

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING JUNE 16, 2020

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 June 16, 2020. Present via teleconference and videoconference were Mayor Douglas Kindig, Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also present via teleconference were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Police Chief Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Library Director Barcal, Recreation Director Stopak, Finance Director Miserez, City Engineer Dowse, Community Development Director Fountain, and Human Resources Director Trail.

A notice of the meeting was given in advance thereof by publication in the Times on June 10, 2020. 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 via videoconference and teleconference. Governor Pete Ricketts issued Executive Order No. 20-03 – Corona Virus – public meeting requirement limited waiver. Such order allowed for the governing body to meet by telephone and video conferencing. Notice of the Zoom meeting link and phone number was given to the public through the publication in the Times, the City of La Vista website and through social media and was posted at the entrance to the meeting facility. 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 JUNE 2, 2020 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE MAY 21, 2020 PLANNING COMMISSION MEETING
4. MONTHLY FINANCIAL REPORT – APRIL 2020
5. REQUEST FOR PAYMENT – CITY OF OMAHA – CONSTRUCTION SERVICES – 84TH ST. ADAPTIVE SIGNALS – \$6,000.00
6. REQUEST FOR PAYMENT – COMMERCIAL SEEDING CONTRACTORS – CONSTRUCTION SERVICES – 84TH ST. REDEVELOPMENT – \$1,648.00
7. REQUEST FOR PAYMENT – COMMERCIAL SEEDING CONTRACTORS – CONSTRUCTION SERVICES – 84TH ST. REDEVELOPMENT – \$2,625.00
8. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL SERVICES – 84TH STREETSCAPE PLAN – \$8,167.20
9. REQUEST FOR PAYMENT – HDR ENGINEERING, INC. – PROFESSIONAL SERVICES – PROJECT MANAGEMENT SERVICES FOR PUBIC IMPROVEMENTS AND OTHER WORKS – \$387.24
10. REQUEST FOR PAYMENT – OLSSON – PROFESSIONAL SERVICES – CITY CENTRE PHASE I PUBLIC INFRASTRUCTURE – \$1,119.00
11. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT – ANNUAL CONTRIBUTION – PAPIILLION CREEK WATERSHED PARTNERSHIP – \$10,750.00
12. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT – WEST PAPIO TRAIL, GILES ROAD TO MILLARD – \$250,000.00
13. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LV SERVICES – \$9,167.65
14. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – PHASE 1 GOLF COURSE TRANSFORMATION – \$428.35
15. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – MISCELLANEOUS CIVIL ENGINEERING SERVICES – \$1,334.50
16. APPROVAL OF CLAIMS

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A-1 BODY INC, maint.	2,251.69
ACTION BATTERIES, maint.	112.71
AKRS EQUIPMENT SOLUTIONS, supplies	794.59
ALTEC INDUSTRIES INC, maint.	64.20
AMAZON CAPITAL, supplies	1,033.76
AMERICA'S FENCE STORE INC, bld&grnds	4,999.79
ASPEN EQUIPMENT CO, maint.	762.25
AXON ENTERPRISE INC, supplies	2,322.50
BISHOP BUSINESS EQUIPMENT, services	796.77
BJORKLUND COMP CONSULTING, services	240.00
BLACK HILLS ENERGY, utilities	775.62
BOOT BARN, apparel	243.49
BRIAN HENNING, refund	215.00
BUETHE, P., services	50.00
CENTURY LINK, phones	674.13
CENTURY LINK BUSN SVCS, phones	105.11
CINTAS CORP, services	583.26
CITY OF PAPILLION, services	3,250.00
CONTINENTAL RESEARCH CORP, supplies	783.94
COX COMMUNICATIONS, INC, services	589.14
CULLIGAN OF OMAHA, services	28.00
D & K PRODUCTS, services	1,935.15
DIAMOND VOGEL PAINTS, bld&grnds	207.45
DLR GROUP, services	50,166.40
DOG WASTE DEPOT, supplies	604.40
DOUGLAS COUNTY SHERIFF'S OFC, services	912.50
DULTMEIER SALES LLC, maint.	14.16
EDGEWEAR SCREEN PRINTING, apparel	120.00
FBG SERVICE CORP, services	11,930.00
FERGUSON ENTERPRISES, bld&grnds	37.98
FIRST WIRELESS INC, phones	560.00
FITZGERALD SCHORR BARMETTLER services	34,222.30
GENUINE PARTS, maint.	913.22
GRAINGER, services	8.52
GREAT PLAINS UNIFORMS, apparel	2,220.00
GREATAMERICA FINANCIAL, services	1,127.00
HANEY SHOE STORE, apparel	150.00
HARM'S CONCRETE INC, services	130.00
HAWKEYE TRUCK EQUIPMENT, maint.	754.51
HEIM, JAMES A, services	3,354.00
HUNTEL COMMUNICATIONS, phones	115.00
HY-VEE INC, services	275.00
INDUSTRIAL SALES CO, services	88.67
J & J SMALL ENGINE, maint.	561.42
J RETZ LANDSCAPE INC, services	1,640.00
JOHN MADSEN, refund	215.00
JOHNSTONE SUPPLY CO, maint.	69.74
KRIHA FLUID POWER, maint.	78.92
LV COMM FOUNDATION, payroll	60.00
LARSEN SUPPLY CO, supplies	79.94
LOGAN CONTRACTORS SUPPLY. Maint.	81.65
LOU'S SPORTING GOODS, supplies	269.82
MARK A KLINKER, services	200.00
MENARDS-RALSTON, supplies	1,322.55
METRO LANDSCAPE MATERIALS, bld&grnds	240.00
METRO COMM COLLEGE, services	19,931.57
MUD, utilities	224.61
MIDLANDS LIGHTING & ELECTRIC, supplies	9.65
MIDWEST SERVICE & SALES CO, supplies	678.00
MIRACLE RECREATION EQUIPMENT, supplies	334.00

