

# MINUTE RECORD

A-2

No. 729 - REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING February 1, 2022

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 February 1, 2022. 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, Community Development Director Fountain, Finance Director Miserez, Recreation Director Stopak and City Engineer Dowse.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on January 19, 2022. 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: KARL MEISTER - 5 YEARS

Mayor Kindig recognized Karl Meister 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 JANUARY 18, 2022 CITY COUNCIL MEETING
3. REQUEST FOR PAYMENT - THOMPSON, DREESSEN & DORNER, INC. - PROFESSIONAL SERVICES - CENTRAL PARK IMPROVEMENTS - \$7,843.00
4. REQUEST FOR PAYMENT - BENESCH - PROFESSIONAL SERVICES - 96<sup>TH</sup> & 108<sup>TH</sup> STREET PAVEMENT REHABILITATION - \$6,021.00
5. REQUEST FOR PAYMENT - BENESCH - PROFESSIONAL SERVICES - 96<sup>TH</sup> & 108<sup>TH</sup> STREET PAVEMENT REHABILITATION - \$1,086.00
6. REQUEST FOR PAYMENT - OLSSON - PROFESSIONAL SERVICES - LA VISTA CITY CENTRE PHASE 1 PUBLIC INFRASTRUCTURE - \$1,072.75
7. REQUEST FOR PAYMENT - DLR GROUP - PROFESSIONAL SERVICES - LA VISTA CITY CENTER PARKING STRUCTURE 2 - \$11,938.56
8. REQUEST FOR PAYMENT - DLR GROUP - PROFESSIONAL SERVICES - LA VISTA CITY CENTER PARKING STRUCTURE 2 - \$3,282.00
9. REQUEST FOR PAYMENT - DLR GROUP - PROFESSIONAL SERVICES - LA VISTA CITY CENTER PARKING STRUCTURE 2 - \$11,925.00
10. REQUEST FOR PAYMENT - CITY CENTRE MUSIC VENUE, LLC & ASTRO THEATER, LLC - DISBURSEMENT OF EDP AWARD FUNDS - \$166,420.42
11. RESOLUTION NO. 22-003 - AUTHORIZE AMENDMENT - PRINTING AND MAILING SERVICES

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AMENDMENT TO THE AGREEMENT WITH COLONIAL PRESS, LA VISTA, NEBRASKA, FOR COMMUNITY EVENT GUIDE PRINTING AND MAILING SERVICES.

WHEREAS, the Mayor and City Council have determined that printing and mailing services for the Community Event Guide are necessary; and

WHEREAS, proposals were solicited, and City Council approved an agreement with Colonial Press, La Vista, NE, on January 21, 2020; and

WHEREAS, it is determined that it is in the best interest of the City of La Vista to extend the agreement through May 31, 2022; and

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WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed services;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that an amendment, in a form satisfactory to the City Administrator and City Attorney, be authorized with Colonial Press, La Vista, Nebraska, for Community Event Guide printing and mailing services.

## 12. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	47.90
911 CUSTOM LLC, services	387.78
ACI-NEBRASKA CHAPTER, services	35.00
ACTION BATTERIES, maint.	684.14
ACTIVE NETWORK LLC, services	177.87
AKRS EQUIPMENT SOLUTIONS, maint.	244.80
AMAZON, supplies	995.84
ANTHEM SPORTS LLC, services	4,993.44
AT&T MOBILITY LLC, phones	97.68
AWARDS & MORE CO, supplies	52.78
BADGER BODY & TRUCK EQUIP, maint.	44.00
BIBLIOTHECA LLC, media	14.37
BIG RED LOCKSMITHS, services	221.75
BISHOP BUSINESS EQUIPMENT, services	1,317.44
BODY BASICS INC, maint.	36.00
BOK FINANCIAL, bonds	205,982.70
C&H PRECISION WEAPONS LLC, services	124.46
CENTER POINT INC, books	46.14
CENTURY LINK/LUMEN, phones	700.10
CINTAS CORP, services	254.16
CONNER PSYCHOLOGICAL, services	1,540.00
CONTROL MASTERS INC, bld&grnds	1,720.42
COX COMMUNICATIONS INC, services	147.03
CULLIGAN OF OMAHA, supplies	49.00
DANIEL SMITH, refund	15.96
DESIGN WORKSHOP INC, services	11,400.00
DIAMOND VOGEL PAINTS, bld&grnds	258.95
DOUGLAS COUNTY SHERIFF'S OFC, services	175.00
DULTMEIER SALES LLC, maint.	694.19
EBIX INC, supplies	395.50
EDGEWEAR SCREEN PRINTING, apparel	1,849.00
FITZGERALD SCHORR BARMETTLER, services	23,403.00
FLEETPRIDE, maint.	602.28
FOCUS PRINTING, services	454.60
FUN EXPRESS LLC, supplies	221.67
GALE, books	50.23
GENERAL FIRE & SAFETY EQUIP CO, services	162.25
GREATAMERICA FINANCIAL, services	1,127.00
GROSSENBACHER BROTHERS INC, supplies	739.00
GT DISTRIBUTORS INC, supplies	1,869.60
HDR ENGINEERING INC, services	4,095.46
HITOUCH BUSINESS, supplies	97.62
HOBBY LOBBY STORES INC, supplies	162.23
HY-VEE INC, services	62.00
INDUSTRIAL SALES CO, supplies	34.24
INGRAM LIBRARY SERVICES, books	1,833.10
J & J SMALL ENGINE, services	21.83
KRIHA FLUID POWER, maint.	246.51
LANDS' END BUSINESS OUTFITTERS, apparel	158.77
LARSEN SUPPLY CO, supplies	134.80
LEXIS NEXIS MATTHEW BENDER, services	312.31
LOU'S SPORTING GOODS, supplies	204.00
MATHESON TRI-GAS INC, maint.	46.31

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MATT FRIEND TRUCK EQUIP, maint.	509.15
MENARDS-RALSTON, maint.	290.11
METRO AREA TRANSIT, services	703.00
METRO CHIEFS ASSOC, services	75.00
MUD, utilities	2,573.99
MID-AMERICAN BENEFITS INC, services	660.72
MOBOTREX INC, services	1,400.00
MOSS ADAMS, services	1,239.00
NE DEPT OF LABOR, services	630.50
NE FEDERAL SURPLUS PROPERTY, supplies	1,025.00
NICHOLAS A JEANETTE JR, payroll	150.00
OCLC INC, services	164.44
OFFICE DEPOT INC, supplies	677.05
OPPD, utilities	38,549.94
OMAHA WINNELSON SUPPLY, bld&grnds	285.67
OMAHA WORLD-HERALD, services	2,163.20
OMNI ENGINEERING, services	1,170.40
PAYROLL MAXX, payroll & taxes	370,653.59
PER MAR SECURITY, services	183.57
SAMPSON CONSTRUCTION CO INC, services	186,333.00
SAPP BROS INC, bld&grnds	840.68
SARPY COUNTY FISCAL ADMIN, services	22,354.69
SARPY DOUGLAS LAW ACADEMY, services	6,000.00
SESAC INC, services	513.00
SOUTHERN UNIFORM, apparel	317.94
THE WALDINGER CORP, bld&grnds	1,946.16
THOMPSON DREESSEN & DORNER INC, services	7,845.00
TK ELEVATOR CORP, bld&grnds	1,293.48
TOSHIBA FINANCIAL, services	265.40
TRUCK CENTER COMPANIES, maint.	3,960.89
TY'S OUTDOOR POWER, maint.	663.00
UNITED PARCEL, services	45.41
US BANK NATIONAL ASSOC, supplies	11,495.52
VAL VERDE ANIMAL HOSPITAL INC, services	351.48
VERIZON CONNECT NWF, phones	631.41
VIERREGGER ELECTRIC CO, services	5,003.00
WATCHGUARD INC, services	115.00
WELDON PARTS INC, maint.	52.00
WESTLAKE HARDWARE, bld&grnds	104.84
WOODHOUSE FORD, maint.	55.18
WOODHOUSE SW OMAHA, maint.	79.00

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Ronan 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 that the Legislature is back in session and correspondence from the city will be shared with the Mayor & City Council.

Accountant Buurman gave a report on the audit process and that the City was awarded the Certificate of Achievement for Excellence in Financial Reporting.

Communication Manager Beaumont gave a social media report.

Chief of Police Lausten reported on the lateral police officer hiring process.

## B. COMPREHENSIVE PLAN AMENDMENT – FUTURE LAND USE MAP – 8001 S. 132<sup>ND</sup> STREET

## 1. PUBLIC HEARING

At 6:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Comprehensive Plan Amendment – Future Land Use Map – 8001 S. 132<sup>nd</sup> Street. Steve LaHood gave an overview of the Well House project.

At 6:17 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. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1436 entitled: AN ORDINANCE TO AMEND SECTIONS 1 AND 2 OF ORDINANCE NO. 1404 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. 1404 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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1436. Councilmember Frederick seconded the motion. 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. ZONING MAP AMENDMENT – 8001 S. 132<sup>ND</sup> STREET

### 1. PUBLIC HEARING

At 6:19 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Zoning Map Amendment – 8001 S. 132<sup>nd</sup> Street. The applicant, Steve LaHood was present to answer any questions.

At 6:19 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. ORDINANCE

Councilmember Thomas introduced Ordinance No. 1437 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1437. Councilmember Frederick seconded the motion. 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

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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. STREET NAMING -- CENTRAL PARK ACCESS ROAD AND FIRE LANE**

### **1. PUBLIC HEARING**

At 6:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Street Naming -- Central Park Access Road and Fire Lane.

At 6:21 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. ORDINANCE**

Councilmember Thomas introduced Ordinance No. 1438 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, NAMING THE CENTRAL PARK ACCESS ROAD AND FIRE LANE AS CENTRAL PARK PLAZA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1438. Councilmember Quick seconded the motion. 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.

## **E. TEXT AMENDMENTS -- BUILDING REGULATIONS & CODE UPDATE**

### **1. PUBLIC HEARING**

At 6:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the proposed Text Amendments -- Building Regulations & Code Update.

At 6:22 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. ORDINANCE**

Councilmember Thomas introduced Ordinance No. 1439 entitled: AN ORDINANCE TO AMEND SECTIONS 150.01, 150.02, 150.03, 150.04 and 151.05 OF THE LA VISTA MUNICIPAL RELATING TO STANDARD CODES AND REGULATION OF BUILDINGS, STRUCTURES, MECHANICAL, PROPERTY MAINTENANCE, PLUMBING, ELECTRICAL AND RELATED WORK, MATERIALS AND REQUIREMENTS: TO REPEAL SECTIONS 150.01, 150.02, 150.03 150.04 AND 150.05 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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1439. Councilmember Frederick seconded the motion. 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.

## **F. AMEND VARIOUS SECTIONS OF THE LA VISTA MUNICIPAL CODE**

### **1. ORDINANCE – AMEND SECTION 30.46**

Councilmember Thomas introduced Ordinance No. 1440 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTION 30.46; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1440. Councilmember Quick seconded the motion. 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.

### **2. ORDINANCE – AMEND SECTION 31.21**

Councilmember Thomas introduced Ordinance No. 1441 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 31.21; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1441. Councilmember Quick seconded the motion. 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.

### **3. ORDINANCE – AMEND SECTION 32.02**

Councilmember Thomas introduced Ordinance No. 1442 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTION 32.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1442. Councilmember Quick seconded the motion. 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

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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.

#### **4. ORDINANCE – AMEND SECTIONS 33.16 AND 33.57**

Councilmember Thomas introduced Ordinance No. 1443 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 33.16 AND 33.57; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1443. Councilmember Quick seconded the motion. 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.

#### **5. ORDINANCE – AMEND SECTIONS 35.09, 35.47, 35.48 AND 35.50**

Councilmember Thomas introduced Ordinance No. 1444 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 35.09, 35.47, 35.48 AND 35.50; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1444. Councilmember Quick seconded the motion. 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.

#### **6. ORDINANCE – AMEND SECTIONS 95.15, 95.32 AND 95.47**

Councilmember Thomas introduced Ordinance No. 1445 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 95.15, 95.32 AND 95.47 TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1445. Councilmember Quick seconded the motion. 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.

## **7. ORDINANCE — AMEND SECTIONS 119.01, 119.02 AND 119.03**

Councilmember Thomas introduced Ordinance No. 1446 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 119.01, 119.02 AND 119.03; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1446. Councilmember Quick seconded the motion. 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.

## **8. ORDINANCE — AMEND SECTION 133.05**

Councilmember Thomas introduced Ordinance No. 1447 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTION 133.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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 passed.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1447. Councilmember Quick seconded the motion. 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.

## **G. RESOLUTION — AUTHORIZE AMENDMENT NO. 1 — PROFESSIONAL SERVICES AGREEMENT — PLACEMAKING AND LANDSCAPING DESIGN SERVICES FOR LA VISTA CIVIC AREAS**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-004 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AMENDMENT NO. 1 TO THE PROFESSIONAL SERVICES AGREEMENT WITH RDG PLANNING AND DESIGN, OMAHA, NEBRASKA, FOR ADDITIONAL PROFESSIONAL SERVICES ASSOCIATED WITH FINAL DESIGN AND CONSTRUCTION OF THE LINK IN AN AMOUNT NOT TO EXCEED \$900,930.

WHEREAS, the Mayor and City Council of the City of La Vista determined that professional placemaking and landscape design services for the 84<sup>th</sup> Street corridor were necessary; and

WHEREAS, an RFP process was completed and on January 2, 2019, the City Council selected RDG Planning and Design as the firm to provide said placemaking and landscape design services; and

WHEREAS, subsequently a detailed scope of work and terms of an agreement were negotiated with RDG and approved by the City Council on June 4, 2019; and



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WHEREAS, the agreed upon scope was divided into two phases for this project and phase one services have been completed; and

WHEREAS, the FY21/22 Biennial Budget contains 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 expenditure over \$5,000.00.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby approve amendment No. 1 to the professional services agreement with RDG Planning and Design, Omaha, Nebraska to provide additional professional services associated with final design and construction of The Link in an amount not to exceed \$900,930.

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

## **H. RESOLUTION – APPROVE CONSTRUCTION MANAGER AT RISK CONTRACT – JE DUNN CONSTRUCTION COMPANY**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-005 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF THE CONSTRUCTION MANAGER AT RISK CONTRACT FOR PRECONSTRUCTION SERVICES WITH JE DUNN CONSTRUCTION COMPANY, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$15,000.

WHEREAS, the Mayor and City Council have determined that preconstruction and construction services for the Central Park Pavilion and Site Improvement Project are necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed services;

WHEREAS, on September 21, 2021, City Council approved contract negotiations to begin with JE Dunn Construction; and

WHEREAS, Guaranteed Maximum Price to be established as part of the preconstruction efforts and will be added to this agreement by way of a Contract Amendment;

NOW, THEREFORE BE IT RESOLVED, the Mayor and City Council hereby adopt and approve the following:

1. A proposed contract with JE Dunn, comprised of the Standard Form of Agreement Between Owner and Construction Manager as Constructor and the General Conditions of the Contract for Construction, is presented at this meeting ("Contract").
2. The Contract is adopted and approved, subject to any additions, subtractions, or modifications as the City Administrator or City Engineer determines necessary or appropriate in consultation with the City Attorney.
3. The Mayor or any designee of the Mayor is authorized to execute the Contract.

The Mayor, City Administrator, City Engineer, or any designee of the Mayor, City Administrator, or City Engineer shall be authorized to take any action on behalf of the City as necessary or appropriate to carry out the Contract or actions approved in this Resolution.

BE IT FURTHER RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a Construction Manager at Risk contract, in a form satisfactory to the City Administrator and City Attorney, be authorized with JE Dunn Construction Company, Omaha, Nebraska for preconstruction services in an amount not to exceed \$15,000.

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

## **I. RESOLUTION – AUTHORIZE CONSULTANT SELECTION – LAND USE PLAN AND MARKET ANALYSIS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-006 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE SELECTION OF RDG PLANNING – DESIGN AND GRUEN GRUEN & ASSOCIATES AND THE NEGOTIATION OF A CONTRACT FOR THE PREPARATION OF A NEW LAND USE PLAN AND MARKET ANALYSIS FOR THE CITY OF LA VISTA IN AN AMOUNT NOT TO EXCEED \$40,000.

WHEREAS, the City Council of the City of La Vista has determined that the selection of a consultant for the preparation of a new Land Use Plan and Market Analysis is necessary; and

WHEREAS, the FY21/22 Biennial Budget contains funding for this project; and

WHEREAS, City Administration and Community Development staff have interviewed and recommended the selection of the consulting team of RDG Planning-Design and Gruen Gruen and Associates; 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 La Vista, Nebraska authorize the selection of this Consultant Team and the negotiation of a contract for the preparation of a new Land Use Plan and Market Analysis subject to any modifications the City Administrator or her designee determines necessary.

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

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

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-007 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 FOUR (4) MOTOROLA APX 6000 PORTABLE RADIOS IN AN AMOUNT NOT TO EXCEED \$25,050.

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 Biennial Budget provides funding for the proposed purchase, and

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

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 four (4) Motorola APX 6000 portable radios from Motorola Solutions, Chicago, IL, in an amount not to exceed \$25,050.

# MINUTE RECORD February 1, 2022

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

## **K. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – EAST LA VISTA SEWER REHABILITATION**

Councilmember Quick introduced and moved for the adoption of Resolution No. 22-008 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE EAST LA VISTA SEWER REHABILITATION.

WHEREAS, the Mayor and Council have determined that the East La Vista Sewer and Pavement Project is necessary; and

WHEREAS, the FY21/22 Biennial Budget provides funding for the proposed project; and

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

Publish Notice to Contractors February 9, 2022 and February 16, 2022

Open Bids March 4, 2022 at 10:00am at City Hall

City Council Award Contract March 15, 2022

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 the East La Vista Sewer Rehabilitation.

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**

There were no comments from the Mayor or Council.

At 6:38 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF FEBRUARY 2022.

CITY OF LA VISTA

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

ATTEST:

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