

# MINUTE RECORD

A-2

No. 729 — REDFIELD DIRECT E2105195KV

## LA VISTA CITY COUNCIL MEETING May 21, 2024

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 May 21, 2024. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Director of Administrative Services Pokorny, Police Captain Barcal, Director of Public Works Soucie, Community Development Director Fountain, Recreation Director Buller, Human Resources Director Lowery, Library Director Barcal and City Engineer Dowse.

A notice of the meeting was given in advance thereof by publication in the Sarpy County Times on May 8, 2024. Notice was simultaneously given to Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

Mayor Kindig called the meeting to order and made the announcements.

### SERVICE AWARDS: KEVIN POKORNY – 35 YEARS; SCOTT COLLETT – 20 YEARS; CALE BRODERSON – 5 YEARS

Mayor Kindig recognized Kevin Pokorny for 35 years of service to the City, Scott Collett for 20 years of service to the City and Cale Broderon for 5 years of service to the City.

### MAYOR'S YOUTH LEADERSHIP COUNCIL – PARTICIPATION CERTIFICATES

Mayor Kindig presented participation certificates to the Mayor's Youth Leadership Council and talked about the projects they have accomplished.

### APPOINTMENTS – CITIZEN ADVISORY REVIEW COMMITTEE – REAPPOINT JEFF SCHOVANEC, RICK BURNS, MIKE NARAK AND SHEE COVARRUBIAS – 5 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to reappoint Jeff Schovanec, Rick Burns, Mike Narak and Shee Covarrubias to the Citizen advisory Committee for a 5 year term. Councilmember Thomas motioned the approval, seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale, and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MAY 7, 2024 CITY COUNCIL MEETING
3. MONTHLY FINANCIAL REPORT – APRIL 2024
4. REQUEST FOR PAYMENT – HGM ASSOCIATES INC – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE 2 FINAL DESIGN – \$32,194.97
5. REQUEST FOR PAYMENT – HGM ASSOCIATES INC – PROFESSIONAL SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION – PHASE 2 FINAL DESIGN – \$34,631.50
6. REQUEST FOR PAYMENT – HOUSTON ENGINEERING INC – PROFESSIONAL SERVICES – 73<sup>RD</sup> AVE CULVERT REHABILITATION – \$10,176.50
7. REQUEST FOR PAYMENT – HOUSTON ENGINEERING INC – PROFESSIONAL SERVICES – 73<sup>RD</sup> AVE CULVERT REHABILITATION – \$1,262.32
8. REQUEST FOR PAYMENT - NL & L CONCRETE, INC – CONSTRUCTION SERVICES – EAST LA VISTA SEWER AND PAVEMENT REHABILITATION - \$138,822.80
9. APPROVAL OF CLAIMS

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4 SEASONS AWARDS, services	7.50
911 CUSTOM, supplies	7,276.67
A-RELIEF, services	425.00
AKRS EQUIP SOLUTIONS, maint.	33.77
ALFRED BENESCH & CO, services	28,783.17
AMAZON, supplies	2,577.10
ARNOLD MOTOR, maint.	152.99
B STREET COLLISION CTR, services	353.80
BACON LETTUCE CREAT, services	2,295.00
BARCAL, R, training	257.41
BENNETT REFRIG, bldg & grnds	637.47
ERENS-TATE CONS GRP, services	3,000.00
BERGANKDV, services	27,000.00
BIG RED LOCKSMITHS, services	155.00
BISHOP BUS EQUIPMENT, supplies	2,888.66
BIZCO, supplies	149.24
BOTACH, supplies	4,500.00
CENTER POINT, books	330.78
CITY OF PAPILLION, services	150.95
COLONIAL RES CHEM, supplies	196.23
COMP CHOICE, services	295.00
CONCRETE SUPPLY, services	1,696.50
CONNER PSYCH, services	260.00
CONRECO INC, services	480.00
CROUCH RECREATION, services	4,892.00
CULLIGAN OF OMAHA, services	13.00
CUMMINS SALES & SERVICE, maint.	1,860.48
D & K PRODUCTS, supplies	5,156.00
DAIGLE LAW GROUP, services	1,390.00
A TO Z DATABASES, services	933.00
DOUG CO SHERIFF'S OFC, services	675.00
EBSCO INFORMATION, services	3.20
ED ROEHR SAFETY PROD, supplies	6,040.00
EDGEWEAR SCR PRINT, services	648.00
FERGUSON US HOLDINGS, maint.	66.24
FIKES COMMERCIAL, supplies	99.00
FIRST RESP OUTFITTERS, apparel	1,426.01
FOAMAHA PARTIES, services	4,390.00
FRANCOIS ROSS, services	4,350.00
GALE, books	143.95
GENUINE PARTS CO, supplies	23.93
GREAT PLAINS UNIFORMS, apparel	206.23
GREGG YOUNG CHEVY, maint.	147.06
ARDIAN ALLIANCE TECH, services	800.00
HAPPY TREES, services	6,500.00
TYLER A HARPENAU, services	400.00
HOBBY LOBBY, supplies	88.69
HOTSY EQUIPMENT CO, bldg & grnds	167.35
HOUSTON RADAR, services	439.00
HURST, J, training	89.11
INGRAM LIBRARY SERVICES, books	2,913.89
J & J SMALL ENGINE, maint.	1,112.87
JESSE CLEASBY, services	1,200.00
KANOPY, media	153.00
KRIHA FLUID POWER CO, maint.	107.60

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DONALD LABRIE, services	150.00
MELISSA LEWIS, services	225.00
LIBRARY IDEAS, books	1,142.96
LIVE WELL GO FISH, services	300.00
LOWE'S, supplies	320.47
MAINTAINX, bldg & grnds	1,950.00
MALLOY ELECTRIC, maint.	3,083.51
MATHESON TRI-GAS, services	230.52
MENARDS, supplies	604.40
METRO AREA TRANSIT, services	2,538.00
METRO COMM COLLEGE, services	12,610.60
MIDWEST TAPE, media	25.49
MILLARD METAL, services	258.00
MURPHY TRACTOR, maint.	2,030.04
O'REILLY AUTO PARTS, supplies	2,269.83
OCLC, services	60.49
OFFICE DEPOT, supplies	482.76
OLSSON, services	900.00
OMAHA BUBBLE COMPANY, services	400.00
OMAHA WORLD-HERALD, services	136.99
OMNI ENGINEERING, services	997.44
ONE CALL CONCEPTS, phones	464.84
PAPILLION SANITATION, services	2,330.32
PRTN FOR LIVABLE OMAHA, services	2,500.00
PER MAR SECURITY, services	985.44
PETTY CASH, supplies	370.00
POOLEQUIP, supplies	1,590.32
PORT-A-JOHNS, services	180.00
RDG PLANNING & DESIGN, services	9,125.33
REF'S, services	8,873.00
ROBERT T. HENNRICH, services	1,562.00
ROSARIO CANIGILA, services	14,415.00
RTG BLDG SERVICES, bldg & grnds	6,765.00
SCHOOL OF ROCK OMAHA, services	800.00
SCHWARTZ, D, supplies	64.64
SITE ONE LANDSCAPE, services	3,043.65
SPIRIT YOUTH SPORTS, services	960.00
SUBURBAN NEWSPAPERS, services	528.32
SUN COUNTRY, supplies	41.64
TD2, services	21,677.05
THE ASTRO THEATER, services	6,328.00
THE COLONIAL PRESS, services	8,699.17
THE PENWORTHY CO, books	365.41
THE SCHEMMER ASSOC, services	1,546.88
TRANS UNION RISK, services	75.00
TY'S OUTDOOR POWER, maint.	389.03
UNITE PRIV NETWORKS, services	6,050.00
UNMC, services	664.00
USPS, services	1,636.11
V & V MANUFACTURING, services	359.85
VERIZON CONNECT FLEET, phones	608.00
VERIZON WIRELESS, phones	516.66
VOIANCE LANGUAGE, services	270.48
VR GAME TRUCK NE, services	2,305.00
WALMART, supplies	462.06

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WESTLAKE HARDWARE, supplies

2,095.91

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Frederick. Councilmember Ronan reviewed the bills and had no questions. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

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

Assistant to the City Administrator Carl reported on the campus planning process.

Finance Director Harris reported that the monthly financial report is in the packet this week.

Recreation Director Buller reported on recreation programs and improvements to Santa's Workshop.

Communication Manager Beaumont provided an update on La Vista Days.

## **B. APPROVAL OF CLASS D LIQUOR LICENSE APPLICATION – SHIVEN, LLC DBA JD'S LIQUOR LOCKER**

### **1. PUBLIC HEARING**

At 6:20 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the Approval of Class D Liquor License Application – Shiven, LLC dba JD's Liquor Locker.

At 6:21 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 24-058 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 D LIQUOR LICENSE FOR SHIVEN, LLC DBA JD'S LIQUOR LOCKER IN LA VISTA, NEBRASKA.

WHEREAS, Shiven, LLC dba JD's Liquor Locker, 8052 S. 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class D 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 D Liquor License submitted by Shiven, LLC dba JD's Liquor Locker, 8052 S. 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska.

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

## **C. 2025-2029 CAPITAL IMPROVEMENT PROGRAM**

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## **1. PUBLIC HEARING**

At 6:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for comment on the 2025-2029 Capital Improvement Program. Assistant to the City Administrator Carl, Finance Director Harris and Assistant City Administrator Ramirez spoke.

At 7:13 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

## **2. RESOLUTION – ADOPTION OF 2025-2029 CAPITAL IMPROVEMENT PROGRAM**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-059 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE 2025-2029 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR INFRASTRUCTURE AND OTHER CAPITAL IMPROVEMENTS FOR THE CITY OF LA VISTA.

WHEREAS, the City of La Vista's Capital Improvement Program (CIP) document has been prepared and presented to Council; and

WHEREAS, the La Vista Planning Commission has reviewed the 2025-2029 Capital Improvement Program (CIP) for the City of La Vista and recommends to Council approval of the Plan; and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's 2025-2029 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the 2025-2029 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the La Vista City Council;

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the 2025-2029 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

## **D. RESOLUTION – AWARD BID – PHASE III IMPROVEMENTS: CENTRAL PARK ROAD AND PEDESTRIAN LIGHTING**

Councilmember Quick introduced and moved for the adoption of Resolution No. 24-060 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDED A CONTRACT TO VALLEY CORPORATION, VALLEY, NEBRASKA FOR THE CENTRAL PARK PHASE III IMPROVEMENTS: CENTRAL PARK ROAD AND PEDESTRIAN LIGHTING PROJECT IN AN AMOUNT NOT TO EXCEED \$606,994.25.

WHEREAS, the City Council of the City of La Vista has determined that the construction of road and pedestrian lighting in Central Park is necessary; and

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

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WHEREAS, bids were solicited, and five (5) 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 Valley Corporation, Valley, Nebraska for the Central Park Phase III Improvements: Central Park Road and Pedestrian Lighting Project in an amount not to exceed \$606,994.25.

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

## **E. RESOLUTION – ADOPT 2024-2027 STRATEGIC PLAN UPDATE**

Councilmember Frederick introduced and moved for the adoption of Resolution No. 24-061 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT THE 2024-2027 STRATEGIC PLAN UPDATE.

WHEREAS, the Mayor and City Council recognize the importance and value of having a deliberate planning process to help guide all facets of city government; and

WHEREAS, the Mayor and City Council believe that it is essential to set goals and review them periodically to ensure progress; and

WHEREAS, on Saturday, February 24, 2024 the Mayor and City Council held a work session to update the City's Strategic Plan; and

WHEREAS, the attached Strategic Plan 2024 – 2027 update is developed as a collaborative effort between the Mayor and City Council and the City's leadership team and establishes the organizational priorities for a four year planning period;

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Strategic Plan 2024 – 2027 update as attached and presented at the May 21, 2024 City Council meeting.

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

## **F. RESOLUTION – AUTHORIZE PURCHASE – POLICE PORTABLE RADIOS**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-062 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FOUR (4) MOTOROLA APX 6000 PORTABLE RADIOS FROM MOTOROLA SOLUTIONS, CHICAGO, ILLINOIS IN AN AMOUNT NOT TO EXCEED \$26,550.40.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new portable radios are necessary, and

WHEREAS, the FY23/FY24 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

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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 authorize the purchase of four (4) Motorola APX 6000 portable radios from Motorola Solutions, Chicago, Illinois in an amount not to exceed \$26,550.40.

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

## **G. RESOLUTION – AUTHORIZE PURCHASE – POLICE MOBILE RADIOS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 24-063 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TWO (2) MOTOROLA APX 6500 MOBILE RADIOS FROM MOTOROLA SOLUTIONS, CHICAGO, ILLINOIS IN AN AMOUNT NOT TO EXCEED \$13,135.96.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of new mobile radios are necessary, and

WHEREAS, the FY23/FY24 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 authorize the purchase of two (2) Motorola APX 6500 mobile radios from Motorola Solutions, Chicago, Illinois in an amount not to exceed \$13,135.96.

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

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

## **COMMENTS FROM THE FLOOR**

There were no comments from the floor.

## **H. EXECUTIVE SESSION – PERSONNEL**

At 7:29 p.m. Councilmember Quick made a motion to go into executive session for the protection of an individual to discuss personnel matters. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

Mayor Kindig stated the executive session would be limited to the subject matters contained in the motion.

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At 7:40 p.m. the Council came out of executive session. Councilmember Quick made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

## **I. POSSIBLE RESOLUTION – RELEASE AND SETTLEMENT AGREEMENT**

Councilmember Thomas introduced and moved for the adoption of Resolution No. 24-064 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A RELEASE AND SETTLEMENT AGREEMENT WITH DENNIS IVERSON AND AUTHORIZING FURTHER ACTIONS.

WHEREAS, a proposed Release and Settlement Agreement ("Agreement") is presented to release and settle any claims Dennis Iverson might have against the City in connection with his employment, except for a pending workers' compensation claim.

NOW THEREFORE, BE IT RESOLVED, that the Agreement as presented at this meeting is deemed to be in the public interest and in furtherance of the purposes and interests of the City, and is hereby approved, subject to any additions, subtractions or modifications as the Mayor or City Administrator, or his or her designee, determines necessary or appropriate.

BE IT FURTHER RESOLVED, that the recital above is incorporated by reference, the Mayor is authorized to execute this Agreement, and the Mayor or City Administrator, or his or her designee, shall be authorized to take all steps or actions on behalf of the City as he or she determines necessary or appropriate to carry out the Agreement or actions approved in this Resolution.

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

## **COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Sell commented on being proactive on the influx of traffic with the new business openings in Southport.

Councilmember Wetuski commented on a location for the Reflection Plaza.

At 7:51 p.m. Councilmember Thomas made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Quick, Sell, Hale and Wetuski. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 4TH DAY OF JUNE 2024.

CITY OF LA VISTA

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

ATTEST:

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