

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING March 18, 2014

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 March 4, 2014. Present were Councilmembers: Gowan, Ronan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Police Chief Lausten, Public Works Director Soucie, Community Development Director Birch, Public Building and Grounds Foreman Siebels, 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 March 5, 2014. 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.

### SERVICE AWARDS – BEN IVERSON – 10 YEARS

Mayor Kindig presented a service award to Ben Iverson for ten years of service to the City of La Vista.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE MARCH 4, 2014 CITY COUNCIL MEETING
3. MONTHLY FINANCIAL REPORT – FEBRUARY 2014
4. PAY REQUEST FROM FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES  
– LA VISTA QUIET ZONE FINAL DESIGN - \$247.50
5. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER, INC. –  
PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$12,641.25
6. APPROVAL OF CLAIMS.

AA WHEEL & TRUCK SUPPLY, maint.	87.04
AAT (US), supplies	996.00
ACCOUNTEMPS, services	778.75
ACTION BATTERIES, maint.	226.95
AKSARBEN HEATING/ARS, bld&grnds	346.80
ALAMAR UNIFORMS, apparel	700.45
BAKER & TAYLOR, books	2,335.12
BARCAL, R., travel	118.44
BARNES, J., books	15.00
BCDM, services	276.67
BKD, services	790.00
BLACK HILLS ENERGY, utilities	4,963.93
BOUNDTREE MEDICAL, supplies	185.13
BRENTWOOD AUTO WASH, services	84.00
BUILDERS SUPPLY, bld&grnds	39.36
CARDMEMBER SERVICES, supplies	8,540.01
CENTER POINT PUBLISHING, books	211.50
CENTURY LINK, phone	71.04

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CJ'S HOME CENTER, maint.	870.36
CONSOLIDATED MANAGEMENT, travel	176.50
CORNHUSKER INTL TRUCKS, maint.	27.18
COX, IT	192.85
DATASPAN, IT	589.00
DAVE HEREK PLUMBING, refund	90.00
DEMCO INC., supplies	196.80
DHHS REG/LIC-POOL PERMIT, training	240.00
DIAMOND VOGEL PAINTS, bld&grnds	33.39
DOUGLAS COUNTY ENGINEER, services	2,000.00
EAGLE ENGRAVING, apparel	11.25
EASTERN LIBRARY SYSTEM, training	40.00
EMBASSY SUITES HOTEL, services	195.42
FITZGERALD SCHORR BARMETTLER, services	22,713.60
FOCUS PRINTING, printing	1,219.00
FOCUS PRINTING, services	72.50
FORT DEARBORN LIFE INS COMPANY	1,297.50
FRANCIS SANTAQUILANI, marketing	65.00
GALE, books	116.95
GARROD, M., travel	180.00
GCR TIRE CENTERS, supplies	506.35
GENUINE PARTS COMPANY, maint.	800.32
GOMEZ, JOHNNY RAY, services	150.00
GRAYBAR ELECTRIC, bld&grnds	74.70
GREAT PLAINS GFOA, dues	50.00
GREY HOUSE PUBLISHING, books	295.00
H & H CHEV., maint.	112.94
HANEY SHOE STORE, apparel	120.00
HARTS AUTO SUPPLY, maint.	587.00
HEARTLAND AWARDS, supplies	923.75
HELGET GAS PRODUCTS, supplies	30.00
HOBBY LOBBY, supplies	113.15
HOME DEPOT, supplies	678.91
HORNADY, supplies	1,116.60
HUSCH BLACKWELL, services	516.00
KRIHA FLUID POWER, maint.	156.11
LA VISTA FIREFIGHTERS ASSN, training	50.00
LAUGHLIN, KATHLEEN A, TRUSTEE	437.00
LINCOLN NATIONAL LIFE INS CO	10,709.90
LOWE'S, maint.	152.05
MANNING, M., refund	6.00
MAT, services	434.00
MATHESON TRI-GAS, supplies	140.57
MCC, utilities	11,469.73
MCCANN PLUMBING, bld&grnds	178.00
MENARDS, maint.	287.88
MID AMERICA PAY PHONES, phones	50.00
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	13.85
MID-STATES UTILITY TRAILER, maint.	40.56
MIDWEST TAPE, media	89.97
MUD, utilities	628.18
NE DEPT OF LABOR, services	396.00
NEBRASKA LIBRARY COMMISSION, cd rom	2,035.24
NEBRASKA SALT & GRAIN, maint.	4,487.00
NEBRASKA WELDING, maint.	145.33
NEUMAN EQUIP., bld&grnds	307.33
NEW YORK TIMES, books	223.60
NIKE, supplies	570.00
NUTS AND BOLTS, supplies	46.95
OAKHAVEN HOMES, services	20,037.50
OFFICE DEPOT, supplies	951.61
OMAHA WORLD HERALD, ads	517.83

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OMNI, maint.	97.37
ONE CALL CONCEPTS, services	93.70
OPPD, utilities	51,444.70
PAPILLION COMM FOUNDATION	150.00
PAPILLION SANITATION, services	923.31
PARAMOUNT LINEN & UNIFORM, apparel	172.53
PERFORMANCE FORD, maint.	137.80
PETTY CASH	227.52
PIONEER ATHLETICS, bld&grnds	633.00
PLAINS EQUIPMENT GROUP, maint.	679.20
PROGRESSIVE BUSINESS, services	175.00
QUALITY BRANDS OF OMAHA, supplies	207.30
RECORDED BOOKS, media	7,713.27
SAM'S CLUB, supplies	119.12
SAPP BROS PETROLEUM, supplies	15,635.06
SARPY COUNTY CHAMBER	150.00
SARPY COUNTY REGISTER OF DEEDS, ads	108.00
SARPY COUNTY SOCCER ASSN, fees	215.00
SIMPLEX GRINNELL, services	1,858.95
SPRINT, phone	62.19
SPRINT, phone	119.97
STANDARD HEATING AND AIR COND, bld&grnds	9,325.00
SUPERIOR SIGNALS INC., maint.	206.12
SUPERIOR VISION SVCS	636.04
SUTPHEN CORP., maint.	510.42
SYMBOL ARTS, apparel	180.00
TURF CARS, supplies	93.90
TURFWERKS, bld&grnds	763.84
WATKINS CONCRETE BLOCK, maint.	85.50
WICK'S STERLING TRUCKS, maint.	46.56

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Hale. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten announced the dates and times of the DARE graduations at Portal Elementary and G. Stanley Elementary.

Library Director Barcal reported to the Mayor and Council on the Public Library Association National Conference which she attended.

## B. RESOLUTION - FY 2012/2013 AUDIT REPORT – BKD, LLP

Councilmember Quick introduced and moved for the adoption of Resolution No. 14-026; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FISCAL YEAR 2012-2013 MUNICIPAL AUDIT AS PREPARED BY THE AUDITING FIRM OF BKD, LLP, OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of BKD, LLP, Omaha, Nebraska, to complete an audit of the City's fiscal year 2012-2013 municipal operations; and

WHEREAS, BKD, LLP has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, that the 2012-2013 municipal audit is hereby accepted and approved.

Seconded by Councilmember Sell. Amy Schreck representing BKD, LLP gave an overview of the audit to the Council. Councilmembers voting aye: Gowan, Thomas,

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Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

## **C. RESOLUTION - INTERLOCAL AGREEMENT - 911 COMMUNICATION SYSTEM**

Councilmember Crawford made a motion to table resolution 14-027 until a later date. Seconded by Councilmember Thomas. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

## **D. AMENDMENT TO THE COMPREHENSIVE PLAN - CHAPTER 9, ANNEXATION PLAN**

### **1. PUBLIC HEARING**

At 7:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Amendment to the Comprehensive Plan – Chapter 9, Annexation Plan.

At 7:22 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

### **2. RESOLUTION**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 14-028: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING CHAPTER 9, ANNEXATION PLAN, OF THE COMPREHENSIVE PLAN

WHEREAS, the Comprehensive Plan currently has an Annexation Plan in Chapter 9 which includes a narrative section, a chart and a map; and

WHEREAS, amendments are proposed to update the Plan based on an annual review; and

WHEREAS, the Planning Commission has recommended approval of the amendments to Chapter 9, Annexation Plan; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to have prepared the necessary amendment to Chapter 9, Annexation Plan, of the Comprehensive Plan.

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

## **E. CONDITIONAL USE PERMIT AMENDMENT - CONVENIENCE STORE WITH LIMITED FUEL SALES, LOT 179 SOUTHWIND**

### **1. PUBLIC HEARING**

At 7:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Conditional Use Permit Amendment – Convenience Store with Limited Fuel Sales, Lot 179 Southwind.

At 7:23 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

### **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-029: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA

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VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR A 24 HOUR CONVENIENCE STORE WITH LIMITED FUEL SALES ON TAX LOT 179, SOUTHWIND, SARPY COUNTY, NEBRASKA.

WHEREAS, Casey's General Store, LLC, has applied for a conditional use permit for a 24 hour convenience store with limited fuel sales on Tax Lot 179, Southwind, Sarpy County, Nebraska; 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 condition:

1. Conforming to the landscaping plan within 6 months.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted with this Resolution, subject to such modifications as approved by the City Administrator and satisfaction of the conditions listed in the last recital above.

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

## **F. APPROVAL OF A CLASS D LIQUOR LICENSE – KWIK SHOP INC. DBA KWIK SHOP**

### **1. PUBLIC HEARING**

At 7:24 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Approval of a Class D Liquor License – Kwik Shop Inc. dba Kwik Shop.

At 7:24 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

### **2. RESOLUTION**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 14-030: 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 CLASS D LIQUOR LICENSE APPLICATION FOR KWIK SHOP #664, 6910 S. 108<sup>th</sup> STREET, IN LA VISTA, NEBRASKA.

WHEREAS, Kwik Shop #664, 6910 S. 108<sup>th</sup> Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class D Liquor License, 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

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 Class D Liquor License application submitted by Kwik Shop #664, 6910 S 108<sup>th</sup> Street, La Vista, Sarpy County, Nebraska.

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

## G. Position Description

Motion by Crawford, seconded by Sell to receive and file the position description for the Fire Chief. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

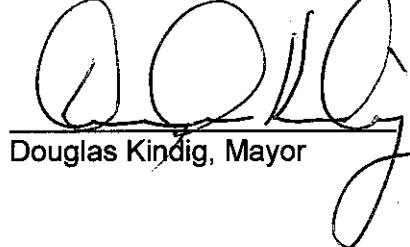
## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig informed Council that there are 14 days left in this legislative session and he is optimistic that the bill on Sales Tax will advance to select file.

At 7:27 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Gowan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

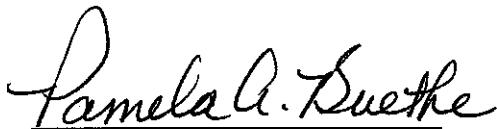
PASSED AND APPROVED THIS 1ST DAY OF APRIL, 2014

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe

Pamela A. Buethe, CMC  
City Clerk