

MINUTE RECORD

A-2

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

LA VISTA CITY COUNCIL MEETING SEPTEMBER 17, 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 September 17, 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, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, City Engineer Kottmann, Senior Planner Solberg and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on September 4, 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: SUE TANGEMAN – 20 YEARS

Mayor Kindig presented a service award to Sue Tangeman for 20 years of service to the City.

CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE SEPTEMBER 6, 2019 CITY COUNCIL MEETING**
- 3. MONTHLY FINANCIAL REPORT – JULY 2019**
- 4. REQUEST FOR PAYMENT – FELSBURG, HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES SIGNAL RETIMING - \$1,424.60**
- 5. REQUEST FOR PAYMENT – HAWKINS CONSTRUCTION COMPANY – CONSTRUCTION SERVICES – PARKING DISTRICT NO. 2, STRUCTURE NO. 1 - \$466,744.50**
- 6. REQUEST FOR PAYMENT – LEAGUE OF NEBRASKA MUNICIPALITIES – MEMBERSHIP DUES – \$46,392.00**
- 7. REQUEST FOR PAYMENT – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES – 120TH & GILES TOTAL ACQUISITION – \$340.00**
- 8. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTER GEOTECHNICAL SERVICES – \$2,920.91**
- 9. REQUEST FOR PAYMENT – REDZ, LLC – CONSTRUCTION SERVICES – BROOK VALLEY BUSINESS PARK STORM SEWER REPAIR AND EXTENSION – \$105,000.00**
- 10. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$12,439.09**
- 11. REQUEST FOR PAYMENT – SARPY COUNTY – PROFESSIONAL SERVICES – 132ND & GILES INTERSECTION RECONSTRUCTION – \$6,864.23**
- 12. REQUEST FOR PAYMENT – SARPY COUNTY – CONSTRUCTION SERVICES – 132ND & GILES INTERSECTION RECONSTRUCTION – \$226,193.26**
- 13. REQUEST FOR PAYMENT – SWAIN CONSTRUCTION – CONSTRUCTION SERVICES – 84TH STREET ACCESS IMPROVEMENTS - \$212,474.69**
- 14. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 2 GOLF COURSE TRANSFORMATION – PROPOSED LAKE IMPROVEMENTS – \$4,039.75**
- 15. REQUEST FOR PAYMENT – URETEK USA, INC. – CONSTRUCTION SERVICES – 72ND STREET PAVEMENT LEVELING OVER THOMPSON CREEK - \$16,549.58**
- 16. RESOLUTION NO. 19-127 – CHANGE ORDER NO. 1 – 72ND STREET PAVEMENT LEVELING OVER THOMPSON CREEK**

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A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH URETEK – GREAT PLAINS REGION, TOMBALL, TEXAS, TO PROVIDE FOR ADDITIONS OF WORK FOR 72ND STREET PAVEMENT LEVELING OVER THOMPSON CREEK CONTRACT IN AN AMOUNT NOT TO EXCEED \$1,049.58.

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

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

WHEREAS, the contract amount will increase by \$1,049.58 for a contract total of \$16,549.58 with change order number 1;

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 URETEK – Great Plains Region, Tomball, Texas, to provide for additions of work for the 72nd Street Pavement Leveling Over Thompson Creek contract in an amount not to exceed \$1,049.58.

17. APPROVAL OF CLAIMS

AA WHEEL & TRUCK SUPPLY, maint	4.09
ABM SUPPLY, apparel	5,530.00
ACCO UNLIMITED CORP, supplies	279.25
ACTION BATTERIES, maint.	233.50
AMAZON CAPITAL, services	1,707.47
AMERICA'S FENCE STORE INC, bld&grnds	454.35
ANGELA SEMINARA, refund	215.00
APRIL GRAUMANN, refund	95.00
BAUER BUILT INC, maint.	53.93
BAXTER CHRYSLER JEEP, maint.	54.78
BKD LLP, services	940.00
BLADE MASTERS GROUNDS MNTNC, services	308,883.08
BOOKPAGE, services	576.00
CATHERINE DEMES MAYDEW, services	1,560.00
CENTER POINT, books	364.32
CENTURY LINK, phones	586.07
CENTURY LINK BUSN SVCS, phones	146.25
CERTIFIED POWER INC, maint.	428.75
CINTAS CORP, services	2,194.52
CITY OF PAPILLION, services	27,668.68
CONTROL MASTERS INC, bld&grnds	507.50
COX COMMUNICATIONS, INC, services	277.40
CULLIGAN OF OMAHA, services	16.00
D & K PRODUCTS, services	4,092.18
DANIELSON TECH SUPPLY INC, maint.	574.00
DULTMEIER SALES LLC, services	300.00
DXP ENTERPRISES INC, services	103.81
EDGEWEAR SCREEN PRINTING, apparel	617.45
ERNCO INC, bld&grnds	11,925.00
EXPRESS DISTRIBUTION LLC, supplies	41.86
FASTENAL CO, maint.	500.13
FIRST WIRELESS INC, services	1,023.15
FORCE SCIENCE INSTITUTE, services	1,650.00
GALE, books	333.61
GENERAL FIRE & SAFETY EQUIP CO, bld&grnds	1,057.50
GENUINE PARTS CO, maint.	677.53
GRAINGER, supplies	54.06
GRAYBAR ELECTRIC CO, bld&grnds	15.78
GREAT PLAINS UNIFORMS, apparel	1,450.00
GREATAMERICA FINANCIAL, services	1,127.00

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HANEY SHOE STORE, apparel	150.00
HARM'S CONCRETE INC, maint.	145.00
HDR ENGINEERING INC, services	10,141.80
HERRICK, ANGELA DAWN, services	100.00
HOSE & HANDLING INC, maint.	119.77
HY-VEE INC, services	47.00
INGRAM LIBRARY, books	2,992.53
J & J SMALL ENGINE SERVICE, maint.	336.76
J RETZ LANDSCAPE, INC, services	3,300.00
JARED GEGZNA, refund	120.00
JMAC CONSULTING GROUP, services	1,700.00
JONES AUTOMOTIVE INC, maint.	115.93
KANOPI, INC, services	69.00
KIMBALL MIDWEST, services	413.90
KRIHA FLUID POWER CO, maint.	117.00
LV COMM FOUNDATION, payroll	60.00
LIBRARY IDEAS LLC, books	44.50
LOGAN CONTRACTORS SUPPLY, services	2,323.68
LOVELAND GRASS PAD, bld&grnds	113.70
LOWE'S, b;d&grnds	81.63
MARK A KLINKER, services	200.00
MEMPHIS NET & TWINE CO, services	1,399.26
MENARDS-RALSTON, bld&grnds	818.95
METRO COMM COLLEGE, services	29,896.78
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	152.35
MID-WEST MILITARY, services	40.00
MIDWEST OFFICE AUTOMATION, supplies	267.32
MIDWEST SERVICE & SALES, maint.	515.00
MIDWEST TAPE, media	379.41
MOTOROLA SOLUTIONS INC, services	10,285.50
MSC INDUSTRIAL SUPPLY, maint.	18.83
NE ENVIRONMENTAL PRODUCTS, services	103,018.81
NE IOWA INDL FASTENERS INC, maint.	25.51
NMC EXCHANGE LLC, maint.	19.63
OCLC INC, services	161.21
OFFICE DEPOT INC, supplies	252.69
OFFUTT YOUTH CENTER, services	3,360.00
OLSSON, INC, services	33,762.93
OPPD, utilities	54,323.73
OMAHA TACTICAL LLC, apparel	178.00
ONE CALL CONCEPTS INC, services	346.73
O'REILLY AUTO ENTERPRISES, maint.	1,449.16
ORIENTAL TRADING CO, supplies	358.29
PAPILLION SANITATION, services	1,480.68
PAPILLION TIRE INC, maint.	25.50
PUBLIC AGENCY TRAINING COUNCIL, services	1,300.00
RDG PLANNING & DESIGN, services	1,074.78
ROBERT T. HENNICH, maint.	2,036.00
SAPP BROS INC, maint.	251.28
SAPP BROS PETROLEUM, maint.	526.06
SARPY COUNTY COURTHOUSE, services	4,207.68
SARPY COUNTY FISCAL ADM, services	60,685.91
SCHOLASTIC LIBRARY PUBLISHING, books	218.40
SERVICEONE INC, bld&grnds	274.93
SIRIUS COMPUTER SOLUTIONS, services	4,851.10
SOUTHERN UNIFORM, apparel	341.43
SUBURBAN NEWSPAPERS, services	1,646.38
TED'S MOWER SALES, maint.	132.95
TERRY HUGHES TREE, services	2,815.00
THEATRICAL MEDIA, services	150.00

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TOSHIBA FINANCIAL, services	138.00
TRANS UNION RISK, services	50.00
TRUCK CENTER COMPANIES, maint.	384.13
TURFWERKS, services	61,059.10
U.S. CELLULAR, phones	1,466.46
ULINE, INC., services	166.87
UNITE PRIVATE NETWORKS LLC, services	3,850.00
WELLINGTON EXPERIENCE, services	5,000.00
WESTLAKE HARDWARE, bld&grnds	1,454.12
WHITE CAP CONSTR SUPPLY, services	40.99
WICK'S STERLING TRUCKS INC, maint.	140.26

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Sheehan. Councilmember Quick 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.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant to the City Administrator Prouhet reported that the National Community Surveys are going out to 1,700 households starting September 18.

