

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING October 2, 2007

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 October 2, 2007. 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, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Public Works Director Soucie, and Street Superintendent Goldman.

A notice of the meeting was given in advance thereof by publication in the Times on September 20, 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.

Councilmember Gowan made a motion to move agenda Item B, "Citizen Advisory Review Committee – EDP Report" up on the agenda ahead of Proclamations. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

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

At 7:01 p.m. Mayor Kindig opened the public hearing and 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. Lynda Shafer, from the Citizen Advisory Review Committee, addressed Council to answer any questions.

At 7:02 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.

PROCLAMATIONS – DOMESTIC VIOLENCE AWARENESS MONTH AND FIRE PREVENTION WEEK

Mayor Kindig presented a proclamation for Domestic Violence Awareness for the month of October 2007 to Tricia Freeman, the Chairperson of the Sarpy County Coordinated Response Team and Police Chief Lausten. Mayor Kindig presented a proclamation for Fire Prevention Week for the week of October 8 – 14, 2007 to Fire Chief Uhl.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM SEPTEMBER 18, 2007**
- 3. APPROVAL OF LIBRARY ADVISORY BOARD MEETING MINUTES FROM
SEPTEMBER 13, 2007**
- 4. APPROVAL OF SAFETY COMMITTEE MEETING MINUTES FROM JULY 25, 2007**
- 5. PAY REQUEST FROM FELSBURG, HOLT & ULLEVIG FOR QUIET ZONE STUDY
- \$691.06**
- 6. PAY REQUEST FROM JOHN Q. HAMMONS FOR GRANT - \$3,000,000.00**
- 7. APPROVAL OF CLAIMS**

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

A.S.A., Softball Registration
AED SUPERSTORE, Equipment

1,420.00
149.00

MINUTE RECORD

October 2, 2007

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

ALADDIN CUSTOM SPORTSWEAR, Wearing Apparel	39.28
ALAMAR UNIFORMS, Wearing Apparel	495.98
ALKAR BILLIARDS, Equipment	4,714.00
ALUMINUM ATHLETIC EQUIPMENT, Bldg & Grnds	160.00
AMSAN, Supplies	353.27
AQUILA, Utilities	25.53
ARAMARK UNIFORM, Contract Services	249.97
ASPHALT & CONCRETE MATERIALS, Street Maint.	188.32
BAKER & TAYLOR BOOKS, Books	2,737.00
BAKER, MARCUS, Travel	72.95
BCDM-BERINGER CIACCIO DENNELL, Professional Services	712.50
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNINGTON IMPLEMENT, Vehicle Maint.	73.84
BENSON RECORDS MANAGEMENT, Contract Services	50.30
BETTER BUSINESS EQUIPMENT, Rentals	37.00
BIG RED BILLIARDS, Repair	251.00
BUETHE, PAM, Travel/Postage/Supplies/Training	719.14
BUILDERS SUPPLY, Supplies	30.02
C. N. IS BELIEVING, Equipment	280.21
CENTRAL STATES TACTICAL, Supplies	1,411.80
CHASE AUTO TRANSMISSION REPAIR, Vehicle Maint.	60.00
CITY OF OMAHA, Contract Services	29,251.04
DAGANAAR, MONTY, Contract Services	200.00
DECOSTA SPORTING GOODS, Equipment	87.97
DEMCO, Supplies	202.58
DIAMONDS GROUNDSKEEPER, Equipment	139.00
DON'S PIONEER UNIFORMS, Wearing Apparel	591.62
DOUGLAS COUNTY SHERIFF, Contract Services	50.00
ED M. FELD EQUIPMENT, Equipment	74.85
EDGEWEAR SCREEN PRINTING, Wearing Apparel	1,238.00
FAIRWAY GOLF, Consignment Sales	569.00
FASTENAL, Supplies/Street Maint/Vehicle Maint.	373.62
FEDEX KINKO'S, Printing	13.66
FIREGUARD, Repair	784.45
FOLLETT SOFTWARE, Supplies	160.20
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,195.00
GALL'S, Wearing Apparel	491.99
GASSERT, MIKE, Contract Services	992.00
GAYLORD BROS, Supplies	157.40
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	70.63
GENWORTH LIFE AND HEALTH, Payroll Withholding	1,649.02
GODFATHER'S PIZZA, Supplies	48.47
GOLDMAN, JOHN, Travel	631.76
GRAINGER, Supplies	229.21
GRAYBAR ELECTRIC, Bldg & Grnds	40.31
HANEY SHOE STORE, Wearing Apparel	477.85
HD SUPPLY WHITE CAP CONST, Supplies	1,140.54
HEARTLAND AWARDS, Wearing Apparel	24.00
HEIMES CORPORATION, Street Maint.	430.73
HELGET GAS PRODUCTS, Squad Supplies	97.00
HUNTEL, Contract Services	9,993.35
INSIGHT TECHNOLOGY, Contract Services	623.97
J Q OFFICE EQUIPMENT, Contract Services	792.64
JO DON'S, Supplies	480.00
JOHNSON CONTROLS, Bldg & Grnds	2,234.97
JONES AND BARTLETT PUBLISHERS, Training	98.59
JUSTIN THYME CAFÉ, Golf League Dinners	315.00
KIMBALL MIDWEST, Supplies	64.48
KRESGE MEMORIAL LIBRARY, Fees	12.07
KRIHA FLUID POWER CO, Vehicle Maint.	29.00
KROGER, Supplies	11.85
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	257.00
LANDS' END, Wearing Apparel/Deferred Revenue	543.90
LANOHA NURSERIES, Supplies	8,149.00
LARRY'S BOILER SERVICE, Bldg & Grnds	135.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LINWELD, Street Maint./Wearing Apparel	768.61
LOGAN CONTRACTORS SUPPLY, Street Maint/Supplies	4,121.15

MINUTE RECORD

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

October 2, 2007

LYMAN-RICHEY SAND & GRAVEL, Supplies	187.65
MASTER SIGN, Vehicle Maint.	40.00
MAX I WALKER CLEANERS, Cleaning Service	226.20
METRO AREA TRANSIT, August Fees	532.00
METROPOLITAN COMMUNITY COLLEGE, Training/Utilities/Phone	27,710.89
MICHAEL TODD AND CO., Vehicle Maint.	3,972.42
MID AMERICA PAY PHONES, Telephone	150.00
MID-AMERICA COCA-COLA BOTTLING, Concessions	195.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	50.98
MIDWEST SERVICE AND SALES, Sewer Maint.	3,206.88
MIDWEST TURF & IRRIGATION, Equipment	417.57
MIXAN, SUSANA, Books	13.96
MOBILE COMMUNICATIONS, Radio Contract	4,821.50
MONARCH OIL, Street Maint.	303.00
MOTOROLA, Radio Contract/Equipment	6,284.20
MSC INDUSTRIAL SUPPLY, Supplies	51.83
MUD, Utilities	2,755.45
NE MACHINERY COMPANY, Vehicle Maint.	211.40
NE MUNICIPAL CLERKS ASSN, Dues	70.00
NE NATIONAL BANK, Cart Rental	660.00
NE TURF PRODUCTS, Supplies	587.50
NEBRASKA IOWA SUPPLY, Vehicle Supplies	5,220.81
NEWMAN TRAFFIC SIGNS, Street Maint.	3.00
NEXTEL, Telephone	471.56
OFFICE DEPOT, Supplies	697.08
OMAHA SLINGS, Street Maint.	250.69
OMAHA WORLD HERALD, Legal Advertising	1,272.48
PAPILLION LA VISTA SCHL DISTR, Fines & Liquor Licenses	4,947.50
PAPILLION SANITATION, Contract Services	214.60
PARAMOUNT LINEN & UNIFORM, Cleaning Services	160.29
PAYLESS, Supplies	433.40
PITNEY BOWES, Supplies	504.00
PODANY PROMOTIONS, Wearing Apparel	205.80
POPELKA, JULIANNE, Refund	45.00
PRECISION INDUSTRIES, Equipment	65.64
PREMIER-MIDWEST BEVERAGE, Concessions	68.20
PROGRESSIVE BUSINESS, Contract Services	110.20
PROPERTY SERVICES, Supplies	31.00
PUSH PEDAL PULL, Equipment	1,560.00
QUALITY BRANDS, Concessions	504.65
QWEST, Telephone	2,367.48
READY MIXED CONCRETE COMPANY, Street Maint.	2,738.86
RESOLVE SERVICES, Contract Services	1,570.75
SAPP BROS PETROLEUM, Vehicle Maint/Vehicle Supplies	985.30
SIEBERT & ASSOCIATES, Vehicle Supplies	240.00
SMOOTHER CUT ENTERPRISES, Contract Services	1,320.00
SPRINT, Telephone	88.93
TED'S MOWER SALES & SERVICE, Supplies/Maintenance	777.00
THACKER, SHARON, Refund	45.00
THERMO KING CHRISTENSEN, Vehicle Maint.	191.81
THOMPSON DREESSEN & DORNER, Professional Services	11,837.35
THOMSON GALE, Books	44.93
THORPE'S BODY SHOP, Vehicle Maint.	979.40
TURF CARS, Supplies	46.70
TURFWERKS, Equip Maint.	520.00
U S ASPHALT, Street Maint.	105.06
UAP DISTRIBUTION, Equip. Maint.	181.44
UNDERWRITERS LABORATORIES, Contract Services	2,889.00
UNITED ELECTRIC, Bldg & Grnds	12.31
UPSTART, Supplies	82.35
VERIZON, Telephone	65.86
WAL-MART, Supplies/Bldg & Grnds/Squad Supplies	362.99
WASTE MANAGEMENT, Contract Services/Bldg & Grnds	730.96
WICK'S STERLING TRUCKS, Vehicle Maint.	113.75

MINUTE RECORD

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

October 2, 2007

Councilmember McLaughlin motioned to accept the EDP Report from the Citizen Advisory Review Committee. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported to Council on the insurance claim filed by the City due to damage from lightning stating that a complete report will be given to Council when all repairs are done.

Police Chief Lausten informed Council of an incident in the City that occurred on September 21, 2007. A resident at 72nd and Michelle fired a gun from their deck, which resulted in a standoff with police. Lausten thanks the La Vista, Bellevue, Papillion, Louisville, and Sarpy County Law Enforcement Departments for their assistance and a thank you to the La Vista Fire Department for the 4 hours of volunteer time which was spent waiting. Lausten informed the Council that the City of Ralston had a celebration of the patriot guards. Lausten informed Council the La Vista, Bellevue, and Papillion Police Motorcycle units received a plaque from the patriot guards.

Street Superintendent Goldman informed Council that the award for the final phase of the 96th Street project had been awarded to Luxa Construction.

Recreation Director Stopak informed Council the City of La Vista took over control of the Special Services Van on Monday, October 1, 2007. Stopak said the transition has been successful.

C. UPDATE – FUTURE LAND USE MAP OF THE COMPREHENSIVE PLAN AND ZONING MAP

1. PUBLIC HEARING (CONTINUED FROM AUGUST 21, 2007)

At 7:15 p.m. Mayor Kindig stated that the next item was the public hearing continued from the August 21, 2007 City Council meeting and that the floor was open for discussion on the updated Future Land Use Map of the Comprehensive Plan and Zoning Map. There was no input from the public.

At 7:15 p.m. Councilmember McLaughlin 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. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-101: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO APPROVE THE UPDATE OF THE CITY'S FUTURE LAND USE MAP, A COMPONENT OF THE CITY'S COMPREHENSIVE PLAN.

WHEREAS, the City's recent growth and development have made it necessary to update the Future Land Use Map; and

WHEREAS, as a result of actions taken by the City Council to amend the map since its adoption in 2001, and other minor updates, the planning staff has recommended approval of the attached Future Land Use Map to the Planning Commission; and

WHEREAS, the Planning Commission held a public hearing on July 19, 2007 to consider the update of the Future Land Use Map and recommended approval.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby approve the update of the City's Future Land Use Map, a component of the City's Comprehensive Plan as attached.

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

3. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-102: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO ADOPT A NEW OFFICIAL ZONING MAP.

MINUTE RECORD

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

October 2, 2007

WHEREAS, Section 3.02 of the Zoning Ordinance establishes provisions for the Official Zoning Map; and

WHEREAS, because of the nature and number of changes as a result of actions taken by the City Council to amend the map since its adoption in 2001, and other minor updates, the Official Zoning Map has become difficult to interpret and it is now necessary to update the map; and

WHEREAS, the planning staff has prepared the updated Official Zoning Map and recommended approval to the Planning Commission; and

WHEREAS, the Planning Commission held a public hearing on July 19, 2007 to consider the update of the Official Zoning Map and recommended approval.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby approve the attached map as the Official Zoning Map as required by Section 3.02 of the Zoning Ordinance.

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

D. ZONING TEXT AMENDMENT – GATEWAY CORRIDOR OVERLAY DISTRICT

1. PUBLIC HEARING (CONTINUED FROM AUGUST 21, 2007)

At 7:16 p.m. Mayor Kindig stated that the next item was the public hearing continued from the August 21, 2007 City Council meeting and that the floor was now open for discussion on the Zoning Text Amendment for the Gateway Corridor Overlay District. There was no additional information presented by City staff and there was no input from the public.

At 7:17 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

2. ORDINANCE

Councilmember Carlisle introduced Ordinance No. 1048 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 Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember McLaughlin 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 Sell. Councilmember Sheehan questioned section 5.17.03 in regard to the geographic area. Community Development Director Birch stated that maps would set the actual geographic area. The Mayor then stated the question was, "Shall Ordinance No.1048 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 City Clerk attested the passage/approval of the same and affixed her signature thereto.

E. CONDITIONAL USE PERMIT – CHILD CARE CENTER – LOT 1, SOUTHPORT EAST REPLAT TEN

1. PUBLIC HEARING (CONTINUED FROM SEPTEMBER 18, 2007)

Mayor Kindig stated that the next item was the public hearing continued from the September 18, 2007 City Council meeting and that the floor was open for discussion on a Conditional Use permit for a Child Care Center – Lot 1, Southport East Replat Ten. There was no additional information presented by City staff. Brad Underwood, a representative of the property owners gave an overview of the daycare facility. He said 50% of the 12,000 square foot building would be used for the daycare, with the other 50% being used for office space.

MINUTE RECORD

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

October 2, 2007

Councilmember Sheehan expressed his concern about the safety of children from the daycare walking in the area.

Leslie Brown, the daycare owner, informed Council of the large playground area planned to promote physical fitness. She stated the children will not be taken for walks if the area is not safe for such an activity.

Councilmember Gowan asked if there is a possibility of a restaurant being located in the building. Underwood responded that the property owners are recruiting insurance companies and small business office owners, also the location of this building would not be visible enough for a restaurant.

There was no input from the public.

At 7:30 p.m. Councilmember Gowan 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. 07-103: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR SOUTHPORT INVESTORS, LLC TO OPERATE A CHILD CARE CENTER ON LOT 1, SOUTHPORT EAST REPLAT TEN.

WHEREAS, Brad Underwood, on behalf of Southport Investors, LLC has applied for a conditional use permit for the purpose of operating a child care center on Lot 1, Southport East Replat Ten, located northwest of Port Grace Blvd. and Eastport Parkway; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval subject to the applicant demonstrating they can provide the necessary number of parking spaces for the child care center without negatively impacting the parking required for future tenants on this lot; 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. The child care center is proposing to be licensed for 140 children and will employ 14 care providers. Therefore 28 parking spaces will be needed for this use. Because only 21 spaces are provided in front of the child care center, staff recommends that employee parking be located in designated areas away from the front of the building. This should help on-site circulation for clients of the child care center and reduce overflow into the adjacent tenant's parking area.
2. The child care center is proposed to operate from 6:30 a.m. to 6:00 p.m., Monday – Friday (no weekends). Lunch would be catered during days of operation.
3. Both the Fire Chief and the Police Chief have reviewed the proposal and have no concerns at this time. Additional review will be done at the time of building permit review.
4. Proposed fencing is following the example of the approved Education Express project, also located in the Gateway Corridor District.
5. Building design review has been completed; several revisions were required and have been corrected.

NOW THEREFORE, BE IT RESOLVED, that the Conditional Use Permit presented at the October 2, 2007, City Council meeting for Southport Investors, LLC to operate a child care center on Lot 1, Southport East Replat Ten 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.

MINUTE RECORD

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

October 2, 2007

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

THOMPSON CREEK 1. PUBLIC HEARING

At 7:31 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Thompson Creek.

Mayor Kindig stated the local newspaper had reported that a plan had been selected which was an inaccurate report. Earlier, City Staff had made a recommendation based on an assessment of the situation and alternatives developed by the City Engineer, but the Mayor and Council had not decided how it would proceed. Instead, the Mayor and Council first wanted to hear from residents in the affected area before deciding.

Several residents, including Brenda Tillman, Gloria Shannon, Cindy Zakrzewski, Kathleen Holmes, Mary Medley, Matt Purviance, Bob McLemore, Cami Thompson, Lindsey Copeland, Leslie McQuade, Steve and Kelly Karkosky, Glen Franta, Jeanette B., Deb Wittman, Jeff Strickler, and Craig Johansen, addressed Council with their concerns.

Concerns expressed included purchase of homes by the city from both long and short term owners, erosion of back yards, problems with selling home with erosion or related disclosures, fear of losing neighborhood, concerns with kids safety and contribution to erosion as many play behind their homes. Some are not doing repairs or remodeling because they are waiting to see what course the City will take. Generally, those speaking favored a resolution that would not require the purchase of their homes, though a couple expressed a willingness to sell their homes. Suggestions were made to tube the creek and put in exercise trails, build retaining walls, and to leave alone.

At 8:21 p.m. Councilmember McLaughlin 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

G. AUTHORIZATION – THE NATIONAL CITIZEN SURVEY 1. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 07-104: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE NATIONAL CITIZEN SURVEY™, BOULDER, COLORADO TO ADMINISTER, ANALYZE AND REPORT RESULTS FROM A CUSTOMIZABLE CITIZEN SURVEY IN AN AMOUNT NOT TO EXCEED \$9,750.00.

WHEREAS, the Mayor and City Council have identified the need to create strategies for accomplishing high priority quality of life amenities identified by residents through a citizen survey; and

WHEREAS, the City Council of the City of La Vista has also determined that a random sample citizen survey is useful for the following:

- to measure service performance;
- to benchmark service quality ratings;
- to assess community needs;
- to facilitate long-range, short-term and strategic plans;
- to evaluate potential policies; and

WHEREAS, the FY07/08 General Fund budget includes funding for a citizen survey; 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 National Citizen Survey™, Boulder, Colorado to administer, analyze and report results from a customizable citizen survey in an amount not to exceed \$9,750.00.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked if Council will have an opportunity to see the survey before it is mailed out. City Administrator Gunn said that would be

MINUTE RECORD

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

October 2, 2007

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

H. AWARD CONTRACT - MUNICIPAL FACILITIES PLAN

1. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-105: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO LEO A. DALY, OMAHA, NEBRASKA, FOR PROFESSIONAL SERVICES RELATED TO THE DEVELOPMENT OF A MUNICIPAL FACILITIES PLAN IN AN AMOUNT NOT TO EXCEED \$60,000.00.

WHEREAS, the City Council of the City of La Vista has determined that adequate City facilities are part of its vision and priority; and

WHEREAS, the development of a Municipal Facilities Plan will enable Council to make informed decisions regarding facility needs and usage; and

WHEREAS, the FY 2006/07 Construction Fund Budget included funding for a Municipal Facilities Plan; and

WHEREAS, on May 1, 2007 the City Council authorized the advertisement of request for proposals for said project; and

WHEREAS, proposals were received on June 13, 2007 and interviews were conducted in August of 2007; and

WHEREAS, as a result of this timeline it was necessary to move funding to the FY 2007/08 Capital Budget; and

WHEREAS, the City Administrator and the Assistant City Administrator have reviewed the proposals and recommend that a contract be awarded to Leo A. Daly, Omaha, Nebraska, as the most qualified bidder; 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, by the Mayor and City Council of La Vista, Nebraska, that a contract in a form satisfactory to the City Administrator and City Attorney, be awarded to Leo A. Daly, Omaha, Nebraska for the development of a Municipal Facilities Plan in an amount not to exceed \$60,000.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked why the City did not choose to go with Prochaska at \$15,000 - \$20,000. City Administrator Gunn stated the Company was not qualified. Councilmembers voting aye: Sell, Quick, Carlisle, Ellerbeck, and Gowan. Nays: Ronan, Sheehan, and McLaughlin. Absent: None. Motion carried.

I. INTERLOCAL COOPERATION AGREEMENT – 2007 GIS COALITION

1. RESOLUTION

Councilmember Gowan introduced and moved for the adoption of Resolution No. 07-106: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE EXECUTION OF AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, THE CITIES OF GRETNA, PAPILLION, BELLEVUE, AND SPRINGFIELD FOR IMPLEMENTATION OF THE 2007 GEOGRAPHIC INFORMATION SYSTEM (GIS) COALITION.

WHEREAS, each Party to the GIS Interlocal Cooperation Agreement is authorized pursuant to the Interlocal Cooperation Act of the State of Nebraska to enter into such Agreement, found at 13-801 et. Seq. Neb. Rev. Stat., '43, Reissue 1991; and

WHEREAS, each Party engages in the delivery of sundry services to the public supported by information regarding real estate, sewers, water, infrastructure, etc; and

WHEREAS, each Party desires to improve the coordination, cooperation, and efficiency in rendering such services through the development and implementation of a Geographic Information System (GIS); and

MINUTE RECORD

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

October 2, 2007

WHEREAS, the Parties had previously entered into an agreement for the first and second phase ("Phase I" and "Phase II") of achieving the GIS being the creation of a base map; obtaining related equipment necessary to utilize it; training for users; technical support; obtaining digital aerial photography and contours and creating and maintaining GIS data and projects for municipalities; and

WHEREAS, the Parties desire to enter into an additional agreement for future needs and enhancements to the GIS as determined by the GIS User Group; and

WHEREAS, the Parties desire to establish the parameters for the design, acquisition installation, operation, participation, management, duration and cost thereof; and

WHEREAS, each Party understands that the development, operation and maintenance of the GIS will require long term commitment from the Parties; and

WHEREAS, additional phases and enhancement to the GIS will be determined by the financial considerations of all Parties to the Agreement primarily based upon the recommendations of the GIS User Group.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of the La Vista, Nebraska, hereby approves the Interlocal Cooperation Agreement for the 2007 Geographic Information System (GIS) Coalition and authorized the Mayor to execute said agreement.

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

J. APPEAL – POSSIBLE SPECIAL ASSESSMENT – LOT 7, VAL VISTA

The business that requested the appeal did not appear before Council.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Ronan thanked Public Works Director Soucie for a tree problem in a City neighborhood. Joe came out to assess on Sunday, and a crew did cleanup on Monday.

Mayor Kindig informed Council of the Beautiful Savior Church dedication on Sunday, September 30, 2007. He said he was honored to be a part of the dedication.

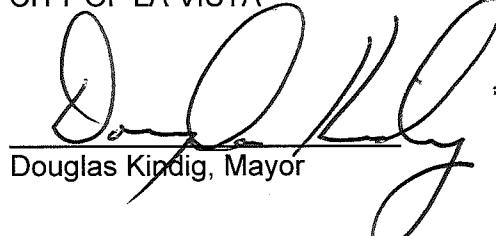
Mayor Kindig stated that the National League of Cities is having a Leadership Conference in January which he would like to attend.

ADJOURNMENT

At 8:31 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF OCTOBER 2007.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk