

# MINUTE RECORD

A-2

No. 729 -- REDELO & COMPANY, INC. OMAHA E1310556LD

## LA VISTA CITY COUNCIL MEETING December 15, 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 December 15, 2015. 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 Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, Director of Public Works Soucie, Recreation Director Stopak, Community Development Director Birch, Finance Director Miserez, Library Director Barcal, Human Resources Manager Garrod, and Assistant Public Works Director/City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on December 2, 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.

### SERVICE AWARD – RANDY SEFFRON – 5 YEARS

Mayor Kindig presented a service award to Randy Seffron for 5 years of service to the City of La Vista.

### PROCLAMATION – VOLUNTEER RECOGNITION

Mayor Kindig read a proclamation recognizing the IBEW Local 22 for their outstanding volunteer efforts installing holiday lights at the City's facilities.

### APPOINTMENTS

Library Advisory Board - Re-appoint Kim Schmit-Pokorny and Valerie Russell – 2 year term; Park & Recreation Advisory Board – Re-appoint Jeff Kupfer and Greg Johnson – 2 year term

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint Kim Schmit-Pokorny – Library Advisory Board – 2 year term; Valerie Russell – Library Advisory Board – 2 year term; Jeff Kupfer – Park & Recreation Advisory Board – 2 year term; and Greg Johnson – Park & Recreation Advisory Board – 2 year term. Councilmember Sell motioned the approval, seconded by Councilmember Frederick. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. 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 DECEMBER 1, 2015 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE NOVEMBER 12, 2015 LIBRARY ADVISORY BOARD MEETING
4. APPROVAL OF THE MINUTES OF THE NOVEMBER 19, 2015 PLANNING COMMISSION MEETING
5. PAY REQUEST – BERRYDUNN – PROFESSIONAL SERVICES – FINANCIAL INFORMATION SOFTWARE SYSTEM SELECTION PROJECT - \$3,954.00
6. PAY REQUEST – THEATRICAL MEDIA SERVICES, INC. – PROFESSIONAL SERVICES – PORTABLE SOUND SYSTEM - \$13,776.00
7. PAY REQUEST – UPSTREAM WEEDS – PROFESSIONAL SERVICES – STORMWATER MANAGEMENT - \$1,500.00
8. PAY REQUEST – ANDERSON EXCAVATING CO. - CONSTRUCTION SERVICES – THOMPSON CREEK CHANNEL REHABILITATION GROUP B – CHANNEL RECONSTRUCTION - \$245,890.02
9. APPROVAL OF CLAIMS

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ALAMAR UNIFORMS, apparel	\$536.67
ARAMARK UNIFORM SERVICES INC, services	\$158.70
ASPHALT & CONCRETE MATERIALS, maint.	\$149.31
BAXTER CHRYSLER DODGE JEEP RAM, maint.	\$211.58
BISHOP BUSINESS EQUIPMENT, supplies	\$745.13
BKD LLP, services	\$2,160.00
BLACK HILLS ENERGY, utilities	\$433.46
CAPSTONE PRESS INC, books	\$1,563.14
CARDMEMBER SERVICE-ELAN, travel/services	\$10,064.11
CENTURY LINK BUSN SVCS, phones	\$109.61
CENTURY LINK, phones	\$155.08
CHRIS MADDEN, services	\$1,000.00
CITY OF PAPILLION, services	\$150,654.00
CSP 529, payroll	\$50.00
CUMMINS CENTRAL POWER LLC, supplies	\$175.82
DANIELSON/TECH SUPPLY INC, bld&grnds	\$177.85
DATA TECHNOLOGIES INC, services	\$11,844.71
EBSCO INFORMATION SERVICES, books	\$3,827.68
EFTPS, payroll	\$71,553.18
FELSBURG HOLT & ULLEVIG, services	\$1,574.50
FERGUSON ENTERPRISES INC, bld&grnds	\$33.51
GALE, books	\$163.43
GENERAL FIRE & SAFETY EQUIP CO, maint.	\$989.80
GENUINE PARTS CO OMAHA, maint.	\$1,380.51
GIBSON, JOHN, services	\$150.00
HIGH POINT MANUFACTURING LLC, services	\$1,671.38
HOME DEPOT, maint.	\$286.41
HONEYMAN RENT-ALL, services	\$659.93
HUSKER AUTO GROUP INC, services	\$34,756.00
ICMA, payroll	\$37,022.17
INDUSTRIAL SALES CO INC, bld&grnds	\$3.43
INGRAM LIBRARY SERVICES, books	\$2,551.70
JENNIFER GOSS, travel	\$19.95
JENNIFER HARBOUR, services	\$100.00
KINDIG, D., travel	\$60.00
KRIHA FLUID POWER CO INC, maint.	\$399.08
LEAGUE NE MUNICIPALITIES, services	\$200.00
LFOP DUES, payroll	\$1,300.00
LIBRARY IDEAS LLC, media	\$1,095.00
LITTLE FALLS MACHINE INC, maint.	\$470.54
MANAGEMENT EDUCATION GROUP, services	\$5,200.00
MARCO INC, services	\$353.67
MAX I WALKER UNIFORM, services	\$1,433.88
MENARDS-RALSTON, bld&grnds	\$183.06
METRO AREA TRANSIT, services	\$448.00
MIDWEST TAPE, media	\$144.21
MILLER PRESS, services	\$640.00
MNJ TECHNOLOGIES, services	\$521.00
MUD, utilities	\$1,621.29
NATIONAL RESEARCH CENTER INC, services	\$8,900.00
NATIONAL SEMINARS TRAINING, services	\$298.00
NE CHILD SUPPORT CENTER, payroll	\$966.08
NE STATE INCOME TAX, payroll	\$10,920.18
NEBRASKA LAW ENFORCEMENT, services	\$200.00
NEBRASKA SALT & GRAIN CO, malnt.	\$30,578.36
NUTS AND BOLTS INC, supplies	\$30.66
OFFICE DEPOT INC, supplies	\$741.38
OLSSON ASSOCIATES, services	\$6,791.12
OMNIGRAPHICS INC, books	\$81.85

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OPPD, utilities	\$47,524.21
ORIENTAL TRADING CO, supplies	\$258.32
PAPILLION SANITATION, services	\$2,579.15
PAYFLEX SYSTEMS USA INC, payroll	\$250.00
PAYLESS OFFICE PRODUCTS INC, supplies	\$234.80
PETTY CASH, travel/supplies	\$342.26
PLAINS EQUIPMENT GROUP, maint.	\$5,247.88
POLICE INSURANCE, payroll	\$261.89
PROFESSIONAL GROUNDS MGMT, services	\$175.00
Q P ACE HARDWARE, bld&grnds	\$1,908.80
RECORDED BOOKS, LLC, media	\$606.71
RETRIEVEX, services	\$117.10
RON TURLEY ASSOCIATES INC, bld&grnds	\$1,375.00
RUNZA RESTAURANT, services	\$1,125.00
SHRM-SOCIETY FOR HUMAN, services	\$190.00
SIGN IT, services	\$275.00
SPRINT, phones	\$642.40
SUNSET LAW ENFORCEMENT LTD, services	\$972.50
THERMO KING CHRISTENSEN, maint.	\$132.13
THOMPSON DREESSEN & DORNER, services	\$4,287.00
TRACTOR SUPPLY, maint.	\$10.49
UNITE PRIVATE NETWORKS LLC, services	\$3,850.00
USBORNE BOOKS & MORE, books	\$384.18
VAN RU CREDIT CORP, payroll	\$11.72
VIERREGGER ELECTRIC CO, services	\$1,490.00
WHITE CAP CONSTR SUPPLY, maint.	\$197.26

Councilmember Thomas made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmember Sheehan reviewed the bills 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

Police Chief Lausten updated Council on the 4 break-ins and possible suspects.

Director of Administrative Services Pokorny reported that demonstrations by vendors for the financial information software were done over the last two weeks.

## B. ZONING TEXT AMENDMENTS – WIRELESS COMMUNICATION TOWERS

### 1. PUBLIC HEARING

At 7:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Zoning Text Amendments – Wireless Communication Towers.

At 7:11 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### 2. ORDINANCE

Councilmember Hale introduced Ordinance No. 1266 entitled; AN ORDINANCE TO AMEND SECTION 7.11 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.11 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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Councilmember Sell 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 voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. 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 Thomas moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question, "Shall Ordinance No. 1266 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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. RESOLUTION – APPROVE INTERLOCAL AGREEMENT – SOUTHERN RIDGE WASTEWATER TREATMENT STUDY**

Councilmember Quick introduced and moved for the adoption of Resolution No. 15-143; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, CITY OF PAPILLION, CITY OF GRETNNA AND CITY OF SPRINGFIELD FOR THE CONTINUATION OF THE SOUTHERN RIDGE WASTEWATER TREATMENT STUDY.

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, FY 16 Sewer Fund Budget provides funding for La Vista's contribution of \$25,000; 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 approve and authorize the execution of an Interlocal Cooperation Agreement with Sarpy County, City of Papillion, City of Gretna and City of Springfield for the continuation of the Southern Ridge Wastewater Treatment Study.

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

## **D. RESOLUTION – PURCHASE OF BALLISTIC HELMETS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 15-144; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF 30 SAFARILAND BALLISTIC HELMETS FOR THE POLICE DEPARTMENT FROM ED ROEHR SAFETY PRODUCTS, ST. LOUIS, MO, IN AN AMOUNT NOT TO EXCEED \$11,615.00.

WHEREAS, the City Council of the City of La Vista has determined that the acquisition of ballistic helmets is a necessary officer-safety piece of equipment, and

WHEREAS, Ed Roehr Safety Products, St. Louis, MO, submitted the lowest quote on the helmets, and

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WHEREAS, Paragraph 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 authorize the purchase of 30 Safariland ballistic helmets for the police department from Ed Roehr Safety Products, St. Louis, MO, in an amount not to exceed \$11,615.00.

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

## **E. RESOLUTION – COUNCIL POLICY STATEMENT – EMPLOYEE PERFORMANCE MANAGEMENT**

Councilmember Crawford introduced and moved for the adoption of Resolution No.15-145; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT. WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, changes to the City's employee Performance Management Program are being recommended; and

WHEREAS, a Council Policy Statement entitled "Employee Performance Management Policy" has been created and reviewed by Management Education Group, the consultant engaged to assist the City in revising the performance management program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Employee Performance Management Program" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Seconded by Councilmember Frederick. Discussion was held regarding timelines in the Statement regarding appeals. Mayor Kindig tabled this item requesting staff to come back to Council with the changes at a future meeting.

## **F. POSITION DESCRIPTION UPDATE**

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

Councilmember Crawford made a motion to move Comments from the floor ahead of Item G Executive Session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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 - STRATEGY SESSION - POTENTIAL REAL ESTATE ACQUISITION**

At 7:30 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for a strategy session to discuss potential real estate acquisition. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, 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.

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At 7:48 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Frederick thanked the Recreation Department staff for the great holiday event for Boys and Girls Clubs.

Councilmember Hale thanked Officer Brown on her work with the Cops and kids outing.

At 7:52 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 5TH DAY OF JANUARY, 2016

CITY OF LA VISTA

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

ATTEST:

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