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NE IOWA INDL FASTENERS INC, maint.	19.84
NE LAKE MANAGEMENT, bld&grnds	590.00
OFFICE DEPOT INC, supplies	122.32
OPPD, utilities	47,666.36
OMAHA TACTICAL LLC, supplies	143.00
OMAHA WINNELSON, supplies	49.36
OMNI ENGINEERING, services	429.10
ONE CALL CONCEPTS, services	376.59
O'REILLY AUTO PARTS, maint	280.23
OVERHEAD DOOR CO, bld&grnds	4,467.00
PAPILLION SANITATION, services	1,163.61
PAPILLION TIRE INC, maint.	12.75
PER MAR SECURITY, services	924.00
RAINBOW GLASS, supplies	855.00
RDG PLANNING & DESIGN, services	9,167.65
READY MIXED CONCRETE CO, services	1,886.96
RED MUNICIPAL & INDUSTRIAL, maint.	5,547.02
RON TURLEY ASSOCIATES INC, services	1,700.00
SARPY COUNTY COURTHOUSE, services	4,207.68
SIGN IT, services	2,705.60
SIGN-O-VATION INC, services	427.33
SOUTHERN UNIFORM, apparel	349.70
STAPLES INC, supplies	104.42
STOLTENBERG NURSERIES, services	1,618.70
SUN VALLEY LANDSCAPING, services	263.59
T & N ACQUISITION CO, supplies	528.50
TED'S MOWER SALES, maint.	160.08
THE HARRY A KOCH CO, services	6,725.75
THE SCHEMMER ASSOC, services	3,971.30
TOSHIBA FINANCIAL, services	138.00
TRAFCON INDUSTRIES, services	3,209.63
TRAFFIX DEVICES, services	21,720.20
TRANS UNION RISK, services	50.00
TURFWERKS, maint.	83.22
U.S. CELLULAR, phones	1,688.72
UNITE PRIVATE NETWORKS, services	4,400.00
UNITED STATES POSTAL SERVICE, postage	1,396.22
UNIVERSITY OF NEBRASKA-OMAHA, services	50.00
VERIZON WIRELESS, phones	289.77
VOIANCE LANGUAGE, services	22.31
WALMAR, supplies	417.44
WESTLAKE HARDWARE, bld&grnds	825.96
WHITE CAP CONSTR, supplies	164.70
WOODHOUSE LINCLN, maint.	38.96

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

City Administrator Gunn gave a presentation on the financial impact of COVID-19.

City Clerk Buethe reported that virtual Council Meetings will end as of July 1.

Recreation Director Stopak reported on upcoming senior parking lot concerts and that AARP will be offering tax assistance at locations in Bellevue and Omaha.

Police Chief Lausten reported on an incident at Triangle Park, reports on the department's use of force, and Code Enforcement transparency and information on the



website. He also reported on how the La Vista Police Department is already meeting President Trump's new initiatives for policing.

