

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING September 5, 2006

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 5, 2006. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, City Clerk Ramirez, Finance Director Lindberg, Community Development Directory Birch, Library Director Schinker, Recreation Director Stopak, Fire Chief Schuster, Police Chief Lausten, City Engineer Kottmann, Building and Grounds Director Archibald, and Public Works Director Soucie.

A notice of the meeting was given in advance thereof by publication in the Times on August 24, 2006. 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 within 10 days after said meeting and prior to the next convened meeting of said body.

Mayor Kindig called the meeting to order and led the audience in the pledge of allegiance.

Mayor Kindig made an announcement of the location of the posted copy of the Open Meetings Act for public reference.

### SERVICE AWARD – GREG GOLDMAN – 25 YEARS

Mayor Kindig and Public Works Director Soucie presented a certificate and pin to Greg Goldman for his 25 years of service to the City.

### SPECIAL REPORT - JOHN YOCHUM – SARPY COUNTY EDC

John Yochum from the Sarpy County Economic Development Corporation presented the 2nd Quarter Report to the Mayor and Council. The report was reviewed by Yochum and contains information on taxable sales, building permit valuations, housing permits, and labor force statistics for the County as a whole and for cities within the County. Sarpy continues to be the fastest growing County in Nebraska and La Vista is the third fastest growing City. Mr. Yochum also commented that through his work with the Nebraska Department of Economic Development he has heard very positive comments regarding La Vista and there has also been a great deal of interest in the Southport area with the impending opening of Cabela's.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE AUGUST 15 2006 CITY COUNCIL MEETING
3. MINUTES OF THE JULY 20, 2006 PLANNING COMMISSION MEETING
4. MINUTES OF THE AUGUST 17, 2006 PLANNING COMMISSION MEETING
5. MINUTES OF THE JULY 26, 2006 SAFETY COMMITTEE MEETING
6. PAY REQUEST NO. 2 FROM SARPY COUNTY FOR 96<sup>TH</sup> STREET PROJECT -  
\$117,966.33
7. PAY REQUEST FROM FGM FOR PROFESSIONAL SERVICES - FIRE STATION NO. 2 -  
\$9,218.40
8. PAY REQUEST FROM AVI SYSTEMS FOR AUDIO VISUAL EQUIPMENT – FIRE STATION  
NO. 2 - \$38,206.45
9. PAY REQUEST FROM TERRACON FOR INSPECTION SERVICES – FIRE STATION NO. 2  
- \$3,558.75
10. PAY REQUEST FROM STRATEGIC ADVISORY GROUP – PROFESSIONAL SERVICES –  
HOTEL/CONFERENCE CENTER PROJECT - \$16,887.77
11. PAY REQUEST NO. 2 FROM ALL PURPOSE UTILITIES FOR 2006 PAVEMENT  
RECONSTRUCTION - \$39,814.65
12. FINAL PAY REQUEST FROM CYC CONSTRUCTION FOR BRENTWOOD DRIVE  
SIDEWALK - \$10,663.02
13. CHANGE ORDER NO. 2 FOR SOUTHPORT WEST SANITARY SEWER, CONCRETE  
PAVING AND STORM SEWER PROJECT – MCB CONSTRUCTION – \$31,008.72
14. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda as presented. Seconded by Councilmember Sheehan. Councilmember Carlisle reviewed the claims for this period and reported that she found everything to be in order. Councilmembers voting aye: Sell,

# MINUTE RECORD September 5, 2006

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

Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

ACCURATE TESTING, Bldg & Grnds	185.10
ACTION BATTERIES, Supplies	599.01
ALAMAR UNIFORMS, Wearing Apparel	1,560.37
ALEGENT HEALTH OHS/EAP, Professional Services	145.00
ALL PURPOSE UTILITIES, St. Resurfacing	31,688.32
AMERICAN RED CROSS, Contract Services	56.00
ANDERSON AUTO GROUP, Vehicle Maint.	191.62
ANDRUS ENTERPRISES, Parking Dist. 1	471,909.82
APWA-AMER PUBLIC WORKS, Training	280.00
AQUA-CHEM, Bldg & Grnds, Supplies	653.45
AQUILA, Utilities	908.78
ARAMARK UNIFORM SERVICES, Contract Services	221.15
ARKFELD, SCOTT, Contract Services	54.00
ASPHALT & CONCRETE MATERIALS, St. Maint.	1,450.98
BAKER & TAYLOR BOOKS, Books	2,799.98
BCDM-BERINGER CIACCIO DENNELL, Professional Services	1,680.00
BEACON BUILDING SERVICES, Contract Services	5,675.00
BENNINGTON IMPLEMENT, Vehicle Maint.	605.70
BETTER BUSINESS EQUIPMENT, Contract Services	93.12
BILLINGSLEY, MARK, Refund	60.00
BLAND, CHRIS, Contract Services	54.00
BOB'S RADIATOR REPAIR, Vehicle Maint.	130.87
BRADFORD, CARLOS, Contract Services	18.00
BRODART, Supplies	2.72
BUILDERS SUPPLY, Street Maint.	76.93
CAVLOVIC, PAT, Travel	10.00
CELEBRITY STAFFING, Professional Services	30.00
CENTER POINT PUBLISHING, Books	38.94
CITY OF OMAHA, Contract Services	534.62
CITY OF RALSTON, Contract Services	1,521.05
CLEMENGER, PAUL, Contract Services	54.00
COCA-COLA, Concessions	171.80
COMP CHOICE, Professional Services	691.00
CONTROL MASTERS, Bldg & Grnds	798.90
CORPORATE CYCLING CHALLENGE, Fees	115.00
COURTESY CLEANERS, Cleaning	228.02
COX COMMUNICATIONS, Contract Services	39.00
CRANE, RAY, Travel	212.76
DAVIDSON TITLE, Books	19.20
DECOSTA SPORTING GOODS, Wearing Apparel	355.35
DEETER FOUNDRY, Supplies	384.00
DELOA, RICH, Refund	210.00
DENNE, RICK, Auto Allowance	100.00
DIAMOND VOGEL PAINTS, Street Maint.	265.70
DON'S PIONEER UNIFORMS, Wearing Apparel	447.34
DOUGLAS COUNTY SHERIFF'S OFC, Contract Services	1,112.50
DOYLE, MIKE, Travel	146.00
DULTMEIER SALES & SERVICE, Vehicle Maint.	37.02
ECHO GROUP, Bldg & Grnds	930.00
ED M. FELD EQUIPMENT, Wearing Apparel	1,489.00
EDGEWEAR SCREEN PRINTING, Wearing Apparel	452.85
EMBLEM ENTERPRISES, Wearing Apparel	838.55
ENVIRO TECH SERVICES, Street Maint.	2,765.20
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Vehicle Maint, Bldg & Grnds	72.62
FEDEX KINKO'S, Printing, Professional Services	1,177.20
FILTER CARE, Vehicle Maint.	199.10
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	14.00
FIRMATURE, STEVE, Contract Services	36.00
FITZGERALD SCHORR BARMETTLER, Professional Services	43,507.08
FORESTRY SUPPLIERS, Supplies	500.44
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,177.00
GALL'S, Wearing Apparel	386.19
GASSERT, MIKE, Contract Services	1,052.00
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint/Supplies	683.38

# MINUTE RECORD

September 5, 2006

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

GEORGE, ROBERT, Travel	10.00
GOLDMAN, JOHN, Travel, Phone	245.00
GUNN, BRENDA, Travel, Auto Allowance	501.00
H & H CHEVROLET, Vehicle Maint.	111.75
HANEY SHOE STORE, Wearing Apparel	239.95
HANEY, DAVID, Contract Services	18.00
HANNEBAUM GRAIN, Street Maint.	3,523.87
HARM'S TRAILER CRETE, Street Maint.	100.00
HARTFORD LIFE-PRIORITY ACCTS, Payroll Withholding	1,474.18
HEIMES, Street Maint.	586.27
HELGET GAS PRODUCTS, Squad Supplies	34.00
HENRY, MARK, Contract Services	18.00
HERTZ EQUIPMENT RENTAL, Street Maint.	102.60
HOLT, DAVID, Contract Services	36.00
HOOK-FAST SPECIALTIES, Wearing Apparel	134.34
HOST COFFEE SERVICE, Concessions	20.60
HUNTEL COMMUNICATIONS, Contract Services	4,134.00
HUSKER MIDWEST PRINTING, Printing	148.00
IIMC, Dues	66.00
INDUSTRIAL SALES, Bldg & Grnds	295.02
INSIGHT TECHNOLOGY, Contract Services	2,577.47
INTERNATIONAL CODE COUNCIL, Professional Services	8,389.00
IVERSON, DENNIS, Travel	10.00
J Q OFFICE EQUIPMENT, Contract Services	424.06
JACK'S UNIFORMS & EQUIPMENT, Wearing Apparel	9,076.43
JACOBS, BRENDA, Travel	245.00
JO DON'S, Equipment	120.00
JONES, BRIAN, Travel, Training	395.58
JUMPIN JUPITERS, Equipment	140.00
JUSTIN THYME CAFÉ, Supplies	55.00
KAR SIM KENNEL, Contract Services	60.75
KINDIG, DOUGLAS, Auto Allowance/Phone	130.00
KLINKER, MARK, Professional Services	200.00
KRIHA FLUID POWER, Vehicle Maint.	51.06
KROGER, Supplies	143.78
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	259.00
LAMP RYNEARSON/ASSOCIATES, Professional Services	162.14
LAWLESS DISTRIBUTING, Concessions	756.23
LEAGUE ASSN OF RISK MGMT, Insurance	1,625.00
LEAGUE OF NEBR MUNICIPALITIES, Contract Services	947.00
LINWELD, Street Maint.	83.01
LOGAN CONTRACTORS SUPPLY, Vehicle Maint./Street Maint.	91.80
LOVELAND LAWNS, Street Maint.	247.50
LUKASIEWICZ, BRIAN, Travel/Phone	50.00
M & M PORTABLES, Bldg & Grnds	162.80
M. B. WILDER, Vehicle Maint.	32.00
MAACO, Vehicle Maint.	484.25
MCCANN PLUMBING, Bldg & Grnds	114.34
METAL SUPERMARKETS, Vehicle Maint.	70.61
METROPOLITAN COMMUNITY COLLEGE, Contract Services	9,784.96
METROPOLITAN TEE TIMES, Advertising	153.00
MICHAEL TODD AND COMPANY, Vehicle Maint.	225.00
MID AMERICA PAY PHONES, Telephone	150.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	633.43
MIDWEST TURF & IRRIGATION, Equipment/Maint.	318.45
MOBILE COMMUNICATIONS, Radio Repair	401.00
MONARCH OIL, Street Maint.	237.00
MOORE, WAYNE, Contract Services	36.00
MOTOROLA, Supplies/Equip.	1,587.92
MUD, Utilities	5,856.91
MULHALL'S, Sports Complex Improvements	1,039.92
MUNICIPAL EMERGENCY SVCS, Wearing Apparel	615.43
MUNICIPAL PIPE TOOL, Vehicle Maint.	59.69
NE IOWA SUPPLY, Vehicle Supplies	17,555.95
NE LAW ENFORCEMENT, Training	50.00
NE MACHINERY COMPANY, Vehicle Maint.	520.16
NE NATIONAL BANK, Rental	660.00
NEBRASKA MIDGET FOOTBALL LEAG, Equip.	1,680.00

