

# MINUTE RECORD

A-2

No. 729 -- REDFIELD DIRECT E2106195KV

## LA VISTA CITY COUNCIL MEETING December 6, 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 December 6, 2022. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 Administrative Services Pokorny, Community Development Director Fountain, Recreation Director Stopak, Director of Public Works Soucie, City Engineer Dowse, Library Director Barcal and Human Resources Director Lowery.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on November 23, 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 NOVEMBER 15, 2022 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE NOVEMBER 14, 2022 JOINT WORKSHOP
4. APPROVAL OF THE MINUTES OF THE NOVEMBER 10, 2022 LIBRARY ADVISORY BOARD MEETING
5. OCCUPATION TAX REPORT
6. REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES – PLACEMAKING PHASE 1 – \$21,962.00
7. REQUEST FOR PAYMENT – SAMPSON CONSTRUCTION – CONSTRUCTION SERVICES – OFFSTREET PARKING DISTRICT NO. 2, STRUCTURE NO. 2 – \$1,163,377.00
8. REQUEST FOR PAYMENT – BENESCH – PROFESSIONAL SERVICES – TERRY DR, LILLIAN AVE & S. 78<sup>TH</sup> ST PAVEMENT REHABILITATION – \$11,735.13
9. REQUEST FOR PAYMENT – OLSSON, INC – PROFESSIONAL SERVICES – CITY PARK PAVILION TESTING – \$7,175.50
10. REQUEST FOR PAYMENT – MAPA – PROFESSIONAL SERVICES – APPLEWOOD CREEK TRAIL – \$21,987.00
11. REQUEST FOR PAYMENT – NEBRASKA DEPARTMENT OF TRANSPORTATION – CONSTRUCTION SERVICES – APPLEWOOD CREEK TRAIL – \$167,246.13
12. REQUEST FOR PAYMENT – MACKIE CONSTRUCTION – CONSTRUCTION SERVICES – CENTRAL PARK ACCESS ROAD – PARK VIEW BLVD – \$368,080.23
13. REQUEST FOR PAYMENT – BRIAN SMILES – PROFESSIONAL SERVICES – STORM WATER PUBLIC EDUCATION & OUTREACH – \$1,200.00
14. RESOLUTION NO. 22-1115 – APPROVE CHANGE ORDER – SEWER JET TRUCK

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A CHANGE ORDER FOR THE PURCHASE OF ONE (1) 2021 FREIGHTLINER 800-HPR-ECO SERIES IV SEWER JET TRUCK FROM SEWER EQUIPMENT OF AMERICA, DIXON, ILLINOIS INCREASING THE NOT TO EXCEED AMOUNT FROM \$245,000.00 TO \$252,500.00.

WHEREAS, the City Council of the City of La Vista determined that the purchase of one (1) sewer jet truck was necessary and approved Resolution 21-121 on October 19, 2021; and

WHEREAS, the original quote accounted for the cost of one sewer jet truck; this change order accounts for one sewer jet truck; and

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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; and

WHEREAS, this change order will increase the total amount of purchase from \$245,000.00 to \$252,500.00;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize a change order for the purchase of one (1) 2021 Freightliner 800-HPR-ECO Series IV Sewer Jet Truck from Sewer Equipment of America, Dixon, Illinois increasing the not to exceed amount from \$245,000.00 to \$252,500.00.

## **15. APPROVAL OF CLAIMS**

4IMPRINT, supplies	370.03
AA WHEEL & TRUCK, maint.	462.56
ABM INDUSTRIES INC, services	11,329.47
ACTIVE NETWORK LLC, services	141.02
AED ZONE, services	360.00
AKRS EQUIPMENT SOLUTIONS, maint.	426.73
AMAZON, supplies	800.37
ANTHEM SPORTS LLC, supplies	6,866.54
A-RELIEF, services	53.63
ARNOLD MOTOR SUPPLY, maint.	523.85
AT&T MOBILITY LLC, phones	98.24
AXON ENTERPRISE INC, supplies	918.00
BACON LETTUCE CREATIVE, services	2,000.00
BARCAL, R., travel	101.23
BARCO MUNICIPAL PRODUCTS, supplies	508.40
BERGANKDV LLC, services	10,520.00
BIBLIOTHECA LLC, media	35.13
BIG RED LOCKSMITHS, bld&grnds	81.00
BISHOP BUSINESS EQUIPMENT, services	1,058.92
BLACK HILLS ENERGY, utilities	3,575.99
BOBCAT OF OMAHA, maint.	49.47
BRITE IDEAS DECORATING, bld&grnds	3,975.43
CCAP AUTO LEASE LTD, services	638.00
CENTER POINT INC, books	383.52
CENTURY LINK/LUMEN, phones	953.75
CINTAS CORP, services	645.36
CITY CENTRE MUSIC VENUE, grant	634,848.49
CITY OF OMAHA, services	373,214.48
CITY OF PAPILLION, services	255,172.23
COX COMMUNICATIONS, services	150.41
CREATIVE SITES LLC, services	48,022.65
CULLIGAN OF OMAHA, services	82.25
CUMMINS CENTRAL POWER, services	1,517.14
D & K PRODUCTS, supplies	7,188.85
DATASHIELD CORP, services	60.00
HALE, D., travel	398.13
DELL MARKETING, services	118.47
DIAMOND BLADE DISTRIBUTORS, maint.	693.95
DLR GROUP, services	10,999.95
DOUGLAS COUNTY SHERIFF, services	162.50
DULTMEIER SALES LLC, maint.	15.20
EBSCO INFORMATION, services	65.62
ECHO GROUP INC, supplies	114.10
EJS SUPPLY, maint.	6,978.30
ESSENTIAL SCREENS, services	143.10



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EYMAN PLUMBING INC, services	1,188.13
FELSBURG HOLT & ULLEVIG INC, services	26,924.75
FERGUSON ENTERPRISES, bld&grnds	189.00
FERRELLGAS, bld&grnds	548.24
FITZGERALD SCHORR BARMETTLER, services	32,611.35
FLORIAN, ARTHUR CRAIG, services	250.00
FORVIS LLP, services	8,379.00
FUN EXPRESS LLC, supplies	161.96
GALE, books	33.74
GENERAL FIRE & SAFETY, services	1,849.50
GENUINE PARTS CO, maint.	380.19
GLOCK INC, supplies	550.00
GREAT PLAINS UNIFORMS, apparel	20.00
GREATAMERICA FINANCIAL, services	1,585.60
HANEY SHOE STORE, apparel	148.99
HGM ASSOCIATE INC, services	3,864.46
HITOUCH BUSINESS SERVICES, supplies	353.52
HOBBY LOBBY, supplies	1,017.58
HY-VEE INC, supplies	646.92
INDUSTRIAL SALES CO, maint.	171.49
INGRAM LIBRARY SERVICES, books	506.88
J & J SMALL ENGINE, maint.	926.52
JE DUNN CONSTRUCTION CO, services	833,381.00
JOHNSTONE SUPPLY CO, bld&grnds	258.87
JUSTIN KOFOED LLC, services	200.00
KEVIN JONES, services	525.00
KIMBALL MIDWEST, supplies	169.00
KRIHA FLUID POWER CO, maint.	207.75
LARSEN SUPPLY CO, bld&grnds	141.06
LEADS ONLINE LLC, services	3,773.00
LIBRA INDUSTRIES INC, supplies	467.00
LIBRARY IDEAS LLC, media	4.50
LIBRARY SUPPLY, supplies	199.66
LOVELAND GRASS PAD, bld&grnds	4.29
LOWE'S, supplies	290.99
MACKIE CONSTRUCTION, services	269,303.51
MARCO INC, services	144.65
MENARDS-RALSTON, supplies	3,260.17
METRO COMM COLLEGE, services	15,070.63
MUD, utilities	17,686.08
MICHAEL TODD & CO, maint.	630.71
MID-AMERICAN BENEFITS INC, services	4,725.53
MIDWEST TAPE, media	78.64
MIDWEST TURF & IRRIGATION, supplies	51.49
MITCHELL1, services	3,180.00
MOBOTREX INC, services	428.00
MPH INDUSTRIES INC, maint.	85.05
MSC INDUSTRIAL, supplies	82.64
MURPHY TRACTOR & EQUIP, maint.	307.78
NE DEPT OF REVENUE, sales tax	48.89
NE ARBORISTS ASSOC, services	145.00
NE MUNICIPAL CLERKS ASSOC, services	200.00
NE STATE FIRE MARSHAL, bld&grnds	72.00
NEBRASKALAND TIRE INC, maint.	499.44
NORTH AMERICAN RESCUE, supplies	574.31
OFFICE DEPOT INC, supplies	1,187.44
OLSSON INC, services	9,418.50
OPPD, utilities	41,541.48

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OMAHA WINNELSON, supplies	117.93
ONE CALL CONCEPTS INC, services	247.24
PAPILLION LA VISTA COMM SCHOOL, services	11,110.00
PAPILLION SANITATION, services	1,872.66
PAYROLL MAXX, payroll & taxes	420,722.91
PER MAR SECURITY, services	242.84
PETTY CASH, supplies	25.00
PITNEY BOWES, postage	1,339.00
POLCO, NAT'L RESEARCH CENTER, services	19,800.00
PORT-A-JOHNS, services	660.00
RIVER CITY RECYCLING, services	366.50
ROBERT HALF, servicees	7,925.12
ROLLIN GREEN GRADING, bld&grnds	600.00
ROSARIO CANIGILA, services	2,710.00
RTG BUILDING SERVICES INC, bld&grnds	6,665.00
SAMPSON CONSTRUCTION CO, services	793,057.00
SARPY COUNTY COURTHOUSE, services	4,452.00
SCHOLASTIC LIBRARY PUBLISHING, books	78.28
SHI INTERNATIONAL CORP, services	758.00
SIGN IT, services	630.00
SITE ONE LANDSCAPE SUPPLY, maint.	1,071.63
SNAP-ON INDUSTRIAL TOOL, services	1,208.00
SOUTHERN UNIFORM, apparel	466.94
SUBURBAN NEWSPAPERS INC, services	385.02
SUN VALLEY LANDSCAPING, bld&grnds	252.00
THE COLONIAL PRESS INC, services	100.00
THE RADAR SHOP, services	906.00
THE SCHEMMER ASSOCIATES INC, services	588.75
THEATRICAL MEDIA, services	280.00
THOMPSON DREESSEN & DORNER INC, services	4,449.05
TORNADO WASH LLC, maint.	294.00
TRANE U.S. INC, maint.	70.90
TRUCK CENTER COMPANIES, maint.	1,741.01
U.S. CELLULAR, phones	1,960.86
UNITED PARCEL, services	21.96
UNITED STATES POSTAL SERVICE, postage	1,694.47
US BANK NAT'L ASSOC, services & supplies	28,143.21
VAL VERDE ANIMAL HOSPITAL INC, services	135.60
VERIZON CONNECT NWF INC, phones	615.22
VERIZON WIRELESS, phones	365.67
VOIANCE LANGUAGE, services	25.00
WOODHOUSE FORD, maint.	128.66
WORLD TRADE PRESS, services	400.00

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Community Development Director Fountain provided an update on the Land Use Plan.

Chief of Police Lausten reported on the search for a Fire Chief for the City of Papillion.

Director of Public Works Soucie provided an update on the Applewood Creek project.



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## **B. ORDINANCE – APPROVE NON-EXCLUSIVE FRANCHISE AGREEMENT – ALLO LA VISTA, LLC**

Councilmember Thomas introduced Ordinance No. 1464 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA APPROVING A NONEXCLUSIVE CABLE FRANCHISE OF ALLO LA VISTA, LLC; APPROVING AND AUTHORIZING EXECUTION OF A NONEXCLUSIVE FRANCHISE AGREEMENT; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sell made a motion to approve final reading and adopt Ordinance 1464. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1464 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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. AMEND VARIOUS SECTIONS OF THE LA VISTA MUNICIPAL CODE**

### **1. ORDINANCE – AMEND SECTIONS 30.15, 30.41 AND 30.47**

Councilmember Thomas introduced Ordinance No. 1465 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 30.15, 30.41 and 30.47; 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 Sheehan seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1465. Councilmember Hale seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1465 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 31.22**

Councilmember Thomas introduced Ordinance No. 1466 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 31.22; 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 Hale seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

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Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1466. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1466 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 SECTIONS 33.15, 33.16 AND 33.22**

Councilmember Thomas introduced Ordinance No. 1467 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 33.15, 33.16 AND 33.22; 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, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1467. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1467 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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.

### **4. ORDINANCE – AMEND SECTIONS 35.46, 35.47, 35.48, 35.49 AND 35.50**

Councilmember Thomas introduced Ordinance No. 1468 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 35.46, 35.47, 35.48, 35.49 AND 35.50; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Quick 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, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Frederick made a motion to approve final reading and adopt Ordinance 1468. Councilmember Thomas seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1468 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 114.01, 114.02, 114.24, 114.27, 114.30 AND 114.31**

Councilmember Thomas introduced Ordinance No. 1469 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTIONS 114.01, 114.02, 114.24, 114.27, 114.30, AND 114.31; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.



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Councilmember Frederick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1469. Councilmember Quick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1469 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 SECTION 130.02**

Councilmember Frederick introduced Ordinance No. 1470 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTION 130.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Frederick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1470. Councilmember Quick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1470 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 SECTION 150.17**

Councilmember Frey introduced Ordinance No. 1471 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, TO AMEND MUNICIPAL CODE SECTION 150.17; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Frederick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Thomas seconded the motion to suspend the rules and roll call vote on the motion. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Sheehan made a motion to approve final reading and adopt Ordinance 1471. Councilmember Frederick seconded the motion. The Mayor then stated the question, "Shall Ordinance No. 1471 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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. RESOLUTION – AWARD BID – EAST LA VISTA SEWER & PAVEMENT REHABILITATION**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 22-116 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR

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PAVEMENT REHABILITATION ALONG LILLIAN AVENUE FROM PARK VIEW BOULEVARD TO JAMES AVENUE, TERRY DRIVE FROM 81<sup>ST</sup> STREET TO PARK VIEW BOULEVARD AND SOUTH 78<sup>TH</sup> STREET FROM PARK VIEW BOULEVARD TO HARRISON STREET.

WHEREAS, the Mayor and Council have determined that the Pavement Rehabilitation Project is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for this project; and

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

Publish Notice to Contractors December 14, 2022 and December 21, 2022

Open Bids January 6, 2023 at 10:00am at City Hall

City Council Award Contract January 17, 2023

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 pavement rehabilitation along Lillian Avenue from Park View Boulevard to James Avenue, Terry Drive from 81<sup>st</sup> Street to Park View Boulevard and South 78<sup>th</sup> Street from Park View Boulevard to Harrison Street.

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

## **E. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – TERRY DR, LILLIAN AVENUE AND S. 78<sup>TH</sup> STREET PAVEMENT REHABILITATION**

Councilmember Quick introduced and moved for the adoption of Resolution No. 22-117 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO NL&L CONCRETE INC., RALSTON, NEBRASKA FOR THE EAST LA VISTA SEWER AND PAVEMENT REHABILITATION PROJECT IN AN AMOUNT NOT TO EXCEED \$4,716,079.05.

WHEREAS, the City Council of the City of La Vista has determined that the East La Vista Sewer and Pavement Rehabilitation Project is necessary; and

WHEREAS, the FY23/FY24 Biennial Budget provides funding for the proposed project; and

WHEREAS, bids were solicited, and two 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 the contract to NL&L Concrete Inc., Ralston Nebraska for the East La Vista Sewer and Pavement Rehabilitation Project in an amount not to exceed \$4,716,079.05.

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

## **F. RESOLUTION – APPLICATION FOR REPLAT – LOT51A CENTECH BUSINESS PARK – REPLAT SIX**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 22-118 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 51A CENTECH BUSINESS PARK, TO BE REPLATTED AS LOTS 1 AND 2 CENTECH BUSINESS



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PARK REPLAT SIX, A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 13, TOWNSHIP 14 NORTH, RANGE 11 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owner of the above described property applied for approval of a replat for Lot 51A Centech Business Park, to be replatted as Lots 1 and 2 Centech Business Park Replat Six; and

WHEREAS, the City Engineer has reviewed the replat; and

WHEREAS, on November 17, 2022, the La Vista Planning Commission held a meeting and reviewed the replat and recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lot 51A Centech Business Park, to be replatted as Lots 1 and 2 Centech Business Park Replat Six, a subdivision located in the southeast quarter of Section 13, Township 14 North, Range 11 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of the intersection of S. 133<sup>rd</sup> Street and Centech Road, be, and hereby is, approved.

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

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## G. EXECUTIVE SESSION – PERSONNEL

At 6:43 p.m. Councilmember Frederick made a motion to go into executive session for protection of an individual to discuss personnel matters. Seconded by Councilmember Frey. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, 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 7:05 p.m. the Council came out of executive session. Councilmember Thomas made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig and the Council thanked Councilmember Frey for filling in on the City Council.

Councilmember Hale and Councilmember Quick commented on their trip to the National League of Cities Conference in Kansas City.

Mayor Kindig announced there would be a short break after adjournment of this meeting to allow set up for the Organizational meeting.

At 7:12 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Frey. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Frey, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

# MINUTE RECORD

December 6, 2022

No. 729 — REDFIELD DIRECT E2106195KV

PASSED AND APPROVED THIS 20TH DAY OF DECEMBER 2022.

CITY OF LA VISTA

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

ATTEST:

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