

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING AUGUST 20, 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 20, 2019. Present were Councilmembers: Frederick, 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, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, 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 August 7, 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.

### SERVICE AWARD: JEAN HURST – 40 YEARS

Mayor Kindig presented a service award to Jean Hurst for 40 years of service to the City.

### CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE AUGUST 5, 2019 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JULY 18, 2019 PLANNING COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT – JUNE 2019
5. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY – PROFESSIONAL SERVICES – 2019 PARK VIEW BLVD RESURFACING – \$8,649.26
6. REQUEST FOR PAYMENT – BERRY DUNN MCNEIL & PARKER LLC – PROFESSIONAL SERVICES – IT STRATEGIC PLAN – \$14,820.00
7. REQUEST FOR PAYMENT – BURNS & MCDONNELL – PROFESSIONAL SERVICES – LA VISTA SEWER RATE STUDY – \$575.97
8. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84<sup>TH</sup> STREETSCAPE PLAN – \$8,067.33
9. REQUEST FOR PAYMENT – DLR GROUP – PROFESSIONAL SERVICES – CITY CENTRE PARKING FACILITY – \$3,265.74
10. REQUEST FOR PAYMENT – GRAHAM CONSTRUCTION, INC. – CONSTRUCTION SERVICES – CIVIC CENTER PARK SANITARY SEWER RELOCATION – \$260,668.90
11. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE I INVESTIGATION – \$78,732.12
12. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$15,431.84
13. APPROVAL OF CLAIMS

AA WHEEL & TRUCK SUPPLY, maint.	3.06
ACCENT DRYWALL SUPPLY CO, bld&grnds	1,221.12
ACCURATE TESTING INC, services	190.00
ALFRED BENESCH & CO, services	22,357.90
ANDERSON FORD OF LINCOLN, services	34,399.00
ART F/X SCREENPRINTING, services	1,555.74
ASPHALT & CONCRETE MATERIALS, maint.	533.51
BIBLIOTHECA LLC, services	17,734.20
BISHOP BUSINESS EQUIPMENT CO, services	982.70

# MINUTE RECORD

August 20, 2019

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

BOOT BARN, apparel	150.00
BURTON A/C, HEATING & PLUMBING, services	10,273.47
CALENTINE, J., travel	342.00
CARROLL CONSTRUCTION SUPPLY, services	8,707.92
CENTER POINT, INC., books	364.32
CENTURY LINK, phones	714.91
CINTAS CORP, services	2,755.92
CITY OF OMAHA, services	374,499.45
CITY OF PAPILLION, services	170,752.00
COLIBRI SYSTEMS, supplies	2,082.92
COMP CHOICE INC, services	77.50
CONNER PSYCHOLOGICAL, services	730.00
CONTROL MASTERS INC, services	172.19
COX COMMUNICATIONS, INC., services	277.40
CULLIGAN OF OMAHA, services	17.50
D & K PRODUCTS, services	3,629.70
DARECATALOG.COM, supplies	324.14
DATASHIELD CORP, servcies	140.00
HALE,D., travel	309.00
DIAMOND VOGEL PAINTS, bld&grnds	662.60
DILLON BROS HARLEY DAVIDSON, maint.	10.99
DLR GROUP, services	4,137.94
DUMMIES UNLIMITED, apparel	3,340.00
FBG SERVICE CORP, bkd&grnds	5,965.00
FIRST NATIONAL BANK FREMONT, bonds	263,526.25
FOCUS PRINTING, services	8,067.28
GALE, books	239.90
GALLS LLC, apparel	120.00
GCR TIRES & SERVICE, maint.	309.81
GENERAL FIRE & SAFETY EQUIP, services	100.00
GRAYBAR ELECTRIC CO, services	299.64
GREAT PLAINS UNIFORMS, apparel	627.00
GREATAMERICA FINANCIAL, services	1,127.00
H & H CHEVROLET LLC, maint.	199.97
HARM'S CONCRETE INC, maint.	157.50
HARTS AUTO SUPPLY, maint.	218.00
HAWKEYE TRUCK EQUIPMENT, maint.	133.30
HAWKINS CONSTRUCTION CO, services	356,851.80
HDR ENGINEERING INC, services	12,099.67
HEIMES CORP, services	82.00
HERC RENTALS INC, services	316.14
HGM ASSOCIATES, INC., services	10,668.00
HOBBY LOBBY, supplies	143.64
HOTSY EQUIPMENT CO, maint.	136.52
IGM TECHNOLOGY CORP, services	5,100.00
INGRAM LIBRARY SERVICES, books	1,812.78
INLAND TRUCK PARTS, maint.	14.68
JEBRO INC, services	55.00
JOE PUTJENTER, services	2,000.00
JOHNSON, ALLEN L, services	273.00
KIMBALL MIDWEST, maint.	112.58
KRIHA FLUID POWER CO, maint.	64.92
LARSEN SUPPLY CO, supplies	1,024.62
LIBRARY IDEAS LLC, books	689.10
LOGAN CONTRACTORS, supplies	257.86
LOVELAND GRASS PAD, services	94.75
LOWE'S, bld&grnds	170.97
MALLOY ELECTRIC, services	198.19
MARCO INC. services	114.31
MARK A KLINKER, services	200.00

# MINUTE RECORD

August 20, 2019

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

MARTIN ASPHALT - MONARCH OIL, services	240.50
MENARDS, maint.	163.76
METRO COMM COLLEGE, services	14,846.67
MIDWEST FENCE CO, services	5,098.04
MID-WEST MILITARY REAL ESTATE, services	40.00
MIDWEST TAPE, media	691.59
MR. PICNIC, services	1,280.00
MSC INDUSTRIAL, supplies	134.08
MUZZY ICE, services	387.50
NE DEPT OF LABOR, services	120.00
NE STATEWIDE ARBORETUM INC, services	100.00
NEENAH FOUNDRY INC, services	489.00
NEWMAN TRAFFIC SIGNS INC, services	15.51
NMC EXCHANGE LLC, maint.	103.74
ODEYS INC, supplies	1,440.76
OFFICE DEPOT INC, supplies	1,103.77
OLSSON, INC., services	57,526.63
OPPD, services	52,279.53
OMAHA SLINGS INC, services	67.77
OMAHA TACTICAL LLC, apparel	1,516.00
OMNI ENGINEERING, maint.	795.20
ONE CALL CONCEPTS INC, services	519.66
PAPILLION SANITATION, services	1,538.46
ROBEY, P., travel	246.38
PER MAR SECURITY, services	126.00
PIZZA WEST INC, services	600.00
PLAINS EQUIPMENT GROUP, maint.	12.96
PSI PLASTIC GRAPHICS, services	464.31
R. L. CRAFT CO., INC, bld&grnds	4,147.40
RDG PLANNING & DESIGN, services	35,622.86
READY MIXED CONCRETE CO, maint.	16,717.29
RIVER CITY RECYCLING, services	159.53
SAPP BROS PETROLEUM, services	207.50
SARPY COUNTY CHAMBER, services	40.00
SCHEMMER ASSOCIATES INC, services	200.00
SOUCIE, J., travel	285.00
SOUTHERN UNIFORM, apparel	1,195.88
STOREY KENWORTHY / MATT PARROTT, supplies	965.38
SUBURBAN NEWSPAPERS INC, services	199.84
SWAIN CONSTRUCTION INC, services	521,313.75
SWANK MOTION PICTURES INC, services	665.00
THOMPSON DREESSEN & DORNER, INC, services	4,790.25
TORNADO WASH LLC, services	865.00
TOSHIBA FINANCIAL, services	138.00
TRANE U S INC, bld&grnds	362.20
TRANS UNION RISK, services	50.00
U.S. CELLULAR, phones	1,205.29
UNITE PRIVATE NETWORKS LLC, services	3,850.00
UNITED SEEDS INC, bld&grnds	105.00
VERIZON CONNECT, phones	731.25
VERIZON WIRELESS, phones	210.73
VOGEL TRAFFIC, services	13,156.35
VOIANCE LANGUAGE, services	3.00
WATER'S EDGE AQUATIC DESIGN, services	3,149.00
WICK'S STERLING TRUCKS INC, maint.	39.70
WOODHOUSE LINCLN-MAZDA, maint.	1,162.60

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Sheehan reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Sheehan, Thomas,

# MINUTE RECORD

August 20, 2019

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

Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Director of Public Works Soucie reported that the irrigation system is in at Civic Park and the grass is starting to come up.

### **B. ORDINANCE – AMEND AND REPLACE SECTION 113.10 WITH SECTION 113.50 OF THE LA VISTA MUNICIPAL CODE**

Councilmember Sell introduced Ordinance No. 1361 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AMENDING AND RENUMBERING SECTION 113.10 OF THE LA VISTA MUNICIPAL CODE REGARDING OCCUPATION TAXES AS SECTION 113.50; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

Councilmember Thomas 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, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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. 1361 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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. ORDINANCE – AMEND SECTION 113.01 OF THE LA VISTA MUNICIPAL CODE**

Councilmember Quick introduced Ordinance No. 1362 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.01; TO REPEAL CONFLICTING ORDINANCES 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 Thomas seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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 Thomas. The Mayor then stated the question, "Shall Ordinance No. 1362 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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. ORDINANCE – AMEND SECTION 113.02 OF THE LA VISTA MUNICIPAL CODE**

Councilmember Hale introduced Ordinance No. 1363 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.02; TO REPEAL CONFLICTING ORDINANCES

# MINUTE RECORD

August 20, 2019

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

PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick 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, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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 Thomas. The Mayor then stated the question, "Shall Ordinance No. 1363 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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.

## **E. ORDINANCE – AMEND SECTION 113.05 OF THE LA VISTA MUNICIPAL CODE**

Councilmember Hale introduced Ordinance No. 1364 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 113.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Thomas 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, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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 Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1364 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. 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.

## **F. RESTAURANTS AND DRINKING PLACES OCCUPATION TAX**

### **1. PUBLIC HEARING**

At 6:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Restaurants and Drinking Places Occupation Tax ordinance. There was public in favor of and opposed to the proposed ordinance. There was also public comment in favor of adding a 2% administration fee.

At 6:33 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### **2. ORDINANCE**

Councilmember Thomas introduced Ordinance No. 1365 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA LEVYING AND IMPOSING RESTAURANTS AND DRINKING PLACES OCCUPATION TAX AS SECTION 113.10 OF THE LA VISTA MUNICIPAL CODE; SPECIFYING

# MINUTE RECORD

August 20, 2019

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

ADMINISTRATIVE PROVISIONS AND USE OF TAX PROCEEDS; REPEALING CONFLICTING ORDINANCES; AND PROVIDING FOR SEVERABILITY, PUBLICATION AND AN EFFECTIVE DATE.

Councilmember Thomas made a motion to approve Ordinance No. 1365 on its first reading and pass it on to a second reading and to add a 2% administration fee to the ordinance. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Sheehan, Thomas, Quick, Hale, and Sell. Nays: Crawford. Abstain: None. Absent: Ronan. Motion carried.

## G. ORDINANCE – FISCAL YEARS 18/19 AND 19/20 BIENNIAL MUNICIPAL BUDGET – SECOND READING

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

## H. RESOLUTION – ADDENDUM TO INTERLOCAL COOPERATION AGREEMENT – IT SERVICES AND PUBLIC SAFETY SOFTWARE

Councilmember Frederick introduced and moved for the adoption of Resolution No. 19-109 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN ADDENDUM TO THE INTERLOCAL COOPERATION AGREEMENT BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA FOR IT SERVICES AND PUBLIC SAFETY SOFTWARE.

WHEREAS, the City has been operating under an Interlocal Agreement with Sarpy Information Systems for the provision of IT services and Public Safety software; and

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

WHEREAS, the City, working with Sarpy County Information Services, has prepared an addendum to the agreement for continued IT services and Public Safety software until September 30, 2022;

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the proposed addendum to the interlocal agreement between Sarpy County and the City of La Vista regarding IT Services and Public Safety Software for the City of La Vista is hereby approved, and authorizing the Mayor and City Clerk to execute said addendum on behalf of the City of La Vista in form and content approved by the City Administrator.

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

# MINUTE RECORD

August 20, 2019

NO. 729 — REEDIE & COMPANY, INC. OMAHA E1310556LD

## I. RESOLUTION – APPROVAL OF ADDITION TO AREA OF LIQUOR LICENSE – BEYOND GOLF LLC DBA BEYOND GOLF BAR & KITCHEN

Councilmember Sell introduced and moved for the adoption of Resolution No.19-110 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 ADDITION TO THE LIQUOR LICENSE FOR BEYOND GOLF LLC IN LA VISTA, NEBRASKA.

WHEREAS, Beyond Golf LLC dba Beyond Golf Bar & Kitchen, 12040 McDermott Plz. #330, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their 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 addition to the Liquor License submitted by Beyond Golf LLC dba Beyond Golf Bar & Kitchen, 12040 McDermott Plz. #330, La Vista, Sarpy County, Nebraska.

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

## J. RESOLUTION – APPROVAL OF ADDITION TO AREA OF LIQUOR LICENSE – FROELICH INVESTMENTS LLC DBA REF'S SPORTS BAR & GRILL

Councilmember Sell introduced and moved for the adoption of Resolution No.19-111 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 ADDITION TO THE LIQUOR LICENSE FOR FROEHLICH INVESTMENTS, LLC IN LA VISTA, NEBRASKA.

WHEREAS, Froehlich Investments LLC dba Ref's Sports Bar & Grill, 9723-9727 Giles Rd., La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their 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 addition to the Liquor License submitted by Froehlich Investments LLC dba Ref's Sports Bar & Grill, 9723-9727 Giles Rd., La Vista, Sarpy County, Nebraska.

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

# MINUTE RECORD

August 20, 2019

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

## **K. RESOLUTION – LA VISTA CITY CENTRE THEATER PRELIMINARY PLAT**

Councilmember Hale introduced and moved for the adoption of Resolution No.19-112 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE PRELIMINARY PLAT FOR LOTS 11-13 AND OUTLOT A LA VISTA CITY CENTRE, AND PORTIONS OF TAX LOT 12 14-14-12, TO BE REPLATTED INTO THREE LOTS FOR EVENT VENUE, OFFICE BUILDING, AND PUBLIC FACILITIES.

WHEREAS, the applicant, La Vista City Centre, LLC on behalf of the owners of the above described pieces of property, and the City, have made application for approval of a preliminary plat as presented at this meeting for Lots 11-13 and Outlot A La Vista City Centre, and portions of Tax Lot 12 14-14-12 ("Preliminary Plat"), and

WHEREAS, the City Engineer has reviewed the Preliminary Plat; and

WHEREAS, on July 18, 2019, the La Vista Planning Commission reviewed the Preliminary Plat and recommended approval, subject to satisfaction of applicable requirements.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that, subject to satisfaction of all applicable requirements, including without limitation, notices, hearings, and approvals of redevelopment plan, redevelopment contract, and subdivision agreement amendments and applicable property conveyances, the Preliminary Plat be, and hereby is, approved; provided, however, for accuracy and tracking purposes said Preliminary Plat shall be retitled "Replat 4," and such title shall be incorporated into the plat that is presented for final approval.

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

## **L. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT**

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-113 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH WATER'S EDGE AQUATIC DESIGN, LENEXA, KANSAS, FOR PROFESSIONAL SERVICES ASSOCIATED WITH THE CONCEPTUAL PLANNING OF A NEW POOL IN AN AMOUNT NOT TO EXCEED \$47,000.

WHEREAS, the swimming pool, which was built in the early 1960's, is nearing the end of its useful life; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for these professional services; and

WHEREAS, Waters Edge Aquatic Design has provided the City with professional services since 2005;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Mayor is hereby authorized to execute a professional services agreement with Water's Edge Aquatic Design, Lenexa, Kansas, for professional services associated with the conceptual planning of a new pool in an amount not to exceed \$47,000.

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

## **M. RESOLUTION – PURCHASE OF WIDE AREA MOWER**

Councilmember Frederick introduced and moved for the adoption of Resolution No.19-114 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2019 JACOBSEN HR600 WIDE AREA MOWER FROM TURFWERKS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$61,069.00.

# MINUTE RECORD

August 20, 2019

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

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Jacobsen HR600 Wide Area Mower is necessary; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; 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;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of one (1) 2019 Jacobsen HR600 Wide Area Mower from Turfwerks, Omaha, Nebraska in an amount not to exceed \$61,069.00.

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

## **N. RESOLUTION – PURCHASE OF MOTOROLA RADIOS**

Councilmember Quick introduced and moved for the adoption of Resolution No.19-115 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF NINETEEN (19) APX TWO-WAY RADIOS FROM MOTOROLA IN AN AMOUNT NOT TO EXCEED \$75,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of nineteen (19) APX two-way radios is necessary; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this purchase; 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;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska authorize the purchase of nineteen (19) APX two-way radios from Motorola in an amount not to exceed \$75,000.00.

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

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

## **COMMENTS FROM THE FLOOR**

A resident commented on recent changes to signal lights on 84<sup>th</sup> Street.

Daniel Newburn commented on chickens housed within the City limits.

## **O. EXECUTIVE SESSION: PERSONNEL**

At 7:13 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 Thomas. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:28 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, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

# MINUTE RECORD

August 20, 2019

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

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented that he attended an event honoring a former Papillion/La Vista High School band leader.

Councilmember Sell thanked everyone for coming to give public comment.

At 7:28 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF SEPTEMBER 2019.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk