

# MINUTE RECORD

A-2

No. 729 — REDFIELD & COMPANY, INC. OMAHA E110778BLD

## LA VISTA CITY COUNCIL MEETING June 16, 2015

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on June 16, 2015. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resources Manager Garrod, Finance Director Miserez and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on June 3, 2015. 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.

### PRESENTATION – CERTIFICATE OF APPRECIATION FROM NATIONAL GARDEN CLUB – BLUE STAR MEMORIAL

Linda Shaw presented a certificate of appreciation from the National Garden Club to the Mayor and Council for the Blue Star Memorial project.

### SERVICE AWARD – ROB GEORGE – 10 YEARS

Mayor Kindig presented Rob George with a ten year service award.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JUNE 2, 2015 CITY COUNCIL  
MEETING
3. APPROVAL OF THE MINUTES OF THE MAY 28, 2015 PLANNING  
COMMISSION MEETING
4. PAY REQUEST – LOGAN SIMPSON – PROFESSIONAL SERVICES –  
COMPREHENSIVE PLAN UPDATE - \$6,975.00
5. PAY REQUEST – FOCUS PRINTING & MAILING – PROFESSIONAL  
SERVICES – THOMPSON CREEK RAIN BARREL PROGRAM - \$125.00
6. PAY REQUEST – FOCUS PRINTING & MAILING – PROFESSIONAL  
SERVICES – THOMPSON CREEK WATERSHED PROJECT - \$125.00
7. PAY REQUEST – LOGAN SIMPSON – PROFESSIONAL SERVICES –  
COMPREHENSIVE PLAN UPDATE - \$10,952.99
8. PAY REQUEST – ANDERSON EXCAVATING CO. – CONSTRUCTION  
SERVICES – THOMPSON CREEK CHANNEL REHABILITATION GROUP B -  
\$74,336.40
9. PAY REQUEST – DOUGLAS COUNTY TREASURER – PROFESSIONAL  
SERVICES – HELL CREEK EMERGENCY MAINTENANCE - \$61,981.59
10. PAY REQUEST – DOUGLAS COUNTY TREASURER – PROFESSIONAL  
SERVICES – HELL CREEK – HELL CREEK MITIGATION MONITORING -  
\$3,050.00
11. PAY REQUEST – PAPILLION MISSOURI RIVER NATURAL RESOURCE  
DISTRICT – WATERSHED FEES - \$189,825.48
12. APPROVE CHANGE IN START TIME OF THE JULY 21, 2015 CITY COUNCIL  
MEETING FROM 7:00 P.M. TO 6:00 P.M.
13. APPROVAL OF CLAIMS

4 SEASONS AWARDS, services	\$56.00
AA WHEEL & TRUCK SUPPLY, maint	\$17.03
ABANE MARKETING, apparel	\$68.00
ACCO UNLIMITED CORP, bld&grnds	\$1,877.20
ACTION BATTERIES, maint	\$122.95
AKSARBEN GARAGE DOOR, bld&grnds	\$85.00

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ALAMAR UNIFORMS, apparel	\$2,107.21
AMERICA'S FENCE STORE INC, services	\$84.72
ARAMARK UNIFORM, services	\$32.88
A-RELIEF SERVICES INC, services	\$1,632.00
ART FAC GRAPHICS LLC, maint.	\$884.00
ASPHALT & CONCRETE MATERIALS, maint.	\$629.20
BAKER & TAYLOR, books	\$146.92
BARCAL, R., travel	\$129.09
BCDM-BERINGER CIACCIO DENNELL, services	\$1,291.25
BEACON BUILDING, services	\$1,200.00
BEST BOOKS INC, books	\$348.34
BISHOP BUSINESS EQUIPMENT, services	\$1,604.46
BLACK HILLS ENERGY, utilities	\$2,723.81
BOB'S RADIATOR REPAIR, maint.	\$145.00
BRENTWOOD AUTO WASH, maint.	\$56.00
BRYAN ROCK PRODUCTS, bld&grnds	\$6,459.85
BUILDERS SUPPLY CO INC, maint.	\$10.24
BURTON PROSTHETICS INC, services	\$1,050.75
CARDMEMBER SERVICE, services	\$11,811.96
CATHERINE DEMES MAYDEW, services	\$2,518.75
CDW GOVERNMENT INC, services	\$4,302.18
CENTURY LINK, phones	\$154.68
CENTURY LINK BUSN SVCS, phones	\$56.64
CHRIS MADDEN, services	\$2,904.06
CITY OF OMAHA, services	\$36.87
COMSEARCH, services	\$400.00
CONSOLIDATED MANAGEMENT, travel	\$23.25
COSGRAVE COMPANY, bld&grnds	\$94.50
COX COMMUNICATIONS, services	\$143.00
DANKO EMERGENCY EQUIP., maint.	\$1,155.50
DEARBORN NATIONAL LIFE INS CO, services	\$20,266.03
DELL MARKETING L.P., services	\$7,462.27
DIAMOND VOGEL PAINTS, bld&grnds	\$217.85
EDGEWEAR SCREEN PRINTING, apparel	\$1,375.75
ENTERPRISE LOCKSMITHS INC, bld&grnds	\$20.00
EXCHANGE BANK, services	\$1,035.79
EXMARK MANUFACTURING, services	\$28,668.00
EXPRESS DISTRIBUTION LLC, supplies	\$198.38
FEDEX KINKO'S, services	\$8.18
FELSBURG HOLT & ULLEVIG, services	\$1,818.80
FILTER CARE, maint.	\$49.50
FOCUS PRINTING, services	\$75.00
GALE, books	\$163.43
GCR TIRES & SERVICE, maint.	\$155.08
GENUINE PARTS CO., maint.	\$700.77
GRAYBAR ELECTRIC CO., bld&grnds	\$621.36
HAMILTON COLOR LAB INC, services	\$634.38
HANEY SHOE STORE, apparel	\$150.00
HEARTLAND PAPER, supplies	\$84.00
HERTZ EQUIPMENT RENTAL, maint.	\$650.00
HOME DEPOT, bld&grnds	\$82.60
HUNTEL COMMUNICATIONS, services	\$140.00
HY-VEE INC. supplies	\$119.81
INFOGROUP, media	\$1,250.00
INGRAM LIBRARY SERVICES, books	\$1,840.83
GOSS, J., travel	\$6.70
KORNEY BOARD AIDS INC, services	\$58.90
KRIHA FLUID POWER CO., miant.	\$140.86
KRIZ-DAVIS CO., bld&grnds	\$36.49
LANDPORT SYSTEMS INC, services	\$125.00

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LAUGHLIN, KATHLEEN A, TRUSTEE, services	\$116.00
LEO A DALY CO., services	\$2,812.95
LEXIS NEXIS MATTHEW BENDER, books	\$51.44
LIFEGUARD STORE INC., supplies	\$225.05
LOGAN SIMPSON DESIGN INC, services	\$9,328.35
LOU'S SPORTING GOODS, supplies	\$148.80
LOWE'S, supplies	\$75.08
MENARDS-RALSTON, bld&grnds	\$292.44
METRO AREA TRANSIT, services	\$519.00
METRO LANDSCAPE, bld&grnds	\$1,890.00
METROPOLITAN COMM COLLEGE, services	\$11,636.20
MUD, utilities	\$1,972.90
MICHAEL TODD AND CO., maint.	\$69.00
MIDWEST TAPE, media	\$26.24
MIDWEST TURF & IRRIGATION, maint.	\$31.47
MSC INDUSTRIAL SUPPLY CO., maint.	\$64.28
NATIONAL LEAGUE OF CITIES, services	\$1,489.00
NE DEPT OF ROADS, maint.	\$2,618.17
NE LIQUOR CONTROL COMMISSION, services	\$40.00
NEBRASKA IOWA SUPPLY, maint.	\$6,778.69
NEBRASKA LAW ENFORCEMENT, services	\$200.00
NEBRASKA NOTARY ASSOC., services	\$100.00
NEWMAN TRAFFIC SIGNS INC., bld&grnds	\$196.15
NWEA-NE WATER ENVIRON ASSN, services	\$400.00
ODB COMPANY, maint.	\$160.41
OFFICE DEPOT INC, supplies	\$699.65
O'KEEFE ELEVATOR CO. INC., bld&grnds	\$88.00
OMAHA PUBLIC POWER DISTRICT, utilities	\$51,758.70
OMAHA PUBLIC POWER DISTRICT, services	\$205,595.36
OMAHA WINNELSON, bld&grnds	\$218.20
OMNI, maint.	\$627.42
O'REILLY AUTOMOTIVE, maint.	\$184.62
ORIENTAL TRADING CO., supplies	\$98.22
OXMOOR HOUSE, books	\$36.91
PAPILLION SANITATION, services	\$958.48
PAPILLION TIRE INC., maint.	\$83.59
PATIO-MO RIVER NRD STORM WATER, services	\$5,000.00
PARAMOUNT LINEN & UNIFORM, services	\$328.06
PAYFLEX SYSTEMS, services	\$514.85
PAYLESS OFFICE PRODUCTS, supplies	\$149.95
PEPSI COLA CO., supplies	\$677.22
PERFORMANCE CHRYSLER JEEP, maint.	\$216.00
PLAINS EQUIPMENT GROUP, maint.	\$720.53
PREMIER-MIDWEST BEVERAGE CO, supplies	\$203.10
Q P ACE HARDWARE, bld&grnds	\$2,199.88
QUALITY AUTO REPAIR & TOWING, services	\$75.00
QUALITY BRANDS OF OMAHA, supplies	\$288.35
RDG PLANNING & DESIGN, services	\$2,279.04
REGAL AWARDS, services	\$456.95
REPUBLIC NATIONAL DISTR CO LLC, supplies	\$117.74
RETRIEVEX, services	\$117.10
ROTELLA'S ITALIAN BAKERY, supplies	\$111.74
SAM'S CLUB, supplies	\$3,587.82
SARPY COUNTY LANDFILL, services	\$62.44
SCHOLASTIC BOOK FAIRS, books	\$135.95
SHAMROCK CONCRETE CO., maint.	\$16.00
SIEBELS, J., travel	\$238.00
SIRCHIE FINGER PRINT LABS, services	\$152.72
SOLBERG, C., travel	\$520.80
SPRINT, phones	\$642.20

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STERLING DISTRIBUTING CO., supplies	\$42.26
STOLTENBERG NURSERIES, bld&grnds	\$300.00
SUBSURFACE SOLUTIONS, maint.	\$615.00
SUPERIOR SPA & POOL, maint.	\$50.99
SUTPHEN CORPORATION, maint.	\$196.40
TED'S MOWER SALES, maint.	\$110.32
THOMPSON DREESSEN & DORNER, services	\$909.23
TIELKE'S SANDWICHES, supplies	\$10.89
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
UNITED PARCEL, services	\$295.39
UNITED RENT-ALL, services	\$1,221.69
UTILITY EQUIPMENT CO., bld&grnds	\$150.47
VAN RU CREDIT CORPORATION, services	\$23.15
VERNON CO., services	\$1,616.32
WHITE CAP CONSTR SUPPLY, maint.	\$134.58
WICK'S STERLING TRUCKS INC, maint.	\$443.69

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten stated that Officer Miller is attending DARE officer training.

Director of Public Works Soucie reported on the Open House at the Public Works facility on Saturday June 6. Soucie gave updates on projects.

Finance Director Miserez informed Council of some changes on reporting of e-pays on the claims register.

Library Director Barcal reported that the library is a pilot sight for wounded warrior meetings.

### B. APPLICATION FOR AMENDMENT OF THE FUTURE LAND USE MAP & REZONING – LOT 2, MAYFAIR 2<sup>ND</sup> ADDITION REPLAT 5 (SW OF BRENTWOOD DRIVE & 97<sup>TH</sup> PLAZA)

#### 1. PUBLIC HEARING

At 7:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Amendment of the Future Land Use Map & Rezoning – Lot 2, Mayfair 2<sup>nd</sup> Addition Replat 5 (SW of Brentwood Drive & 97<sup>th</sup> Plaza).

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

#### 2. RESOLUTION – AMEND FUTURE LAND USE MAP

Councilmember Thomas introduced and moved for the adoption of Resolution No.15-074; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING THE FUTURE LAND USE MAP PORTION OF THE COMPREHENSIVE PLAN.

WHEREAS, after conducting a public hearing on June 16, 2016, regarding a proposal to amend the official Future Land Use Map from a commercial land use to a high density residential land use for Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Five; and

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WHEREAS, the Planning Commission held a public hearing on May 28, 2015, and has recommended approval of the amendment to the Future Land Use Map of the Comprehensive Plan; and

WHEREAS, an amendment to the Future Land Use Map is appropriate and consistent with the land use policies of the Comprehensive Plan; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to prepare the necessary amendment to the Future Land Use Map of the Comprehensive Plan that includes an amendment from a "Commercial" to a "High Density Residential" land use category with the "Special Corridor" overlay designation for Lot 2, Mayfair 2<sup>nd</sup> Addition Replat Five.

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

## **3. ORDINANCE - APPROVE REZONING**

Councilmember Quick introduced Ordinance No. 1249 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 Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1249 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. 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. APPLICATION FOR REZONING – LOT 1, STONYBROOK SOUTH REPLAT II (W OF 142<sup>ND</sup> & EDNA CIRCLE**

### **1. PUBLIC HEARING**

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Rezoning – Lot 1, Stonybrook South Replat II (W of 142<sup>nd</sup> & Edna Circle

At 7:16 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

### **2. ORDINANCE - APPROVE REZONING**

Councilmember Thomas introduced Ordinance No. 1250 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 Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays:

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None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1250 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. 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. CONDITIONAL USE PERMIT – INDUSTRIAL CONDOMINIUMS – LOTS 8 & 16, HARRISON HILLS (118<sup>TH</sup> & PEEL CIRCLE)**

### **1. PUBLIC HEARING**

At 7:17 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Conditional Use Permit – Industrial Condominiums – Lots 8 & 16, Harrison Hills (118<sup>th</sup> & Peel Circle). The applicants gave a presentation of the project.

At 7:26 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

### **2. RESOLUTION – APPROVE CONDITIONAL USE PERMIT**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-075; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR OMAHA MOTORING CLUB TO ALLOW FOR INDUSTRIAL CONDOMINIUMS ON LOTS 8 AND 16, HARRISON HILLS (TO BE REPLATTED AS LOT 1, HARRISON HILLS REPLAT 5).

WHEREAS, Omaha Motoring Club has applied for a conditional use permit to allow industrial condominiums on Lots 8 and 16, Harrison Hills (to be replatted as Lot 1, Harrison Hills Replat 5), located northeast of 118<sup>th</sup> Street and Peel Circle; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Omaha Motoring Club to allow industrial condominiums on Lots 8 and 16, Harrison Hills (to be replatted as Lot 1, Harrison Hills Replat 5), located in the NW ¼ of Section 17, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northeast of 118<sup>th</sup> Street and Peel Circle be, and hereby is, approved subject to the resolution of the following items:

1. Legal review and approval of the proposed changes to the Conditional Use Permit; and
2. Approval and recording of the Administrative Plat prior to signing the Conditional Use Permit.

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

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## **E. ZONING TEXT AMENDMENTS – ANIMAL SPECIALTY SERVICES – KENNELS & PET STORES**

### **1. PUBLIC HEARING**

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Application for Zoning Text Amendments – Animal Specialty Services – Kennels & Pet Stores.

At 7:27 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

### **2. ORDINANCE – AMEND SECTION 2.02**

Councilmember Hale introduced Ordinance No. 1251 entitled; AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Frederick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1251 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. 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 5.05**

Councilmember Quick introduced Ordinance No. 1252 entitled; AN ORDINANCE TO AMEND SECTION 5.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Crawford moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1252 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. 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 SECTION 5.10**

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Councilmember Quick introduced Ordinance No. 1253 entitled; AN ORDINANCE TO AMEND SECTION 5.10 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.10 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Frederick moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1253 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. 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 SECTION 5.11

Councilmember Frederick introduced Ordinance No. 1254 entitled; AN ORDINANCE TO AMEND SECTION 5.11 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.11 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick 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. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Hale moved for final passage of the ordinance which motion was seconded by Councilmember Frederick. The Mayor then stated the question, "Shall Ordinance No. 1254 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. 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. RESOLUTION – APPROVE 30-DAY EXTENSION TO RECORD A FINAL PLAT – ANDOVER POINTE (SE OF 132<sup>ND</sup> & CHANDLER ROAD)

Councilmember Crawford introduced and moved for the adoption of Resolution No. 15-076; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, GRANTING APPROVAL OF A 30-DAY EXTENSION TO RECORD THE FINAL PLAT FOR LOT 1, ANDOVER POINTE, BEING A REPLATTING OF LOTS 1 AND 2, BELLA LA VISTA, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have submitted a letter requesting an extension to the filing deadline for the Andover Pointe final plat; and

WHEREAS, the City Planner has reviewed the request and recommends approval.

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No. 729 -- REED & COMPANY, INC. OMAHA E1107788LD

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the 30-day extension to record the final plat for Lot 1, Andover Pointe, being a replatting of Lots 1 and 2, Bella La Vista, a subdivision located in the Southwest 1/4 of Section 18, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southeast of 132<sup>nd</sup> Street and Chandler Road be, and hereby is, approved.

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

## G. RESOLUTION – APPROVE INTERLOCAL AGREEMENT REGARDING COMPRESSED NATURAL GAS GRANT FUNDING (TABLED FROM THE JUNE 2, 2015 MEETING)

Councilmember Quick introduced and moved for the adoption of Resolution No.15-077; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY AND THE CITY OF PAPILLION TO ESTABLISH THE 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).

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, Sarpy County has received \$200,000 in grant funding which will be divided equally between Sarpy County, the City of Papillion and the City of La Vista, and;

WHEREAS, the funding will be used for converting existing vehicles to CNG or purchasing new vehicles that have already been converted to CNG, 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 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 Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## H. RESOLUTION – APPROVE INTERLOCAL AGREEMENT REGARDING SALT SHED FACILITY AND FUELING ISLAND

Councilmember Quick introduced and moved for the adoption of Resolution No.15-078; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF PAPILLION GRANTING THE CITY OF LA VISTA A LICENSE TO USE AND OCCUPY THE SALT STORAGE FACILITY AND FUELING ISLAND LOCATED AT 9909 PORTAL ROAD.

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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, the City of Papillion is constructing a Public Works Facility across the street from the La Vista Public Works Facility, and;

WHEREAS, the City of Papillion has approached the City of La Vista regarding a joint purchase of the salt storage facility and fueling island, and;

WHEREAS, the City of La Vista Public works is in need of additional covered salt storage space and the current fueling system is insufficient and in need of upgrades, and;

WHEREAS, the FY15 Capital Fund Budget provides funding for the proposed purchase, 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 Agreement with the City of Papillion granting the City of La Vista a license to use and occupy the salt storage facility and fueling island located at 9909 Portal Road in form and content approved by the City Attorney.

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

**I. RESOLUTION – APPROVAL – THOMPSON CREEK DRAINAGEWAY PROJECT  
– INTERLOCAL AGREEMENT WITH PAPIO-MISSOURI RIVER NATURAL  
RESOURCE DISTRICT**

Councilmember Crawford introduced and moved for the adoption of Resolution No.15-079; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT FOR THE UNDERTAKING OF EFFORTS REQUIRED TO REHABILITATE AND RESTORE THE THOMPSON CREEK CHANNEL BETWEEN 72<sup>ND</sup> STREET AND 78<sup>TH</sup> STREET.

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, the City of La Vista desires to rehabilitate and restore the channel of Thompson Creek between 72<sup>nd</sup> Street and 78<sup>th</sup> Street and this area is located in the City of La Vista, and;

WHEREAS, the Papio-Missouri River NRD is agreeing to provide \$712,000. Toward the design and construction elements of the Thompson Creek Watershed Restoration project, and;

WHEREAS, the FY 15 and proposed FY 16 Capital Fund Budgets contain yearly allocations for the rehabilitation and restoration of Thompson Creek, and;

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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 approves and authorizes the execution of an Interlocal Cooperation with the Papio-Missouri River Natural Resources District for the undertaking of efforts required to rehabilitate and restore that Thompson Creek Channel between 72<sup>nd</sup> Street and 78<sup>th</sup> Street.

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

## **J. RESOLUTION – PAPIO-MISSOURI RIVER NRD HAZARD MITIGATION PLAN PARTICIPATION**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-080; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Multi-Hazard Mitigation Plan identifies the vulnerability of public bodies to natural hazards and the projects that can be implemented to reduce or eliminate vulnerability exposure, and

WHEREAS, FEMA now requires that a public entity must have a current Multi-Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters, and

WHEREAS, the Papio-Missouri River Natural Resource District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including all of Sarpy, Douglas, Washington, and Dakota Counties as well as parts of Burt and Thurston Counties and all associated local governmental entities,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves participation in the proposed Multi-Hazard Mitigation Planning process described above, and pledges to attend required meetings and participate in those activities necessary to complete an effective plan for the public we serve.

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

## **K. RESOLUTION – AUTHORIZATION TO PURCHASE - HEATING AND AIR CONDITIONING UNIT**

Councilmember Hale introduced and moved for the adoption of Resolution No.15-081; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) NEW TEMPSTAR NATURAL GAS FURNACE AND AIR CONDITIONING UNIT FROM STANDARD HEATING AND AIR CONDITIONING, INC., LA VISTA, NEBRASKA FOR AN AMOUNT NOT TO EXCEED \$13,996.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a new gas furnace and air conditioning unit is necessary, and

WHEREAS, the FY15 Capital Fund budget provides funding for the purchase of said unit, and

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WHEREAS, Standard Heating and Air Conditioning, La Vista NE was the most responsible bidder 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 one (1) new Tempstar Natural gas furnace and air conditioning unit from Standard Heating and Air Conditioning, Inc., La Vista, Nebraska and in an amount not to exceed \$13,996.

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

## **L. RESOLUTION – AUTHORIZE PURCHASE – SPECIAL TRANSIT SERVICE VEHICLE**

Councilmember Quick introduced and moved for the adoption of Resolution No.15-082; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A SPECIAL TRANSIT SERVICE VEHICLE IN PARTNERSHIP WITH METROPOLITAN AREA TRANSIT (MAT) IN AN AMOUNT NOT TO EXCEED \$10,235.00.

WHEREAS, the City Council has previously participated in a partnership with the City of Ralston and Metropolitan Area Transit to provide transportation services to the elderly and handicapped residents of the cities; and

WHEREAS, a determination has been made that one of the vehicles in the existing fleet is in need of replacement; and

WHEREAS, the City of La Vista would be responsible for 15% of the cost of the new vehicle with the remaining cost being paid by federal funds through MAT, 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, do hereby establish the need to purchase a replacement special transit services vehicle in conjunction with Metropolitan Area Transit and authorize payment of the City's share of the cost in an amount not to exceed \$10,235.00.

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

## **M. STRATEGIC PLAN UPDATE**

City Administrator Gunn went through the Strategic Plan and updated the Council on progress on items in the plan.

Councilmember Crawford made a motion to receive and file the Strategic Plan Update. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

Councilmember Crawford made a motion to move Comments from the floor ahead of Item N Executive Session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

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## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## N. EXECUTIVE SESSION – NEGOTIATING GUIDANCE AND POTENTIAL REAL ESTATE PURCHASE; PERSONNEL

At 7:46 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for negotiating guidance and potential real estate purchase and for protection of an individual to discuss personnel. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:25 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reported on final items from the legislative session looking forward to the next session.

At 9:26 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, and Hale. Nays: None. Abstain: None. Absent: Sell. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF JULY, 2015

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk