

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING December 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 December 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, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Community Development Director Birch, Fire Chief Schuster, Library Director Schinker, Finance Director Lindberg, Police Chief Lausten, Building and Grounds Director Archibald, Recreation Director Stopak, 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 November 23, 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.

### APPOINTMENTS - FIRE DEPARTMENT OFFICERS

Mayor Kindig stated, with the approval of Council, he would like to make the following appointments as Fire Department Officers: Kirk Schuster, Fire Chief; Jeff Corbit, Assistant Fire Chief; Mike Farquhar, Assistant Medical Chief; Steve Viers, District Chief; Mike Doyle, Fire Training Officer; Brian Jones, Medical Training Officer; Melanie Smith, Public Information Officer; Kenny Estee, Chad Williams, and Mark Archibald, Fire Captains; Rob Witt, Rescue Captain; and Ty Ebel, Rescue Lieutenant.

Councilmember Sell motioned to approve the appointment of the new Fire Department Officers. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

Fire Chief Schuster introduced the new Fire Department Officers. Mayor Kindig thanked the members for their dedication to the safety of the City, and to the families of the volunteers for their support.

### 1. RESOLUTION - APPROVAL OF BOND

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-173: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE OFFICIAL BOND OF KIRK SCHUSTER.

WHEREAS, the City Clerk presents at this meeting an individual bond previously filed with her.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council make and approve the following findings: The Bond is in joint and several form, payable to the City of La Vista in the penalty amount of \$1,000, conditioned for the faithful discharge of the duties of the office of the person giving said Bond; the corporate sureties of said Bond are legally authorized to transact business in the State of Nebraska; the Bond has been executed by the principal and sureties thereof and the required oath has been endorsed thereon and executed by the principal; the Bond has been previously filed with the City Clerk; and all applicable legal requirements with respect to said Bond have been satisfied.

BE IT FURTHER RESOLVED, that the Bond, including, but not limited to the penalty amount and all other terms and conditions thereof, is hereby approved, and the Mayor and City Clerk are hereby authorized to endorse the approval of the City Council and surety in writing on the Bond or by attachment incorporating or incorporated into the Bond by reference, which shall be effective as and constitute endorsement of approval upon said Bond.

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BE IT FURTHER RESOLVED, that the City shall pay the premium for the Bond.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to take any other action as is necessary or appropriate to carry out the actions approved herein.

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

## APPOINTMENT - CITIZEN ADVISORY REVIEW COMMITTEE - APPOINT JIM PLACZEK TO A 5 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Jim Placzek to the Citizen Advisory Review Committee for a 5 year term. Councilmember Sell motioned the approval, seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

## SERVICE AWARD - DANIEL SCARPA - 5 YEARS

Daniel Scarpa was unable to attend the meeting, so his service award will be presented to him by Public Works Director Soucie at a later date.

## SPECIAL PRESENTATION – TOBY CHURCHILL – SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION

Toby Churchill of the Sarpy County Economic Development Corporation addressed Council to present the 3<sup>rd</sup> Quarter report. A handout was presented to Council and reviewed by Churchill. The report includes statistics regarding items such as net taxable sales, building permit valuations, and single family housing permits in the County.

Councilmember Quick asked about a bridge in Bellevue, which was recently on the news, to see if it would be made accessible to the Fire Department. Churchill responded the bridge she was questioning was not the bridge being updated which would connect to Platteview Road at the Kennedy Freeway, which would provide access for the Fire Department.

Mayor Kindig thanked Mr. Churchill for his report.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE NOVEMBER 21, 2006 CITY COUNCIL MEETING
3. MINUTES OF THE OCTOBER 25, 2006 SAFETY COMMITTEE MEETING
4. MINUTES OF THE NOVEMBER 9, 2006 LIBRARY ADVISORY BOARD MEETING
5. MINUTES OF THE NOVEMBER 15, 2006 PARK & RECREATION ADVISORY COMMITTEE  
MEETING
6. MINUTES OF THE NOVEMBER 28, 2006 APPLICATION REVIEW COMMITTEE MEETING
7. PAY REQUEST FROM TERRACON CONSULTANTS, INC. FOR PROFESSIONAL SERVICES  
FOR NEW FIRE STATION NO. 2 - \$1,370.00
8. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the revised consent agenda as presented. Seconded by Councilmember Carlisle. Councilmember Gowan 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.

ALAMAR UNIFORMS, Wearing Apparel	168.47
ALL PURPOSE UTILITIES, Street Resurfacing	25,346.03
AMSAN, Contract Services	412.80
AQUILA, Utilities	16.81
ARAMARK UNIFORM, Contract Services	159.29
ASAP SOFTWARE, Contract Services	1,437.68
ASPHALT & CONCRETE MATERIALS, Street Maint.	57.47
ASSOCIATED FIRE PROTECTION, Bldg & Grnds	885.19
BAKER & TAYLOR BOOKS, Books	151.38
BCDM-BERINGER CIACCIO DENNELL, Professional Services	1,100.02
BEACON BUILDING SERVICES, Contract Services	5,675.00

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BENNINGTON IMPLEMENT, Vehicle Maint.	71.97
BIRCH, ANN, Auto Allowance	50.00
BUETHE, PAM, Auto Allowance	100.00
BUILDERS SUPPLY, Bldg & Grnds, Vehicle Maint.	229.54
COMMOUCH, Contract Services	2,125.00
CONRECO, Bldg Improvements	845.00
CONTROL MASTERS, Bldg & Grnds	169.20
DIAMOND VOGEL PAINTS, Street Maint.	338.40
DIVERSIFIED MEDICAL NCE, Radio Maint.	862.10
DOSTALS CONSTRUCTION, Construction	264,237.45
EDGEWEAR SCREEN PRINTING, Wearing Apparel	140.00
FASTENAL COMPANY, Vehicle Maint.	163.90
FEDEX KINKO'S, Supplies	88.52
FERRELLGAS, Utilities	478.81
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	91.20
FITZGERALD SCHORR BARMETTLER, Professional Services	884.75
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,154.50
GALL'S, Equipment	184.84
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	655.19
GOLDMAN, JOHN, Telephone	40.00
GRAYBAR ELECTRIC, Bldg & Grnds	374.07
GUNN, BRENDA, Auto Allowance	300.00
H & H CHEVROLET, Vehicle Maint.	66.09
HARTFORD LIFE, Payroll Withholding	1,474.18
HAYNES, MICHELLE, Refund	30.00
HEARTLAND TIRES AND TREADS, Vehicle Maint.	1,595.72
HELGET GAS PRODUCTS, Squad Supplies	41.50
HEWLETT PACKARD, Contract Services	3,414.00
HY-VEE FOOD, Supplies	104.09
ICMA DISTRIBUTION CENTER, Books	56.50
INSIGHT TECHNOLOGY, Contract Services	4,909.57
INTERNATIONAL CODE COUNCIL, Professional Services	1,398.00
J Q OFFICE EQUIPMENT, Contract Services	97.40
JOHNSTONE SUPPLY, Bldg & Grnds	127.72
KINDIG, DOUGLAS, Auto Allowance/Telephone	180.00
KLINKER, MARK, Professional Services	304.00
KRAFT, DAN, Contract Services	18.00
KRAFT, STEVE, Contract Services	18.00
KRUEGER INTERNATIONAL, Fire Station Equip.	15,749.12
LA VISTA COMMUNITY FOUNDATION, Comm. Foundation Payable	259.00
LAMP RYNEARSON/ASSOCIATES, Professional Services	734.30
LANOHA NURSERIES, Construction	68,304.90
LAUGHLIN, KATHLEEN A, TRUSTEE, Payroll Withholding	372.00
LIBRA SAFETY PRODUCTS, Supplies	24.46
LIFE ASSIST, Squad Supplies	343.91
LINWELD, Street Maint.	122.90
LOGAN CONTRACTORS, Vehicle Maint.	708.76
LUKASIEWICZ, BRIAN, Telephone	40.00
M & M PORTABLES, Rentals	68.00
MALLARD SAND AND GRAVEL, Street Maint.	1,952.69
MBC CONSTRUCTION, Southport	232,433.01
MEADOWBROOK, Bonds	1,600.00
METRO AREA TRANSIT, Contract Services	426.00
METROPOLITAN COMMUNITY COLLEGE, Utilities/Contract Services	7,605.74
MUD, Utilities	229.08
MID AMERICA PAY PHONES, Telephone	100.00
MILLER PRESS, Printing	110.00
NEBRASKA MACHINERY, Vehicle Maint.	198.40
NEMSA-NE EMER MED SVCS, Dues	470.00
NEXTEL PARTNERS, Telephone	215.06
OFFICE DEPOT, Supplies	350.70
OMAHA COMPOUND, Supplies	46.00
PALMER, ALEXA, Contract Services	90.00
PARAMOUNT LINEN & UNIFORM, Uniforms	150.90
PAYLESS, Supplies	105.34
PENWORTHY, Books	1,036.21
PORTER TRUSTIN CARLSON, Bldg & Grnds	149.88
PRECISION INDUSTRIES, Vehicle Maint.	283.34

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PROJECT HARMONY, Contract Services	150.00
QUILL CORPORATION, Computer Supplies	210.48
QWEST, Telephone	1,995.96
RANDOM HOUSE, Media	68.00
SAFETY-KLEEN, Contract Services	342.42
SARPY COUNTY COURTHOUSE, Contract Services	3,099.17
SCHINKER, ROSE, Auto Allowance	45.00
SHEPPARD'S BUSINESS INTERIORS, Fire Station Equip.	22,841.38
SMOOTHER CUT ENTERPRISES. Contract Services	1,080.00
SNITILY CARR, Printing	888.74
SOUCIE, JOSEPH, Training/Telephone	70.00
STAPLES, Supplies	319.67
STERIL MANUFACTURING, Equip. Maint.	100.00
SUBURBAN NEWSPAPERS, Legal Advertising	1,160.14
TED'S MOWER SALES & SERVICE, Vehicle Maint.	11.70
THIELE GEOTECH, Southport	2,592.50
THOMPSON DREESSEN & DORNER, Construction	19,999.68
TRI MUTUAL AID FIREFIGHTERS, Dues	150.00
VERIZON, Telephone	125.21
VIERREGGER ELECTRIC, Southport	187,209.97
WAL-MART, Supplies/Equip.	115.79
WATER'S EDGE AQUATIC DESIGN, Pool Improvements	1,335.20
WILDER, JONI, Auto Allowance	33.00
WINGATE INNS, Travel	679.50

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez introduced the new City Clerk, Pam Buethe, who was the previous City Clerk in Gretna, and welcomed her to the City.

Police Chief Lausten addressed Council to report on handouts he distributed to them. He stated recently a recorded message was sent to several residents of La Vista about a missing child. He stated that per the City's policy on missing persons, which was given to Council, there is a program called "A Child is Missing" (ACIM), located in Washington D.C., which the Police Department can use as a tool. This program is sponsored through the National Center for Missing and Exploited Children, a federally funded program, which assists local agencies with missing children. The detectives contact the program which then sends out a recorded message to residents within a 5 mile radius of the last location the child was seen. Two minutes after activation, the child was located, and ACIM was contacted to give a status report so no further updates were necessary, including sending information to the media. Lausten updated Council on the rule of the Amber Alert, which is used only for abducted children. The ACIM is for missing persons of all ages.

Councilmember Gowan asked what the phone call states when it is sent to residents. Lausten responded the script is based on the information detectives provide.

Lausten informed Council the ACIM program was incorporated into the City's policy in July after training. Mayor Kindig asked Lausten to include this information in the city newsletter to inform residents of the new program.

Fire Chief Schuster addressed Council to thank them for their support and to expand on the Mayor's comments to thank the fire department personnel and their families.

Library Director Schinker reported to Council on Santa's visit to the Library on Monday. There were about 20 small children in attendance. Schinker wanted to publicly thank Santa for his visit.

## B. DISCUSSION - POSITION DESCRIPTION - CITY PLANNER

Councilmember Carlisle motioned to approve the City Planner position description as presented. Seconded by Councilmember McLaughlin. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

## C. RESOLUTION – APPROVAL OF BONDS

Councilmember Gowan introduced and moved for the adoption of Resolution No. 06-174: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING OFFICIAL BONDS OF BRENDA L. CARLISLE, TERRILYN QUICK, ALAN RONAN,

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AND KELLY R. SELL, RE-ELECTED TO THE CITY COUNCIL AT THE GENERAL ELECTION HELD NOVEMBER 7, 2006.

WHEREAS, the City Clerk presents at this meeting individual bonds previously filed with her and approved by the Mayor pursuant to Neb. Rev. Stat. Section 16-304 ("Bonds").

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council make and approve the following findings: The Bonds are in joint and several form, payable to the City of La Vista in the penalty amount of \$1,000, conditioned for the faithful discharge of the duties of the office of the persons giving said Bonds; the corporate sureties of said Bonds are legally authorized to transact business in the State of Nebraska; the Bonds have been executed by the principals and sureties thereof and required oaths have been endorsed thereon and executed by the principals; the Bonds have been previously approved by the Mayor and filed with the City Clerk; and all applicable legal requirements with respect to said Bonds have been satisfied.

BE IT FURTHER RESOLVED, that the Bonds, including, but not limited to the penalty amount and all other terms and conditions thereof, are hereby approved, and the Mayor and City Clerk are hereby authorized to endorse the approval of the City Council and surety in writing on the Bonds or by attachment incorporating or incorporated into the Bonds by reference, which shall be effective as and constitute endorsement of approval upon said Bonds.

BE IT FURTHER RESOLVED, that the City shall pay the premiums for the Bonds.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to take any other action as is necessary or appropriate to carry out the actions approved herein.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

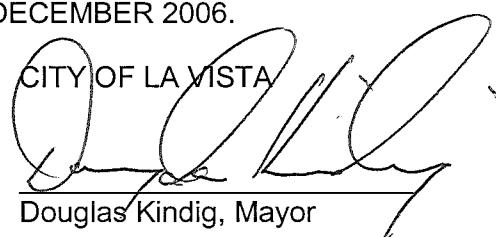
Councilmember Sheehan urged all Council members to review the John Q. Hammons' proposal. He feels everyone will be impressed by the plan and urged anyone with questions to contact him.

Mayor Kindig informed Council that Senator Hagel would be attending a Sarpy County Chamber luncheon next Thursday at the Tiburon Golf Course. Councilmembers are to contact Mary at City Hall if they wish to attend. Kindig stated that on December 19<sup>th</sup>, the Sarpy County Chamber will host a State of the County breakfast at Pay Pal beginning at 7:30 a.m. City officials will have an opportunity to provide an update on their respective cities. Councilmembers are to contact Mary at City Hall if they wish to attend.

## ADJOURNMENT

At 7:25 p.m. Councilmember Quick 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 DECEMBER 2006.

  
CITY OF LA VISTA  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, CMC

City Clerk