# MINUTE RECORD September 5, 2006

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

NEELS TRAILER OUTLET, Equipment	1,430.00
NEXTEL PARTNERS, Telephone	570.79
NOBBIES, Supplies	53.89
NOGG CHEMICAL & PAPER, Supplies/Contract Services	460.53
NUTS AND BOLTS, Equipment	38.76
OABR PRINT SHOP, Printing	2,990.17
OFFICE DEPOT, Supplies	424.03
OMAHA COMPOUND, Supplies/Equip.	368.33
OMAHA WORLD HERALD, Legal Advertising	602.96
OPPD, Utilities	3,420.35
PAPILLION SANITATION, Contract Services	151.85
PAPILLION TIRE, Vehicle Maint.	119.17
PARAMOUNT LINEN & UNIFORM, Cleaning	714.96
PAYLESS, Supplies	235.78
PEPSI, Concessions	388.88
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	94.39
PRECISION INDUSTRIES, Vehicle Maint.	86.54
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	84.00
QUALITY AUTO REPAIR & TOWING, Vehicle Maint.	140.00
QUILL CORPORATION, Equip.	62.16
QUIXTAR, Bldg & Grnds	176.35
QWEST, Telephone	2,187.15
RAINBOW GLASS & SUPPLY, Vehicle Maint./Bldg & Grnds	131.70
RAMIREZ, RITA, Vehicle Maint/Travel/Postage/Auto Allowance	488.88
READY MIXED CONCRETE, Street Maint.	3,722.45
RUFFNER, JAMES, Travel	10.00
RUSH, TIMOTHY, Travel	10.00
SAFETY-KLEEN, Contract Services	273.35
SAM'S CLUB, Dues, Concessions	2,195.92
SAPP BROS PETROLEUM, Vehicle Supplies	329.50
SARPY COUNTY COURTHOUSE, Contract Services	2,640.05
SCHINKER, ROSE, Auto Allowance	40.00
SCHREINER, KELLY, Auto Allowance	100.00
SCHUSTER, KEVIN, Contract Services	240.00
SCHUSTER, KIRK, Travel	189.00
SHAMROCK CONCRETE, Street Maint.	44.00
SMOOTHER CUT ENTERPRISES, Contract Services	1,080.00
SNITILY CARR, Professional Services	7,014.50
SOPINSKI, MARTHA, Refund	45.00
SOUICIE, JOSEPH, Telephone/Supplies/Travel	312.54
SOUTHEAST AREA CLERKS ASSN, Dues	20.00
STEVENS, MARK, Travel	219.01
SUBURBAN NEWSPAPERS, Legal Advertising	1,078.24
TAB HOLDING, Southport	203,301.95
TED'S MOWER SALES & SERVICE, Equip/Bldg & Grnds	2,135.65
THOMPSON DREESSEN & DORNER, Parking District 1	40,793.88
THOMSON GALE, Books	95.08
THORNBURG, JEFF, Travel	10.00
TRACES, Professional Services	275.00
TURF CARS, Equipment	201.85
TURFBUILDERS IRRIGATION, Contract Services	71.00
TURFWERKS, Vehicle Maint.	86.82
U S ASPHALT, Street Maint.	50.72
UAP DISTRIBUTION, Supplies	844.00
UDRON, GARY, Contract Services	108.00
UNITED ELECTRIC SUPPLY, Bldg & Grnds	224.00
UNITED RENTALS, Bldg & Grnds	228.00
UPS, Contract Services	101.42
VERIZON WIRELESS, Telephone	70.59
WAL-MART, Equip./Supplies	1,235.31
WARD, DON, Contract Services	31.25
WASTE MANAGEMENT, Contract Services/Bldg & Grnds	2,297.70
WATER'S EDGE AQUATIC DESIGN, Pool Improvements	1,100.00
WHITE CAP CONSTRUCTION, Street Maint.	259.00
WHITE, ANTHONY, Contract Services	200.00
WHITE, THERESA, Contract Services	200.00
WICK'S STERLING TRUCKS, Vehicle Maint.	271.28
WILDER, JONI, Auto Allowance	30.00

# MINUTE RECORD

September 5, 2006

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

ZIMCO SUPPLY, Supplies

180.00

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council she would be leaving on Friday, September 8, 2006 to attend the ICMA Conference and returning on Wednesday, September 13, 2006. She indicated that Council should contact City Clerk Ramirez if they had any questions or concerns during her absence.

Fire Chief Schuster reported to Council that the Fire Department took delivery last week of the second rescue squad ordered last year. The vehicle should be in service within the next couple of weeks and will ultimately be housed at the new Fire Station No. 2. Schuster also informed Council that the truck committee was in the process of reviewing bids for two fire trucks, an aerial truck and a pumper truck. The Fire Department participated in the annual collection of donations for MDA over the Labor Day weekend and Schuster thanked everyone who volunteered as well as those who donated.

Public Works Director Soucie reported that the Department of Environmental Quality will be performing a Tier I investigation at the City Hall complex site relative to the underground gas tank located at this site. The Public Works facility used to be located on the site and the tank is a remnant of that facility. During the investigation process several small wells will be drilled to check for ground contamination and leakage.

Soucie updated Council on various street projects. The intersection of 72nd and Giles is near completion with the installation of detection cameras for the traffic signals the only remaining work to be done. The 2006 pavement resurfacing project and the Brentwood Drive sidewalk project are both completed. Work at the intersection of 96th Street and Cornhusker Road is continuing on schedule and should be completed within the next two to three weeks. The City's Southport off-street parking lot is nearing completion and installation of the water feature is in progress.

Soucie reported that Street Superintendent Goldman and he will be attending the annual APWA Congress in Kansas City next week.

Soucie also thanked the Police Department for their investigation of an incident regarding destruction of some newly poured concrete. They were able to determine who was responsible and issue a citation.

Recreation Director Stopak informed Council the City Swimming Pool officially closed at the end of the day on Monday, September 5, 2006. He will have the attendance numbers prepared in the next couple of weeks.

Stopak reported tonight was the start of the fall adult softball season and this weekend soccer and football seasons begin.

Councilmember Quick thanked Stopak for extending the swimming pool hours this year. The extra days were appreciated even though the weather didn't fully cooperate.

Police Chief Lausten informed Council the La Vista Police Department assisted the Papillion Police Department in checkpoint stops during the Labor Day weekend for the "You Drink & Drive, You Lose Campaign".

Lausten reported that La Vista is the only city in Sarpy County with a decrease in crime statistics for the 2005 year. He also informed Council the Department of Highway Safety had approved a grant for the full funding of a second motorcycle for the Police Department.

## **B. FISCAL YEAR 06/07 MUNICIPAL BUDGET**

### **1. PUBLIC HEARING**

At 7:25 p.m. Mayor Kindig stated the floor was now open for a public hearing on the Fiscal Year 06/07 Municipal Budget.

There was no additional information presented by City staff. There were no questions or comments from the public.

At 7:26 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

# MINUTE RECORD September 5, 2006

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

## **2. APPROPRIATIONS ORDINANCE No. 1000 – FINAL READING**

Mayor Kindig stated, "Ordinance No. 1000 now comes on for its final reading." City Clerk Ramirez then read the ordinance by title: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2006 AND ENDING ON SEPTEMBER 30, 2007; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question was, "Shall Ordinance No. 1000 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

## **3. MASTER FEE ORDINANCE NO. 1001 – FINAL READING**

Mayor Kindig stated, "Ordinance No. 1001 now comes on for its final reading." City Clerk Ramirez then read the ordinance by title: AN ORDINANCE TO AMEND ORDINANCE NO. 987, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1001 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

## **4. INCREASE BASE OF RESTRICTED FUNDS AUTHORITY**

### **a. PUBLIC HEARING**

At 7:27 p.m. Mayor Kindig stated the floor was now open for a public hearing on the proposal to increase the base of restricted funds authority in the budget.

There was no additional information presented by City staff. There were no questions or comments from the public.

At 7:28 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **b. RESOLUTION**

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-118: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE 2006-07 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

# MINUTE RECORD

September 5, 2006

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

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the 2006-07 municipal budget on September 5, 2006; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the 2006-07 municipal budget is allowed following the approval of at least 75% of the governing body.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the 2006-07 municipal budget by an additional percent.

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

## **5. SETTING THE PROPERTY TAX LEVY**

### **a. PUBLIC HEARING**

At 7:29 p.m. Mayor Kindig stated the floor was now open for a public hearing regarding the setting of the Property Tax Levy for 2006/2007.

There was no additional information presented by City staff. There were no questions or comments from the public.

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

### **b. RESOLUTION**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-119: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR FY 06/07.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Mayor and City Council of the City of La Vista passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of La Vista that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, by a majority vote, hereby resolve that:

The FY 06/07 property tax request be set at \$3,248,255.46 which would require a mill levy of \$0.4935.

A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2006.

Councilmember Sheehan stated the Omaha World Herald reported the City's tax levy at \$.4735 per \$100 of valuation. He wanted to make it clear that this is the levy for the general fund only and there is an additional \$.02 levy for the bond indebtedness of the City, bringing the total levy to \$.4935.

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

# MINUTE RECORD September 5, 2006

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

## **C. 2005-2006 REVISED MUNICIPAL BUDGET**

### **1. PUBLIC HEARING**

At 7:31 p.m. Mayor Kindig stated the floor was now open for a public hearing on the 2005 - 2006 Revised Municipal Budget.

There was no additional information presented by City staff. There were no questions or comments from the public.

At 7:32 p.m. Councilmember Quick made a motion to close the public hearing. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **2. APPROPRIATIONS ORDINANCE**

Councilmember Carlisle introduced Ordinance No. 1003 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 981 AND APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2005 AND ENDING ON SEPTEMBER 30, 2006; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; TO REPEAL ORDINANCE NO. 981 IN CONFLICT HERewith; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question was, "Shall Ordinance No. 1003 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

### **3. RESOLUTION TO AMEND 2005 – 2006 BUDGET**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-120: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE AMENDMENT OF THE CITY OF LA VISTA 2005/2006 FISCAL YEAR MUNICIPAL BUDGET.

WHEREAS, the City of La Vista adopted the amended 2005/2006 Fiscal Year Municipal Budget on March 7, 2006, and the City desires to amend the amended budget to more accurately reflect fund expenditures; and

WHEREAS, the City has published notice of an amended Budget Summary Statement, which includes the amendments proposed.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby approve the Notice of Budget Summary Statement, a corrected copy of which is attached hereto and incorporated by reference, which was published on August 30, 2006.

BE IT FURTHER RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize and direct that after the Appropriation Ordinance is amended and approved by the Mayor and City Council to conform with the Resolution contained herein, the City Clerk shall certify to the County Clerk of Sarpy County, Nebraska



# MINUTE RECORD

September 5, 2006

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

and the State of Nebraska Auditor's Office the amended/revised budget figures for the fiscal year beginning on October 1, 2005, and ending on September 30, 2006.

Mayor Kindig stated that Finance Director Lindberg and City Administrator Gunn worked very hard to develop the budget that was approved tonight and he thanked them and all of the other Department Heads for their efforts in this regard over the past several months.

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

## **D. AMENDMENT TO THE PUD PLAN – SOUTHPORT WEST (SOUTHPORT PARKWAY & GILES ROAD)**

### **1. PUBLIC HEARING**

At 7:32 p.m. Mayor Kindig stated the floor was now open for a public hearing on a proposed amendment to the PUD Plan for Southport West (Southport Parkway & Giles Road).

There was no additional information presented by City staff. There were no questions or comments from the public.

At 7:33 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **2. ORDINANCE**

Councilmember Ellerbeck introduced Ordinance No. 1004 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING ORDINANCES NO. 948 AND 970, AND THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; ESTABLISHING STANDARDS AND CONDITIONS FOR DEVELOPMENT UNDER THE FINAL PLANNED UNIT DEVELOPMENT PLAN; TO REPEAL ORDINANCES NO. 948 AND 970 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question was, "Shall Ordinance No. 1004 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

## **E. ORDINANCE - AMEND SECTION 111.17 OF MUNICIPAL CODE - FIREWORKS SALES**

Councilmember Carlisle introduced Ordinance No. 1005 entitled: AN ORDINANCE TO AMEND SECTION 111.17 OF THE LA VISTA MUNICIPAL CODE AS IT PERTAINS TO PERMIT, APPLICATION AND FEE REQUIREMENTS FOR THE SALE OF PERMISSIBLE FIREWORKS; TO REPEAL SECTION 111.17 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

