

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING June 15, 2010

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 15, 2010. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Absent: Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Finance Director Lindberg, Public Works Director Soucie, Community Development Director Birch, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on June 3, 2010. 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 made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items

SERVICE AWARDS – DUTCH SEVENER – 5 YEARS

Mayor Kindig recognized Dutch Sevener for 5 years of service to the City.

PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL – BLAKE ANTHONY, ADAM ELBERT, MIKE HOPKINS, AARON PETH, ERIC STARLIN, KELLY VOGEL

Mayor Kindig and Fire Chief Uhl recognized Blake Anthony, Adam Elbert, Mike Hopkins, Aaron Peth, Eric Starlin, and Kelly Vogel as full members of the La Vista Volunteer Fire Department after completing one year of training. Badges were presented and pinned on by Chief Uhl.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM JUNE 1, 2010
3. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE
CONDOMINIUM OWNERS ASSOCIATION MINUTES FROM MAY 3, 2010
4. APPROVAL OF PLANNING COMMISSION MINUTES FROM MAY 20, 2010
5. MONTHLY FINANCIAL REPORT – MAY 2010
6. PAY REQUEST FROM CITY OF OMAHA FOR HARRISON STREET
IMPROVEMENTS - \$33,362.75
7. APPROVAL OF CLAIMS

Councilmember Carlisle made a motion to approve the consent agenda. Seconded by Councilmember Crawford. Councilmember Sheehan reviewed the claims for this period and reported that he found everything to be in order. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

ABE'S PORTABLES, Rentals	125.00
ACTION BATTERIES, Electric Cart	616.08
AFTERNOONER'S, Travel	44.29
AIR CLEANING TECHNOLOGIES, Equip. Repair	328.85
ALAMAR UNIFORMS, Wearing Apparel	1,310.95
ARAMARK UNIFORM, Contract Services	289.88
ASPHALT & CONCRETE MATERIALS, Street Maint.	706.43
AVI SYSTEMS, Contract Services	2,700.00
BAKER & TAYLOR BOOKS, Books	2,309.00
BCR-BIBLIOGRAPHICAL, April Fees	24.41
BEACON BUILDING SERVICES, La Vista Daze	1,300.00
BEAUMONT, MITCH, Travel	84.50
BENNINGTON EQUIPMENT, Vehicle Maint.	444.43
BENSON RECORDS, Contract Services	54.62
BLACK HILLS ENERGY, Utilities	994.20
BOB'S RADIATOR REPAIR, Vehicle Maint.	460.00

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BOLTE, JAN, Mileage	18.60
BUETHE, PAM, Supplies/Travel/Postage	196.87
BUILDERS SUPPLY, Bldg & Grnds/Long's Cleanup	70.56
BURT, STACIA, Training	432.00
CARDMEMBER, La Vista Daze/Professional Svcs/Supplies/Travel	10,410.28
CENTRAL COMM COLLEGE, Training	750.00
CITY OF OMAHA, Contract Services	45,936.87
CJ'S HOME CENTER, Vehicle Maint./Bldg & Grnds/Supplies	1,804.48
COLOMBO/PHELPS COMPANY, Concessions	998.05
CORNHUSKER INTL TRUCKS, Vehicle Maint.	7.21
COX, Contract Services	91.67
D & D COMMUNICATIONS, Radio Repair	393.00
DASH MEDICAL GLOVES, Supplies	59.90
DATASPAK, Contract Services	110.50
DIAMOND VOGEL PAINTS, Bldg & Grnds	382.25
DILLON BROS HARLEY DAVIDSON, Vehicle Maint.	160.79
DOUGLAS COUNTY SHERIFF, Contract Services	262.50
DULTMEIER SALES & SERVICE, Repair	79.09
EASTERN LIBRARY SYSTEM, Training	40.00
FAITH CHRISTIAN CLOWNS, La Vista Daze	50.00
FAVORABLE IMPRESSIONS, Books	39.96
FITZGERALD SCHORR BARMETTLER, Professional Services	19,695.40
GALE, Books	97.36
GENUINE PARTS COMPANY, Vehicle Maint./Supplies	1,387.89
GLS SALES, Supplies	306.70
GREAT PLAINS UNIFORMS, Wearing Apparel	1,321.00
GUNN, BRENDA, Travel	73.00
H & H CHEVROLET, Vehicle Maint.	189.96
HIGHSIMITH, Supplies	56.23
HOLSTEIN'S HARLEY DAVIDSON, Vehicle Maint.	168.70
HOME DEPOT, LV50 Float/Supplies	228.63
HOPKINS, MIKE, Travel	52.00
HUNTEL, Contract Services	266.80
J A HEIM FARMS, Contract Services	4,914.00
J Q OFFICE EQUIPMENT, Supplies	516.91
JOHN DEERE LANDSCAPES/LESCO, Supplies/Bldg & Grnds	285.54
KOTTMANN, JOHN, Phone/Travel	178.50
KRIHA FLUID POWER, Vehicle Maint.	12.79
LARSEN SUPPLY, Supplies	547.00
LAUGHLIN, KATHLEEN, Payroll Withholding	809.00
LIFEGUARD STORE, Equipment	315.50
LINCOLN NATIONAL LIFE INS, Employee Benefits	7,790.08
LINWELD, Street Maint.	210.10
LOU'S SPORTING GOODS, Bldg & Grnds/Equipment	228.32
LOVELAND LAWNS, Street Maint.	11.16
LUPOMECH, CATHY, Travel	627.85
MARKOWSKY, THOMAS, Travel	25.00
MARTIN, ALEX, Travel	52.00
MICHAEL TODD AND COMPANY, Vehicle Maint.	947.69
MID CON SYSTEMS, Equipment	362.38
MID-STATES UTILITY TRAILER, Vehicle Supplies	180.25
MIDWEST MUDJACKING, Capital Outlay	9,000.00
MILLER BRANDS, Concessions	117.95
MINITEX, Supplies	70.00
MONARCH OIL, Street Maint.	390.00
MT CALVARY MARCHING KNIGHTS, La Vista Daze	50.00
MULHALL'S, LV50 Tree Planting	11,581.66
NE LAW ENFORCEMENT, Training/Travel	322.00
NE LIBRARY COMMISSION, CD Rom	452.00
NEBRASKA IOWA SUPPLY, Vehicle Supplies	9,023.61
NEBRASKA WELDING, Vehicle Maint.	67.72
NEWMAN TRAFFIC SIGNS, Traffic Signs	1,564.75
NMC EXCHANGE, Vehicle Maint.	403.39
NOBBIES, Summer Reading Program	45.80
NUTS AND BOLTS, Repair & Maint.	249.13
OFFICE DEPOT, Supplies/Printing	2,124.52
OMAHA COMPOUND, Supplies	928.31
ON YOUR MARKS, Professional Services	628.99
OPPD, Utilities	42,777.11
O'REILLY AUTOMOTIVE, Vehicle Maint	1,186.78
OVERHEGANSER DOOR, Bldg & Grnds	121.00
PAPILLION SANITATION, Contract Services	304.11
PAPILLION-LA VISTA GIRL SCOUTS, La Vista Daze	50.00
PAPILLION-LA VISTA SOUTH BAND, La Vista Daze	50.00

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PARAMOUNT LINEN & UNIFORM, Uniform Cleaning/Wearing Apparel	408.43
PAYLESS, Supplies	427.26
PEPSI COLA, Concessions	695.50
PETH, AARON, Travel	52.00
POWER PLAN, Vehicle Maint.	83.43
PREMIER-MIDWEST BEVERAGE, Concessions	128.10
QUALITY BRANDS, Concessions	3,427.95
QWEST, Phone	35.59
RECREONICS INC ETAL, Supplies	183.02
ROSE EQUIPMENT, Vehicle Maint.	189.37
RUSTY ECK FORD, Vehicle Maint.	315.50
SAM'S CLUB, Concessions/Supplies/La Vista Daze	1,310.22
SAPP BROS PETROLEUM, Long's Clean-up	36.00
SARPY COUNTY CHAMBER, Travel	60.00
SARPY COUNTY LANDFILL, Long's Clean-up	211.63
SARPY COUNTY TREASURER, Contract Services	9,187.50
SIMPLEX GRINNELL LP, Contract Services	991.00
STARLIN, ERIC, Travel	25.00
STEARNS WEAR, Supplies	73.40
STERIL MANUFACTURING, Repair	125.00
STEVENS, MARK, Travel	102.00
STOLTENBERG NURSERIES, Supplies	613.00
SUPERIOR SPA & POOL, Bldg & Grnds	129.00
THOMPSON DREESSEN & DORNER, Construction	1,514.85
TITAN MACHINERY, Vehicle Maint.	139.36
TORNADO WASH, Vehicle Maint.	85.00
TRACTOR SUPPLY, Wearing Apparel/Vehicle Maint.	242.24
TURF CARS, Electric Cart	65.85
VIERREGGER ELECTRIC, Bldg & Grnds	179.00
WASTE MANAGEMENT, Contract Services/Bldg & Grnds	778.35
WATKINS CONCRETE BLOCK, Bldg & Grnds	45.00
ZEE MEDICAL, Supplies	160.55

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn informed Council that Angie is looking for volunteers to walk with the float in the Ralston parade.

City Clerk Buethe informed Council that the Chief Building Inspector, the Fire Department, and the Police Department, and she met with representatives of the fireworks stands early this evening to go over some final rules and to answer any questions.

Assistant City Administrator Ramirez told Council to watch for upcoming 50th anniversary events. Information will be in the Yellow Newsletter. Also, recipes are needed for the cookbook. The deadline for submission is July 1st. Ramirez informed Council of some upcoming events, including Movie Nights, the Summer Concerts, the Urban Scramble, and the Splash Bash.

Finance Director Lindberg informed Council the budget workshop is scheduled for July 12th and 13th. Dinner, provided by the Department Heads, will be at 5:30 p.m.

Police Chief Lausten informed Council that a code enforcement officer has been hired. Stacy Corbit, a current employee, will begin training on the 21st with a Field Training Officer.

Public Works Director Soucie informed Council that Black Hills Energy made a donation to buy a trailer for the tent and poles. Soucie informed Council the Slumpbuster tournament starts this week, and will continue for 3 busy weeks. Soucie informed Council the Long's building was torn down today.

Community Development Director Birch informed Council that a new secretary, Michelle Alfaro, has been hired and will be introduced at the next City Council meeting.

Building and Grounds Director Archibald informed Council the sidewalk repair in front of City Hall was near completion. Planting of trees, which were obtained by a grant, was completed today.

Recreation Director Stopak thanked the Administrative staff, Police, Fire, and Public Works for their help with the Slumpbuster tournament. Stopak informed Council of the upcoming Urban Scramble Adventure Race, which is a mini version of the Amazing Race from TV. Teams will be trying to obtain check points, and there will be challenges at some of them. Stopak stated the Splash Bash will be held on Sunday, August 1st, from 1:00 – 3:00 p.m. There will be food, fun, and games.

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Library Director Barcal informed Council that soon Library patrons will be able to receive notifications through text messaging. Barcal stated that a scuba presentation will be held tomorrow at 2:00 p.m. at the Library.

B. APPLICATION – CONDITIONAL USE PERMIT – LOTS 2, 3 & 12 CRESTVIEW HEIGHTS

1. PUBLIC HEARING

At 7:24 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on a Conditional Use Permit Application – Lots 2, 3 &12 Crestview Heights

Community Development Director Birch informed Council that Mercy Housing is requesting a building permit. This type of permit requires a Conditional Use Permit. Erin Ganser, a developer with Mercy Housing, addressed Council to explain the additions would include a tech center and a community room. This will give more opportunities to the residents of Crestview Village. Ganser gave an overview of the project and the advantages.

Councilmember Sheehan asked if there were any intentions to rent out the new community center. Ganser stated they do not intend to rent it out. Councilmember Sheehan asked if there were any after school or summer programs at this time. Ganser stated there are some, but there is limited space right now. Councilmember Sell asked if the addition would mean more participation. Ganser stated having a larger space will increase participation. Councilmember Sell commented that the ownership program in the 90's did not succeed. Councilmember Sheehan stated the complex seemed improved since Mercy Housing took over management of the property. Councilmember Sell asked if there will be some displacement due to a rental increase. Ganser stated that approximately 11 residents have an income over the required limit to be able to stay. There are some that won't income qualify. These residents will be relocated with assistance. Twenty-four units in the complex are Section 8 Housing. Councilmember Quick asked for an explanation of "income qualify". Ganser stated that means there is a cap on the amount of money they can make to qualify for housing. Councilmember Quick asked if all residents have jobs. Ganser stated that most residents do, but there are some who are older, and there are immigrants who may not have jobs.

Julie Monaghan, a La Vista resident, addressed Council to state she lived in the neighborhood since 1996. She believes there has been a steady increase in crime in the last five years, with about 15 – 20 calls to that complex each month. She is concerned with the addition of a recreation center as, during the summer, children want to go outside. This addition will take out the basketball court and that helps keep the kids out of other residential areas. She asked what the recreation center hours would be on the weekends.

Rick Case, a La Vista resident, stated they close at 5:00 p.m. and problems occur when the facility is closed. He stated children from the complex run in the neighborhood yards and over fences.

Ganser stated the addition is not going to take away any of the outdoor space. Though the addition will be where the current basketball court is located, a new playground area, plus a half court are included in the building plan. Ganser stated there are some language barriers, but Mercy Housing works with them. Ganser will have to find out hours of evening activities.

Mayor Kindig stated he thinks a community center is a great addition, and hours of 8:00 – 5:00 are good, but children are out and about after supper.

A discussion was held concerning a curfew at the complex. Councilmember Crawford stated a curfew should be imposed on the entire city. Police Chief Lausten stated the City's curfew is 10:00 p.m. – 6:00 a.m. Lausten stated the curfew at Crestview is legal. Councilmember Quick asked if there were repeat offenders. Lausten stated he did not have an answer to that question. Councilmember Sell asked about resident services. Lausten will work to eliminate repeat offenders. Ganser stated Council can be supplied a list of services offered. Rick Case, a La Vista resident, asked why there is crime scene tape on the building. Ganser stated it is caution tape as a resident drove into the building and it will be repaired.

At 7:54 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Gowan. Motion carried.

2. RESOLUTION – APPROVE CONDITIONAL USE PERMIT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 10-063: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA

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AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR MODIFICATIONS TO AN EXISTING MULTI-FAMILY DEVELOPMENT ON LOTS 2 AND 3 HAVING BEEN REPLATED AS LOT 1, CRESTVIEW HEIGHTS REPLAT 1 AND LOT 12, CRESTVIEW HEIGHTS

WHEREAS, The property owner, Mercy Housing, Inc , has applied for a conditional use permit for the purpose of making modifications to an existing multi-family development on lots 2 and 3 having been replated as Lot 1, Crestview Heights Replat 1 and Lot 12 Crestview Heights; 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:

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 Mercy Housing, Inc for the purpose of making modifications to an existing multi-family development on lots 2 and 3 having been replated as Lot 1, Crestview Heights Replat 1 and Lot 12 Crestview Heights.

Seconded by Councilmember Sell. Councilmember Sheehan stated he strongly encourages an after 5:00 program. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Gowan. Motion carried.

C. RESOLUTION – BID AWARD – PEDESTRIAN OVERPASS PAINTING

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-064: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MCGILL RESTORATION, INC, OMAHA NE FOR REPAIRING THE PEDESTRIAN OVERPASS AT THE 72ND AND JAMES AVENUE INTERSECTION, IN AN AMOUNT NOT TO EXCEED \$34,900.00.

WHEREAS, the City Council of the City of La Vista has determined that the repair to said overpass is necessary; and

WHEREAS, the FY 2009/10 Capital Improvement Program did include funds for the repair of said overpass; and

WHEREAS, the City Council authorized the solicitation of bids for said overpass on May 18, 2010, and

WHEREAS McGill Restoration, Inc. of Omaha, Nebraska, has submitted the low, compliant bid, 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 designate McGill Restoration, Inc. Omaha Nebraska as the low compliant bid for the repair of the pedestrian overpass, in an amount not to exceed \$34,900.00.

Seconded by Councilmember Ellerbeck. Public Works Director Soucie stated 72nd Street will be closed during the night. Councilmember Quick asked when it was last painted. Soucie stated it has never been painted since it was built 13-14 years ago. Councilmember Sell asked if there was any concern with the differences in the bid amounts. Soucie stated there was no concern with the contractor selected. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Gowan. Motion carried.

D. RESOLUTION – ADVERTISEMENT OF BIDS – BUILDING DEMOLITION – 7215 S. 83RD STREET

Councilmember Crawford introduced and moved for the adoption of Resolution No. 10-065: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE DEMOLITION OF THE VACANT COMMERCIAL BUILDING AT 7215 SOUTH 83RD STREET.

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WHEREAS, the City Council has determined that the demolition of the vacant building at 7215 South 83rd Street is necessary, and

WHEREAS, the FY 2009/10 Community Betterment Fund will provide funding for said demolition, and

WHEREAS, the City Engineer, in conjunction with Thompson, Dreessen & Dorner, Inc., has prepared plans and specifications for the demolition work.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the demolition of the vacant commercial building at 7215 South 83rd Street in accordance with plans and specifications prepared by the City Engineer and said bids are to be opened and publicly read aloud at 10 a.m. at the La Vista City Hall, 8116 Park View Boulevard, La Vista Nebraska on July 7, 2010.

Advertise for Bids – June 24 and July 1, 2010

Pre-Bid Site Inspection - June 28, 2010 – 10:00 am to 11:30 am

Open Bids – July 7, 2010

Award Bid – July 20, 2010

Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Gowan. Motion carried.

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and stated that anyone having comments should limit them to three minutes. Public Works Director Soucie informed Council that training by the company on the new mudjacker, purchased after approval at the last Council meeting, will be held in Papillion on a side street, rather than on the City's high speed roads where the equipment will need to be used.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Ronan thanked all those involved in the Long's demolition project, especially having it completed before the Slumpbuster tournament.

Councilmember Sheehan stated there is a property between Gertrude and 74th Street that is overgrown and needs mowed.

Mayor Kindig stated he has done a number of welcome speeches for events at the Conference Center and it is always good that he has trouble finding a place to park because they are busy.

Mayor Kindig informed Council he attended a United Cities meeting with MAPA for long term planning.

At 8:02 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Gowan. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF JULY 2010

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe

Pamela A. Buethe, CMC
City Clerk