

# MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

## LA VISTA CITY COUNCIL MEETING August 5, 2014

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 5:30 p.m. on August 5, 2014. 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, City Clerk Bueth, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Assistant Recreation Director Karlson, Assistant Library Director Norton, Director of Public Works Soucie, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on July 23, 2014. 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 and led the audience in the pledge of allegiance.

Mayor Kindig announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

### CITIZEN RECOGNITIONS

Mayor Kindig administered the oath to Police Officer Dana Miller, Police Sergeant Mark Flash, and Police Captains Bryan Waugh and Jeremy Kinsey. Family members pinned on their badges.

### SERVICE AWARDS – PAT CAVLOVIC – 15 YEARS; PAT ARCHIBALD – 20 YEARS

Mayor Kindig presented a service award to Pat Cavlovic for fifteen years of service and to Pat Archibald for twenty years of service.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JULY 15, 2014 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE JULY 21, 2014 CITY COUNCIL BUDGET WORKSHOP
4. APPROVAL OF THE MINUTES OF THE JULY 22, 2014 CITY COUNCIL BUDGET WORKSHOP
5. APPROVAL OF THE MINUTES OF THE MAY 21, 2014 PARK & RECREATION COMMITTEE MEETING
6. APPROVAL OF THE MINUTES OF THE JULY 10, 2014 LIBRARY ADVISORY BOARD MEETING
7. PAY REQUEST FROM UNIVERSITY OF NEBRASKA – OMAHA – PROFESSIONAL SERVICES – BIOBLITZ THOMPSON CREEK WATERSHED RESTORATION PROJECT - \$2,698.66
8. PAY REQUEST FROM THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – 120<sup>TH</sup> AND GILES ROAD TRAFFIC SIGNAL - \$1,489.36
9. PAY REQUEST FROM THOMPSON, DREESSEN, & DORNER, INC. – PROFESSIONAL SERVICES – 124<sup>TH</sup> CIRCLE AND HARRISON STREET TRAFFIC SIGNAL - \$1,821.45

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WHEREAS, Beyond Golf LLC, 12120 McDermott Plaza is located within the City of La Vista; and

WHEREAS, Beyond Golf LLC has requested approval of a Special Designated Permit to sell and serve beer at 12120 McDermott Plaza on August 16, 2014, in conjunction with a beer garden.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Beyond Golf LLC to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer at Lucky Beyond Golf LLC, 12120 McDermott Plaza on August 16, 2014, in conjunction with a beer garden.

## 17. APPROVAL OF CLAIMS

ACCO UNLIMITED CORP, supplies	1,055.90
ACTION BATTERIES , maint.	131.49
ALAMAR UNIFORMS, apparel	1,478.12
AMERICAN PLANNING ASSOCIATION, dues	1,195.00
AMERICA'S FENCE STORE, bld&grnds	108.00
APWA-AMER PUBLIC WORKS ASSN, dues	50.00
ARCMATE MANUFACTURING CORP, supplies	684.46
ASPHALT & CONCRETE MATERIALS, maint.	598.60
BAKER & TAYLOR BOOKS, books	1,329.18
BCDM-BERINGER CIACCIO DENNELL, services	2,139.50
BLACK HILLS ENERGY, utilities	28.27
BOBCAT OF OMAHA, maint.	97.58
BRYAN HILL ENTERTAINMENT, services	700.00
CDW GOVERNMENT, supplies	8,275.80
CENTER POINT PUBLISHING, books	297.78
CENTRAL STATES PETROLEUM, supplies	10,640.70
CENTURY LINK, phone	2,232.29
CITY OF OMAHA, services	710.66
CNA SURETY, ins.	1,135.50
COMP CHOICE, services	711.00
CONRECO INC., bld&grnds	195.00
CONTROL MASTERS, bld&grnds	172.50
CORNHUSKER INTL TRUCKS, maint.	44.01
COX COMM., services	16.36
D & K PRODUCTS, supply	470.19
DANKO EMERGENCY EQUIP., maint.	156.41
DARE CATALOG, supplies	1,109.48
DASH MEDICAL GLOVES, supplies	65.90
DAVE WESTERHOLT, services	1,200.00
DEARBORN NATIONAL LIFE INS CO	1,054.00
DELL, supplies	4,707.87
DIAMOND VOGEL PAINTS, maint.	481.99
DONALD SMYTH, refund	50.00
DULTMEIER SALES & SERVICE, maint.	38.41
EASTERN LIBRARY SYSTEM, training	26.00
EDGEWEAR SCREEN PRINTING, supplies	136.50
EXCHANGE BANK, lease	1,730.79
FEDEX KINKO'S, printing	313.26
FILTER CARE, maint.	51.40
FITZGERALD SCHORR BARMETTLER, services	29,634.40
FLORATINE CENTRAL TURF PRODS, supplies	420.00
FOCUS PRINTING, printing	372.43
FRED PETERSON, maint.	75.00
FUTUREWARE DISTRIBUTING, supplies	96.00
GALE, books	168.68
GALLS, AN ARAMARK COMPANY, apparel	268.11
GCR TIRES & SERVICE, supplies	138.66

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PREMIER-MIDWEST BEVERAGE, supplies	639.80
QUALITY AUTO REPAIR & TOWING, services	225.00
QUALITY BRANDS OF OMAHA, supplies	1,059.40
RAINBOW GLASS & SUPPLY, maint.	682.50
RAMIREZ, J., services	20.00
READY MIXED CONCRETE COMPANY, maint.	4,439.85
REPUBLIC NATIONAL DISTR, supplies	101.25
REPUBLIC NATIONAL DISTR., supplies	254.92
RETRIEVEX, services	136.14
RICK NELSON, services	135.00
RONDA FOLDEN, refund	60.00
RUBY STIERS, refund	146.90
SAPP BROS PETROLEUM, supplies	17,816.70
SARPY COUNTY ELECTION COMSSNR, services	2,833.02
SCHOOL OUTFITTERS, supplies	300.19
SOUCIE, JOSEPH., travel	326.00
SPRINT, services	119.97
STERLING DISTRIBUTING, supplies	42.26
SUSPENSION SHOP INC., maint.	342.88
SUTPHEN CORPORATION, maint.	117.08
SWANK MOTION PICTURES, services	521.98
TED'S MOWER SALES & SERVICE, maint.	882.27
TIELKE'S SANDWICHES, supplies	167.62
TROUT, D., services	160.00
TURF CARS, maint.	363.02
ULTRAMAX, apparel	103.34
VAN RU CREDIT CORPORATION	46.60
VERIZON WIRELESS	803.61
VIERREGGER ELECTRIC, services	6,637.83
WAL-MART, supplies	1,759.68
WAUGH, B., travel	87.74
WHITE CAP CONSTR SUPPLY/HDS, signs	78.00
WICK'S STERLING TRUCKS, maint.	35.92
WILLIAM J SIMMONS, refund	196.03
ZIMCO SUPPLY, supply	256.00

Councilmember Quick made a motion to approve the consent agenda. Seconded by Councilmember Thomas. Councilmember Thomas reviewed the claims for this period 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

Director of Public Works Soucie stated that the grant was received for tire collection day which will be held August 18-22 during normal hours and on the 23<sup>rd</sup> from 8 to 3. Soucie reported work continues at 120<sup>th</sup> and Giles and on 72<sup>nd</sup> Street. Pavement markings are done for school.

Assistant Recreation Director Karlson stated the 5<sup>th</sup> Annual La Vista Urban Adventure Race was a success with 44 teams participating this year. Karlson stated all but 6 teams finished the more than 30 miles.

## B. FISCAL YEAR 14/15 MUNICIPAL BUDGET

### 1. PUBLIC HEARING

At 5:41 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Fiscal Year 14/15 Municipal Budget.

At 5:42 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick,

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WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the execution of an Interlocal Cooperation Agreement with Sarpy County and the City of Papillion to establish obligations of the parties with regard to grant funding received by Sarpy County from the Nebraska Environmental Trust for retrofitting and/or purchasing vehicles capable of using compressed natural gas (CNG) in form and content approved by the City Attorney.

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

## **D. RESOLUTION – APPROVE INTERLOCAL AGREEMENT – HELL CREEK CHANNEL AT HARRISON STREET – EMERGENCY MAINTENANCE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-091: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH DOUGLAS COUNTY TO UNDERTAKE THE RESTORATION AND REPAIRS OF CERTAIN STABILIZATION STRUCTURES UPSTREAM AND DOWNSTREAM FROM THE HARRISON STREET BRIDGE OVER HELL CREEK

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, Douglas County is serving as the lead agent and will contract for engineering services and construction service, and;

WHEREAS, recent exceptional rain events have caused some stabilization structures to begin to fail and emergency repairs are necessary to reinforce the stabilization structures and to protect other stabilization efforts from further damage, and;

WHEREAS, the estimated cost of emergency repairs is \$50,000 of which the City of La Vista will reimburse Douglas County 50% of the cost of repairs upon completion of the work, and;

WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the execution of an Interlocal Cooperation with Douglas County to undertake the restoration and repairs of certain stabilization structures upstream and downstream from the Harrison street bridge over hell creek in form and content approved by the City Attorney.

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

## **E. RESOLUTION – APPROVE CHANGE ORDER NO. 1 – 120<sup>TH</sup> & GILES TRAFFIC SIGNAL & TURN BAYS**

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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 one (1) Henderson Model Mark E 10' Swap Loader frame and dumb body from Aspen Equipment, Omaha, Nebraska for an amount not to exceed \$13,465.

Seconded by Councilmember Thomas. Director of Public Works Soucie informed Council that the company is back logged so the equipment will be delivered in October or November so the money has been moved into the next fiscal year. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## H. POSITION DESCRIPTION UPDATE – RECEIVE AND FILE

Director of Administrative Services Pokorny gave an overview of the updated position description for the Executive Assistant. Councilmember Sheehan asked why the detailed items from the job description aren't a part of the performance evaluation. Pokorny stated that this will be done when the new performance appraisal documents are created.

Motion by Sell to receive and file the updated position description. Seconded by Councilmember Quick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM THE FLOOR

Two area citizens spoke to the council in opposition to allowing feral cats in the City.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that this is National Night Out and encouraged people to attend.

At 6:00 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 19TH DAY OF AUGUST, 2014

CITY OF LA VISTA

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

ATTEST:

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Pamela A. Bueth, CMC  
City Clerk