## **B. ORDINANCE – SMALL WIRELESS FACILITIES**

Councilmember Thomas introduced Ordinance No. 1393 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND THE LA VISTA MUNICIPAL CODE BY ADDING A NEW CHAPTER 120 REGARDING TELECOMMUNICATIONS SMALL WIRELESS FACILITIES; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE THEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick 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. 1393 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. RESOLUTION – APPROVE ALPINE VILLAGE SOUTH ADDITION REPLAT 1 – NORTHWEST OF 84TH ST. & BRENTWOOD DR.**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-060 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOTS 21A1, 21A2, 22B, 22A1B, & 22A1A1 ALPINE VILLAGE SOUTH & OUTLOT 1A1 GRANVILLE SOUTH, TO BE REPLATTED AS LOTS 1 THROUGH 3 ALPINE VILLAGE SOUTH ADDITION REPLAT 1, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF THE SOUTHEAST QUARTER OF SECTION 15, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, to be replatted as Lot 1 through 3 Alpine Village South Addition Replat 1; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on May 21, 2020, the La Vista Planning Commission reviewed the replat and unanimously voted to recommended approval to the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 21A1, 21A2, 22B, 22A1B, & 22A1A1 Alpine Village South & Outlot 1A1 Granville South, to be replatted as Lot 1 through 3 Alpine Village South Addition Replat 1, a subdivision located in the Northeast Quarter of the Southeast Quarter of Section 15, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located northwest of the intersection of 84th Street and Brentwood Drive be, and hereby is, approved.

Seconded by Councilmember Frederick. Scott Meyerson, attorney for the applicant, and Steve Humphries, surveyor, were present to answer any questions. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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## **D. RESOLUTION – PAPIO-MISSOURI RIVER NRD HAZARD MITIGATION PLAN PARTICIPATION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NRD MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Hazard Mitigation Plan identifies the vulnerability of public bodies to natural and man-made hazards and the measures that can be implemented to reduce or eliminate vulnerability exposure; and

WHEREAS, FEMA now requires that a public entity must have a current Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters; and

WHEREAS, the Papio-Missouri River Natural Resources District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including Burt, Dakota, Douglas, Sarpy, Thurston, and Washington Counties and all associated local governmental entities;

NOW THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska hereby approve participation in the proposed Hazard Mitigation Planning process described above, and pledge to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

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

## **E. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – CONCRETE PANEL REPLACEMENT 96TH ST. & 108TH ST.**

Councilmember Sell introduced and moved for the adoption of Resolution No. 20-062 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR CONCRETE PAVEMENT RECONSTRUCTION ON 96TH STREET AND 108TH STREET.

WHEREAS, the Mayor and Council have determined that concrete pavement reconstruction on 96th Street and 108th Street is necessary; and

WHEREAS, the FY19/FY20 Biennial Budget provides funding for the proposed project; and

WHEREAS, the schedule for awarding this contract is as follows:

Publish Notice to Contractors	June 24 and July 1, 2020
Open Bids	July 10, 2020 at 10:00 am at City Hall
City Council Award Contract	July 21, 2020

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska hereby authorize the advertisement for bids for Concrete Pavement Reconstruction on 96th Street and 108th Street.

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

## **F. RESOLUTION – AUTHORIZE LEASE BUY-OUT**

Councilmember Quick introduced and moved for the adoption of Resolution No. 20-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY

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OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE BUY-OUT OF ONE (1) 2016 CATERPILLAR 308E2 EXCAVATOR AND ONE (1) FELLING FT-30-2 LP TRAILER FROM NEBRASKA MACHINERY COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$70,201.24.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of an excavator and trailer is necessary; and

WHEREAS, the Capital Purchasing Team determined that buying out the lease on the current excavator was a more cost-effective solution than purchasing a new piece of equipment; and

WHEREAS, this equipment was included in the updated Capital Outlay List for FY20 which was approved by the City Council on December 3, 2019; 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 lease buy-out of one (1) 2016 Caterpillar 308E2 Excavator and one (1) Felling FT-30-2 LP Trailer from Nebraska Machinery Company, Omaha, Nebraska in an amount not to exceed \$70,201.24.

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

## COMMENTS FROM CITIZENS

There were no comments from citizens.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on the City of Omaha's new hate crime ordinance and if La Vista should be working on a similar ordinance. There was Council consensus for staff to research and bring back an ordinance for Council consideration at a future meeting.

Mayor Kindig asked for and received consensus to direct staff to work on a reopening plan for City facilities.

At 7:40 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 7TH DAY OF JULY 2020.

CITY OF LA VISTA

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

ATTEST:

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