

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING AUGUST 5, 2019

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 August 5, 2019. Present were Councilmembers: Frederick, Ronan, Sheehan, Crawford, 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, Assistant Library Director Norton, Assistant Recreation Director Karlson, Finance Director Miserez, City Engineer Kottmann, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on July 24, 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 with Matthew Murray, and made the announcements.

Mayor Kindig read a letter written to the Mayor and Council by Matthew Murray.

### SERVICE AWARDS: MARCIA GUSTAFSON AND MEGHAN ENGBERG – 5 YEARS

Mayor Kindig presented service awards to Marcia Gustafson and Meghan Engberg for 5 years of service to the City.

### CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 16, 2019 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JULY 16, 2019 BUDGET WORKSHOP
4. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – 2019 PARK VIEW BLVD RESURFACING – \$22,357.90
5. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE PARKING FACILITY – \$4,137.94
6. REQUEST FOR PAYMENT – HAWKINS CONSTRUCTION COMPANY – CONSTRUCTION SERVICES – PARKING GARAGE DISTRICT NO. 2, STRUCTURE NO. 1 – \$356,851.80
7. REQUEST FOR PAYMENT – HDR ENGINEERING INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS AND OTHER WORKS – \$12,099.67
8. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE I INVESTIGATION – \$10,668.00
9. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE I PUBLIC INFRASTRUCTURE – \$41,822.98
10. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE LOT 17 PARKING GARAGE – \$15,703.65
11. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$35,622.86
12. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION SERVICES – PARK VIEW BLVD RESURFACING – \$521,313.75
13. REQUEST FOR PAYMENT – THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 2 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS – \$4,790.25
14. APPROVE MANAGER APPLICATION – CLASS C LIQUOR LICENSE – HOA RESTAURANT HOLDER, LLC. DBA HOOTERS – JAMAL JOUDEH
15. APPROVE MANAGER APPLICATION – CLASS D LIQUOR LICENSE – WALMART INC. DBA WALMART #3173 – GARY FULLER
16. REQUEST FOR PAYMENT – BURTON – PROFESSIONAL SERVICES – EMERGENCY WATER MAIN REPAIR - \$10,273.47

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## 17. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	27.50
ABM SUPPLY, services	5,530.00
ACCO UNLIMITED CORP, supplies	757.50
AMAZON CAPITAL SERVICES, supplies	26.98
AMERICA'S FENCE STORE, services	16,849.87
A-RELIEF, services	748.00
ASPHALT & CONCRETE MATERIALS, maint.	696.38
AT&T MOBILITY LLC, phones	93.80
ATLAS AWNING CO INC, services	350.00
BADGER BODY & TRUCK EQUIP, maint.	96.00
BAUER BUILT INC, maint.	187.98
BELLEVUE LIBRARY FOUNDATION, services	1,500.00
BERRY DUNN, services	7,980.00
BISHOP BUSINESS EQUIPMENT CO, services	1,287.33
BKD LLP, services	940.00
BLACK HILLS ENERGY, utilities	50.37
BOTACH INC, services	439.98
BUILDERS SUPPLY, maint.	297.25
BURNS & MCDONNELL ENGINEERING CO, services	17,455.03
CATHERINE DEMES MAYDEW, services	2,307.50
CENTER POINT, INC, books	364.32
CENTURY LINK, phones	405.49
CENTURY LINK BUSN SVCS, phones	203.28
CINTAS CORP, services	44.19
CITY OF OMAHA, services	42,279.27
COMP CHOICE INC, services	530.61
CONSOLIDATED MANAGEMENT CO, services	7.88
COX COMMUNICATIONS, services	147.03
D & K PRODUCTS, supplies	1,547.50
DELL MARKETING L.P., services	6,135.60
DESIGN WORKSHOP, services	60,378.60
DOG AND PONY PRODUCTIONS INC, services	550.00
DOUGLAS COUNTY SHERIFF'S OFC, services	1,475.00
DULTMEIER SALES LLC, maint.	31.32
EBSCO INFORMATION, services	805.00
ED ROEHR SAFETY PRODUCTS, services	1,188.59
EMBLEMS INC, services	281.00
EXPRESS DISTRIBUTION, supplies	530.39
FAC PRINT & PROMO CO, services	198.00
FASTENAL CO, supplies	38.64
FILTER CARE OF NEBRASKA, maint.	10.35
FINDAWAY WORLD, LLC, services	659.95
FIRST NATIONAL BANK FREMONT, bonds	1,029,631.25
FITZGERALD SCHORR BARMETTLER, services	29,424.10
FOCUS PRINTING, services	3,488.70
GALE, books	793.80
GCR TIRES & SERVICE, maint.	187.00
GENERAL FIRE & SAFETY EQUIP, services	160.00
GODFATHER'S PIZZA, services	741.00
GRAHAM CONSTRUCTION, INC, services	105,673.05
GRETNAN SMALL ENGINE, maint.	845.24
HANEY SHOE STORE, apparel	150.00
HAWKINS CONSTRUCTION CO, services	274,290.30
HEIMES CORP, services	83.04
HOME DEPOT, bld&grnds	78.99
IA NE SD PRIMA CHAPTER, services	100.00
IGM TECHNOLOGY CORP, services	2,000.00
INDUSTRIAL SALES CO, services	383.36
INGRAM LIBRARY SERVICES, books	297.49

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JOHNSON, ALLEN L., services	351.00
KEVIN JONES, services	900.00
LV COMM FOUNDATION, payroll	60.00
LIBRARY IDEAS LLC, books	10.50
LOGAN CONTRACTORS SUPPLY, services	252.36
LOU'S SPORTING GOODS, supplies	100.00
LOVELAND GRASS PAD, services	980.55
MAMA'S PIZZA, services	1,670.35
MENARDS-RALSTON, bld&grnds	563.81
MUD, utilities	9,463.90
MIDWEST TAPE, media	67.63
MIDWEST TURF & IRRIGATION, services	103.32
MOBOTREX, INC, services	3,010.00
NAT'L RESEARCH CENTER INC, services	9,975.00
NE DEPT OF LABOR, services	3,312.00
NE DEPT OF REVENUE, taxes	79,090.00
NE LAW ENFORCEMENT, services	2,152.00
NLA-NEBRASKA LIBRARY ASSN, services	480.00
NOBBIES INC, supplies	284.24
NOLL, MARGARET M, services	240.00
NORTH AMERICAN RESCUE LLC, services	358.92
NORTH STAR DESTINATION STRATEGIES, services	26,000.00
OCLC INC, services	310.78
OFFICE DEPOT INC, supplies	1,516.75
OLSSON, INC, services	56,256.75
OMAHA COMPOUND CO, supplies	138.14
OMNI ENGINEERING, maint.	290.39
O'REILLY AUTO ENTERPRISES, maint.	311.28
PAPIO-MISSOURI RIVER NRD, services	129,493.59
PAY-LESS OFFICE PRODUCTS, supplies	563.24
PEPSI COLA CO, supplies	952.08
PER MAR SECURITY, services	111.00
PITNEY BOWES GLOBAL, services	526.71
PLAINS EQUIPMENT GROUP, maint.	671.12
PROJECT LIFESAVER INC, supplies	179.96
QUICK, T., travel	289.00
RALSTON AREA BASEBALL ASSN, services	2,557.50
RAY ALLEN MANUFACTURING CO INC, services	10.00
READY MIXED CONCRETE CO, services	3,894.12
REED TRAILER SALES, services	7,875.00
RICK NELSON PHOTOGRAPHY, services	1,300.00
ROTELLA'S ITALIAN BAKERY, supplies	127.09
RTC MANUFACTURING, INC, services	794.45
SARPY COUNTY COURTHOUSE, services	4,207.68
SARPY COUNTY TREASURER, services	59,455.00
SIGN IT, services	88.00
SOUTHERN UNIFORM & EQUIPMENT, apparel	919.95
SUBURBAN NEWSPAPERS INC, services	384.58
SUN COUNTRY DISTRIBUTING LTD, services	13.19
SWANK MOTION PICTURES INC, services	643.00
TED'S MOWER SALES, maint.	238.15
THOMPSON DREESSEN & DORNER, INC, services	5,221.80
TRACES CENTER FOR HISTORY & CULTURE, books	95.00
TRAFFIC CONTROL CORP, services	36.00
UNITED PARCEL, services	8.42
V & V MANUFACTURING INC, services	328.85
VALENTINO'S, services	628.48
VERIZON CONNECT NWF, INC, phones	731.25
VERIZON WIRELESS, phones	210.71
WAL-MART, supplies	2,352.38

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WESTLAKE HARDWARE, bld&grnds	1,178.33
ZEE MEDICAL SERVICE, supplies	101.35

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

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

Assistant City Administrator Ramirez reported that over 900 people attended Taste of La Vista and that there were over 30 volunteers from the City, the La Vista Community Foundation, and Werner.

Assistant Recreation Director Karlson reported on the Concert & Movie night at City Hall on August 9<sup>th</sup>.

Chief Lausten reported that four officers participated in the Police Athletics for Community Engagement (PACE) League softball.

Director of Public Works Soucie reported that the contractor is working on the park shelter at Eberle-Walden Park and that Swain Construction is working on manholes along Park View Blvd. He also reported that OPPD will be removing the old transmission lines.

Assistant Director of Public Works Calentine reported on the clean-up event that will be held October 17-20.

## **INTERFACE PROJECT PRESENTATION – RDG PLANNING & DESIGN**

Bruce Niedermeyer with RDG Planning & Design gave a presentation on the interface project and small areas around the 84<sup>th</sup> Street corridor.

## **B. ZONING TEXT AMENDMENTS – SECTIONS 7.01-7.04 SIGNS**

### **1. PUBLIC HEARING**

At 6:50 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed zoning text amendments.

At 6:51 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

### **2. ORDINANCE**

Councilmember Frederick introduced Ordinance No. 1358 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, REGARDING REGULATION OF SIGNS; TO AMEND SECTIONS 7.01, 7.02, 7.03, AND 7.04 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTIONS 7.01, 7.02, 7.03, AND 7.04 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and 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 Sell. The Mayor then stated the question, "Shall Ordinance No. 1358 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent:

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Thomas and 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.

## C. LA VISTA PROPERTY ASSESSED CLEAN ENERGY DISTRICT

### 1. PUBLIC HEARING

At 6:53 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Property Assessed Clean Energy District.

At 6:54 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

### 2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1359 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO CREATE A CLEAN ENERGY ASSESSMENT DISTRICT; TO ESTABLISH DEFINITIONS; TO PROVIDE FOR THE FINANCING, ADMINISTRATION, AND COLLECTIONS, TO PROMOTE ENERGY EFFICIENCY IMPROVEMENTS AND RENEWABLE ENERGY SYSTEMS; AND TO PROVIDE 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, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and 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 Hale. The Mayor then stated the question, "Shall Ordinance No. 1359 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and 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.

## D. FISCAL YEARS 18/19 AND 19/20 BIENNIAL MUNICIPAL BUDGET

### 1. PUBLIC HEARING

At 6:54 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed amendment to the FY19/20 Biennial Budget.

At 6:55 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

### 2. ORDINANCE

Councilmember Frederick introduced Ordinance No. 1360 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1323 AND THE BIENNIAL BUDGET APPROPRIATING THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2018 AND ENDING ON SEPTEMBER 30, 2019; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING ON SEPTEMBER 30, 2020, AND SPECIFICALLY TO

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AMEND AMOUNTS APPROPRIATED FOR THE SECOND YEAR OF SUCH BIENNIAL BUDGET FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2019 AND ENDING SEPTEMBER 30, 2020, SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE FILING AND CERTIFICATION OF THE BUDGET AND TAX LEVY HEREIN SENT TO THE STATE AUDITOR AND COUNTY CLERK OF SARPY COUNTY; TO REPEAL INCONSISTENT OR CONFLICTING ORDINANCES OR RESOLUTIONS AS ORIGINALLY ENACTED; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sheehan made a motion to approve Ordinance No. 1360 on its first reading and pass it on to a second reading. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

## **E. RESOLUTION – AMENDMENT TO THE SARPY COUNTY SWAT AND CRISIS NEGOTIATION TEAM INTERLOCAL COOPERATION AGREEMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 19-104 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT ADDING THE CITY OF BELLEVUE TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN THE CITY OF LA VISTA, THE CITY OF PAPILLION, AND SARPY COUNTY, NEBRASKA, FOR PARTICIPATION ON THE SARPY COUNTY SPECIAL WEAPONS AND TACTICS TEAM AND CRISIS NEGOTIATION UNIT.

WHEREAS, it has long been recognized that mutual aid between law enforcement agencies sharing similar demands is highly desirable; and

WHEREAS, the responses to critical incidents require the specialized attention of a team trained to be effective in highly volatile situations; and

WHEREAS, the police departments also recognize that delivery of these services can be done most cost-effectively and with enhanced flexibility when forces are combined and said agreement is in the best interest of the citizens of La Vista; and

WHEREAS, Sarpy County and the cities of Papillion and La Vista ("Current Participants") entered an Interlocal Agreement for participation on the Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit dated on or about April 2, 2019, attached hereto as Exhibit "A" ("Interlocal Cooperation Agreement"); and

WHEREAS, the City of Bellevue ("Bellevue") executed a First Amendment to Interlocal Agreement on July 16, 2019, attached as Exhibit B, for Bellevue to become a party to the Interlocal Cooperation Agreement effective August 1, 2019;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute the First Amendment to Interlocal Agreement presented with this resolution to amend and add Bellevue as a party to the Interlocal Cooperation Agreement between the City of Papillion, the City of La Vista and Sarpy County, Nebraska, for participation on the Sarpy County Special Weapons and Tactics Team and Crisis Negotiation Unit.

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

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## **F. RESOLUTION – CHANGE ORDER NO. 13 – 84<sup>TH</sup> STREET REDEVELOPMENT AREA – OFFSTREET PARKING DISTRICT NO. 2 – STRUCTURE NO. 1**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-105 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 13 TO THE CONTRACT WITH HAWKINS CONSTRUCTION CO., OMAHA, NEBRASKA, TO INCLUDE ADDITIONS TO THE FIRE SUPPRESSION SYSTEM WHICH WILL RESULT IN AN INCREASE IN THE CONTRACT PRICE OF \$12,471.00.

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

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

WHEREAS, change order number 13 will increase the contract amount by \$12,471.00 to a total of \$4,146,122.91;

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 13 to the contract with Hawkins Construction Co., Omaha, Nebraska, to include additions to the fire suppression system which will result in an increase in the contract price of \$12,471.00.

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

## **G. RESOLUTION – CHANGE ORDER NO. 3 – CIVIC CENTER PARK – PHASE II**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-106 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 3 TO THE CONTRACT WITH BLADE MASTERS GROUND MAINTENANCE, INC., BENNINGTON, NEBRASKA, TO PROVIDE FOR ADDITIONS OF WORK AND A NEW SUBSTANTIAL COMPLETION DATE FOR THE CIVIC CENTER PARK PHASE II CONTRACT IN AN AMOUNT NOT TO EXCEED \$81,881.79.

WHEREAS, the City has determined it is necessary for additions of work and a new substantial completion date for the contract; and

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

WHEREAS, the contract amount will increase by \$81,881.79 for a contract total of \$1,841,659.13 with change order number 3;

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 3 to the contract with Blade Masters Grounds Maintenance, Inc., Bennington, Nebraska, to provide for additions of work and a new substantial completion date for the Civic Center Park Phase II contract in an amount not to exceed \$81,881.79.

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

## **H. RESOLUTION – CONTRACT AWARD – 72ND STREET PAVEMENT LEVELING OVER THOMPSON CREEK**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-107 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO URETEK – GREAT PLAINS REGION, TOMBALL, TEXAS, FOR PAVEMENT LEVELING ON 72ND STREET OVER THOMPSON CREEK IN AN AMOUNT NOT TO EXCEED \$15,500.00.

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WHEREAS, the City Council of the City of La Vista has determined that the leveling of pavement on 72nd Street over Thompson Creek is necessary; and  
WHEREAS, the FY19/FY20 Biennial Budget provides funding for this project; and  
WHEREAS, proposals were solicited; 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;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award the contract to URETEK – Great Plains Region, Tomball, Texas for pavement leveling on 72nd Street over Thompson Creek in an amount not to exceed \$15,500.00.

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

## **I. RESOLUTION – AGREEMENT – PUBLIC PARKING SERVICES**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 19-108 with any changes from the City Attorney entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH ABM INDUSTRY GROUPS, LLC, RALSTON, NEBRASKA, FOR PUBLIC PARKING SERVICES IN AN AMOUNT NOT TO EXCEED \$157,312.00.

WHEREAS, the City Council of the City of La Vista has determined that public parking services are necessary for Parking Structure 1 adjacent to Civic Center Park and the City Centre development; and

WHEREAS, the Off-Street Parking Fund includes funding for these services; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the execution of a professional services agreement with ABM Industry Groups, LLC, Ralston, Nebraska, for public parking services in an amount not to exceed \$157,312.00.

Seconded by Councilmember Sheehan. Scott Houck with ABM Industry Groups, LLC was present to answer questions. Council discussion was held. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **J. EXECUTIVE SESSION: PERSONNEL AND LAND ACQUISITION**

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

At 7:57 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

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## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell commented on a replaced street light to LED and the good comments on it. Mayor Kindig reminded Council to attend National Night Out.

At 7:59 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Crawford, Hale, and Sell. Nays: None. Abstain: None. Absent: Thomas and Quick. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF AUGUST 2019.

CITY OF LA VISTA

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

ATTEST:

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