

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING September 19, 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 19, 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, Assistant City Administrator Ramirez, City Engineer Kottmann, Community Development Director Birch, Fire Chief Schuster, Finance Director Lindberg, Library Director Schinker, Police Lieutenant Pokorny, Recreation Director Stopak, Building and Grounds Director Archibald, City Planner Potter, Public Works Director Soucie, and Deputy City Clerk Lupomech.

A notice of the meeting was given in advance thereof by publication in the Times on September 7, 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 AWARDS – STEVEN WALTER – 15 YEARS; ROSE SCHINKER - 5 YEARS

The Mayor presented a certificate and pin Library Director Schinker for her 5 years of service to the City. Steven Walter was unable to attend and his certificate and pin will be presented to him at a later date.

PROCLAMATION - YMCA ACTIVATE AMERICA AND AMERICA ON THE MOVE

Mayor Kindig read a proclamation declaring the month of September 2006 to be "Step-tember" in conjunction with America on the Move Week and YMCA Activate America.

CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE SEPTEMBER 5, 2006 CITY COUNCIL MEETING
3. MINUTES OF THE SEPTEMBER 7, 2006 PLANNING COMMISSION MEETING
4. PAY REQUEST FROM SARPY COUNTY FOR FY 2006 GIS INTERLOCAL AGREEMENT - \$2,500.00
5. SOUTHPORT WEST IMPROVEMENTS
 - a. PAY REQUEST NO. 4 FROM ANDRUS ENTERPRISES, INC. FOR GROUP "A" CONSTRUCTION IN PARKING DISTRICT NO. 1, - \$387,582.44
 - b. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER FOR PROFESSIONAL SERVICES ASSOCIATED WITH GROUP A CONSTRUCTION IN PARKING DISTRICT NO. 1, - \$42,630.09
 - c. PAY REQUEST NO. 1 FROM LANOHAN NURSERIES, INC. FOR GROUP "B" CONSTRUCTION - IRRIGATION & LANDSCAPING IN PARKING DISTRICT NO. 1, - \$122,499.00
 - d. CHANGE ORDER NO. 1 FOR GROUP "B" CONSTRUCTION – IRRIGATION & LANDSCAPING IN PARKING DISTRICT NO. 1, - \$22,110.00
 - e. PAY REQUEST NO 1 FROM DOSTALS CONSTRUCTION CO. FOR GROUP "C" CONSTRUCTION - WATER FEATURE IN PARKING DISTRICT NO. 1, - \$118,035.00
6. FIRE STATION NO. 2:
 - a. PAY REQUEST NO. 7 FROM CONSTRUCT, INC. - \$534,114.53
 - b. PAY REQUEST FOR FURNISHINGS AND EQUIPMENT
 - B. J. H. STUCKEY DISTRIBUTING, INC. - \$4,245.30 (50%)
 - C. BLUE STEEL, LLC - \$600.00
7. PAY REQUEST FROM WATER'S EDGE FOR PROFESSIONAL SERVICES, POOL STUDY - \$1,500.00
8. APPROVAL OF CLAIMS

Deputy Clerk Lupomech informed Council of a revision to the Agenda, stating that Items F. and G. were listed as Resolutions and should be listed as Ordinances. Councilmember Sheehan made a motion to approve the revised consent agenda as presented. Seconded by Councilmember

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

3M, St. Maint	2,119.50
ABALO, KODOVI, Rental Fees	25.00
ALAMAR UNIFORMS, Wearing Apparel	85.49
ALL PURPOSE UTILITIES, Paving	39,814.65
AMERICAN FENCE, Bldg & Grnds	28.24
AMERICAN RED CROSS, Travel	67.00
AQUILA, Utilities	16.00
ARAMARK UNIFORM, Contract Services	159.29
ASPHALT & CONCRETE MATERIALS, St. Maint.	452.29
BAKER & TAYLOR BOOKS, Books	2,502.37
BENNINGTON IMPLEMENT, Vehicle Maint.	2,538.03
BETTER BUSINESS EQUIPMENT, Contract Services	93.12
BLEACH, LARRY, Contract Services	30.00
BRADFORD, CARLOS, Contract Services	36.00
BRENTWOOD AUTO WASH, Vehicle Maint,	120.00
CARDMEMBER, Travel/Supplies/Training	1,981.10
CITY OF OMAHA, Contract Services	34,309.11
CJ'S HOME CENTER, St & Vehicle Maint/Bldg & Grnds	607.16
CORDS, KATHERINE, Books	4.95
COURTESY CLEANERS, Cleaning	45.00
COVI, KEVIN, Rental Fees	106.00
COX, Contract Services	184.10
CUMMINS CENTRAL POWER, Contract Services	526.74
CYC CONSTRUCTION, Brentwood Sidewalk	10,663.02
DANKO EMERGENCY EQUIPMENT, Vehicle Maint.	215.02
DECOSTA SPORTING GOODS, Wearing Apparel	163.69
DEMCO, Wearing Apparel	449.24
DOUGLAS COUNTY SHERIFF'S OFC, Contract Services	100.00
EASTERN LIBRARY SYSTEM, Training	92.00
EDGEWEAR SCREEN PRINTING, Wearing Apparel	1,011.65
EMS BILLING SERVICES, Rescue Revenue	939.63
FEDEX, Printing	48.08
FIREGUARD, Fire Station #2 Equip.	108,000.00
FOX VALLEY TECHNICAL COLLEGE, Training	275.00
GRAYBAR ELECTRIC, Bldg & Grnds	1,250.50
GREAT PLAINS ONE-CALL SVC, Contract Services	491.91
HANEY SHOE STORE, Wearing Apparel	118.95
HEARTLAND AWARDS, Wearing Apparel	58.50
HENRY, MARK, Contract Services	36.00
HIGHSMITH, Supplies	317.53
HOME DEPOT, Wearing Apparel/Supplies	265.65
HONEYMAN RENT-ALL, Equip.	29.99
HOST COFFEE, Concessions	20.60
INLAND TRUCK PARTS, Vehicle Maint.	236.39
INSIGHT TECHNOLOGY, Contract Services	1,288.71
IOWA PRISON INDUSTRIES, Street Maint.	2,989.00
J Q OFFICE EQUIPMENT, Supplies/Contract Services	652.27
JACOBS, BRENDA, Travel	132.00
KINDIG, DOUGLAS, Travel	72.47
KINSEY, JEREMY, Travel, Wearing Apparel	470.00
LAWLESS DISTRIBUTING, Concessions	169.15
LEAGUE ASSN OF RISK MGMT Southport	4,400.00
LEAGUE OF NEBRASKA MUNICIPA, Dues	17,867.00
LIBRA SAFETY PRODUCTS, Supplies	42.00
LIFE ASSIST, Squad Supplies	89.70
LINWELD, St. Maint.	119.12
LOU'S SPORTING GOODS, Wearing Apparel/Supplies	2,065.37
MALLARD SAND AND GRAVEL, Equip.	116.92
MAPA, Contract Services	200.00
MEADOWBROOK, Bonds	935.50
MICHAEL TODD AND COMPANY, St. Maint.	50.00
MID-LAND EQUIPMENT, Vehicle Maint.	80.95
MILLER PRESS, Printing	50.00
MONARCH OIL, St. Maint.	366.00

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NE DEPT OF MOTOR VEHICLE, Vehicle Supplies	13.00
NE DEPT OF REVENUE, Fees	25.00
NE LIBRARY COMMISSION, CD Rom	2,570.65
OFFICE DEPOT, Supplies	388.38
OMAHA COMPOUND, Supplies	43.79
OPPD, Utilities	30,834.84
ORIZON CPAS, Professional Services	1,000.00
PAPILLION FLOWER PATCH, Flower Reserve	88.00
PAPILLION SANITATION, Contract Services	151.85
PARAMOUNT LINEN & UNIFORM, Cleaning	282.26
PLAZA PONTIAC GMC, Vehicle Maint.	33.88
PRIME TIME SPORTING GOODS, Equip.	180.00
QWEST, Telephone	80.88
RAINBOW GLASS & SUPPLY, Bldg & Grnds	149.00
RAMIREZ, JOHN, Contract Services	36.00
READY MIXED CONCRETE, St. Maint.	3,247.70
RON TURLEY ASSOCIATES, Vehicle Maint.	750.00
ROY SR, RICK, Contract Services	31.25
SAM'S CLUB, Concessions/Supplies	495.45
SARPY COUNTY CHAMBER OF COMMERCE, Training	10.00
SMOOTHER CUT ENTERPRISES, Contract Services	1,350.00
STAPLES, Supplies	265.97
STRATEGIC ADVISORY GROUP, Fees	16,887.77
SUBURBAN NEWSPAPERS, Legal Advertising	657.73
SWANSON FOOD SERVICES, Travel	96.78
THERMO KING CHRISTENSEN, Vehicle Maint.	433.38
THOMPSON DREESSEN & DORNER, Professional Services	24,393.09
THREE RING ENTERPRISES, Vehicle Maint/Bldg & Grnds	1,412.35
TIERNEY HEATING & AIR COND, Bldg & Grnds	90.00
TRACTOR SUPPLY COMPANY, Street Maint./Wearing Apparel	238.69
UAP DISTRIBUTION, Supplies	486.20
UNITED SEEDS, Maintenance	1,300.00
VAN ORMAN, BRIAN, Training	387.00
ZIMCO SUPPLY, Supplies	141.00

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn announced the promotion of former City Clerk Rita Ramirez to the position of Assistant City Administrator.

Gunn reported to Council on her recent attendance to the ICMA Conference in San Antonio. She stated that several areas important to the City were addressed, including wireless technology, pandemic preparedness, and strategic planning. Gunn stated that the City's Safety Committee has been reviewing the necessary requirements to be prepared for the pandemic flu and will address the Council in the future with the City's strategic plan. Gunn thanked the Council for the opportunity to attend the Conference.

Public Works Director Soucie informed Council that he and Street Superintendent Goldman had recently attended an APWA conference in Kansas City. He stated it was one of the best conferences he had attended in several years and that a lot of good information was exchanged and some good contacts were made. Soucie indicated that many of the issues being discussed at the conference have been dealt with previously in La Vista, putting us ahead of the trend. Soucie stated that the City is to be commended for that and thanked Council for their continued support of training opportunities for staff.

Soucie updated the Council on various construction projects. He reported that 107th St. between Giles Road and Cornhusker Road is now open; in Giles Corner the remaining streets have been completed, with a walk-through scheduled for next week; at the Sports Complex, the east sidewalk project is complete and the west side is in progress with completion scheduled by the end of the week; the Blooming Deals building is completely dismantled, the foundation is currently being taken out, and dirt will then be hauled in and the area leveled and seeded; in regard to the Southport West area, the City parking lot is 95% complete with only striping in the parking lot remaining; street lights are now illuminated, including the parking lot lights; the Water Feature is about 50% complete; and landscaping and irrigation for the area is about two-thirds complete.

Library Director Schinker informed Council that Children's Librarian Director Wilder had conducted a survey of parents in the City regarding Storytime activities. As a result, Storytime will be extended during the month of January to meet the needs of residents.

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Schinker informed Council of an upcoming event at the Library. The Bus-eum will be in the Library west side parking lot on September 29, 2006 with information about the United States Government interning 15,000 German-American civilians during World War II.

Schinker reported to Council that the Library now had software to create and print posters. Schinker presented examples of the potential use for the City and for residents.

Schinker informed Council that a patron wanted to thank those responsible for the installation of the new sidewalk on the north side of Library, which he uses everyday.

Councilmember Quick asked about the hours of availability for poster creations. Schinker stated that the Library is prepared to assist during all open hours. Quick asked about the attendance for Storytime. Schinker reported that all sessions are at capacity.

B. COMPENSATION

1. ORDINANCE – AMEND THE COMPENSATION ORDINANCE

Councilmember Carlisle introduced Ordinance No. 1006 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1006 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.

2. RESOLUTION – AUTO ALLOWANCE RATES

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-128: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MONTHLY VEHICLE AND MOBILE PHONE ALLOWANCES FOR SPECIFIC OFFICERS AND EMPLOYEES OF THE CITY.

