

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING September 20, 2011

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 September 20, 2011. Present were Councilmembers: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Attorney McKeon, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, City Planner Solberg, City Engineer Kottmann, Building and Grounds Director Archibald and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on September 9, 2011. 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 AWARD – STEVE WALTER – 20 YEARS; ROSE BARCAL – 10 YEARS

Mayor Kindig recognized Steve Walter for 20 years of service to the City and Rose Barcal for 10 years of service to the City.

### PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL- CHRIS GOLEY AND LEE KORTUS III

Mayor Kindig and Fire Chief Uhl recognized Chris Goley and Lee Kortus III 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 SEPTEMBER 6, 2011
3. APPROVAL OF PLANNING COMMISSION MINUTES FROM AUGUST 18, 2011
4. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM  
OWNERS ASSOCIATION, INC. MINUTES FROM SEPTEMBER 12, 2012
5. MONTHLY FINANCIAL REPORT – AUGUST 2012
6. PAY REQUEST – BERRY DUNN – PROFESSIONAL SERVICES – IT STRATEGIC  
PLAN - \$12,238.70
7. PAY REQUEST – MULLEN & MULLEN – PROFESSIONAL SERVICES- \$25,880.00
8. PAY REQUEST – HOWARD T. DUNCAN – PROFESSIONAL SERVICES - \$3375.00
9. PAY REQUEST – MIDWEST RIGHT OF WAY SERVICES – THOMPSON CREEK -  
\$3036.00
10. PAY REQUEST – AQS ENVIRONMENTAL – PROFESSIONAL SERVICES –  
THOMPSON CREEK - \$3036.00
11. PAY REQUEST – DOUGLAS COUNTY TREASURER – PROFESSIONAL SERVICES –  
HELL CREEK STABILIZATION – PHASE 1 - \$6963.01

ABE'S PORTABLES, supplies	170.00
ACCO UNLIMITED, supplies	188.80
ACTION BATTERIES, supplies	76.38
ALAMAR UNIFORMS, apparel	421.52
AMERICAN MARKING CORP., supplies	65.94
ANDERSON ELECTRIC, bld&grnds	26.00
ARAMARK UNIFORM, services	150.75
ASHBY, S., refund	105.00
ASPHALT & CONCRETE MATERIALS, maint.	252.52
AVI SYSTEMS, equip.	59.89

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BAKER & TAYLOR, books	1,414.29
BCDM-BERINGER CIACCIO DENNELL, services	3,137.00
BEAUMONT, M., travel	188.99
BENNINGTON EQUIPMENT, maint.	257.73
BETTER BUSINESS EQUIPMENT, rental	53.19
BLEACH, L., services	30.00
BRENTWOOD AUTO WASH, maint.	63.00
BROWN TRAFFIC PRODUCTS, supplies	31,874.75
BUETHE, P., mileage	55.50
BUILDERS SUPPLY, maint.	112.88
CARDMEMBER SERVICE, supplies, travel, other	4,998.27
CENTURY LINK, phone	21.95
CITY OF OMAHA, services	59.93
COCA-COLA, supplies	110.66
COLOMBO/PHELPS COMPANY, supplies	317.91
CONTROL MASTERS INC., bld&grnds	448.21
CORNHUSKER INTL TRUCKS, maint.	55.92
COX, services	192.85
CREIGHTON EMS, training	3,707.50
CULVER'S OF LA VISTA, services	30.00
D & D COMMUNICATIONS, maint.	6,650.00
DAVIDSON TITLE, books	470.25
DECOSTA SPORTING GOODS, apparel	674.05
DIAMOND VOGEL PAINTS, supplies	246.65
EBERLE, M., refund	30.00
EDGEWEAR SCREEN PRINTING, apparel	1,030.00
ETHRIDGE, R., refund	110.00
FELD FIRE, maint.	486.00
FELLOWSHIP OF CHRISTIAN, speaker	500.00
FILTER CARE, maint.	70.45
FIREWERKS FIRE APPARATUS, services	2,075.00
FLEET US LLC, bld&grnds	1,133.54
FORT DEARBORN LIFE INSURANCE	1,364.50
GASSERT, M., services	818.00
GCR TIRE CENTERS, maint.	323.27
GENE STEFFY CHRYSLER, vehicles	32,130.00
GENUINE PARTS, maint.	1,173.64
GODFATHER'S PIZZA, supplies	75.40
GRAYBAR ELECTRIC, bld&grnds	259.56
GREAT PLAINS GFOA, training	150.00
GREAT PLAINS ONE-CALL SVC, services	310.93
GREAT PLAINS UNIFORMS, apparel	57.00
GREENKEEPER COMP., supplies	404.00
H & H CHEVROLET, maint.	92.95
HANNA:KEELAN ASSOCIATES, P.C., services	6,000.00
HARBOR FREIGHT TOOLS, maint.	279.97
HARM'S CONCRETE, maint.	212.65
HEARTLAND TIRES AND TREADS, supplies	22.95
HEIMES CORP., maint.	200.00
HOBBY LOBBY, supplies	94.93
HUNDEN STRATEGIC PARTNERS, services	1,805.00
HUSKER MIDWEST PRINTING, printing	139.50
HY-VEE, supplies	520.00
INLAND TRUCK PARTS, maint.	293.05
J Q OFFICE EQUIPMENT, services	1,135.88
JOHN DEERE, supplies	25,422.96
JOHNSON CONTROLS, bld&grnds	824.10

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LA VISTA AUTO PLEX, vehicles	9,385.00
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LEAGUE ASSN OF RISK MGMT, ins.	238.00
LEAGUE OF NEBR MUNICIPALITIES, services	1,306.00
LOGAN CONTRACTORS, maint.	3,349.75
LOU'S SPORTING GOODS, supplies	1,143.91
LYMAN-RICHEY SAND & GRAVEL, maint.	212.13
MALLARD SAND & GRAVEL, maint.	63.51
MARKOWSKY, T.J., equip.	58.24
MARTIN MARIETTA AGGREGATES, maint.	134.84
MATHESON TRI-GAS, maint.	140.06
MENARDS, bld&grnds	181.88
MES-MIDAM, supplies	3,868.85
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	1,767.50
MIDWEST TURF & IRRIGATION, equip.	40.43
MONARCH OIL, maint.	427.00
MOTOROLA, supplies	1,667.40
NACR, services	2,687.08
NAPE-NE ASSN PROPERTY/EVIDENCE, training	10.00
NE MIDGET FOOTBALL LEAG, services	2,100.00
NMC EXCHANGE, maint.	57.56
NOBBIES, services	80.52
NUTS AND BOLTS, maint.	17.94
OFFICE DEPOT, supplies	1,461.00
OMAHA COMPOUND, supplies	402.72
OPPD, utilites	3,214.87
WINNELSON, bld&grnds	217.93
WORLD HERALD, adv.	763.61
O'REILLY AUTO., supplies	440.72
OTC, supplies	53.00
ORIZON CPAS, services	2,200.00
PAPILLION SANITATION, services	304.11
PARAMOUNT LINEN & UNIFORM, apparel	381.16
PAYLESS OFFICE PRODUCTS, supplies	91.98
PELSTER, J., refund	750.00
PERFORMANCE CHRYSLER JEEP, maint.	24.26
QUALITY AUTO REPAIR & TOWING, services	116.00
QUILL CORP., supplies	89.70
RAINBOW GLASS & SUPPLY, bld&grnds	607.36
READY MIXED CONCRETE, maint.	1,365.66
RETRIEVEX, services	85.02
ROBINSON, J., refund	30.00
RON TURLEY ASS., training	100.00
ROTHERMUND, G., refund	110.00
RUSTY ECK FORD, maint.	29.78
SAM'S CLUB, supplies	623.43
SAPP BROS, maint.	21,043.47
SOF SURFACES, bld&grnds	300.00
STAPLES, supplies	100.99
STERIL, maint.	125.00
STOLTENBERG NURSERIES, supplies	175.00
SUSPENSION SHOP INC., maint.	403.06
T ROWE TRAINING, training	330.00
TED'S MOWER, maint.	6.61
TERRY'S SMALL ENGINE, services	134.80
THOMPSON DREESSEN & DORNER, services	13,655.85

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THORPE'S BODY SHOP, maint.	1,184.01
TIGHTON FASTENER & SUPPLY, equip.	71.00
TORREZ, T., refund	110.00
TRICARE, refund	271.96
UHL, R., travel	45.00
UNDERWRITERS LABORATORIES, services	2,342.50
UNIVERSAL STEERING HYDRAULIC, maint.	66.00
WASTE MANAGEMENT NE., bld&grnds	309.82
WATER SHED INC., services	416.21
WATKINS CONCRETE, maint.	6.10
LIGHT, W. services	418.80
WESTON WOODS STUDIOS, media	88.75
WICK'S STERLING TRUCKS, maint.	725.68

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

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

Police Chief Lausten reported that after completing surveillance 8 people were in custody after several cars in the area have been broken into.

City Engineer Kottmann reported that he will be attending a seminar on dams. Kottmann also reported that work on the Keystone Trail had begun.

Library Director Barcal reported that on September 27, Runza will donate 15% of sales to the Great Books for Great Kids campaign.

## **B. CONDITIONAL USE PERMIT- HOME OCCUPATION**

### **1. PUBLIC HEARING**

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on a conditional use permit for a home occupation.

At 07:16 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### **2. RESOLUTION**

Councilmember Sell introduced Resolution No. 11-110; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION II TO OPERATE A FAMILY CHILDCARE HOME AT 8824 SOUTH 100<sup>TH</sup> STREET ON LOT 226, VAL VERDE, LA VISTA NEBRASKA.

WHEREAS, Jackie Krebs the property owner has applied for a conditional use permit for a home occupation II to operate a family childcare on Lot 226, Val Verde, 8824 South 100<sup>th</sup> Street; 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, subject to the following conditions:

1. Permitted use will utilize approximately 1000 s.f. in the basement.
2. Hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
3. There are up to two employees in addition to the property owner.
4. Employee and Client parking will consist of the owner's driveway.

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5. Operation serves twelve (12) or fewer children at any one time.

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 Jackie Krebs to operate a Family Childcare home II occupation on Lot 226 in Val Verde, 8824 South 100<sup>th</sup> Street, subject to the conditions listed in the last recital above.

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

## C. RESOLUTION – MUNICIPAL SWIMMING POOL – BOND ISSUE

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-111: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DIRECTING THE SARPY COUNTY ELECTION COMMISSIONER TO PLACE ON THE MAY 15, 2012 PRIMARY ELECTION BALLOT THE QUESTION FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000) FOR THE PURPOSE OF DEMOLISHING THE EXISTING MUNICIPAL SWIMMING POOL LOCATED AT 7529 S. 85<sup>TH</sup> STREET (LOT 13 PARK VIEW HEIGHTS), CONSTRUCTING AN ACCESS ROAD AND CONSTRUCTING AND EQUIPPING A MUNICIPAL AQUATIC FACILITY TO REPLACE THE EXISTING SWIMMING POOL AT SAID LOCATION, AND PAYING RELATED COSTS.

BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska (the "City") as follows:

Section 1. The Mayor and City Council find and determine that:

(a) it is necessary, desirable, advisable and in the best interest of the City and its residents to submit to the voters the question that the City demolish the existing municipal swimming pool located at 7529 S. 85<sup>th</sup> Street (Lot 13 Park View Heights), construct an access road and construct and equip a municipal aquatic facility to replace the existing swimming pool at said location; and for other related project costs (collectively, the "Project");

(b) there has not been submitted to the electors of the City a proposition for the issuance of bonds pursuant to Section 16-695, Reissue Revised Statutes of Nebraska, 2007, as amended, to pay the costs of the Project for six months last past;

Section 2. The Mayor and City Council of La Vista Nebraska resolve that the following question be submitted to a vote of the qualified electors of the City of La Vista at the primary election to be held May 15, 2012:

"Shall the City of La Vista, Nebraska, issue negotiable bonds of said City in the principal amount of not to exceed Eight Million Five Hundred Thousand Dollars (\$8,500,000) for the purpose of demolishing the existing municipal swimming pool located at 7529 S. 85<sup>th</sup> Street (Lot 13 Park View Heights), constructing an access road and constructing and equipping a municipal aquatic facility to replace the existing swimming pool at said location, said bonds to be dated and become due and payable, both principal and interest, on such date or dates as may be fixed by the Mayor and Council of the City at the time of their issuance and to bear interest at such rate or rates as shall be determined by the Mayor and City Council, and

"Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of the taxable property in the City sufficient to pay the principal and interest on said bonds as such principal and interest become due?"

☐ FOR said bonds and tax.

☐ AGAINST said bonds and tax.

Voters desiring to vote in favor of the question shall blacken the oval preceding the words "FOR said bonds and tax" and voters desiring to vote against the question shall blacken the oval preceding the words "AGAINST said bonds and tax."

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Section 3. Notice of said election shall be given to the qualified electors of said City by publication at least one time each week for three successive weeks, as provided by law, prior to such election and a copy of the sample ballot shall be published one time not more than ten days nor less than three days prior to the election, such notice and sample ballot to be published in the Papillion Times a newspaper printed and of general circulation in said City, and the City Clerk of the City be and hereby is directed to cause such notice and sample ballot to be published.

Section 4. The City Clerk of the City shall be and hereby is authorized and directed to certify a copy of this Resolution to the Election Commissioner of Sarpy County, who shall conduct the election as provided by law. The City does hereby agree to reimburse said Election Commissioner for the expenses of conducting the election. As required by Section 32-802, Reissue Revised Statutes of Nebraska, as amended, the Election Commissioner shall provide for publication of the Notice of Election in a newspaper designated by the Election Commissioner no later than forty days prior to the day of said election and such notice shall be posted in the office of the Election Commissioner no later than forty days prior to such date of election.

Section 5. The form of ballot and form of notice of said bond election shall be substantially in the form submitted to this meeting, a copy of which forms shall be made a part of the minutes. The City Clerk is hereby authorized and directed, in conjunction with the Election Commissioner conducting the election, to arrange for the printing of the necessary ballots for said election and to do all other things and take all other action appropriate or necessary in order to cause said proposition to be submitted to the qualified electors of the City as above provided.

Seconded by Councilmember Sell. Councilmember Sell stated that by passing this Resolution they are not endorsing the Resolution, but allowing for a vote of the public. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **D. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – LEAGUE ASSOCIATION OF RISK MANAGEMENT (LARM)**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-112; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RELATING TO THE TERM OF PARTICIPATION IN THE LEAGUE ASSOCIATION OF RISK MANAGEMENT.

WHEREAS the City of La Vista is a member of the League Association of Risk Management (LARM); and

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Director of Insurance at least 90 days prior to the desired termination date and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates, and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM; and

WHEREAS, the Mayor and City Council have determined that it is in the best financial interest of the City to extend the term of agreement by three years and establish notice of termination terms in order to receive participation discounts.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2014, and hereby authorize the Mayor to execute the necessary agreements to implement the action authorized herein.

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

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## **E. RESOLUTION – MEMORANDUM OF UNDERSTANDING – SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-113; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AND AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE METROPOLITAN AREA PLANNING AGENCY (MAPA) FOR A SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT.

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) will be offering its Regional Planning Grant to support creation of regional plans for sustainable development; and

WHEREAS, the MAPA intends to apply for the grant to support "Heartland Vision 2050", a regional visioning process for sustainable development covering the entire Omaha metropolitan area; and

WHEREAS, the purpose of the MOU is to define the working relationship between the City of La Vista and MAPA in regard to Heartland Vision 2050 and specifically the application for the Sustainable Communities Regional Planning Grant administered by HUD; and

WHEREAS, the City of La Vista will be part of a consortium of local governments and other agencies and organizations that commit to assisting in the creation of the regional sustainable development vision in ways that are appropriate and beneficial to the City and to the region.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approve and authorize the Mayor to sign a Memorandum of Understanding (MOU) with the Metropolitan Area Planning Agency (MAPA) for a sustainable communities planning grant.

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

## **F. RESOLUTION – COUNCIL POLICY STATEMENT – FUND BALANCE**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-114; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE FUND BALANCE IN ACCORDANCE WITH GASB #54; AND PROVIDING FOR AN EFFECTIVE DATE.

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the fund balance in accordance with GASB #54 and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked if this was required by the state and Finance Director Lindberg stated that this was discussed by the Auditors in March. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

## **G. RESOLUTION – COUNCIL POLICY STATEMENT – CELL PHONE USAGE**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-115; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE USE OF CELL PHONE FOR CITY BUSINESS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

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the members of the City Council and to the city administration in regard to various issues which regularly occur; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the use of cell phones for city business and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

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

## H. DISCUSSION – TEMPORARY SIGNAGE REGULATIONS

Discussion in regards to Temporary Signage Regulations has been postponed until a later date.

## I. RESOLUTION – SPECIAL ASSESSMENTS

### 1. PUBLIC HEARING

At 7:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 07:24 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

### 2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-116; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
7421 Ivy Lane Drive/Lot 124 S & S'S Harvest Hill, \$260.09;  
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

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

## COMMENTS FROM THE FLOOR

Resident Dan Rawson appeared before the Council and asked that the Council look into stiffer city rules in regards to pitbulls. Rawson was advised that City Staff would look into the situation and notify Rawson of progress.



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## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan addressed the other Council Members and suggested that they drive through Papillion on either Giles or 72<sup>nd</sup> street for various ways that they have signage for the next discussion in regards to Item H on tonight's agenda. Sheehan stated that a solution is needed to get businesses on the same playing field and determine who will professionally enforce.

The Mayor thanked Councilmember Crawford for speaking at the Ribbon Cutting at the Orchards.

The Mayor recognized Papillion Times Reporter Trent Albers. Albers will no longer be reporting for the Times, and the Mayor thanked him for his time spent reporting on La Vista.

At 7:30 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

PASSED AND APPROVED THIS 4TH DAY OF OCTOBER, 2011

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk

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