# MINUTE RECORD

September 5, 2006

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

Councilmember Sheehan thanked City staff for developing the sample application, which will be included in the application packet, to assist in the proper completion of the form.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember McLaughlin. The Mayor then stated the question was, "Shall Ordinance No. 1005 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

## **F. RESOLUTION – AMENDMENTS TO SUBDIVISION AGREEMENTS - SID NO. 200 (SOUTHWIND AND SOUTHWIND II)**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 06-121: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SECOND AMENDMENT TO RESIDENTIAL SUBDIVISION AGREEMENT FOR SANITARY AND IMPROVEMENT DISTRICT NO. 200 (SOUTHWIND) OF SARPY COUNTY, NEBRASKA AND THE FIRST AMENDMENT TO RESIDENTIAL SUBDIVISION AGREEMENT FOR SANITARY AND IMPROVEMENT DISTRICT NO. 200 (SOUTHWIND II) IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City Council did on August 12, 1998 and April 26, 2000 enter into residential subdivision agreements with Sanitary and Improvement District No. 200, Southwind, and Southwind II, of Sarpy County, Nebraska, respectively; and

WHEREAS, Sanitary and Improvement District No. 200 has agreed to execute amendments to said subdivision Agreements satisfactory in form to the City Attorney and City Engineer.

NOW THEREFORE, BE IT RESOLVED, that the Second Amendment to the Subdivision Agreement for Sanitary and Improvement District No. 200 (Southwind) and the First Amendment to Subdivision Agreement for Sanitary and Improvement District No. 200 (Southwind II) both of Sarpy County, Nebraska presented at the September 5, 2006 City Council meeting be, and hereby are approved, and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

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

## **G. RESOLUTION – AUTHORIZE SUBMITTAL OF APPLICATION FOR TRANSPORTATION ENHANCEMENT FUNDING – LA VISTA LINK TO KEYSTONE TRAIL**

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-122: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SUBMITTAL OF AN APPLICATION FOR ASSISTANCE FROM THE TRANSPORTATION ENHANCEMENT PROGRAM FOR CONSTRUCTION OF THE LA VISTA LINK TO THE KEYSTONE TRAIL.

WHEREAS, the City of La Vista Public Works Department has prepared a draft application for funding from the Transportation Enhancement Program for construction of the La Vista Link to the Keystone Trail and said draft has been accepted; and

WHEREAS, the final application package has been prepared and requires a City Council resolution to be included authorizing submittal; and

WHEREAS, the City of La Vista has available a 30% match for the project cost and has the financial capability to operate and maintain the completed facility in a safe and attractive manner for public use; and

WHEREAS, funds for this project are included in the FY06/07 Construction/Capital Improvements Fund budget in the amount of \$330,000 for the trail project and \$20,000 for the acquisition of necessary right-of-way to facilitate the project; and

# MINUTE RECORD

September 5, 2006

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

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the application for assistance from the Transportation Enhancement Program for construction of the La Vista Link to the Keystone Trail be authorized for submittal.

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

## **H. RESOLUTION – PURCHASE & INSTALLATION OF FURNISHINGS – NEW FIRE STATION NO. 2**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-123: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND INSTALLATION OF FURNISHINGS FOR THE NEW FIRE STATION #2 FROM VARIOUS CONTRACTORS IN AN AMOUNT NOT TO EXCEED \$85,933.01.

WHEREAS, on December 7, 2004, the City Council passed Ordinance No. 945, authorizing and approving the development, construction, acquisition, equipping and financing of a new fire station; and

WHEREAS, the purchase and installation of furnishings are required for the new fire station #2; and

WHEREAS, the fire station project budget provides funds for the proposed improvements; and

WHEREAS, bids for the purchase and installation of furnishings were received, opened and publicly read aloud on August 18, 2006; and

WHEREAS, FGM-Inc. and City staff have received and reviewed the bids for the proposed furnishings and recommend the following vendors as the as the low compliant bidders:

- Business Interiors Group, Inc. Omaha, Nebraska, - \$7,500.00
- Tretiak's, Omaha, Nebraska, -\$1,563.88
- Krueger International, Inc., Green Bay, Wisconsin, - \$31,186.38
- Sheppard's Business Interiors, Omaha, Nebraska, - \$45,682.75; and

WHEREAS, delivery and installation charges are included in the total bid amounts; 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, by the Mayor and City Council of La Vista, Nebraska, that the purchase and installation of furnishings for the new Fire Station #2 from various contractors in an amount not to exceed \$85,933.01 is hereby approved and the Mayor is hereby authorized to execute the required documentation.

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

## **I. RESOLUTION – PURCHASE & DELIVERY OF EQUIPMENT – NEW FIRE STATION NO. 2**

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-124: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND DELIVERY OF APPLIANCES AND APPARATUS BAY EQUIPMENT FOR THE NEW FIRE STATION #2 FROM VARIOUS CONTRACTORS IN AN AMOUNT NOT TO EXCEED \$60,129.76.

WHEREAS, on December 7, 2004, the City Council passed Ordinance No. 945, authorizing and approving the development, construction, acquisition, equipping and financing of a new fire station; and

WHEREAS, the purchase and delivery of appliances and apparatus bay equipment are required for the new fire station #2; and

# MINUTE RECORD September 5, 2006

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

WHEREAS, the fire station project budget provides funds for the proposed improvements; and

WHEREAS, City Staff has reviewed multiple cost estimates for the proposed equipment and recommends the following:

- Nebraska Furniture Mart, Omaha, Nebraska, for fire station kitchen appliances, laundry and bedding in an amount not to exceed \$19,039.16,
- American Air Works, Sophia, West Virginia, for apparatus bay equipment in an amount not to exceed \$32,000,
- JH Stuckey Distributing, Omaha, Nebraska, for a bunkergear washer (extractor) in an amount not to exceed \$8,490.60, and
- Blue Steel, LLC., Baldwinville, MA, for a secure EMS medicine cabinet in an amount not to exceed \$600.00; 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, by the Mayor and City Council of La Vista, Nebraska, that the purchase and delivery of the appliances and apparatus bay equipment for the new Fire Station #2 from various contractors in an amount not to exceed \$60,129.76 is hereby approved and the Mayor is hereby authorized to execute the required documentation.

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

## **J. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – AIR PACK BREATHING SYSTEM – NEW FIRE STATION NO. 2**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-125: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF REQUEST FOR BIDS FOR THE PURCHASE AND DELIVERY OF AN AIR PACK BREATHING SYSTEM INCLUDING AIR COMPRESSOR, CASCADE SYSTEM AND FILL STATION FOR THE NEW LA VISTA FIRE STATION NO 2.

WHEREAS, the City has determined that it is desirable to take proposals for the purchase and delivery of an air pack breathing system including air compressor, cascade system and fill station the new La Vista Fire Station No. 2; and

WHEREAS, the fire station project budget provides funds for the proposed equipment; and

WHEREAS, City staff has determined that the proposed equipment is required for operation of the facility.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the advertisement of Request for Bids for the purchase and delivery of an air pack breathing system to include air compressor, cascade system and fill station for the new Fire Station and sealed bids are to be opened and publicly read aloud at 2:00 p.m., September 18, 2006, at La Vista City Hall, 8116, Park View Blvd., La Vista, Nebraska, 68128.

Publish Notice to Contractors	September 6, 2006
Open Bids	September 18 2006
City Council Award Contract	October 3, 2006

Councilmember Sheehan asked who had developed the specifications. Police Chief Lausten addressed Council to respond that Public Building and Grounds Director Archibald had prepared the specifications. Archibald reported that a "Loose Goods" Committee had been formed to assist with the acquisition of equipment for the new station and this Committee developed the specifications based on a Macco system. The specifications allow for the bidding of any brand of equipment that meets or exceeds the Macco system specs. Archibald indicated that Macco is a well-known manufacturer of this type of equipment and has a good track record in the industry.

# MINUTE RECORD

September 5, 2006

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

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

## **K. RESOLUTION – AWARD CONTRACT – SPORTS COMPLEX SIDEWALK REPAIRS**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-126: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO ALL PURPOSE UTILITIES, INC., LA VISTA NEBRASKA, FOR THE REMOVAL AND REPLACEMENT OF SIDEWALK PANELS AT THE SPORTS COMPLEX IN AN AMOUNT NOT TO EXCEED \$19,500.00.

WHEREAS, the City Council of the City of La Vista has determined that certain sidewalk repairs are necessary at the Sports Complex; and

WHEREAS, the Public Works Director has determined that approximately 3,872 square feet of sidewalk needs to be removed and replaced on the west side of the Sports Complex; and

WHEREAS, All Purpose Utilities, Inc. was the successful bidder on the 2006 Pavement Reconstruction project and agreed to honor the same bid price for the work at the Sports Complex; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure City Council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a contract be awarded to All Purpose Utilities, Inc., La Vista, Nebraska for sidewalk panel removal and replacement at the Sports Complex in an amount not to exceed \$19,500.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

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

## **L. SPECIAL ASSESSMENTS FOR PROPERTY IMPROVEMENTS**

### **1. PUBLIC HEARING**

At 7:45 p.m. Mayor Kindig stated the floor was now open for a public hearing on special assessments for property improvements.

There was no additional information presented by City staff. There were no questions or comments from the public.

At 7:46 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-127: 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  
7518 Diane Court, Lot 751, La Vista Subdivision, \$136.46, and  
7705 Grace Court, Lot 1482, La Vista Subdivision, \$269.10  
were notified to clean up their property as they were in violation of the City Municipal Code, Sections 94.06, 130.09 and 133.01 respectively, 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

# MINUTE RECORD

September 5, 2006

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

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 Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **M. DISCUSSION – RENAMING OF CORNHUSKER ROAD FROM 96<sup>TH</sup> STREET TO GILES ROAD**

Public Works Director Soucie addressed Council concerning the renaming of Cornhusker Road from 96<sup>th</sup> Street to Giles Road. As a result of improvements that were made to this section of Cornhusker Road, it now aligns with 108<sup>th</sup> Street at Giles Road. There is a public safety concern that this intersection is now being referred to 108<sup>th</sup> & Cornhusker Road. The actual 108<sup>th</sup> & Cornhusker Road intersection is located further south and is currently a gravel road. Public safety dispatchers have been able to differentiate between the two areas based on that fact. Once development takes place and the true 108<sup>th</sup> & Cornhusker intersection is paved, it will make the dispatching of emergency vehicles more difficult. Changing the name of the section of Cornhusker Road to Portal Road will hopefully alleviate any confusion regarding the intersection. Soucie displayed a map for Council's review indicating the area being proposed for renaming. Council was in consensus that the proposed street name change be brought back for consideration at a future meeting.

Councilmember McLaughlin made a motion to move "Comments from the Floor" up on the agenda ahead of Item N., Executive Session. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **COMMENTS FROM THE FLOOR**

Terri Russell, 7427 So. 69<sup>th</sup> Street, addressed the Council. Russell indicated that she had received information previously from the City regarding the fact that her boat had to be parked on a hard surface during the months of April through September. She indicated that in response to receiving the yellow tag regarding the boat, she had purchased concrete panels (stepping stones) and placed the wheels of the boat trailer and the tongue of the trailer on the panels. The City's Code Enforcement Officer has indicated that the use of concrete panels in this way is not in compliance with the requirement to have the boat parked on a hard surface. Russell indicated she cannot find in the regulations where it states that the concrete slab must be continuous rather than piece by piece in order to qualify as a hard surface.

Russell also referenced another property at 7009 Emiline Street indicating there is a similar situation with a boat at that address. City Administrator Gunn indicated a response would be provided to Ms. Russell regarding the regulations prior to the next City Council meeting.

## **N. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS – FOP**

At 8:01 p.m. Councilmember Ellerbeck made a motion to go into executive session for protection of the public interest to discuss contract negotiations regarding the Fraternal Order of Police collective bargaining agreement. Seconded by Councilmember Gowan. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion and repeated the motion made by Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

At 8:17 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember McLaughlin. Mayor Kindig stated the discussion in executive session was limited to the subject matter contained in the original motion. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

# MINUTE RECORD

September 5, 2006

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

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Gowan, who is on the City's Swimming Pool Committee, reported to Council on issues addressed at the first two meetings of the Committee. Gowan stated that he initially raised the questions as to whether La Vista needed a pool in light of the facilities that are available in the immediate area such as Papio Bay and FunPlex. He stated that the committee members were unanimous in their belief that La Vista needs to have its own aquatic facility for residents. The committee also reached a consensus on the site of any future facility. They agreed that the area currently known as Kelly Field and being used for soccer and baseball fields should be the location of the aquatic facility. Kelly Field is directly adjacent to the existing swimming pool. Gowan stated the committee feels this is a central location offering good visibility from 84<sup>th</sup> Street and would eliminate the need to purchase land. The committee has also discussed the various features they would like to see in a new aquatic facility and will conduct meetings with various community focus groups in the near future to get input from a wide-range of citizens and users of the pool.

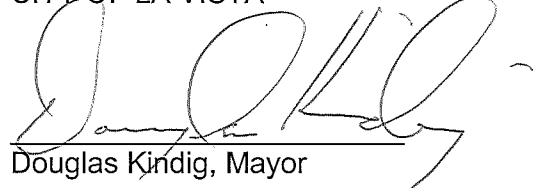
Mayor Kindig asked Councilmembers to contact Mary Alex at City Hall if they are interested in attending the NLC Conference. The budget includes funding for one elected official to attend.

## ADJOURNMENT

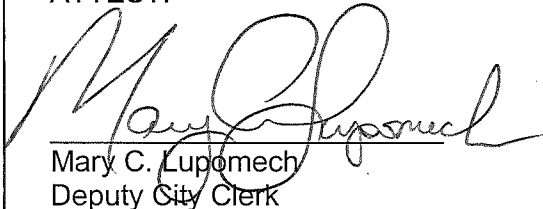
At 8:25 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF SEPTEMBER 2006.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Mary C. Lupomech  
Deputy City Clerk

K:\APPS\CITYHALL\06 COUNCIL MINUTES\September 5