WHEREAS, the Mayor and City Council establish by ordinance the compensation for officers and employees of the City of La Vista and said ordinance establishes that the Mayor and Council may additionally fix by resolution such vehicle and other allowances as may from time to time be fixed in the municipal budget; and

WHEREAS, the FY 07 municipal budget establishes funds for vehicle and mobile phone allowances for various officers and employees of the City and are recommended by the Finance Director and City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the following vehicle and mobile phone allowances:

Position	Monthly Vehicle Allowance
Mayor	\$150
City Clerk	\$100
City Administrator	\$300
1 st Asst. Fire Chief	\$100
2 nd Asst. Fire Chief	\$100

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District Fire Chief	\$100
Public Information Officer – Fire	\$100
Community Development Director	\$50
Library Director	\$45
Asst. Library Director	\$33

NOW THEREFORE BE IT FURTHER RESOLVED, that the Finance Director may establish a monthly allowance for mobile phone service for the Mayor, Public Works Director, Park Superintendent and Street Superintendent in an amount not to exceed \$50 per month based upon a review of actually monthly expenses related to City services.

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

C. APPLICATION FOR ZONING TEXT AMENDMENT – PERIMETER FENCES

1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig stated the floor was now open for a public hearing on the Application for Zoning Text Amendment – Perimeter Fences.

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

At 7:16 p.m. Councilmember Gowan 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. ORDINANCE

Councilmember McLaughlin introduced Ordinance No. 1007 entitled: AN ORDINANCE TO AMEND SECTION 7.12 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 7.12 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ronan 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 McLaughlin. The Mayor then stated the question was, "Shall Ordinance No. 1007 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.

D. RESOLUTION – CONDITIONAL USE PERMIT – HOTEL & CONFERENCE CENTER, LOT 1, SOUTHPORT WEST REPLAT TWO

1. PUBLIC HEARING

At 7:17 p.m. Mayor Kindig stated the floor was now open for a public hearing on a Conditional Use Permit application for a hotel and conference center on Lot 1, Southport West Replat Two.

There was no additional information presented by City staff. Ricky Carter, an engineer with Kirkham Michael, representing Carl James of Pellham-Phillips, addressed the Council and presented a drawing of the proposed Embassy Suites Hotel, and described the location. The hotel will consist of 257 rooms with an attached 79,000 sq. ft. convention center.

At 7:18 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.

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2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-129: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR JOHN Q. HAMMONS INDUSTRIES TO OPERATE A HOTEL (EMBASSY SUITES) AND CONFERENCE CENTER ON LOT 1, SOUTHPORT WEST REPLAT TWO.

WHEREAS, John Q. Hammons Industries has applied for a conditional use permit for the purpose of operating a hotel (Embassy Suites) and conference center on Lot 1, Southport West Replat Two, located southwest of I-80 and Giles Road; 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. Southport West Replat Two must be filed and recorded prior to City Council approval of the conditional use permit.
2. The applicant will need to complete the FAA permit process and obtain approval prior to obtaining full building permits.
3. All requirements of the Southport West PUD Plan and Design Guidelines must be met prior to execution of the conditional use permit. Final design approval is pending.
4. Staff is currently reviewing the proposed parking numbers for the hotel and conference center to determine their adequacy based on the occupancy number as determined by the State Fire Marshal.
5. All signage shall comply with the La Vista sign regulations and the adopted Southport West PUD Plan and Design Guidelines.
6. Prior to the issuance of a building permit, the applicant shall pay the tract sewer connection fee.
7. Prior to the issuance of a building permit, the Fire Department should review the fire hydrant location(s) for adequacy to serve the facility.
8. The interior road shown on the site plan on Lot 1, Southport West Replat Two, which runs parallel to the north property lines of Lots 19 & 20, Southport West, and Lots 2 & 3, Southport West Replat Two, shall provide ingress and egress to Lots 19 & 20, Southport West, and Lots 2 & 3, Southport West Replat Two.

NOW THEREFORE, BE IT RESOLVED, that the Conditional Use Permit presented at the September 19, 2006, City Council meeting for John Q. Hammons Industries to operate a hotel (Embassy Suites) and conference center on Lot 1, Southport West Replat Two be, and hereby is 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 may determine necessary to carry out the intent of the City Council.

City Administrator Gunn informed Council that staff had worked diligently with the John Q. Hammons people over the last few days to address any outstanding issues regarding the proposed project and she felt that Council could approve the issuance of a conditional use permit at this point in time, if they so desired, based on the contingencies outlined in the resolution.

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

E. RESOLUTION – APPLICATION FOR REPLAT – LOTS 1 & 2, MAYFAIR 2ND ADDITION REPLAT THREE

1. PUBLIC HEARING

At 7:19 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application for a Replat of Lots 1 & 2, Mayfair 2nd Addition, Replat Three.

There was no additional information presented by City staff. John Krager of Schwimmer and Associates, on behalf of the developer, addressed the Council to answer any questions.

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At 7:20 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.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-130: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING APPROVAL OF A REPLAT FOR LOTS 1 AND 2, MAYFAIR 2ND ADDITION REPLAT THREE, BEING A REPLAT OF LOT 10B, MAYFAIR 2ND ADDITION REPLAT ONE, LOCATED IN THE SE 1/4 OF SECTION 16, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, GENERALLY LOCATED NORTHWEST OF 96TH STREET AND GILES ROAD.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for the proposed Lots 1 and 2, Mayfair 2nd Addition Replat Three; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on September 7, 2006, the La Vista Planning Commission held a public hearing and reviewed the replat proposal and has recommended approval.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 1 and 2, Mayfair 2nd Addition Replat Three, being a replat of Lot 10B, Mayfair 2nd Addition Replat One located in the SE 1/4 of Section 16, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, generally located northwest of 96th Street and Giles Road be, and hereby is, approved.

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

F. ORDINANCE – STREET RENAMING – A SECTION OF CORNHUSKER ROAD TO PORTAL ROAD

Councilmember Gowan introduced Ordinance No. 1008 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO CHANGE THE NAME OF A SECTION OF CORNHUSKER ROAD FROM 96TH STREET TO 107TH STREET TO PORTAL ROAD; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan 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 Sheehan. Mayor Kindig stated that although there was not a public hearing on the agenda for this item, he wanted to give citizens an opportunity to address the Council if they had comments on the proposed street name change. No one from the public addressed the Council.

Councilmember Sell commented on the burden of address changing for businesses in the area, but indicated that he understood the change was necessary to address safety concerns. Mayor Kindig commented that Public Works Director Soucie had previously explained the safety issues which necessitated the change.

The Mayor then stated the question was, "Shall Ordinance No. 1008 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.

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G. ORDINANCE – STREET RENAMING – A SECTION OF PORTAL ROAD TO 107TH STREET

Councilmember McLaughlin introduced Ordinance No. 1009 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO CHANGE THE NAME OF A SECTION OF PORTAL ROAD FROM GILES ROAD TO CORNHUSKER ROAD TO 107TH STREET; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Councilmember Carlisle 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 Ellerbeck. Again, Mayor Kindig stated that although there was not a public hearing on the agenda for this item, he wanted to give citizens an opportunity to address the Council if they had comments on the proposed street name change. No one from the public addressed the Council.

The Mayor then stated the question was, "Shall Ordinance No. 1009 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.

H. RESOLUTION – LEASE/PURCHASE OF TWO 4 X 4 PICKUP TRUCKS – PUBLIC WORKS

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-131: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE/PURCHASE OF (2) CHEVROLET SILVERADO 4 X 4 PICKUP TRUCKS FOR THE PUBLIC WORKS DEPARTMENT FROM SID DILLON COMMERCIAL/FLEET, WAHOO, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$70,009.54.

WHEREAS, the City Council of the City of La Vista has determined that the acquisition of two 4 x 4 pickup trucks for the Public Works Department is necessary, and

WHEREAS, the 2006/07 Street and Park Operating budget did include funds for the lease/purchase of said vehicles, and

WHEREAS, Sid Dillon Commercial/Fleet has the state bid for this type of vehicle, and

WHEREAS, the lease/purchase of said vehicles will be executed through a lease arrangement with a private financial institution, 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 purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the lease/purchase of two 2006 Chevrolet Silverado CK-25903 – 2500 HD 4 x 4 pickup trucks for the Public Works Department from Sid Dillon Commercial/Fleet, Wahoo, Nebraska, in an amount not to exceed \$70,009.54 to be financed through a lease arrangement with a private financial institution.

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

I. RESOLUTION – AUTHORIZATION TO ADVERTISE FOR BIDS – POLICE MOTORCYCLE

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-132: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF A HARLEY DAVIDSON POLICE MOTORCYCLE FOR THE POLICE DEPARTMENT.

MINUTE RECORD

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

September 19, 2006

WHEREAS, the City Council has determined that the purchase of a motorcycle to assist with the Police Department's speed enforcement efforts is desirable; and

WHEREAS, the 2006-2007 Budget provides for the acquisition of this equipment through grant funds; and

WHEREAS, the Nebraska Office of Highway Safety has awarded the La Vista Police Department a grant that provides for the purchase of this equipment; and

WHEREAS, the Police Chief has prepared specifications for said motorcycle unit.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the purchase of a Harley Davidson police motorcycle for the Police Department in accordance with specifications prepared by the Police Chief, and said bids are to be opened and publicly read aloud on October 4, 2006 at 11:00 a.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska.

Advertise for Bids – September 20, 2006

Open Bids – October 4, 2006

Award Bid – October 17, 2006

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

J. RESOLUTION – AUTHORIZATION TO ADVERTISE FOR BIDS – GOLF COURSE DRAINAGE STABILIZATION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 06-133: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR DRAINAGE STABILIZATION IMPROVEMENTS AT THE LA VISTA FALLS GOLF COURSE.

WHEREAS, the City Council has determined that drainage stabilization improvements are needed to be made at La Vista Falls Golf Course; and

WHEREAS, The 2006/07 Construction Fund Budget provides funding for the improvements, a portion of which will be reimbursed by a Papio-Missouri NRD grant, and

WHEREAS, the City Engineer has prepared plans and specifications for said channel improvements.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for drainage stabilization improvements at the La Vista Falls Golf Course in accordance with plans and specifications prepared by the City Engineer, and said bids are to be opened and publicly read aloud at 4 p.m. at the Harold "Andy" Anderson Council Chambers, 8116 Park View Blvd., La Vista, NE, on February 2, 2006.

Public Notice to Contractors	September 28 & October 5, 2006
Open Bids	October 9, 2006 at 4:00 p.m.
Award Contract	October 17, 2006

Seconded by Councilmember Quick. Councilmember Gowan asked if this would complete the drainage work improvements on the golf course. Public Works Director Soucie stated that another section of the course is still part of a long range study the City is conducting regarding the entire Thompson Creek corridor. The results of this study will be presented to Council at a later date.

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

K. DISCUSSION – POSITION DESCRIPTION – CITY CLERK

City Administrator Gunn informed Council that reviews of resumes for the position of City Clerk would begin in early October.

MINUTE RECORD

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

September 19, 2006

COMMENTS FROM THE FLOOR

Terrie Russell of 7427 South 69th Street addressed the Council concerning a clarification of the City's hard surface rule for vehicles. City Administrator Gunn informed Mrs. Russell a memo concerning her issue had been prepared. Community Development Director Birch presented the memo to Mrs. Russell for review. Mrs. Russell read the memo and commented that the Ordinance, which she read, does not state that the entire area of the vehicle had to be on concrete. She mentioned a boat at 7009 Emilie, which she feels is also not in compliance. City Administrator Gunn suggested to Mrs. Russell if she wanted to appeal the interpretation of the building officials, she needed to go through the Board of Adjustment. Gunn told Mrs. Russell to contact the Community Development Department to begin the process.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Ellerbeck congratulated Assistant City Administrator Ramirez on her recent promotion.

Mayor Kindig thanked Councilmember Sell and his wife for representing the City at the recent Metropolitan Community College Appreciation Reception.

Mayor Kindig informed Council that Councilmember Carlisle, Assistant City Administrator Ramirez, Community Foundation Director Russell and he had attended the Midlands Community Foundation Reflection Ball, which was a benefit for the Make A Wish Foundation this year, on Saturday, September 16, 2006.

Mayor Kindig reminded Council of the upcoming TeamMates Fundraiser which will be held on October 10, 2006. The fundraiser consists of a Silent Auction, entertainment and hors d'oeuvres. Councilmember were told to contact Mary at City Hall if they were interested in attending.

Mayor Kindig informed Council that Councilmember Quick will be attending the annual National League of Cities Conference as the La Vista representative.

ADJOURNMENT

At 7:34 p.m. Councilmember McLaughlin made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF OCTOBER 2006.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:


Mary C. Lupomech
Deputy City Clerk

K:\APPS\CITYHALL\06 COUNCIL MINUTES\September 19