

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING April 17, 2007

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on April 17, 2007. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, McLaughlin, Ellerbeck, and Gowan. Absent: Carlisle. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Community Development Director Birch, Library Director Iwan, Finance Director Lindberg, Police Chief Lausten, Assistant Fire Chief Corbit, Public Works Director Soucie, Recreation Director Stopak, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on April 5, 2007. 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.

### WORKSHOP – CAPITAL IMPROVEMENT PROGRAM (CIP)

Assistant City Administrator Ramirez gave some background about the CIP program and thanked the committee members for their work on this project. Ramirez went through the draft of the CIP book with the Mayor and Council to give an overview and explanation of the content of the book. Finance Director Lindberg gave a preliminary overview and projections in the Bond and Keno funds which are two of the main sources for funding capital improvement projects. Ramirez concluded the sections of the book stating that the equipment requests in the back of the book are not included in the CIP Summary Sheet.

City Administrator Gunn thanked Ramirez for the hard work on this process. Gunn explained to the Mayor and Council that this is the rough draft of the CIP and this entire process will be evolutionary. It will give the council a source when planning for years ahead and working through the budget process. There should be another draft ready during the budget process.

Councilmember Carlisle arrived at 6:34 p.m.

Mayor Kindig moved the presentation and proclamations to the latter part of the meeting to allow honorees time to arrive at the meeting.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE APRIL 3, 2007 CITY COUNCIL MEETING
3. MINUTES OF THE MARCH 28, 2007 CIVIL SERVICE COMMITTEE MEETING
4. PAY REQUEST WATER'S EDGE AQUATIC DESIGN LLC POOL STUDY-CONCEPT PLAN -  
\$1,500.00
5. NEW FIRE STATION #2
  - a. PAY REQUEST KRUEGER INTERNATIONAL, INC. - \$13,633.08
  - b. PAY REQUEST AVI SYSTEMS - \$6,289.04
6. CHANGE ORDER NO. 1 FOR LA VISTA FALLS GOLF COURSE DRAINAGEWAY  
STABILIZATION – NELSON & ROCK CONTRACTING, INC. - \$6,480.00
7. APPROVAL OF CLAIMS

Councilmember Gowan made a motion to approve the consent agenda as presented. Seconded by Councilmember Sell. 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  
AQUILA, Utilities  
ARAMARK UNIFORM, Contract Services

61.49  
3,102.87  
165.95

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ASAP SOFTWARE, Contract Services	1,684.20
ASPHALT & CONCRETE MATERIALS, Street Maint.	93.74
ASSOCIATED FIRE PROTECTION, Inspection	53.50
BAKER & TAYLOR BOOKS, Books	1,703.63
BAKER, MARCUS, Travel	24.80
BCDM-BERINGER CIACCIO DENNELL, Professional Services	1,597.50
BENSON RECORDS MANAGEMENT, Contract Services	37.40
BETTER BUSINESS EQUIPMENT, Contract Services	98.88
BRENTWOOD AUTO WASH, Vehicle Maint.	135.00
BUETHE, PAM, Travel/Postage	404.20
BUILDERS SUPPLY, Bldg & Grnds	22.00
CAPSTONE PRESS, Books	2,275.25
CARDMEMBER SERVICE-ELAN, Travel/Books/Supplies/Training	2,961.47
CARROT-TOP INDUSTRIES, Equipment	1,983.30
CENTER POINT PUBLISHING, Books	78.48
CITY OF OMAHA, Contract Services	28,131.53
CJ'S HOME CENTER, Bldg & Grnds/Street Maint/Vehicle Maint.	1,132.96
CLEMENGER, PAUL, Contract Services	112.50
COURTESY CLEANERS, Cleaning	417.36
DON'S PIONEER UNIFORMS, Wearing Apparel	379.30
EBSCO SUBSCRIPTION SERVICES, Books	29.28
ED M. FELD EQUIPMENT, Wearing Apparel	479.00
EMS BILLING SERVICES, Rescue Revenue	687.95
FBINAA-FBI NATL ACAD ASSOCS, Training	150.00
FEDEX, Postage/Squad Supplies	23.79
FIREGUARD, Repair	222.42
FITZGERALD SCHORR BARMETTLER, Professional Services	25,582.33
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,110.50
GALL'S, Wearing Apparel/Postage/Equip.	1,004.84
GENERAL FIRE & SAFETY EQUIP, Contract Services	67.00
GENWORTH LIFE AND HEALTH, Employee Benefits	9,613.89
GLENDALE PARADE STORE, Flag Pole	85.70
GRAYBAR ELECTRIC, Bldg & Grnds	40.00
GREAT PLAINS ONE-CALL SVC, Contract Services	211.74
GREAT WESTERN BANK, Fees	250.00
GROLIER PUBLISHING, Books	138.81
HALPAIN, LEAH, Contract Services	75.00
HARLEY DAVIDSON, Wearing Apparel	81.00
HOME DEPOT, Vehicle Maint.	51.02
HOST COFFEE, Concessions	20.60
HY-VEE, Supplies	126.56
INTERNATIONAL CODE COUNCIL, Books	25.00
J Q OFFICE EQUIPMENT, Contract Services/Supplies	444.61
KROGER, Supplies	231.69
LANDS' END, Deferred Revenue	35.00
LAUGHLIN, KATHLEEN, Payroll Withholding	372.00
LAWLESS DISTRIBUTING, Concessions	191.75
LEAGUE ASSN OF RISK MGMT, Insurance	7,799.00
LINWELD, Street Maint.	95.63
LODES, CHRIS, Contract Services	37.50
LOU'S SPORTING GOODS, Equipment	114.50
LUPOMECH, CATHY, Travel	377.73
MCCANN PLUMBING, Bldg & Grnds	239.40
METRO AREA TRANSIT, Contract Services	1,033.00
METROPOLITAN COMM COLLEGE, Utilities/Telephone/Contract Serv.	9,492.78
MUNICIPAL EMERGENCY SVCS INC, Wearing Apparel	454.03
NAPE-NE ASSN PROPERTY/EVIDENCE, Dues	40.00
NEBRASKALAND CONF BLDG OFFCL, Dues	145.00
NESBIT, KELVIN, Contract Services	22.00
NOBBIES, Supplies	20.28
OABR PRINT SHOP, Printing	123.15
OFFICE DEPOT, Supplies	589.31
OMNIGRAPHICS, Books	57.78
ON YOUR MARKS, Printing	400.19
OPPD, Utilities	27,080.71
ORIZON CPAS, Professional Services	6,885.54
PRECISION INDUSTRIES, Equipment	21.02
PROJECT HARMONY, Contract Services	150.00

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QUALITY INN, Travel	391.65
QUILL CORPORATION, Supplies	70.18
QWEST, Telephone	80.78
RAMIREZ, JOHN, Contract Services	22.00
RAMIREZ, RITA, Travel	93.67
SAM'S CLUB, Supplies	1,312.70
SAPP BROS, Vehicle Maint.	6.75
SIGNS NOW, Advertising	489.67
STAPLES, Supplies	173.43
STOP TECH, Equipment	30.45
SUBURBAN NEWSPAPERS, Legal Advertising	484.31
THERMO KING CHRISTENSEN, Vehicle Maint.	335.70
THOMPSON DREESSEN & DORNER, Professional Services	9,865.97
THREE RING ENTERPRISES, Vehicle Maint.	1,995.17
TIERNEY, JOHN, Bldg & Grnds	1,340.00
UNITED WAY, Travel	13.00
UPSTART, Summer Reading Program	218.86

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Police Chief Lausten addressed Council to inform them the Police Officers are now contacting homeowners with open garage doors in the middle of the night as there have been incidents of theft from open garages and unlocked vehicles. He informed Council the Police Department has been working on active shooter training and dealing with Virginia Tech type incidents.

Assistant Fire Chief Corbit addressed Council to report on the structure fire on Greenleaf that 30 fire fighters responded to. The first truck arrived on the scene within 5 minutes of the call. The New Fire Station No. 2 is open and responding to calls. The La Vista Volunteer Fire Department now has 49 active members, with approximately 25 in each station.

Mayor Kindig stated donations are being accepted at his barbershop to help the victims of the fire on Greenleaf.

Recreation Director Stopak reminded Council of the Park and Recreation Advisory Committee meeting on Wednesday, April 18, 2007. He also informed Council of the Arbor Day observance to be held on April 27, 2007.

Public Works Director Soucie informed Council that the Golf Course project has been completed, and the City will begin reseeding the area. The Golf Course was closed today for aeration and mowing. Soucie informed Council the City's water feature has been cleaned up and started for the summer. Soucie informed Council that Street Foreman Cavlovic and Human Resource Assistant Fagin staffed a City booth at the Business Fair last Thursday. Soucie attended the Harrison Street Project open house two weeks ago.

## **B. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT** **1. PUBLIC HEARING**

Lynda Shafer addressed Council to present the EDP Report from the Citizen Advisory Review Committee.

At 6:43 p.m. Mayor Kindig stated the floor was now open for discussion on the Citizen Advisory Review Committee - EDP Report.

There was no additional information presented by City staff.

At 6:44 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **C. RESOLUTION - APPROVING LEASE AGREEMENT - PUBLIC LIBRARY COPY MACHINE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 07-039: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING EXECUTION OF A LEASE AGREEMENT WITH BETTER BUSINESS EQUIPMENT, OMAHA, NEBRASKA, FOR A PUBLIC COPY MACHINE IN THE LIBRARY.

WHEREAS, THE City Council has deemed it necessary and desirable to lease a Gestetner DMm721d Digital Imaging System to replace a 5-year old copy machine currently available to the public within the La Vista Public Library; and

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WHEREAS, Paragraph 9 of §1-316 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 City Council of La Vista, Nebraska, hereby authorizes the Mayor to execute the necessary lease documents, for a 60 month lease term with a monthly payment of \$98.21.

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

## **D. RESOLUTION – AUTHORIZATION TO PURCHASE 4 X 4 TRACTOR AND BAT WING MOWING ATTACHMENT**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 07-040: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A 2007 JOHN DEERE 6430 TRACTOR AND HX15 BAT WING MOWING ATTACHMENT FROM BENNINGTON EQUIPMENT INC., ELKHORN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$63,780.73.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a 4 x 4 tractor and bat wing mowing attachment is necessary; and

WHEREAS, the FY 2006/07 General Fund Park Maintenance Operating Budget did include funds for the purchase of said 4 x 4 tractor and bat wing mowing attachment; and

WHEREAS, the City Council authorized the solicitation of bids for said 4 x 4 tractor and bat wing mowing attachment on March 20, 2007 with the passage of Resolution No. 07-030; and

WHEREAS, after review of the bids it has been determined that Bennington Equipment Inc. has submitted the most responsible bid, and

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

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a 2007 John Deere 6430 and HX15 Bat Wing Mowing Attachment from Bennington Equipment Inc., Elkhorn, Nebraska, in an amount not to exceed \$63,780.73.

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

## **E. RESOLUTION – AUTHORIZE REQUEST FOR BIDS – RE-ROOFING ON FLAT PORTION OF CITY HALL/COMMUNITY CENTER FACILITY**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-041: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE REQUEST FOR BIDS FOR RE-ROOFING THE FLAT PORTION OF THE CITY HALL/COMMUNITY CENTER BUILDING.

WHEREAS, the City Council has determined that a need exists to re-roof the flat portion of the City Hall/Community Center building; and

WHEREAS, the FY 2006/07 Construction Fund Budget provides funding for re-roofing the flat portion of the City Hall/Community Center building; and

WHEREAS, the Public Building and Grounds Director has prepared specifications for said re-roofing project.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the re-roofing of the flat portion of the City Hall/Community Center building in accordance with specifications prepared by the Director of Public

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Building and Grounds, and said bids are to be opened and publicly read aloud at 10:00 a.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, on May 10, 2007.

Advertise for Bids      April 26, 2007

Open Bids              May 10, 2007

Award Bid              May 15, 2007

Seconded by Councilmember Quick. Councilmember McLaughlin inquired as to why only one part of the building's roof was being replaced. Building and Grounds Director Archibald reported that the flat part of the roof needs immediate repair, but the dome is doing okay at this time. Councilmembers McLaughlin and Sheehan stated they had seen a new type of covering for a roof at a conference they had attended. They stated they would bring the information to Building and Grounds Director Archibald. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **F. SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS**

### **1. PUBLIC HEARING**

At 6:50 p.m. Mayor Kindig stated the floor was now open for public comment regarding a special assessment for property improvements.

There was no additional information presented by City staff.

At 6:50 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 07-042: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
Lot 7/Ardmore Subdivision \$177.65  
were notified to clean up their property as they were in violation of the City of La Vista's Municipal Code, Section 93.015, or the City would do so and bill them accordingly, and

WHEREAS, the property owner of said address chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owner a bill for said clean up which has not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the property specified above, located within Sarpy County, La Vista, Nebraska.

Seconded by Councilmember McLaughlin. A discussion was held by Council concerning the collection of assessments. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **PROCLAMATIONS – NATIONAL VOLUNTEER WEEK, MUNICIPAL CLERKS' WEEK, ARBOR DAY**

Mayor Kindig presented a proclamation declaring April 15 - 21, 2007 as National Volunteer Week to a local Girl Scout Troop and to Jamie Moore, a representative of United Way. Mayor Kindig presented a proclamation declaring April 27, 2007 as Arbor Day to Recreation Director Scott

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Stopak, and Mayor Kindig presented a proclamation declaring April 29 - May 5, 2007 as Municipal Clerks' Week to City Clerk Pam Buethe.

## PRESENTATION – UNITED WAY OF THE MIDLANDS

Jaime Moore – Vice President of Volunteerism and Community Services at United Way of the Midlands gave a presentation on the benefits of the Call 2-1-1 program which gives people links in times of need and phone numbers of local resources. Moore encouraged everyone to view the sight and to call 1-888-PASS-211 to show support for this program.

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council of the D.A.R.E. Graduation at La Vista West Elementary on April 19, 2007 and at Portal Elementary on May 17 2007.

Mayor Kindig thanked Councilmember Gowan and Councilmember Quick for attending the ribbon cutting ceremony at First State Bank at 97<sup>th</sup> and Giles.

## ADJOURNMENT

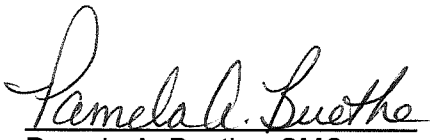
At 7:10 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 1ST DAY OF MAY 2007.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk