

## LA VISTA CITY COUNCIL MEETING August 16, 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 August 16, 2022. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Also in attendance were, City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Chief of Police Lausten, Director of Public Works Soucie, Finance Director Miserez, Library Director Barcal, 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 Papillion Times on August 3, 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.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE AUGUST 2, 2022 BUDGET HEARING
3. APPROVAL OF THE MINUTES OF THE AUGUST 2, 2022 CITY COUNCIL MEETING
4. MONTHLY FINANCIAL REPORT -- JUNE 2022
5. REQUEST FOR PAYMENT -- RDG PLANNING & DESIGN -- PROFESSIONAL SERVICES -- PLACEMAKING PHASE 1 -- \$26,955.30
6. REQUEST FOR PAYMENT -- SAMPSON CONSTRUCTION -- CONSTRUCTION SERVICES -- OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 2 -- \$610,355.00
7. REQUEST FOR PAYMENT -- THOMPSON, DREESSEN & DORNER, INC. -- PROFESSIONAL SERVICES -- CENTRAL PARK IMPROVEMENTS -- \$13,328.39
8. REQUEST FOR PAYMENT -- THOMPSON, DREESSEN & DORNER, INC. -- PROFESSIONAL SERVICES -- CENTRAL PARK IMPROVEMENTS -- \$1,186.25
9. REQUEST FOR PAYMENT -- FELSBURG, HOLT & ULLEVIG -- PROFESSIONAL SERVICES -- GILES ROAD WIDENING -- \$13,841.70
10. REQUEST FOR PAYMENT -- OLSSON, INC -- PROFESSIONAL SERVICES -- LINK SPECIAL INSPECTIONS -- \$3,870.75
11. REQUEST FOR PAYMENT -- HDR ENGINEERING -- PROFESSIONAL SERVICES -- PROJECT MANAGEMENT FOR PUBLIC IMPROVEMENTS -- \$3,592.03
12. REQUEST FOR PAYMENT -- RDG PLANNING & DESIGN -- PROFESSIONAL SERVICES -- LAND USE & MARKET ANALYSIS -- \$369.25
13. REQUEST FOR PAYMENT -- JE DUNN CONSTRUCTION CO -- CONSTRUCTION SERVICES -- CENTRAL PARK PAVILION AND SITE IMPROVEMENTS -- \$746,678.00
14. RESOLUTION NO. 22-072 -- APPROVE PURCHASE -- ICE CONTROL SALT

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 \$25,000.

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

WHEREAS, the FY21/FY22 Biennial Budget provides funding for this purchase; and

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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 \$25,000.

## **15. APPROVAL OF CLAIMS**

3CMA MEMBERSHIP, services	400.00
911 CUSTOM LLC, services	5,718.00
AA WHEEL & TRUCK SUPPLY, maint.	3.39
ABM INDUSTRIES INC, services	6,760.27
ACTION BATTERIES, maint.	139.00
AKRS EQUIPMENT SOLUTIONS INC, maint.	2,038.79
AMAZON, supplies	655.86
A-RELIEF, services	103.00
BACON LETTUCE CREATIVE, services	1,896.00
BEAUMONT, M., travel	206.00
BIZCO INC, services	1,421.78
BOOKPAGE, books	648.00
BOOT BARN, apparel	150.00
BROWNELLS INC, services	430.45
CHAPMAN, YASMINE B, services	1,650.00
CINTAS CORP, services	408.78
CITY CENTRE MUSIC VENUE LLC, grant	585,451.37
CITY OF OMAHA, services	247,833.34
CITY OF PAPILLION, services	243,733.54
COMP CHOICE INC, services	509.50
COMPLETE TACTICAL CONSULTANTS, services	1,180.00
CONNER PSYCHOLOGICAL, services	770.00
CONSOLIDATED MANAGEMENT CO, services	63.30
COX COMMUNICATIONS INC, services	467.15
CROUCH RECREATION, services	3,293.00
CULLIGAN OF OMAHA, services	32.25
D & K PRODUCTS, supplies	4,774.73
DASH MEDICAL GLOVES, supplies	118.90
DATABASEUSA, services	60.00
DELL MARKETING LP, supplies	36.99
DEMCO INC, supplies	682.26
DILLON BROS HARLEY DAVIDSON, maint.	88.04
DOUGLAS COUNTY SHERIFF, services	625.00
DULTMEIER SALES LLC, maint.	133.60
EDGEWEAR SCREEN PRINTING, apparel	1,760.00
ELDON STULL, apparel	150.00
EYMAN PLUMBING INC, bld&grnds	231.00
FAC PRINT & PROMO CO, supplies	478.00
FASTENAL CO, supplies	44.35
FEDEX, services	137.54
GALLS LLC, supplies	145.18
GENUINE PARTS CO, maint.	1,243.77
GREAT PLAINS UNIFORMS, apparel	3,080.00
H & H CHEVROLET LLC, maint.	4.87
HEIMES CORP, services	65,736.95
HGM ASSOCIATES INC, services	2,022.50
INGRAM LIBRARY SERVICES, books	1,896.32
JENSEN TIRE, maint.	92.15
JOHNSTONE SUPPLY CO, bld&grnds	1,007.95
KANOPY INC, media	180.00

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KEYMASTERS LOCKSMITH, services	41.00
KRIHA FLUID POWER CO, maint.	53.70
LV COMM FOUNDATION, services	550.00
LOVELAND GRASS PAD, bld&grnds	60.06
MACQUEEN EQUIPMENT LLC, services	207.00
MARIA PENA, refund	160.00
MAX I WALKER UNIFORM, services	10.90
MENARDS-RALSTON, bld&grnds	399.18
METRO AREA TRANSIT, services	907.00
MID-IOWA SOLID WASTE EQUIP, services	3,115.11
MIDWEST TAPE, media	63.97
MIDWEST TURF & IRRIGATION, maint.	52.58
MR ICE CREAM, services	2,745.00
MSC INDUSTRIAL SUPPLY, maint.	242.49
NE LAW ENFORCEMENT, services	400.00
NPZA, services	570.00
OFFICE DEPOT INC, supplies	59.98
OMAHA SLINGS INC, supplies	51.42
OMAHA WINNELSON SUPPLY, maint.	60.36
OMNI ENGINEERING, maint.	1,370.38
ONE CALL CONCEPTS, services	272.14
O'REILLY AUTO PARTS, maint.	2,429.53
PAPILLION SANITATION, services	378.33
PAYROLL MAXX, payroll & taxes	404,729.64
PER MAR SECURITY, services	183.57
PROPHOENIX CORP, services	695.00
QUALITY AUTO REPAIR, services	87.00
RALSTON AREA BASEBALL ASSOC, services	1,540.00
RAY ALLEN MANUFACTURING, supplies	38.98
READY MIXED CONCRETE CO, services	8,421.65
RED WING, apparel	150.00
REGAL AWARDS INC, services	51.84
SARPY COUNTY CHAMBER, services	1,375.00
SHI INTERNATIONAL CORP, services	4,732.58
SIGN IT, services	373.00
SITE ONE LANDSCAPE, services	8,273.13
SOUTHERN UNIFORM, apparel	1,311.11
STATE OF NE DEPT OF TRANSPORTATION, services	131,498.80
SUBURBAN NEWSPAPERS INC, services	82.99
THE FILTER SHOP INC, bld&grnds	47.52
THE SCHEMMER ASSOCIATES INC, services	855.00
THORPE'S BODY SHOP, maint.	281.05
TORNADO WASH LLC, services	245.00
TRANS UNION RISK, services	75.00
TRUCK CENTER COMPANIES, maint.	116.31
TURFWERKS, maint.	104.89
TY'S OUTDOOR POWER, maint.	1,281.11
UNITE PRIVATE NETWORKS LLC, services	4,400.00
US POST OFFICE, postage	1,699.21
US BANK NAT'L ASSOC, services	17,927.21
VAL VERDE ANIMAL HOSPITAL, services	19.80
VERIZON WIRELESS, phones	18.02
VIERREGGER ELECTRIC CO, services	2,300.00
VOIANCE LANGUAGE, services	25.00
WESTLAKE HARDWARE, bld&grnds	1,257.02

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Sheehan reviewed the bills and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried.

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

City Administrator Gunn reported that she will be scheduling a hard hat tour of the City Centre area for the Mayor and City Council in September 2022.

Library Director Barcal reported on the library being a recipient of a desk specially equipped for the blind and that there will be a telescope available for checkout.

Community Development Director Fountain gave the 2022 Mid-Year Community Development report.

Recreation Director Stopak gave updates on programming, budget items and the closing of the swimming pool.

## **MIKE CRAWFORD LEGACY FUND ANNOUNCEMENT – LA VISTA COMMUNITY FOUNDATION**

Mayor Kindig and City Council presented Mike Crawford with a rendering of a planned reflection plaza on the City Hall Campus. The La Vista Community Foundation Director announced the Mike Crawford Legacy Fund to help fund the reflection plaza and a donation of \$20,000 toward the fund. On behalf of Mike Crawford, Mayor Kindig and the City Council donated \$1,000 to the Mike Crawford Legacy Fund.

## **GROW SARPY – SECOND QUARTER REPORT**

Andrew Rainbolt with Grow Sarpy presented the second quarter report.

## **B. FISCAL YEAR 22/23 AND FISCAL YEAR 23/24 MUNICIPAL BUDGETS**

At 6:30 p.m. Councilmember Quick made a motion to go into executive session for protection of the public interest for negotiating guidance regarding contract negotiations. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 6:39 p.m. the Council came out of executive session. Councilmember Hale made a motion to reconvene in open and public session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried.

## **1. APPROPRIATIONS ORDINANCE – SECOND READING**

City Clerk Buethe read Ordinance No. 1455 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, 2022 AND ENDING ON SEPTEMBER 30, 2023; AND FOR THE FISCAL PERIOD BEGINNING OCTOBER 1, 2023 AND ENDING ON SEPTEMBER 30, 2024 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 Sell made a motion to approve Ordinance No. 1455 on its second reading and pass it on to a third and final reading. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried.

## **C. RESOLUTION – APPROVE AGREEMENT – NEBRASKA DEPARTMENT OF TRANSPORTATION – 84<sup>TH</sup> STREET, GILES TO HARRISON**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-073 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AGREEMENT WITH NEBRASKA

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DEPARTMENT OF TRANSPORTATION (NDOT) FOR CONSTRUCTION OF A TRAIL SYSTEM ON BOTH SIDES OF 84<sup>TH</sup> STREET FROM GILES ROAD TO HARRISON STREET.

WHEREAS, City of La Vista is proposing a transportation project for which it would like to obtain Federal funds; and

WHEREAS, City of La Vista understands that it must strictly follow all Federal, State, and local laws, rules, regulations, policies, and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, City of La Vista and Nebraska Department of Transportation (NDOT) wish to enter into a new Project Program Agreement setting out the various duties and funding responsibilities for the Federal-aid project; and

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska that: Douglas Kindig, Mayor of the City of La Vista, is hereby authorized to sign the Program Agreement between the City of La Vista and the NDOT. The City of La Vista is committed to providing local funds for the project as required by the Project Program Agreement.

NDOT Project Number: DPS-77(67)  
NDOT Control Number: 22885  
NDOT Project Name: 84<sup>th</sup> St Trail, Giles to Harrison, La Vista

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

## **D. RESOLUTION – AUTHORIZE PURCHASE – PLAYGROUND EQUIPMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-074 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND INSTALLATION OF PLAYGROUND EQUIPMENT FOR JAYCEE PARK FROM CREATIVE SITES LLC, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$96,503.65.

WHEREAS, the City Council of the City of La Vista has determined that the purchase and installation of playground equipment is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the proposed 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 purchase and installation of playground equipment at Jaycee Park in an amount not to exceed \$96,503.65.

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

## **E. RESOLUTION – DECLARE EQUIPMENT SURPLUS**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-075 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA DECLARING PROPERTY AS SURPLUS AND AUTHORIZING ITS SALE.

WHEREAS, City Staff has recognized 21 pieces of equipment located at the Public Works Facility to be surplus; and

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WHEREAS, the City Administrator and Director of Public Works recommend that the above-mentioned items be declared surplus and sold;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that 21 pieces of equipment located at the Public Works Facility be declared surplus property and sold.

AND BE IT FURTHER RESOLVED that the General fund will receive the revenue from the sale.

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

## **F. RESOLUTION – APPROVE AGREEMENT – ADA SURVEY – CITY FACILITIES AND PARKS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 22-076 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH RAMP-UP DISABILITY CONSULTING, COLUMBIA MISSOURI, TO CONDUCT AN ADA SURVEY OF CITY FACILITIES AND PARKS FOR COMPLIANCE WITH 2010 ADA REGULATIONS IN AN AMOUNT NOT TO EXCEED \$18,200.00

WHEREAS, the Mayor and City Council have determined that a survey of city facilities and parks for ADA compliance is necessary; and

WHEREAS, it is determined that Ramp-Up Disability Consulting is the sole provider of this service in the Midwest; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that an agreement, in a form satisfactory to the City Administrator and City Attorney, be authorized with Ramp-Up Disability Consulting, Columbia Missouri, to conduct an ADA survey of city facilities and parks for compliance with 2010 ADA regulations in an amount not to exceed \$18,200.00

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

Councilmember Thomas motioned to move Comments from the Floor up on the agenda ahead of item G. Executive Session. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried.

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **G. EXECUTIVE SESSION – PERSONNEL**

At 6:56 p.m. Councilmember Quick made a motion to go into executive session for protection of an individual to discuss personnel matters. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:09 p.m. the Council came out of executive session. Councilmember Quick made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried.

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## COMMENTS FROM MAYOR AND COUNCIL

There were no comments from Mayor and Council.

At 8:09 p.m. Councilmember Quick made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Frey. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF SEPTEMBER 2022.

CITY OF LA VISTA

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

ATTEST:

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