

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING

January 2, 2008

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 January 2, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: Quick. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Public Works Director Soucie, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on December 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.

### **REAPPOINTMENT - CIVIL SERVICE COMMISSION – MARV BIRKEY – 5 YEAR TERM**

Mayor Kindig stated that with the approval of Council he would like to reappoint Marv Birkey to the Civil Service Commission for a 5 year term. Councilmember Sell motioned the approval, seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

### **APPOINTMENT OF FIRE DEPARTMENT RECRUITS – TRAVIS AYALA, RYAN BOWDEN, COREY CHRISTENSEN, JAMES GILBERT, TODD JANOVSKY, BRYAN JIRAK, JOSEPH MARGRITZ, ALEX MARTIN, PAT O'BRIEN, MIKE STUBBS, MATTHEW WESCOTT**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruits: Travis Ayala, Ryan Bowden, Corey Christensen, James Gilbert, Todd Janovsky, Bryan Jirak, Joseph Margritz, Alex Martin, Pat O'Brien, Mike Stubbs, and Matthew Wescott. Fire Chief Uhl introduced the new recruits to the Council. Councilmember Carlisle motioned the approval, seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

#### **A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 18, 2007**
- 3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM NOVEMBER 8, 2007**
- 4. APPROVAL OF PLANNING COMMISSION MINUTES FROM DECEMBER 20, 2007**
- 5. 84<sup>TH</sup> STREET PAVEMENT RESURFACING**
  - a. CHANGE ORDER NO. 2 - WESTERN ENGINEERING - \$7,461.50**
  - b. FINAL PAY REQUEST FROM WESTERN ENGINEERING - \$75,244.86**
- 6. APPROVAL OF CLAIMS**

Councilmember McLaughlin made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Carlisle reviewed the claims for this period and reported that she found everything to be in order. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

AQUILA, Utilities	21.28
ARAMARK UNIFORM, Contract Services	100.39
BAKER & TAYLOR BOOKS, Books	255.70
BAKER, MARCUS, Auto Allowance	50.00
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNINGTON IMPLEMENT, Supplies/Vehicle Maint.	1,086.17
BIRCH, ANN, Auto Allowance	50.00
BOLEY, ANN, Printing	73.50

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BRODART, Books	341.06
BUETHE, PAM, Auto Allowance	100.00
BUILDERS SUPPLY, Supplies	109.17
CITY OF OMAHA, Contract Services	21,386.46
COMP CHOICE, Professional Services	776.50
CORBIT, JEFF, Auto Allowance	100.00
CORNHUSKER INTL TRUCKS, Vehicle Maint.	195.37
COX COMMUNICATIONS, Contract Services	39.00
CZARNICK, MICHAEL, Training	1,500.00
DANIELSON/TECH SUPPLY, Bldg & Grnds	282.00
DAVIDSON TITLE, Books	151.61
DILLON BROS HARLEY DAVIDSON, Vehicle Maint.	323.31
EBSCO SUBSCRIPTION SERVICES, Books	2,949.94
ERICKSON, RANDALL, Auto Allowance	100.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Bldg & Grnds	22.87
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	5.00
FITZGERALD SCHORR BARMETTLER, Professional Services	20,951.76
FORD MOTOR CREDIT, Contract Services	286.78
GALE, Books	289.13
GALL'S INCORPORATED, Wearing Apparel	270.17
GODFATHER'S PIZZA, Supplies	70.59
GOLDMAN, JOHN, Telephone	40.00
GRAPHIC IMAGINATION, Vehicle Maint.	52.83
GRAYBAR ELECTRIC, Bldg & Grnds	156.99
GUIDANCE SOFTWARE, Equipment	2,708.00
GUNN, BRENDA, Auto Allowance	300.00
HANNEBAUM GRAIN, Supplies	849.53
HELGET GAS, Squad Supplies	67.00
HENKE MANUFACTURING, Capital Outlay	1,307.00
INTERNATIONAL CODE COUNCIL, Permits	2,547.00
IWAN, ROSE, Auto Allowance	45.00
J Q OFFICE EQUIPMENT, Supplies	263.98
JONES, BRIAN, Travel	39.00
KELLEY & LEHAN, contract Services	5,640.00
KINDIG, DOUGLAS, Auto Allowance/Telephone	190.00
KINSEY, JEREMY, Training	1,500.00
KLINKER, MARK, Professional Services	200.00
LANDS' END BUSINESS OUTFITTERS, Deferred Revenue	256.95
LEAGUE ASSN OF RISK MGMT, Insurance	565.00
LIFE ASSIST, Squad Supplies	470.53
LINWELD, Supplies	252.31
LOVELAND LAWNS, Bldg & Grnds	225.00
LUKASIEWICZ, BRIAN, Telephone	40.00
LYNN PEAVEY COMPANY, Supplies	124.35
MALLARD SAND AND GRAVEL, Supplies	491.70
MEADOWBROOK INC, Insurance	1,500.00
METROPOLITAN CHIEFS ASSN, Dues	25.00
MICHAEL TODD AND COMPANY, Repair	108.17
MID AMERICA PAY PHONES, Telephone	100.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	127.81
MIDWEST TAPE, Media	617.68
MUD, Utilities	395.84
NAVARRO ENTERPRISE, Contract Services	3,576.00
NUTS AND BOLTS, Repair	74.60
OMAHA COMPOUND, Supplies	46.94
PAPILLION SANITATION, Contract Services	214.60
PAPILLION TIRE, Vehicle Maint.	75.70
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	151.79
PRECISION INDUSTRIES, Maintenance	423.19
PROFESSIONAL GROUNDS MGMT, Dues	175.00
QWEST, Telephone	2,194.90
RAMIREZ, RITA, Auto Allowance	75.00
RECORDED BOOKS, Media	13.90
REDFIELD & COMPANY, Supplies	352.98
REMINGTON ARMS, Supplies	132.96
SAPP BROS PETROLEUM, Vehicle Supplies	17,111.63
SARPY COUNTY COURTHOUSE, Contract Services	3,234.94

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SARPY COUNTY ECONOMIC DEV.CORP, Annual Investment	10,000.00
SCHOLASTIC LIBRARY PUBLISHING, Books	16.90
SMITH, MELANIE, Auto Allowance	100.00
SOUCIE, JOSEPH, Telephone	30.00
SPRINT, Telephone	88.33
STATE FIRE MARSHALL, Training	50.00
STATE STEEL OF OMAHA, Supplies	182.80
SUBURBAN NEWSPAPERS, Books	38.00
TASER INTERNATIONAL, Training	95.00
THREE RING ENTERPRISES, Vehicle Maint.	207.00
TRI MUTUAL AID FIREFIGHTERS, Dues	150.00
TY'S OUTDOOR POWER & SVC, Vehicle Maint.	151.83
ULTIMATE OFFICE-ORGANIZE NOW, Supplies	418.16
VIERS, STEVE, Auto Allowance	100.00
WAL-MART, Supplies/Vehicle Maint/Equip	240.47
WASTE MANAGEMENT, Street Maint.	772.71
WAUGH, BRYAN, Training	1,500.00
WHITE CAP CONSTRUCTION, Wearing Apparel	18.00

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

City Administrator Gunn reminded the Council about a draft of a survey given to them that will be sent to Thompson Creek residents. She asked Council to review and submit any comments by this Friday, January 4, 2008.

Police Chief Lausten gave Council a progress report of a checkpoint at 96th Street and Brentwood.

Fire Chief Uhl updated Council on the new vehicles. The new pumper has arrived but City is waiting for the Manufacturers Statement of Origin. The aerial will arrive on January 3rd.

## **B. SPECIAL ASSESSMENTS – SOUTHPORT WEST PUBLIC IMPROVEMENTS**

### **1. RESOLUTION – SETTING THE DATE FOR THE BOARD OF EQUALIZATION MEETING AND PUBLIC HEARING**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-001: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA SETTING A DATE FOR THE COUNCIL TO SIT AS A BOARD OF EQUALIZATION AND LEVY SPECIAL ASSESSMENTS.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AS FOLLOWS:

Section 1. The Mayor and City Council, pursuant to Neb. Rev. Stat. Section 16-707 (Reissue 1997), will meet as a Board of Equalization at 7:00 o'clock p.m., on the 5th day of February, 2008, at the Council Chambers in La Vista, Nebraska to hold a public hearing on the proposed assessment of costs of public improvements on properties within the territory of former Sanitary and Improvement District No. 253 of Sarpy County, Nebraska, ("Southport West") as annexed and now located in the City, to consider objections, to adjust and equalize the proposed assessments with reference to the special benefits resulting from the improvements, and to levy special assessments therefore.

Section 2. That the following notice of said meeting be published for two consecutive weeks on the same day of each week in the *Papillion Times* on the following dates:

January 10, 2008

January 17, 2008

Section 3. The City Clerk be and hereby is instructed to mail a copy of said Notice to all known resident and non-resident owners of property in Southport West and to any other party appearing to have a direct interest in such property, action or proceedings.

Section 4. At said time and place, the Mayor and City Council of said City, sitting as a Board of Equalization, will hold a public hearing to hear all interested persons desiring to be heard and will pass a resolution levying said special assessments as provided by law.

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## NOTICE OF HEARING

TO: ALL PERSONS INTERESTED IN PROPOSED ASSESSMENT OF COSTS OF PUBLIC IMPROVEMENTS CONSTRUCTED IN THE TERRITORY OF FORMER SANITARY AND IMPROVEMENT DISTRICT NO. 253 OF SARPY COUNTY, NEBRASKA, NOW KNOWN AS SOUTHPORT WEST, CITY OF LA VISTA.

NOTICE IS HEREBY GIVEN that a statement of costs of improvements and plat showing the properties to be assessed within the territory of former Sanitary and Improvement District No. 253 of Sarpy County, Nebraska, as annexed and now located in the City of La Vista, Nebraska, and a schedule of proposed special assessments of the property within such district, as prepared by the engineers for the City, are on file in the office of the City Clerk and open to public inspection. All objections to said statement, plat or schedule, or to prior proceedings on account of errors, irregularities, or inequalities, not made in writing and filed with the City Clerk within twenty (20) days after the first publication of this notice, shall be deemed to have been waived.

You are further notified that the Mayor and City Council, pursuant to Neb. Rev. Stat. Section 16-707 (Reissue 1997), will sit as a Board of Equalization in the Council Chambers, City Hall, 8116 Park View Boulevard, City of La Vista, Nebraska, at 7:00 o'clock p.m. on the 5th day of February, 2008 to hold a public hearing on the proposed assessments and consider objections, to adjust and equalize the proposed assessments with reference to the special benefits resulting from the improvements, and to levy special assessments therefor. Each owner shall have the right to be heard. Any objector may appear in person or by representative and submit such comments, objections or additional information as he or she may desire.

CITY OF LA VISTA, NEBRASKA

By: \_\_\_\_\_  
City Clerk

[SEAL]

### PUBLISH ABOVE NOTICE ON THE FOLLOWING DATES:

January 10, 2008

January 17, 2008

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

### 2. RESOLUTION – ACCEPT ENGINEER’S CERTIFICATE OF ACCEPTANCE, STATEMENT OF COSTS, SCHEDULE OF ASSESSMENTS AND ASSESSMENT PLAT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-002: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ACCEPTING THE ENGINEER’S CERTIFICATE OF ACCEPTANCE, STATEMENT OF COSTS, SCHEDULE OF ASSESSMENTS, AND ASSESSMENT PLAT.

BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AS FOLLOWS:

Section 1. The Mayor and Council find and determine:

1. That the City of La Vista has heretofore annexed all of the territory located in the former Sanitary and Improvement District No. 253 of Sarpy County, Nebraska, (“Southport West”) and such district prior to annexation had contracted for construction and acquisition of public improvements and other work in said district; and
2. That the City Engineer has advised that such public improvements and other work have been completed; and he has filed with the City Clerk and presented at this meeting a certificate of acceptance for the same (“Certificate of Acceptance”).

Section 2. The Certificate of Acceptance is hereby accepted and approved.

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Section 3. The Mayor and Council hereby order the City Engineer to make a complete statement of all costs of any public improvements or other work, plat of the property in Southport West, and a schedule of the amount proposed to be assessed against each separate piece of property in Southport West ("Statement, Plat and Schedule").

Section 4. The City Engineer has prepared and presented at this meeting the Statement, Plat and Schedule in accordance with Neb. Rev. Stat. Section 31-763 (Reissue 2004). Said Statement, Plat and Schedule shall be received and placed on file with the City Clerk.

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

## **C. JOB DESCRIPTION – BUILDING INSPECTOR II**

Councilmember Carlisle moved for the approval of the job description for Building Inspector II. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

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

### **1. PUBLIC HEARING**

At 7:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements; specifically noting that proposed special assessments included the property discussed at recent Council meetings [12958 Margo Street, Lot 15, Millard Highlands South 2<sup>nd</sup> Platting, La Vista, \$1,718.20].

At 7:13 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

### **2. RESOLUTION**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-003: 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  
12958 Margo Street, Lot 15, Millard Highlands South 2<sup>nd</sup> Platting, La Vista,  
\$1,718.20, and  
7610 Terry Dr., Lot 660, La Vista Replat, \$311.57, and  
7410 Park View Blvd., Lot 757, La Vista Subdivision, \$303.40  
were notified to clean up their property as they were in violation of the City  
Municipal Code, Sections 133.01, and/or 94.06, or the City would do so and bill  
them accordingly, and

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

WHEREAS, the City sent the property owners bills for said clean up which have 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 properties specified above, all located within Sarpy  
County, La Vista, Nebraska.

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

## **COMMENTS FROM THE FLOOR**

Mayor Kindig asked if there were any comments from the floor, and asked that each individual  
limit his or her comments to 5 minutes. There were no comments from the floor.

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## COMMENTS FROM MAYOR AND COUNCIL

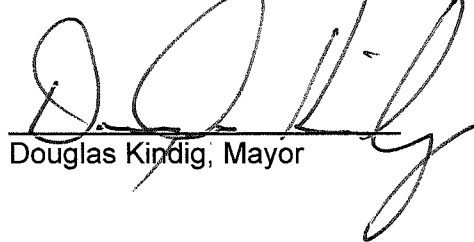
There were no comments from the Mayor and Council.

## ADJOURNMENT

At 7:14 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF JANUARY 2008.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk

K:\APPS\CITYHALL\07 COUNCIL MINUTES\January 2, 2007