

# MINUTE RECORD

A-3

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

## LA VISTA CITY COUNCIL MEETING JULY 21, 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 July 21, 2020. 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, 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 July 8, 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. 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 JULY 7, 2020 CITY COUNCIL  
MEETING
3. MONTHLY FINANCIAL REPORT – MAY 2020
4. REQUEST FOR PAYMENT – ALFRED BENESCH & COMPANY –  
PROFESSIONAL SERVICES – 96TH STREET AND 108TH STREET  
PAVEMENT REHABILITATION – \$25,130.00
5. REQUEST FOR PAYMENT – DESIGN WORKSHOP, INC. – PROFESSIONAL  
SERVICES – 84TH STREETSCAPE PLAN – \$15,800.50
6. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – CENTRAL PARK IMPROVEMENTS – \$8,081.56
7. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – MISCELLANEOUS SERVICES – \$525.00
8. REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – PHASE 1 GOLF COURSE TRANSFORMATION  
– PROPOSED LAKE IMPROVEMENTS – \$3,116.70
9. REQUEST FOR PAYMENT – VIERREGGER ELECTRIC CO. –  
CONSTRUCTION SERVICES – SPORTS COMPLEX – \$5,261.00
10. RESOLUTION NO. 20-066 – INTERLOCAL AGREEMENT – LAW  
ENFORCEMENT MUTUAL AID

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT BETWEEN THE LAW ENFORCEMENT AGENCIES OF CITY OF LA VISTA IN SARPY COUNTY, NEBRASKA (HEREINAFTER "LVPD"); CITY OF BELLEVUE IN SARPY COUNTY, NEBRASKA (HEREINAFTER "BVPD"); CITY OF OMAHA IN DOUGLAS COUNTY, NEBRASKA (HEREINAFTER "OPD"); CITY OF PAPILLION IN SARPY COUNTY, NEBRASKA (HEREINAFTER "PPD"); CITY OF RALSTON IN DOUGLAS COUNTY, NEBRASKA (HEREINAFTER "RPD"); CITY OF VALLEY IN DOUGLAS COUNTY, NEBRASKA (HEREINAFTER "VPD"); CITY OF WATERLOO IN DOUGLAS COUNTY, NEBRASKA (HEREINAFTER "WPD"); CITY OF BENNINGTON IN DOUGLAS COUNTY, NEBRASKA (HEREINAFTER "BPD"); SARPY COUNTY, NEBRASKA (HEREINAFTER "SCSO"), AND DOUGLAS COUNTY, NEBRASKA (HEREINAFTER "DCSO"), HEREIN COLLECTIVELY REFERRED TO AS "COOPERATING AGENCIES" TO PROVIDE MUTUAL AID MAINTENANCE AND SUPPORT FOR LAW ENFORCEMENT SERVICES.

WHEREAS, La Vista and the Cooperating Agencies wish to implement to the extent hereafter provided, the provisions of Neb. Rev. Stat. Sec. 29-215 (hereinafter "Sec. 29-215"), so as to empower law enforcement officers (hereinafter "Officers") of each of the Cooperating Agencies to

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exercise extraterritorial law enforcement authority, including arrest and enforcement under the laws of this state and legal ordinances of each Cooperating Agency, within the jurisdiction of each of the other Cooperating Agencies; and

WHEREAS, the Cooperating Agencies wish to provide for personnel backup and such other assistance as any of the Agencies may require in time of emergency or other time of need; and

WHEREAS, the Cooperating Agencies have common goals, staffing needs, training needs and other needs in common in the area of law enforcement, and the joint cooperation contemplated by this Agreement will allow the Agencies each to provide improved law enforcement services at less cost; and

WHEREAS, each of the Cooperating Agencies, as among themselves, wish to improve law enforcement services and implement, to the extent herein provided, the authority given by Sec. 29-215 to law enforcement officers of each of the Agencies hereto to enforce the laws of this state and legal ordinances of Cooperating Agencies; and,

WHEREAS, the Cooperating Agencies wish to formalize their understanding pursuant to the Interlocal Cooperation Act of the State of Nebraska, Neb. Rev. Stat. Sec. 13-801 *et seq.*, as amended (herein "Interlocal Cooperation Act").

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with between the law enforcement agencies of City of La Vista in Sarpy County, Nebraska (hereinafter "LVPD"); City of Bellevue in Sarpy County, Nebraska (hereinafter "BVPD"); City of Omaha in Douglas County, Nebraska (hereinafter "OPD"); City of Papillion in Sarpy County, Nebraska (hereinafter "PPD"); City of Ralston in Douglas County, Nebraska (hereinafter "RPD"); City of Valley in Douglas County, Nebraska (hereinafter "VPD"); City of Waterloo in Douglas County, Nebraska (hereinafter "WPD"); City of Bennington in Douglas County, Nebraska (hereinafter "BPD"); Sarpy County, Nebraska (hereinafter "SCSO"), and Douglas County, Nebraska (hereinafter "DCSO"), herein collectively referred to as "Cooperating Agencies" to provide mutual aid maintenance and support for law enforcement services.

## **11. REQUEST FOR PAYMENT – CITY OF OMAHA – CONSTRUCTION SERVICES – 84TH STREET ADAPTIVE SIGNAL CONTROL SYSTEM – \$53,846.00**

### **12. APPROVAL OF CLAIMS**

AKRS EQUIPMENT SOLUTIONS, maint.	300.09
ALFRED BENESCH & CO, services	18,797.99
AMAZON CAPITAL, supplies	305.37
ATHLETICO EXCEL NE, services	50.00
BAUER BUILT INC, maint.	1,018.40
BAXTER CHRYSLER DODGE, maint.	301.19
BIBLIOTHECA LLC, books	5.86
BIG RIG TRUCK ACCESSORIES, maint.	200.78
BISHOP BUSINESS EQUIPMENT CO, services	1,102.51
BLACK HILLS ENERGY, utilities	21.12
BRYAN ROCK PRODUCTS, services	3,465.04
BUILDERS SUPPLY CO, services	63.25
CENTURY LINK, phones	629.02
CINTAS CORP, services	420.06
CITY OF PAPILLION, services	7,782.96
COMMERCIAL SEEDING, services	2,119.10
CONRECO INC, services	189.54
CONTINENTAL RESEARCH CORP, supplies	465.07
COX COMMUNICATIONS, services	282.51
CULLIGAN OF OMAHA, services	40.50

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D & K PRODUCTS, supplies	5,237.49
DATASHIELD CORP, services	60.00
DELL MARKETING, services	273.57
DIAMOND VOGEL PAINTS, bld&grnds	303.60
DLR GROUP, services	90,255.00
DOUGLAS COUNTY SHERIFF'S OFC, services	562.50
DXP ENTERPRISES INC, supplies	373.34
EDGEWEAR SCREEN PRINTING, apparel	6,679.65
EYMAN PLUMBING INC, bld&grnds	9,884.00
FBG SERVICE CORP, bld&grds	5,965.00
FILTER CARE OF NE, maint.	63.00
GENUINE PARTS CO, maint.	480.72
GRAYBAR ELECTRIC CO, bld&grnds	985.70
GREATAMERICA FINANCIAL, services	1,127.00
HUNTEL COMMUNICATIONS, services	824.00
INDUSTRIAL SALES CO, supplies	72.94
INGRAM LIBRARY SERVICES, books	1,578.00
JOHNSON CONTROLS, bld&grnds	552.00
KANOPI, INC.	84.00
LARSEN SUPPLY COMPANY	1,190.46
LIBRARY IDEAS LLC	10.50
LOGAN CONTRACTORS SUPPLY, maint.	101.24
LOVELAND GRASS PAD, services	53.06
MARK A KLINKER, services	200.00
MARTIN ASPHALT - MONARCH OIL, services	469.90
MATHESON TRI-GAS INC, services	18.84
MENARDS-RALSTON, bld&grnds	552.85
MUD, utilities	182.88
MIDWEST TAPE, media	658.63
MIDWEST TURF & IRRIGATION, supplies	174.89
MOBILITY MOTORING, supplies	276.00
MOBOTREX INC, services	1,081.00
MUNICIPAL PIPE TOOL CO LLC, maint.	375.73
NE IOWA INDL FASTENERS INC, maint.	14.70
NEWMAN SIGNS INC, services	19.99
OAKHAVEN HOMES INC, services	24,683.13
OCLC INC, services	161.21
ODEYS INC, services	621.55
OFFICE DEPOT INC, supplies	622.70
OLSSON INC, services	1,331.50
OPPD, utilities	51,244.65
OMAHA TACTICAL LLC, supplies	66.00
OMNI ENGINEERING, maint.	605.02
ONE CALL CONCEPTS INC, services	389.29
O'REILLY AUTO PARTS, maint.	456.94
ORIENTAL TRADING CO, supplies	394.30
P.Q.L. INC, bld&grnds	335.76
PAPILLION SANITATION, services	1,472.75
PAPILLION TIRE INC, maint.	169.22
RDG PLANNING & DESIGN, services	5,004.25
READY MIXED CONCRETE CO, services	3,392.94
RED WING BUSINESS ACCT, apparel	150.00
RIVER CITY RECYCLING, supplies	35.09
ROSE EQUIPMENT INC, maint.	147.98
SIGN IT, services	1,617.50
SOUTHERN UNIFORM, apparel	115.46
STOREY KENWORTHY, supplies	212.41
STREICHER'S INC, supplies	1,375.00
TED'S MOWER SALES, services	93.66
THEATRICAL MEDIA INC, services	4,898.73

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THOMPSON DREESSEN & DORNER INC, services	13,661.25
TOSHIBA FINANCIAL, services	138.00
TRANS UNION RISK, services	50.00
U.S. CELLULAR, phones	1,688.72
UNITE PRIVATE NETWORKS LLC, services	4,400.00
VERIZON CONNECT NWF, services	631.41
WESTLAKE HARDWARE INC , bld&grnds	1,711.56
WINCAN LLC, services	3,795.00
YESCO OMAHA, services	2,345.00
ZIMCO SUPPLY CO, bld&grnds	640.00

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Hale 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 thanked everyone who worked on Santa's Summer Sleigh Ride.

Library Director Barcal reported on the Library's curbside service and on attendance since the Library reopened.

Police Chief Lausten reported that the Police Department has released a baseball card set. He also reported on the Council's request to research a hate crime ordinance similar to the City of Omaha's ordinance.

## **B. RESOLUTION – RATIFY COUNCIL ACTIONS FROM MARCH 17, 2020 TO JUNE 16, 2020**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-067 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RATIFYING ACTIONS TAKEN BY THE LA VISTA CITY COUNCIL DURING MEETINGS HELD VIRTUALLY FROM MARCH 17, 2020 THROUGH JUNE 30, 2020.

WHEREAS, the Governor of Nebraska declared a state of emergency in Nebraska on May 13, 2020 due to the Coronavirus (COVID-19); and

WHEREAS, the Governor of Nebraska issued Executive Orders No. 20-03 and No. 20-24 allowing meetings to be held virtually by telephone and/or video conferencing before June 30, 2020; and

WHEREAS, the City of La Vista held the following meetings virtually by telephone and/or video conferencing:  
March 17, 2020 (telephone conference)  
April 6, 2020 (telephone conference)  
April 21, 2020 (telephone and video conference)  
May 5, 2020 (telephone and video conference)  
May 19, 2020 (telephone and video conference)  
June 2, 2020 (telephone and video conference)  
June 16, 2020 (telephone and video conference); and

WHEREAS, The Mayor and City Council of the City of La Vista wish to ratify all actions taken during those meetings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby ratify actions taken by the La Vista City Council during meetings held virtually from March 17, 2020 through June 30, 2020.

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

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## **C. RESOLUTION – REJECT BIDS – 96TH STREET AND 108TH STREET PAVEMENT RECONSTRUCTION**

Councilmember Hale introduced and moved for the adoption of Resolution No. 20-068 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA REJECTING THE BID RECEIVED FROM SWAIN CONSTRUCTION OF OMAHA NEBRASKA FOR THE 96TH STREET AND 108TH STREET PAVEMENT RECONSTRUCTION PROJECT.

WHEREAS, the Mayor and Council have determined that rejection of the bid for the 96th Street and 108th Street Reconstruction Project is necessary; and

WHEREAS, only one bid was received, and the bid exceeded the Engineer's estimate by more than 29%; and

WHEREAS, the work will be rebid with adjustments to timeframes where possible and adjustments to some of the design work to provide options where possible;

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista Nebraska hereby reject the bid received from Swain Construction of Omaha, Nebraska for the 96th Street and 108th Street Reconstruction Project.

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

## **D. RESOLUTION – APPROVE PURCHASE – ICE CONTROL SALT**

Councilmember Quick introduced and moved for the adoption of Resolution No. 20-069 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$20,000.00

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

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

WHEREAS, the ice control salt is used by Public Works for winter operations; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$20,000.00.

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

## **E. RESOLUTION – COUNCIL POLICY STATEMENT – PEDESTRIAN CROSSWALK MARKING POLICY**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 20-070 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

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WHEREAS, criteria for the evaluation, installation, and maintenance of marked crosswalks as requested by the public are being recommended; and

WHEREAS, a Council Policy Statement entitled "Pedestrian Crosswalk Marking Policy" has been created and reviewed by the Public Works Department;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Pedestrian Crosswalk Marking Policy" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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. DISCUSSION – COUNCIL MEETING STARTING TIME FOLLOW-UP**

Council discussed the change of the meeting starting time to 6:00 p.m. and if they wanted to change the starting time back to 7:00 p.m. There was Council consensus to keep the starting time at 6:00 p.m.

### **COMMENTS FROM CITIZENS**

Gary Bush commented on access to the City Center Park from Valley Road and on citizen input during the budgeting process.

### **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Frederick thanked Police Chief Lausten for looking into his hate crime ordinance request.

At 6:35 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 4TH DAY OF AUGUST 2020.

CITY OF LA VISTA

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

ATTEST:

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