

# MINUTE RECORD

A-3

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

## LA VISTA CITY COUNCIL MEETING August 4, 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 August 4, 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, and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Times on July 29, 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 and made the announcements.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 20, 2020 BUDGET WORKSHOP
3. APPROVAL OF THE MINUTES OF THE JULY 21, 2020 CITY COUNCIL  
MEETING
4. APPROVAL OF THE MINUTES OF THE JULY 21, 2020 BUDGET WORKSHOP
5. REQUEST FOR PAYMENT – BJORKLUND COMPENSATION CONSULTING  
LLC – PROFESSIONAL SERVICES – CLASSIFICATION, COMPENSATION,  
AND BENEFIT STUDY – \$6,500.00
6. REQUEST FOR PAYMENT – HGM ASSOCIATES, INC. – PROFESSIONAL  
SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION –  
PHASE I INVESTIGATION – \$797.50
7. REQUEST FOR PAYMENT – LAMP RYNEARSON – PROFESSIONAL  
SERVICES – 2020 ASSET MANAGEMENT – \$4,095.60
8. REQUEST FOR PAYMENT – PAPIO-MISSOURI RIVER NRD –  
PROFESSIONAL SERVICES – STORM WATER MANAGEMENT FEES –  
\$110,781.60
9. APPROVAL OF CLAIMS

ABM INDUSTRIES, services	10,882.73
ACCURATE TESTING INC, services	687.50
ACTION BATTERIES, maint.	140.55
AKRS EQUIPMENT SOLUTIONS, maint.	937.95
ALFRED BENESCH & CO, services	25,130.00
ALL MAKES OFFICE EQUIPMENT, services	4,217.53
AMAZON CAPITAL, supplies	261.94
ASP ENTERPRISES INC, bld&grnds	215.00
AT&T MOBILITY LLC, phones	93.82
BAUER BUILT INC, maint.	292.68
BISHOP BUSINESS EQUIPMENT, services	1,158.80
BLACK HILLS ENERGY, utilities	714.76
BOOT BARN, apparel	131.99
BUETHE,P., services	50.00
BUILDERS SUPPLY CO, services	139.83
CENTURY LINK, phones	278.46
CENTURY LINK BUSN SVCS, phones	48.49
CINTAS CORP, apparel	160.02
CITY OF OMAHA, services	53,846.00
CITY OF PAPILLION, services	188,687.00
CIVICPLUS, services	21,637.93
CNA SURETY, services	1,177.50

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CONTROL MASTERS INC, bld&grnds	217.50
COX COMMUNICATIONS, services	147.04
D & K PRODUCTS, supplies	1,020.44
DANNER, DENELL, services	50.00
DEMCO INC, supplies	221.54
DESIGN WORKSHOP INC, services	15,800.50
DIAMOND VOGEL PAINTS, supplies	103.77
DULTMEIER SALES LLC, maint.	179.00
DXP ENTERPRISES INC, maint.	4.90
FBG SERVICE CORP, supplies	103.04
FEDEX KINKO'S, services	34.54
FERGUSON ENTERPRISES, bld&grnds	422.50
GENERAL FIRE & SAFETY, bld&grnds	87.50
GILMORE & BELL PC, services	2,500.00
GRAYBAR ELECTRIC CO, bld&grnds	411.04
HARM'S CONCRETE INC, services	150.00
HAYES MECHANICAL LLC, services	2,474.00
HERITAGE CRYSTAL CLEAN LLC, services	787.99
HOIT, CHRISTINE M, services	144.00
HUNDEN STRATEGIC PARTNERS, services	350.00
INCIDENT RESPONSE TECHNOLOGIES, services	2,103.75
INDUSTRIAL SALES CO, services	81.90
INGRAM LIBRARY SERVICES, books	1,340.52
J & J SMALL ENGINE, maint.	78.90
KEYMASTERS LOCKSMITH, services	311.00
KINDIG,D., services	165.25
LV COMM FOUNDATION, payroll	60.00
LARSEN SUPPLY CO, supplies	54.72
LOGAN CONTRACTORS SUPPLY, apparel	83.96
LOU'S SPORTING GOODS, supplies	100.00
LOVELAND GRASS PAD, supplies	175.00
MARCO INC, services	120.46
MENARDS-RALSTON, bld&grnds	135.80
METRO COMM COLLEGE, services	11,652.28
MUD, utilities	21,136.50
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	510.00
MURPHY TRACTOR & EQUIPMENT, maint.	19.34
NEBRASKA WELDING LTD, supplies	63.30
NMC EXCHANGE LLC, maint.	68.05
OFFICE DEPOT INC, supplies	1,109.56
OMAHA WINNELSON SUPPLY, bld&grnds	113.00
OMNI ENGINEERING, services	550.20
OVERHEAD DOOR CO, bld&grnds	2,300.00
PER MAR SECURITY, services	219.83
RAINBOW GLASS & SUPPLY, services	677.00
READY MIXED CONCRETE CO, services	2,989.12
SAPP BROS, maint.	1,318.75
SARPY COUNTY COURTHOUSE, services	4,207.68
SARPY COUNTY TREASURER, services	10,492.00
SECURITY EQUIPMENT INC, services	169.00
STAPLES INC, supplies	353.02
SUBURBAN NEWSPAPERS INC, services	388.47
THE HARRY A KOCH CO, services	3,799.00
THOMPSON DREESSEN & DORNER, services	11,723.26
TRACTOR SUPPLY, bld&grnds	19.99
TRUCK CENTER COMPANIES, maint.	736.71
TURFWERKS, maint.	211.86
VERIZON WIRELESS, phones	291.82
VIERREGGER ELECTRIC CO, services	5,261.00
WATKINS CONCRETE BLOCK, services	110.00

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WOODHOUSE SW OMAHA, maint.

822.57

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

Director of Public Works Soucie reported on rehab work at Mayor's Park and that MUD will be replacing some panels on 72nd Street following a water main break at 72nd St. and James Ave.

## B. FISCAL YEAR 20/21 AND FISCAL YEAR 21/22 MUNICIPAL BUDGETS

### 1. APPROPRIATIONS ORDINANCE – FIRST READING

Councilmember Hale introduced Ordinance No. 1395 entitled: AN ORDINANCE TO APPROPRIATE 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, 2020 AND ENDING ON SEPTEMBER 30, 2021; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2021 AND ENDING ON SEPTEMBER 30, 2022 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; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Thomas proposed that the purchase of two unmarked police cars be pushed back to FY22 and that the purchase of two police motorcycles be pushed back to FY23. There was Council consensus to make this adjustment.

Councilmember Sheehan made a motion to approve Ordinance No. 1395 on its first reading and pass it on to a second reading. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## C. ORDINANCE – MOBILE FOOD VENDORS

Councilmember Hale introduced Ordinance No. 1396 entitled: AN ORDINANCE AUTHORIZING MOBILE FOOD VENDORS; TO PROVIDE RULES AND REGULATIONS GOVERNING MOBILE FOOD VENDORS; TO PROVIDE FOR THE ISSUANCE OF LICENSES FOR MOBILE FOOD VENDORS; TO PROVIDE FOR FEES FOR THE ISSUANCE OF LICENSES FOR MOBILE FOOD VENDORS AND FOR THE COLLECTION THEREOF; TO PROVIDE FOR PENALTIES FOR VIOLATION OF THE PROVISIONS HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford 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 Sell moved for final passage of the ordinance which motion was seconded by Councilmember Thomas. The Mayor then stated the question, "Shall Ordinance No. 1396 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.

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## **D. METROPOLITAN UTILITIES DISTRICT – LA VISTA CITY CENTRE – WATER MAIN PROJECT PHASES 2 & 3**

### **1. RESOLUTION – APPROVE CHANGE ORDER NO. 1**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 20-071 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING CHANGE ORDER NO. 1 TO THE CONTRACT WITH METROPOLITAN UTILITIES DISTRICT (MUD), OMAHA, NEBRASKA, TO PROVIDE FOR ADDITIONAL FIELD WORK, FOR AN INCREASE OF \$25,570.78 TO THE CONTRACT AMOUNT.

WHEREAS, the City has determined additional field work is necessary; and

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

WHEREAS, the contract price increases from \$287,537.00 to \$313,107.78;

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 No. 1 to the contract with Metropolitan Utilities District (MUD), Omaha Nebraska, to provide for additional field work for an increase of \$25,570.78 to the contract amount.

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

### **2. RESOLUTION – APPROVE FINAL BILLING**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 20-072 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PAYMENT TO METROPOLITAN UTILITIES DISTRICT (MUD), OMAHA, NEBRASKA, FOR THE WATER MAIN EXTENSION AGREEMENT IN LA VISTA CITY CENTRE IN AN AMOUNT NOT TO EXCEED \$313,107.78.

WHEREAS, the City Council of the City of La Vista approved the Water Main Extension Agreement on May 3, 2018 for \$287,537.00; and

WHEREAS, the City Council of the City of La Vista approved Change Order No. 1 to the agreement on August 4, 2020 for an additional amount of \$25,570.78 and an agreement total of \$313,107.78; and

WHEREAS, the FY 19/20 Biennial Budget provides funding for this project; 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 purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the payment to Metropolitan Utilities District (MUD), Omaha, Nebraska, for the Water Main Extension Agreement in an amount not to exceed \$313,107.78.

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

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## E. RESOLUTION – AWARD CONTRACT – AUDIT SERVICES

Councilmember Quick introduced and moved for the adoption of Resolution No. 20-073 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO SIGN A CONTRACT WITH THE AUDITING FIRM OF BERGAN KDV, LTD, OMAHA, NEBRASKA, TO CONDUCT FY20, FY21, AND FY22 ANNUAL AUDIT SERVICES WITH THE OPTION OF A THREE-YEAR EXTENSION.

WHEREAS, the City of La Vista solicited proposals for annual audit services and received three proposals in response to its request; and

WHEREAS, City of La Vista Staff has reviewed the proposals, interviewed the three firms, and recommend Bergan KDV, LTD, Omaha, Nebraska, for annual audit services with a three-year renewal option;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a contract with Bergan KDV, LTD, Omaha Nebraska, for FY20, FY21, and FY22 annual audit services with a three-year renewal option that is negotiated at the sole discretion of the City, and also authorize the Mayor to execute said contract.

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

Councilmember Sheehan motioned to move Comments from the Floor up on the agenda ahead of item F. Executive Session. 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 THE FLOOR

There were no comments from the floor.

## F. EXECUTIVE SESSION – PERSONNEL

At 6:42 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, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:01 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, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on visiting The Heights Draft Room, a new business in City Centre.

At 8:03 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.

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No. 728 — REEDIE & COMPANY, INC. OMAHA E1310558LD

PASSED AND APPROVED THIS 18TH DAY OF AUGUST 2020.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC  
City Clerk