & TRUCK, maint.	207.39
BERGANKDV LLC, services	8,210.75
BEST CARE EMPLOYEE ASST PROGRM, services	3,640.00
BIBLIOTHECA LLC, services	4,797.18
BISHOP BUSINESS EQUIPMENT CO, services	1,175.19
BLACK HILLS ENERGY, utilities	9,014.70
BRODART CO, supplies	170.40
BUETHE, P., travel	339.22
BURNS & MCDONNELL ENGINEERING CO, services	8,835.00
CATHERINE DEMES MAYDEW, services	1,137.50
CAVENDISH SQUARE PUBLISHING, services	215.56
CAVLOVIC, PAT, apparel	150.00
CENTER POINT, INC., books	364.32
CENTURY LINK, phones	343.72
CENTURY LINK BUSN SVCS, phones	41.18
CHAMPLIN TIRE RECYCLING, services	1,380.00
CITY OF OMAHA, services	169,670.30
CITY OF PAPILLION, services	180,668.92
CONTINENTAL RESEARCH CORP, supplies	365.02
CONTROL MASTERS INC, bld&grnds	1,185.92
COX COMMUNICATIONS, services	147.03
CULLIGAN OF OMAHA, services	36.50
DELL MARKETING L.P., services	4,176.08
DEMCO INC, supplies	713.92
DESIGN WORKSHOP INC, services	26,546.78
DH WIRELESS SOLUTIONS, services	1,160.38
DIAMOND VOGEL PAINTSbld&grnds	188.45
DIGITAL EXPRESS, services	62.55
DLR GROUP, services	8,970.00
EDGEWEAR SCREEN PRINTING, apparel	81.00
EN POINTE TECHNOLOGIES SALES, services	7,480.00
EZEKIEL KINSEY, services	40.00
FASTENAL CO, supplies	23.45
FBG SERVICE CORP, bld&grnds	5,965.00
FIRST NATIONAL BANK FREMONT, bonds	317,472.50
FIRST WIRELESS INC, supplies	227.20
FOCUS PRINTING, services	10,059.22
GALE, books	165.51
GCR TIRES & SERVICE, maint.	838.07
GRAYBAR ELECTRIC CO INC, supplies	1,079.63
GREYHOUSE PUBLISHING, services	345.00
H & H CHEVROLET LLC, maint.	1,224.03
HAWKINS CONSTRUCTION CO, services	14,400.00
HDR ENGINEERING INC, services	5,259.23
HEARTLAND TIRES & TREADS, maint.	50.00
HERRICK, ANGELA DAWN, services	160.00
HY-VEE INC, services	1,714.00
INGRAM LIBRARY SERVICES, books	1,383.25
KANOPY, INC., services	52.00
KRIHA FLUID POWER CO, maint.	91.05

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LEAGUE OF NEBR MUNICIPALITIES, services	427.00
LIBRARY ADVANTAGE, supplies	560.00
LISA BRADDY, refund	72.00
MARCO INC, services	256.91
MARK A KLINKER, services	200.00
MEISTER, K., travel	267.50
MENARDS-RALSTON, supplies	313.43
MUD, utilities	2,364.51
MID CON SYSTEMS INC, bld&grnds	748.90
MIDLANDS LIGHTING & ELECTRIC, services	165.00
MIDWEST TAPE, media	191.95
MOBOTREX, INC., supplies	792.00
MSC INDUSTRIAL, supplies	568.99
NAT'L EVERYTHING WHOLESALE, supplies	484.38
NAT'L LEAGUE OF CITIES, services	1,533.67
NLA-NEBRASKA LIBRARY ASSN, services	35.00
NMC EXCHANGE LLC, maint.	77.96
NORTON, J., travel	213.50
NUTS AND BOLTS INC, maint.	86.52
OCLC INC, services	155.39
OFFICE DEPOT INC, supplies	476.95
ORIENTAL TRADING CO, supplies	67.74
PASTOR C PANTALEON JR, services	150.00
PATRICK STIBBS, services	4,800.00
PER MAR SECURITY, services	126.00
PINOT'S PALETTE LA VISTA, services	200.00
PITNEY BOWES, supplies	411.78
PLAINS EQUIPMENT GROUP, maint.	1,306.75
RDG PLANNING & DESIGN, services	105.00
RECORDED BOOKS, INC, media	2,127.46
SAPP BROS INC, maint.	378.60
SARPY COUNTY COURTHOUSE, services	4,207.68
SCHEMMER ASSOCIATES INC, services	1,180.88
SCHOLASTIC LIBRARY PUBLISHING, books	534.30
SOUTHERN UNIFORM & EQUIP, apparel	19.00
SUNSET LAW ENFORCEMENT LLC, supplies	885.60
SWAN ENGINEERING LLC, services	85.82
THE NEW YORK TIMES, services	585.00
THE NOVAK CONSULTING GROUP, INC, services	3,857.00
THE PENWORTHY CO, books	486.07
THERMO KING CHRISTENSEN, maint.	383.45
THOMPSON DREESSEN & DORNER, INC., services	5,438.30
THREE RIVERS LIBRARY SYSTEM, services	10.00
TORNADO WASH LLC, services	850.00
TRAFFIC SENSOR CORP, services	269.00
TURFWERKS, services	15,263.05
TY'S OUTDOOR POWER & SVC INC, maint.	1,042.27
UNITED PARCEL, services	30.31
UNIVERSAL STEERING HYDRAULIC, maint.	469.00
VERIZON WIRELESS, phones	209.55
VER-MAC, services	350.00
VIERREGGER ELECTRIC CO, services	369.00
WICK'S STERLING TRUCKS INC, maint.	593.75

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

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REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Library Director Barcal presented Council with the Library's annual report.

Community Development Director Birch provided Council with copies of the Strategic Plan for their Comprehensive Plan books.

Police Chief Lausten reported on snow enforcements and the pop-up Coffee with a Cop. He also reported that Officer Jamie Brown will be on TV talking about School Resource Officers; Officer Josh McNeil has been assigned to the Criminal Investigations Bureau. The K-9 for a Day program will be featured in People Magazine.

Director of Public Works Soucie thanked the Police Department for their assistance with snow enforcement. He also reported on the ice control salt supply and repair of potholes on main arterial streets.

B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 7:18 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. Deputy Director of Public Works Calentine gave an overview of the completed projects and the future projects included in the Plan.

At 7:33 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No.19-025 entitled: 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.

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

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C. 3D SELF STORAGE – CONDITIONAL USE PERMIT AMENDMENT, LOT 1 OAKDALE PARK STORAGE (104TH & HARRISON STREET)

1. PUBLIC HEARING

At 7:33 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed amendment to the conditional use permit. James Buser and Aaron Wiese, representing the developer, gave an overview of the proposed amendment. A member of the public expressed concerns with the building height, lighting, and access after hours.

At 7:56 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 19-026 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDMENT TO A CONDITIONAL USE PERMIT FOR 3D SELF STORAGE – LA VISTA, LLC, TO OPERATE A SELF-SERVICE STORAGE FACILITY ON LOT 1, OAKDALE PARK STORAGE.

WHEREAS, 3D Self Storage – La Vista, LLC, has applied for approval of an amendment to their conditional use permit for a self-service storage facility on Lot 1, Oakdale Park Storage, located southwest of 104th Street and Harrison Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the amendment of the conditional use permit for such purposes;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of an amendment to a Conditional Use Permit in form and content submitted at this meeting, with such modifications that the City Administrator or City Attorney may determine necessary or advisable, for 3D Self Storage – La Vista, LLC, to allow for a self-service storage facility on Lot 1, Oakdale Park Storage.

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

D. RESOLUTION – CHANGE ORDER NO. 9 – 84TH STREET REDEVELOPMENT AREA – PUBLIC IMPROVEMENT REDEVELOPMENT PROJECT – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 1

Councilmember Thomas introduced and moved for the adoption of Resolution No. 19-027 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 9 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK TO THE CONTRACT WHICH WILL RESULT IN AN INCREASE IN THE CONTRACT PRICE OF \$50,535.00.

WHEREAS, the City has determined it is necessary to make changes and additions of work to the contract; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, change order number 9 will increase the contract amount by \$50,535.00 to a total of \$4,071,581.91.

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NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 9 to the contract with Hawkins Construction Co., Omaha, Nebraska, to provide for additions of work to the contract which will result in an increase in the contract price of \$50,535.00.

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

E. RESOLUTION – CHANGE ORDER NO. 1 – 84TH STREET REDEVELOPMENT AREA – CIVIC CENTER PARK – SANITARY SEWER RELOCATION

Councilmember Quick introduced and moved for the adoption of Resolution No.19-028 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH GRAHAM CONSTRUCTION. INC., OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK TO THE CONTRACT WHICH WILL RESULT IN AN INCREASE IN THE CONTRACT PRICE OF \$12,870.94.

WHEREAS, the City has determined it is necessary to make changes and additions of work to the contract; and

WHEREAS, the FY19/20 Biennial Budget provides funding for the project; and

WHEREAS, change order number 1 by will increase the contract amount by \$12,870.94 to a total of \$272,870.94.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for change order number 1 to the contract with Graham Construction, Inc., Omaha, Nebraska, to provide for additions of work to the contract which will result in an increase in the contract price of \$12,870.94.

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

F. RESOLUTION – REPLACEMENT OF POLICE DEPARTMENT BUILDING SECURITY CAMERAS

Councilmember Hale introduced and moved for the adoption of Resolution No.19-029 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF EXTERIOR SECURITY CAMERAS FOR THE POLICE STATION FROM CONTROL MASTERS, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$19,672.00.

WHEREAS, the City Council of the City of La Vista has determined that the replacement of exterior security cameras at the police station is necessary; and

WHEREAS, funding for the replacement is available in the City's FY19/20 Biennial Budget; and

WHEREAS, the police department has secured a bid from Control Masters, Omaha, Nebraska, for the equipment; and

WHEREAS, Paragraph 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 exterior security cameras for the police station from Control Masters, Omaha, Nebraska, in an amount not to exceed \$19,672.00.

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

G. APPROVAL OF THE APPLICATION FOR A CLASS C LIQUOR LICENSE – HOA RESTAURANT HOLDER DBA HOOTERS

1. PUBLIC HEARING

At 8:05 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class C Liquor License. Robert Futhey, representing the applicant, presented an overview of the business.

At 8:08 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-030 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION OF HOA RESTAURANT HOLDER LLC DBA HOOTERS, LA VISTA, NEBRASKA.

WHEREAS, HOA Restaurant Holder dba Hooters, 12710 Westport Parkway, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by HOA Restaurant Holder dba Hooters, 12710 Westport Parkway, La Vista, Sarpy County, Nebraska.

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

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

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

At 8:12 p.m. Councilmember Crawford made a motion to go into executive session for protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

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At 8:25 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, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Hale thanked staff and Council for allowing her to attend the League of Nebraska Municipalities Mid-Winter Conference.

Mayor Kindig gave a legislative update.

At 8:26 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. 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 MARCH, 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Rachel D. Carl, CMC
Deputy City Clerk