

# MINUTE RECORD

A-2

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

## LA VISTA CITY COUNCIL MEETING March 2, 2021

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 March 2, 2021. 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, Chief of Police Lausten, City Clerk Buethe, Director of Public Works Soucie, Director of Administrative Services Pokorny, Assistant Library Director Norton, Finance Director Miserez, Recreation Director Stopak, City Engineer Dowse, and Community Development Director Fountain.

A notice of the meeting was given in advance thereof by publication in the Times on February 17, 2021. 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: AMANDA EBY – 5 YEARS

Mayor Kindig recognized Amanda Eby for 5 years of service to the City.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE FEBRUARY 16, 2021 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE FEBRUARY 8, 2021 LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. MEETING
4. REQUEST FOR PAYMENT – CITY OF OMAHA – SEWER CONNECTION FEES – \$151,620.00
5. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – ON CALL SERVICES – \$6,540.00
6. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING & LA SERVICES – \$11,222.76
7. APPROVAL OF CLAIMS

ACTION BATTERIES, maint.	112.50
AMAZON, supplies	437.03
AT&T MOBILITY LLC, phones	97.40
BERGANKDV LLC, services	20,000.00
BEST CARE EMPLOYEE ASST, services	4,158.00
BIBLIOTHECA LLC, books	4.47
BISHOP BUSINESS EQUIPMENT, services	275.43
BUILDERS SUPPLY CO, supplies	40.32
CINTAS CORP, services	279.45
CITY OF OMAHA, services	693,473.39
CITY OF PAPILLION, services	218,909.95
CORNHUSKER INTL TRUCKS INC, maint.	21.97
COX COMMUNICATIONS INC, services	427.58
DEMCO INC, supplies	176.74
DOUGLAS COUNTY SHERIFF, services	887.50
FASTENAL CO, maint.	31.15
FELSBURG HOLT & ULLEVIG INC, services	1,828.75
FIRST WIRELESS INC, services	681.00
GALE, books	124.45
GRAYBAR ELECTRIC CO, bld&grnds	119.05
GREAT PLAINS UNIFORMS, apparel	120.00

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GREY HOUSE PUBLISHING, services	345.00
INFOGROUP, services	2,500.00
INGRAM LIBRARY SERVICES, books	802.65
JOHNSON CONTROLS, bld&grnds	611.50
K ELECTRIC, services	586.04
LAMP RYNEARSON & ASSOCIATES, services	16,975.20
LARSEN SUPPLY CO, supplies	291.44
LIBRA INDUSTRIES INC, apparel	197.00
LIBRARY IDEAS LLC, books	7.50
LINE-X, maint.	420.00
LOGO LOGIX EMBROIDERY, apparel	248.00
MENARDS-RALSTON, bld&grnds	195.88
METRO COMM COLLEGE, services	14,931.75
MIDWEST TAPE, media	576.94
MISEREZ, CYNTHIA, supplies	71.94
MOBOTREX INC, services	8,877.00
MOODY'S INVESTORS INC, services	4,875.00
MSC INDUSTRIAL SUPPLY CO, supplies	827.67
NE MUNICIPAL CLERKS ASSOC, services	45.00
NE STATE FIRE MARSHAL, bld&grnds	324.00
NORTH AMERICAN RESCUE, services	465.20
OCLC INC, media	161.21
OFFICE DEPOT INC, supplies	1,796.76
OMAHA WINNELSON SUPPLY, bld&grnds	1,294.30
RAINBOW GLASS & SUPPLY, bld&grnds	1,280.00
RED WING, apparel	150.00
SAPP BROS INC, maint.	1,445.50
SARPY ELECTION COMMISSIONER, services	1,899.20
SARPY DOUGLAS LAW ACADEMY, supplies	258.04
SHI INTERNATIONAL CORP, services	4,142.75
SIGN IT, services	715.00
SOUTHERN UNIFORM, apparel	192.96
SYMBOL ARTS LLC, apparel	997.75
COUNCIL OF STATE GOVERNMENTS, books	112.50
THE NEW YORK TIMES, services	650.00
THE PENWORTHY CO, books	559.32
THOMPSON DREESSEN & DORNER INC, services	5,200.00
TY'S OUTDOOR POWER, maint.	906.66
VERIZON CONNECT NWF, phones	631.41
VERIZON WIRELESS, phones	688.17
WALMART, supplies	443.85
WORLD TRADE PRESS, services	796.72

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Sell 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 reported there will be a City Council work session on March 27.

Finance Director Miserez reported that Moody's has given the City an Aa3 rating for the bond items that the Council approved at their last meeting.

Recreation Director Stopak reported on COVID vaccination clinics held at the Community Center and on senior services and programming.

Community Relations Coordinator Beaumont reported on the event postcard that will be going out to residents.

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Chief of Police Lausten reported on Police Department staff receiving the second round of COVID vaccinations.

Director of Public Works Soucie reported that crews are out applying cold patch to potholes.

## **B. ZONING TEXT AMENDMENTS – SECTION 5.17 GATEWAY CORRIDOR DISTRICT AND THE GATEWAY CORRIDOR DISTRICT DESIGN GUIDELINE BOOKLET**

### **1. PUBLIC HEARING**

At 6:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed zoning text amendments.

At 6:11 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. 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. 1414 entitled: AN ORDINANCE TO AMEND SECTION 5.17 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.17 OF ORDINANCE NO. 848 AS 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 Crawford seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, and Sell. Nays: Crawford and Hale. Abstain: None. Absent: None. Motion passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1414. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1414 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. ORDINANCE – AMEND MASTER FEE ORDINANCE**

Councilmember Frederick introduced Ordinance No. 1415 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1408, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1415. Councilmember Frederick seconded the motion. The Mayor then stated the

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question, "Shall Ordinance No. 1415 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.

## D. CLASS C LIQUOR LICENSE – RUMOR HAS IT LLC DBA PHILLY SPORTS BAR & GRILL

### 1. PUBLIC HEARING

At 6:14 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the application for a Class C Liquor License for Rumor Has It LLC dba Philly Sports Bar & Grill. Michael Lehan, attorney for the applicant, stated that owners Jeremy Edwards and Shannon Opitz were present to answer any questions.

At 6:18 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. 21-019 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 C LIQUOR LICENSE FOR RUMOR HAS IT LLC DBA PHILLY SPORTS BAR & GRILL IN LA VISTA, NEBRASKA.

WHEREAS, Rumor Has It LLC dba Philly Sports Bar & Grill, 8116 S. 84th Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C 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 a Class C Liquor License submitted by Rumor Has It LLC dba Philly Sports Bar & Grill, 8116 S 84th Street, 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.

## E. RESOLUTION – AWARD CONTRACT – PARK VIEW BOULEVARD PANEL REPLACEMENT PROJECT

Councilmember Hale introduced and moved for the adoption of Resolution No. 21-020 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO TR CONSTRUCTION, OMAHA, NEBRASKA, FOR THE PARK VIEW BOULEVARD PANEL REPLACEMENT PROJECT IN AN AMOUNT NOT TO EXCEED \$372,175.96.

WHEREAS, the City Council of the City of La Vista has determined that various panel replacements along Park View Boulevard between 84th Street and 96th Street are necessary; and

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WHEREAS, the FY21/FY22 Biennial Budget provides funding for the proposed repairs; and

WHEREAS, bids were solicited, and four bids were received; and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract in a form satisfactory to the City Administrator and City Attorney to TR Construction, Omaha, Nebraska, for the Park View Boulevard Panel Replacement Project in an amount not to exceed \$372,175.96.

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

## **F. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – 114<sup>TH</sup> STREET AND GILES ROAD INTERSECTION IMPROVEMENTS**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 21-021 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR 114TH STREET AND GILES ROAD INTERSECTION IMPROVEMENTS.

WHEREAS, the Mayor and Council have determined that intersection improvements at 114th Street and Giles Road are necessary; and

WHEREAS, the FY21/FY22 Biennial Budget provides funding for the proposed project; and

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

Publish Notice to Contractors March 10, 2021 and March 17, 2021

Open Bids March 26, 2021 at 10:00 am at City Hall

City Council Award Contract April 6, 2021

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 114th Street and Giles Road Intersection Improvements.

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

## **G. RESOLUTION – AUTHORIZE PURCHASE – PORTABLE RADIOS**

Councilmember Quick introduced and moved for the adoption of Resolution No. 21-022 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO MOTOROLA SOLUTIONS, CHICAGO, IL, FOR THE PURCHASE OF TWO (2) MOTOROLA APX 6000 PORTABLE RADIOS AND TWO APX 6500 MOBILE RADIOS IN AN AMOUNT NOT TO EXCEED \$21,900.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new Motorola radios and accessories is necessary, and

WHEREAS, the FY21-22 General Fund budget does include funds for the purchase of two (2) Motorola portable radios and two (2) mobile radios, and

WHEREAS, Motorola Solutions is a sole source vendor and will extend that price to the City of La Vista, and

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WHEREAS, Motorola Solutions is a highly qualified specialty public safety communications provider, and

WHEREAS, Subsection (c) 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 La Vista, Nebraska, do hereby accept the requisition and authorize the purchase of two (2) Motorola APX 6000 portable radios and two (2) Motorola APX 6500 mobile radios from Motorola Solutions, Chicago, IL, in an amount not to exceed \$21,900.

Seconded by Councilmember Thomas. 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.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick commented on Salute to Summer.

Mayor Kindig commented that he will be testifying regarding Hotel Occupation Tax at the Capitol on Thursday.

At 6:26 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 16TH DAY OF MARCH 2021.

CITY OF LA VISTA

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

ATTEST:

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