Recreation Director Scott Stopak reported on the Civic Center Park trail dedication, and he reported the Pump and Run event will be held at Civic Center Park on September 21, and the Fall Festival will be held on September 21 at the City Hall campus.

Library Director Barcal reported the Library is hosting its first online teen book club, and the Library has been re-accredited for three years by the Nebraska Library Commission.

Police Chief Lausten reported the chicken issue, which was reported to Council, has been abated, and he reported on the issue of parking in front of mailboxes.

City Engineer Pat Dowse reported on the 84th Street pavement repairs.

SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION – SECOND QUARTER REPORT

Business Development Manager Josh Charvat, with the Sarpy County Economic Development Corporation, gave a development report for April through June 2019.

PRESENTATION – 84TH STREET ADAPTIVE SIGNAL PROJECT

Brian Guy from the City of Omaha Public Works Department's Traffic Engineering Division gave an update on the 84th Street adaptive signal project.

PRESENTATION – 84TH STREET REDEVELOPMENT UPDATE

Chris Koenig, with HDR, gave a report on the 84th Street redevelopment projects.

B. COMPREHENSIVE PLAN AMENDMENT – FUTURE LAND USE MAP – LA VISTA CITY CENTRE

1. PUBLIC HEARING

At 6:43 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Comprehensive Plan amendment. Chris Erickson gave a presentation on the proposed development. There was a public comment expressing concern about another music venue, lighting, and noise.

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At 6:59 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. ORDINANCE

Councilmember Hale introduced Ordinance No. 1367 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND SECTIONS 1 AND 2 OF ORDINANCE NO. 1342 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 TO UPDATE THE COMPREHENSIVE DEVELOPMENT PLAN AND RELATED FUTURE LAND USE MAP; TO REPEAL SECTIONS 1 AND 2 OF ORDINANCE NO. 1342 CODIFIED IN MUNICIPAL CODE SECTIONS 151.01 AND 151.02 AND ANY OTHER CONFLICTING ORDINANCES AS PREVIOUSLY ENACTED, TO PROVIDE FOR SEVERABILITY AND TO PROVIDE FOR THE EFFECTIVE DATE.

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, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. 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. 1367 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. 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. CONDITIONAL USE PERMIT – WEST BUILDING, LOT 15 BROOK VALLEY II BUSINESS PARK (CENTENNIAL ROAD & 117TH STREET)

1. PUBLIC HEARING

At 7:01 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed conditional use permit. Pat O'Donnell gave a presentation on the proposed use.

At 7:06 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. 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. 19-128 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR QUAKES SOFTBALL, INC., TO OPERATE AN INDOOR RECREATIONAL FACILITY ON LOT 15, BROOK VALLEY II BUSINESS PARK.

WHEREAS, Quakes Softball, Inc. has applied for approval of a Conditional Use Permit for an Indoor Recreational Facility on Lot 15, Brook Valley II Business Park, located northwest of Centennial Road and South 117th Street; and

WHEREAS, the Planning Commission held a public hearing on August 15, 2019, and has recommended approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the Conditional Use Permit for such purposes.

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NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of 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 Quakes Softball, Inc., to allow for an Indoor Recreational Facility on Lot 15, Brook Valley II Business Park.

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

D. RESOLUTION – SET PROPERTY TAX LEVY FOR FY20

Councilmember Thomas introduced and moved for the adoption of Resolution No.19-129 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR THE FISCAL YEAR 2019-2020.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the Governing Body of the City of La Vista passes by a majority vote a resolution setting the tax request; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

NOW THEREFORE, the Governing Body of the City of La Vista, resolves that:

1. The 2019 – 2020 property tax request be set at \$9,082,799.00.
2. The total assessed value of property differs from last year's total assessed value by 7%.
3. The tax rate which would levy the same amount of property taxes as last year, when multiplied by the new total assessed value of property, would be \$.513513 per \$100 of assessed value.
4. The City of La Vista proposes to adopt a property tax request that will cause its tax rate to be \$.55 per \$100 of assessed value.
5. Based on the proposed property tax request and changes in other revenue, the total operating budget of the City of La Vista will be less than last year's by 12%.
6. A copy of this resolution be certified and forwarded to the Sarpy County Clerk on or before October 13, 2019.

NOW, THEREFORE BE IT FURTHER RESOLVED, by the Mayor and City council of the City of La Vista Nebraska that the property tax to be distributed as follows:

General Fund - \$8,091,948.00 (\$0.49 mill levy)

Bond Fund - \$990,851.00 (\$0.06 mill levy); and

A copy of this resolution and other required documents be certified and forwarded to the County Clerk and filed with the Auditor of Public Accounts in accordance with applicable law.

NOW, THEREFORE BE IT FURTHER RESOLVED that the City Clerk is hereby directed to record below the record vote of the Governing Body in passing this Resolution, which record vote shall be incorporated into this Resolution by reference.

Seconded by Councilmember Sheehan. There was public comment in support of the resolution. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

E. RESTRICTED FUNDS BUDGET AUTHORITY

1. PUBLIC HEARING

At 7:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed resolution.

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At 7:12 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 Hale introduced and moved for the adoption of Resolution No.19-130 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE 2019-20 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the 2019-20 municipal budget on September 3, 2019; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the 2019-20 municipal budget is allowed following the approval of at least 75% of the governing body.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the 2019-20 municipal budget by an additional one percent.

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. APPROVAL OF CLASS I LIQUOR LICENSE APPLICATION – INFINITE LOOP VR LLC DBA INFINITE LOOP VR

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 liquor license application. Jeremiah Maddock, representing Infinite Loop VR, was present to answer any questions.

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, 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.19-131 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 A CLASS I LIQUOR LICENSE FOR INFINITE LOOP VR LLC DBA INFINITE LOOP VR IN LA VISTA, NEBRASKA.

WHEREAS, Infinite Loop VR LLC dba Infinite Loop VR, 9825 Giles Road, Suite C, D, E and F, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I 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;

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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 a Class I Liquor License submitted by Infinite Loop VR LLC dba Infinite Loop VR, 9825 Giles Road, Suite C, D, E and F, La Vista, Sarpy County, Nebraska.

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. AMEND MUNICIPAL CODE SECTIONS 111.18 AND 111.19 - FIREWORKS

1. PUBLIC HEARING

At 7:14 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed ordinance. There was public comment in favor of and opposed to the proposed ordinance.

At 7:24 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. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1368 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 111.18 AND 111.19; 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: Thomas, Crawford, and Sell. Nays: Frederick, Ronan, Sheehan, Quick, and Hale. Abstain: None. Absent: None. Motion failed.

Councilmember Crawford moved to amend the ordinance to allow seven (7) days for sales and seven (7) days for discharge with the hours of 11:00 a.m. to 10:00 p.m. for the first five (5) days and 11:00 a.m. to 11:00 p.m. on July 3rd and 4th. Discussion was held. Councilmember Crawford withdrew his motion.

Councilmember Sheehan moved to amend the ordinance to allow ten (10) days for sales with the hours of 11:00 a.m. to 10:00 p.m. for the first eight (8) days and 11:00 a.m. to 11:00 p.m. on July 3rd and 4th and to allow seven (7) days for discharge with the hours of 11:00 a.m. to 10:00 p.m. for the first five (5) days and 11:00 a.m. to 11:00 p.m. on July 3rd and 4th. Councilmember Crawford seconded the motion. Councilmembers voting aye: Sheehan, Thomas, Crawford, and Quick. Nays: Frederick, Ronan, Hale, and Sell. Abstain: None. Absent: None. Motion failed.

Discussion was held.

Councilmember Frederick moved to amend the ordinance to allow seven (7) days for sales and discharge with the hours of 11:00 a.m. to 10:00 p.m. for the first five (5) days and 11:00 a.m. to 11:00 p.m. on July 3rd and 4th. Councilmember Sheehan seconded the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, and Sell. Nays: Ronan, Crawford, Quick, and Hale. Abstain: None. Absent: None. Motion failed.

Councilmember Thomas made a motion to move the original ordinance on to second reading. Councilmember Sell seconded the motion. Councilmembers voting aye: Frederick, Sheehan, Thomas, and Sell. Nays: Ronan, Crawford, Quick, and Hale. Abstain: None. Absent: None. Motion failed.

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H. RESOLUTION – SURPLUS EQUIPMENT

Councilmember Hale introduced and moved for the adoption of Resolution No.19-132 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 20 pieces of equipment located at the Public Works Facility to be surplused; and

WHEREAS, the City Administrator and Director of Public Works recommend that the above-mentioned items be declared surplus and sold;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 20 pieces of equipment located at the Public Works Facility be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the General fund will receive the revenue from the sale.

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

I. RESOLUTION – AUTHORIZE PURCHASE – CONTOUR MOWING DECK

Councilmember Quick introduced and moved for the adoption of Resolution No.19-133 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2019 VENTRAC CONTOUR MOWING DECK FROM TURFWERKS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$6,761.75.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a Ventrac contour mowing deck 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 Ventrac contour mowing deck from Turfwerks, Omaha, Nebraska in an amount not to exceed \$6,761.75.

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 THE FLOOR

Gary Bush commented on Council contact with constituents.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

At 8:15 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

MINUTE RECORD

September 17, 2019

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

PASSED AND APPROVED THIS 1ST DAY OF OCTOBER 2019.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk