

# MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

## LA VISTA CITY COUNCIL MEETING September 17, 2013

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 17, 2013. Present were Councilmembers: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Administrator Gunn, City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Community Development Director Birch, Finance Director Lindberg, Fire Chief Uhl, Police Chief Lausten, Public Works Director Soucie, Public Building and Grounds Director Archibald, Recreation Director Stopak, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on August 4, 2013. 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 announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

### SWEAR IN POLICE SERGEANT - BRIAN STOLLEY

Mayor Kindig administered the oath to swear in Police Sergeant Brian Stolley and Sergeant Stolley's wife pinned on his badge.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE SEPTEMBER 3, 2013 CITY COUNCIL MEETING
3. APPROVAL OF THE MINUTES OF THE AUGUST 15, 2013 PLANNING COMMISSION MEETING
4. APPROVAL OF THE MINUTES OF THE AUGUST 21, 2013 PARK & REC. ADVISORY COMMITTEE MEETING
5. MONTHLY FINANCIAL REPORT - AUGUST 2013
6. PAY REQUEST - THOMPSON, DREESSEN & DORNER, INC - PROFESSIONAL SERVICES - LILLIAN & JAMES AVENUE INTERSECTION - \$1,256.25
7. PAY REQUEST - FELSBURG HOLT & ULLEVIG - PROFESSIONAL SERVICES - HELL CREEK CHANNEL IMPROVEMENTS PHASE 2 - \$22,830.53
8. PAY REQUEST - THOMPSON, DREESSEN & DORNER, INC - PROFESSIONAL SERVICES - 2013 STORM SEWER INLET REPAIR - \$1,639.95
9. PAY REQUEST - SWAIN CONSTRUCTION INC. - LILLIAN & JAMES AVENUE INTERSECTION - \$62,354.05
10. PAY REQUEST - THOMPSON, DREESSEN & DORNER, INC - PROFESSIONAL SERVICES - THOMPSON CREEK PHASE I - \$49,053.58
11. PAY REQUEST - LEAGUE OF NEBRASKA MUNICIPALITIES - MEMBERSHIP DUES - \$33,867.00
12. RESOLUTION NO. 13-093 - APPROVE - THOMPSON CREEK WATERSHED RESTORATION - PRE-CONSTRUCTION WATER QUALITY MONITORING AGREEMENT

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AGREEMENT WITH THE UNIVERSITY OF NEBRASKA AT OMAHA (UNO) FOR PRE-CONSTRUCTION WATER QUALITY MONITORING SERVICES FOR THE THOMPSON CREEK WATERSHED

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RESTORATION AND AUTHORIZING THE CITY ADMINISTRATOR TO SIGN SAID AGREEMENT FOR AN AMOUNT NOT TO EXCEED \$11,441.

WHEREAS, the City Council of the City of La Vista has determined that water quality monitoring services are required as part of the conditions of obtaining EPA Section 319 grant funds for the Thompson Creek Watershed Management project through the Nebraska Department of Environmental Quality (NDEQ); and

WHEREAS, services can be provided at a lower cost through UNO that through the private sector; and

WHEREAS, the Sewer Fund Budget provides funding for these services; and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska approve an agreement with the University of Nebraska at Omaha for pre-construction water quality monitoring services for the Thompson Creek Watershed Restoration and authorizing the City Administrator to sign said agreement for an amount not to exceed \$11,441.

**13. RESOLUTION NO. 13-094 – PROFESSIONAL SERVICES AGREEMENT – ALLIXA CONSULTING INC.**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AMENDED PROFESSIONAL SERVICES AGREEMENT WITH ALLIXA CONSULTING, INC., MAITLAND FLORIDA ON A CONTINGENCY FEE BASIS.

WHEREAS, the City Council of the City of La Vista has determined that an audit of the Telecommunications Occupation Taxes collected by the City is necessary; and

WHEREAS, the City Council has determined that it is necessary to amend the agreement to add franchise fees collected by the City; and

WHEREAS, Allixa Consulting, Inc. has provided a proposal to prepare such an audit; and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska approve an amended agreement with Allixa Consulting, Inc., Maitland, Florida, on a contingency fee basis and the Mayor hereby is, authorized to execute same on behalf of the City in form and content satisfactory to the City.

**14. RESOLUTION NO. 13-095 - APPROVAL - APPLICATION FOR ADDITION TO LIQUOR LICENSE - BEYOND GOLF LLC DBA BEYOND GOLF**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE APPLICATION FOR ADDITION TO THE CLASS C LIQUOR LICENSE FOR BEYOND GOLF LLC DBA BEYOND GOLF, LA VISTA, NEBRASKA.

WHEREAS, Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plaza, Suite 330, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their Class C Liquor License to add a sidewalk café, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

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WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the application for the addition to the Class C Liquor License submitted by Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plaza, Suite 330, La Vista, Nebraska.

## **15. RESOLUTION NO. 13-096 – LEASE AGREEMENT – POLICE DEPARTMENT VEHICLE**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF A LEASE AGREEMENT WITH ENTERPRISE FLEET MANAGEMENT FOR A TASK FORCE VEHICLE FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$8,790.

WHEREAS, the La Vista Police Department was awarded a federal grant for the Safe Streets task Force and included in the grant is funding for a leased vehicle to be used by the department's Safe Streets Task Force officer, and

WHEREAS, the City did appropriate funds in the FY14 municipal budget to continue to lease a grant funded task force vehicle, and

WHEREAS, Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a lease agreement with Enterprise Fleet Management, for a grant funded task force vehicle for the Police Department in an amount not to exceed \$8,790.

## **16. APPROVAL OF CLAIMS**

ABE'S PORTABLES, services	243.36
ABRAHAMS KASLOW & CASSMAN, services	233.36
ACCO UNLIMITED, supplies	66.00
ACTION BATTERIES, supplies	398.07
ALAMAR UNIFORMS, apparel	129.99
AMERICAN LEGAL, services	704.00
ANDERSON ELECTRIC, bld&grnds	40.50
APA, dues	795.00
ASPHALT & CONCRETE MATERIALS, maint.	513.59
BAKER & TAYLOR, books	2000.63
BARCAL, R., travel	66.73
BCDM, services	1242.50
BISHOPS, services	771.61
BKD, fees	1415.00
BLACK HILLS ENERGY, utilities	19.74
BLEACH, L., services	90.00
BOMA, training	20.00
BOOKPAGE, books	480.00
BRENTWOOD AUTO WASH, maint.	77.00
BUILDERS SUPPLY, bld&grnds	410.18
CARDMEMBER SERVICE, supplies	8486.46
CELEBRITY STAFFING, staffing	2364.60
CENTER POINT PUBLISHING, books	301.98
CENTURY LINK, phone	37.44
CITY OF OMAHA, services	95272.84
CITY OF PAPILLION, parks/rec	35.00
CJ'S HOME CENTER, bld&grnds	898.77
COMMISSION ON POST-TPS/CPTN, training	495.00
CORNHUSKER INTL TRUCKS, maint.	64.79
COX, IT	148.65
CPS, supplies	442.75
D & B SALVAGE, services	649.00

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D & D COMM., services	729.64
DANNER, D., services	100.00
DATA TECH., training	422.28
DC ELECTRIC, refund	44.10
DEETER FOUNDRY, maint.	276.00
DEMCO INC., supplies	179.97
DIGITAL ALLY, postage	70.00
DULTMEIER, services	27.72
DUTTON, services	7550.00
EASTERN LIBRARY SYSTEM, training	125.00
EDGEWEAR SCREEN PRINTING, apparel	997.50
ELECTRONIC ENGINEERING, maint.	65.80
FELSBURG HOLT & ULLEVIG, services	604.50
FILTER CARE, maint.	94.30
FIRECATT, equip.	6781.50
FIREGUARD, equip.	362.00
FITZGERALD SCHORR BARMETTLER, services	28826.52
FOCUS PRINTING, supplies	780.67
FONTENELLE FOREST, services	85.00
GALE, books	118.45
GCR TIRE CENTERS, supplies	710.65
GENERAL FIRE & SAFETY, equip.	586.25
GENUINE PARTS, maint.	3738.62
H & H CHEVY., maint.	226.37
HANEY SHOE STORE, apparel	240.00
HEARTLAND PAPER, bld&grnds	105.00
HEARTLAND TIRES AND TREADS, supplies	150.95
HEIMES CORP., maint.	49.06
HOME DEPOT, bld&grnds	17.40
KIMBALL MIDWEST, maint.	228.84
LA VISTA COMMUNITY FOUNDATION	75.00
LANDS' END, apparel	359.81
LAUGHLIN, KATHLEEN A, TRUSTEE	437.00
LIBRARY ADVANTAGE, supplies	230.00
LIBRARY IDEAS, media	17.00
LIFE ASSIST, supplies	433.92
LOGAN, maint.	149.20
LOVELAND GRASS PAD, bld&grnds	909.20
MAPA, services	24087.00
MATHESON TRI-GAS, maint.	266.00
MECHANICAL SALES, bld&grnds	249.00
MICHAEL TODD, maint.	825.35
MID AMERICA, phones	100.00
MIDWEST RADIATOR, bld&grnds	115.00
MNJ TECH., supplies	528.00
MONARCH OIL, maint.	595.00
MUNICIPAL PIPE TOOL, equip.	1752.79
NATIONAL PATENT ANALYTICAL, supplies	14.58
NEBRASKA SOFTBALL ASSN DIST#10	1295.00
NEBRASKA WELDING, signs	18.65
NEW YORK TIMES, books	213.20
NEWCOMB, S., refund	15.00
NORTHWOODS TECH, maint.	500.00
NUTS AND BOLTS INC., bld&grnds	6.96
OCLC, books	118.93
OFFICE DEPOT, supplies	1547.27
OFFUTT YOUTH CENTER	1008.00
OMAHA CHILDREN'S MUSEUM	195.00
OMAHA TACTICAL, maint.	253.25
OMAHA WINNELSON, bld&grnds	318.45
OMAHA WORLD HERALD, ads	742.53
OMNI, maint.	1689.99
OMNIGRAPHICS, books	81.85

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ONE CALL CONCEPTS, services	368.35
OPPD, utilities	56872.07
O'REILLY AUTO., maint.	264.73
OVERHEAD DOOR, bld&grnds	47.00
PAPILLION SANITATION, services	1111.69
PARAMOUNT, apparel	319.32
PAYLESS, supplies	304.86
PERFORMANCE CHRYSLER JEEP, maint.	66.19
PLAINS EQUIP., maint.	742.05
PUBLIC AGENCY TRAINING COUNCIL, training	590.00
QUALITY AUTO REPAIR & TOWING, services	79.00
RAY ALLEN, supplies	463.95
RDG PLANNING & DESIGN, services	2424.49
READY MIXED, maint.	3002.05
REGAL AWARDS, supplies	165.95
S & W HEALTHCARE, supplies	88.85
SAM'S CLUB, supplies	719.53
SAPP BROS, supplies	17814.50
SHRED-SAFE, services	25.00
STATE FIRE MARSHAL, training	300.00
STOLTENBERG NURSERIES, supplies	460.00
STRATEGIC GOVERNMENT RESOURCES, services	2692.80
SUPERIOR SIGNALS, maint.	400.55
SWAIN CONSTRUCTION, maint.	1603.80
SWAIN, services	72564.68
TEUSCHER, C., services	250.00
THERMO KING, maint.	286.02
THOMPSON DREESSEN & DORNER	1245.50
TITAN MACHINERY, maint.	642.51
TITLECORE, services	5000.00
TOMSU, L., travel	197.75
TRACTOR SUPPLY, supplies	103.96
TRAINING FORCE, training	390.00
TRANE, bld&grnds	409.68
U S MARSHALS SERVICE, services	1554.30
UNITED HEALTHCARE, refund	1664.00
UPS, postage	19.65
USB SEWER EQUIP., equip.	321.00
USI EDU., supplies	71.98
UTILITY EQUIP., bld&grnds	5.75
VAL VERDE ANIMAL HOSPITAL, services	131.60
VAN RU CREDIT CORPORATION	30.27
VERIZON, phone	443.78
VOGEL TRAFFIC, signs	7749.30
WASTE MANAGEMENT NE., services	418.23
WILD ENCOUNTERS, services	250.00
ZOLL MEDICAL CORP., supplies	173.95

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Crawford reviewed the claims for this period and stated that everything was in order. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council that there was vandalism and burglary the previous evening to a business. Three suspects were arrested.

Public Works Director Soucie handed out information on the "Heartland 2050" program which shows the meeting schedule. The Kickoff meeting will be October 7 with a local meeting scheduled for October 9.

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Public Buildings and Grounds Director Archibald stated that 3 of the 4 smaller blue spruce trees out in front of city hall by the large Christmas tree will be removed in order to preserve one of them for the future Christmas tree as the current tree is showing signs that it is struggling from the damage done to it a couple years ago.

Library Director Barcal stated that there was an increase from last year of more than 40 teens and more than 1,100 children who participated in the summer reading programs. Library employee Lindsey Tomsu secured a YALSA grant for teen read week which is held in October. Barcal also reminded everyone to vote in the public library giveaway from Lego.

## **B. RESOLUTION - TRANSFER OF OWNERSHIP - POLICE DOG**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 13-097: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO RETIRE POLICE SERVICE DOG "LEDA" FROM THE LA VISTA POLICE DEPARTMENT AND ENTRUSTING POLICE SERVICE DOG (PSD) "LEDA" TO THE CARE AND OWNERSHIP OF POLICE OFFICER JOHN DANDERAND

WHEREAS, PSD "Leda" has rendered more than seven years of faithful and dedicated service to the City of La Vista; and

WHEREAS, PSD "Leda" is retiring due to her age; and

WHEREAS, her handler, Police Officer John Danderand has offered to provide PSD "Leda" a permanent retirement home and assume all of the responsibilities accompanying pet ownership;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, resolves that PSD "Leda" be retired from active service with the La Vista Police Department; and the Mayor is authorized to enter into an agreement transferring care and custody of PSD "Leda" to Police Officer John Danderand. A copy of the agreement is attached hereto as Exhibit A and incorporated by this reference.

Seconded by Councilmember Quick. Leda and Officer Danderand were in attendance and Sergeant Waught presented them with a pictoral gift and Chief Lausten gave and account of all the work Leda has done over the last several years. Lausten also stated that a new dog will be purchased in the near future. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## **C. ZONING TEXT AMENDMENT - GATEWAY CORRIDOR OVERLAY DISTRICT**

### **1. PUBLIC HEARING**

At 7:17 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Zoning text amendment - Gateway Corridor Overlay District.

At 7:18 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. ORDINANCE**

Councilmember Quick introduced Ordinance No. 1201 entitled; AN ORDINANCE TO AMEND SECTION 5.17 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.17 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None.

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Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1201 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **D. ZONING TEXT AMENDMENT - TRANSITIONAL AGRICULTURE DISTRICT**

### **1. PUBLIC HEARING**

At 7:19 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Zoning text amendment - Transitional Agriculture District.

At 7:19 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. ORDINANCE**

Councilmember Quick introduced Ordinance No. 1202 entitled AN ORDINANCE TO AMEND SECTION 5.05 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.05 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1202 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **E. AMENDMENT - FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN**

### **1. PUBLIC HEARING**

At 7:20 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the amendment to the future land use map of the Comprehensive Plan.

At 7:20 p.m. Councilmember Hale made a motion to continue the public hearing until the next meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION**

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There was no action taken on the resolution as the public hearing was continued to the next meeting.

## F. AMENDMENT - OFFICIAL ZONING MAP

### 1. PUBLIC HEARING

At 7:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the amendment to the Official Zoning Map.

At 7:21 p.m. Councilmember Sell made a motion to continue the public hearing until the next meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

### 2. ORDINANCE

There was no action taken on the ordinance as the public hearing was continued to the next meeting.

## G. ORDINANCE - AMEND MUNICIPAL CODE SECTIONS 115.001 AND 115.017

Councilmember Quick introduced Ordinance No. 1204 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 115.001 and 115.017; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. Councilmember Sheehan asked why these changes are being made. City Attorney McKeon explained the this language gives the City different ways to work with a franchisee. The Mayor then stated the question, "Shall Ordinance No. 1204 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## H. ORDINANCE – REDISTRICTING – ESTABLISHMENT OF NEW WARD BOUNDARIES FOLLOWING ANNEXATION

Councilmember Crawford introduced Ordinance No. 1205 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 11.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. Councilmember Sheehan asked why these changes are being made. City Attorney

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McKeon explained the this language gives the City different ways to work with a franchisee. The Mayor then stated the question, "Shall Ordinance No. 1205 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## I. RESOLUTION - APPROVAL TO PURCHASE - SECURITY SYSTEM FOR CITY HALL/COMMUNITY BUILDING

Councilmember Crawford introduced and moved for the adoption of Resolution No. 13-099; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF AN ACCESS CONTROL/SECURITY SYSTEM FROM SECURITY EQUIPMENT INC. (SEI), OMAHA NEBRASKA IN AN AMOUNT NOT TO EXCEED \$10,898.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a new access control/security system is necessary, and

WHEREAS, the FY12/13 General Fund Budget provides funding for the purchase of said system, and

WHEREAS, the current security system is no longer functioning and is obsolete, and

WHEREAS, Security Equipment Inc submitted the lowest bid, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a new access control/security system from Security Equipment Inc, Omaha Nebraska in an amount not to exceed \$10,898.

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

## J. RESOLUTION - APPROVAL TO PURCHASE - POLICE K-9

Councilmember Quick introduced and moved for the adoption of Resolution No. 13-100: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF A POLICE K-9 FROM SHALLOW CREEK KENNELS, SHARPSVILLE, PA, IN AN AMOUNT NOT TO EXCEED \$10,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a police K-9 is necessary, and

WHEREAS, the K-9 Donation account has funds available for the purchase of said K-9, and

WHEREAS, The La Vista Police Department did extensive research and recommends that the K-9 be purchased from said vendor, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a police K-9 from Shallow Creek Kennels, Sharpsville, PA, in an amount not to exceed \$10,000.

# MINUTE RECORD

September 17, 2013

No. 729 — REIDEL & COMPANY, INC. OMAHA E1107788LD

Seconded by Councilmember Thomas. Councilmember Gowan asked what determines what breed of dog we take. Police Chief Lausten stated there are three breeds that are trained for police work; Belgian Malamars, Dutch Shepherds, and German Shepherds. The dogs are scored based on their abilities for what the entity is looking to use them for. Officers have gone to look at the dogs and rate them to find the one which will work best in this organization. Councilmember Gowan asked if Leda will go through a period of readjustment after her retirement. Lausten stated that she has already been in the family and won't need to make an adjustment. There may be some adjustment when her handler takes the new dog out to work. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

Councilmember Crawford made a motion to move Comments from the Floor up on the agenda ahead of Item K Executive Session. Seconded by Councilmember Sell. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## K. EXECUTIVE SESSION –CONTRACT NEGOTIATIONS

At 7:32 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for contract negotiations. Seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Gowan and Ronan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:47 p.m. the Council came out of executive session. Councilmember Sell made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: Gowan and Ronan. Motion carried. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council to let the executive assistant know before September 25 if they would like to attend the League Annual Conference October 9-11. He also reminded them to let her know before October 3 if they would like to attend the Sarpy County Chamber Dinner on October 10.

At 7:52 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 1ST DAY OF OCTOBER, 2013

CITY OF LA VISTA  
Douglas Kindig, Mayor

ATTEST:

*Pamela A. Buethe*

Pamela A. Buethe, CMC  
City Clerk