

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING May 20, 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 May 20, 2008. Present were Acting Mayor Carlisle and Councilmembers: Sell, Ronan, Quick, Sheehan, Ellerbeck, McLaughlin, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Engineer Kottmann, Deputy City Clerk Lupomech, Chief Building Inspector Sinnett, Assistant Library Director Tangeman, Police Chief Lausten, Assistant Recreation Director Karlson, Street Superintendent Goldman, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on May 8, 2008. 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.

Acting Mayor Carlisle called the meeting to order and led the audience in the pledge of allegiance.

Acting Mayor Carlisle made an announcement of the location of the posted copy of the Open Meetings Act for public reference.

PROCLAMATIONS – EMERGENCY MEDICAL SERVICES WEEK, NATIONAL PUBLIC WORKS WEEK

Acting Mayor Carlisle read a proclamation for Emergency Medical Services Week to be presented to the La Vista Volunteer Fire and Rescue Department.

Acting Mayor Carlisle presented a proclamation for National Public Works Week to Street Superintendent Goldman.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 6, 2008
3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM MARCH 13, 2008 AND MAY 8, 2008
4. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION INC. MINUTES FROM MAY 5, 2008
5. PAY REQUEST NO. 3 FROM THE AUSTIN PETERS GROUP, INC. FOR COMPENSATION STUDY - \$3,697.50
6. PAY REQUEST NO. 8 FROM JOHN Q. HAMMONS FOR CONSTRUCTION LOAN - \$1,414,747.42
7. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Sheehan 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. Abstain: None. Absent: None. Motion carried.

A.S.P. ENTERPRISES, Bldg & Grnds	139.00
ACTION BATTERIES, Vehicle Supplies	405.92
ALAMAR UNIFORMS, Wearing Apparel	91.98
ALLIED ELECTRONICS, Bldg & Grnds	391.64
AMSAN, Supplies	514.51
ANDERSON ELECTRIC, Bldg & Grnds	28.50
ANN TROE, Printing	805.00
AQUILA, Utilities	10,374.91
ARAMARK UNIFORM, Contract Services	225.14
ARMALITE, Training	225.00
ASPHALT & CONCRETE MATERIALS, Street Maint.	132.48
AUTO GLASS TINT, Vehicle Maint.	50.00
BADGER BODY, Vehicle Maint.	75.40
BAKER & TAYLOR BOOKS, Books	1,572.70

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BBC AUDIOBOOKS, Media	164.88
BEAUMONT, MITCH, Contract Services	662.50
BENNINGTON IMPLEMENT, Repair & Maint.	312.35
BENSON RECORDS, Contract Services	55.88
BEST ACCESS SYSTEMS DIVISION, Bldg & Grnds	26.14
BIOSPAN TECHNOLOGIES, Vehicle Maint.	286.40
BIRCH, ANN, Professional Services	29.99
BRENTWOOD AUTO WASH, Vehicle Maint.	115.00
BRODART, Books	97.01
BUETHE, PAM, Supplies	200.00
CAMPBELL, KIRK, Refund	24.00
CARDMEMBER SERVICE, Professional Services/Travel/Training	7,425.28
CARL JARL LOCKSMITHS, Bldg & Grnds	3.70
CENTER POINT PUBLISHING, Books	110.82
CITY OF OMAHA, Contract Services	33,801.56
CJ'S HOME CENTER, Vehicle Maint./Bldg & Grnds	1,057.26
CLASSIC REFRIGERATION, Bldg & Grnds	256.78
CLIA LABORATORY PROGRAM, Squad Supplies	150.00
COMMERCIAL TURF AND TRACTOR, Repair & Maint.	1,015.00
COX, Contract Services	237.80
CUMMINS CENTRAL POWER LLC #410, Bldg & Grnds	160.65
D & D COMMUNICATIONS, Equipment	7.96
DANIELSON/TECH SUPPLY, Bldg & Grnds	199.00
DECOSTA SPORTING GOODS, Equipment	29.95
DEMCO, Supplies	95.05
DISPLAY SALES, Flags	2,706.00
DON'S PIONEER UNIFORMS, Wearing Apparel	19.99
DOUGLAS COUNTY ENGINEER, Eng. Design	23,063.70
EASTERN LIBRARY SYSTEM, Training	55.00
ED M. FELD EQUIPMENT, Supplies	20.50
EDGEWEAR SCREEN PRINTING, Wearing Apparel	2,039.50
ELECTRIC FIXTURE & SUPPLY, Bldg & Grnds	128.43
FILTER CARE, Vehicle Maint.	3.10
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	28.10
FITZGERALD SCHORR BARMETTLER, Professional Services	22,162.40
FLEETPRIDE, Vehicle Maint.	39.99
FOLLETT SOFTWARE, Supplies	157.26
FORT DEARBORN LIFE INS, Employee Benefits	1,199.50
FROEHLICH, RORY, Travel	313.45
GALE, Books	113.09
GALL'S, Wearing Apparel	55.86
GASSERT, MIKE, Contract Services	66.00
GENERAL TRAFFIC CONTROLS, Street Maint.	149.04
GLACKEN AND ASSOCIATES, Training	530.00
GODFATHER'S PIZZA, Supplies	112.73
GRAYBAR ELECTRIC, Contract Services	348.14
GREAT PLAINS ONE-CALL SVC, Contract Services	448.84
HELGET GAS PRODUCTS, Squad Supplies	144.00
HOME DEPOT, Bldg & Grnds	259.41
HORNADY, Supplies	3,736.00
HOST COFFEE, Concessions	22.50
ICMA-INTL CITY/COUNTY MANAGE, Dues	897.40
INTERNATIONAL CODE COUNCIL, Wearing Apparel	270.00
J Q OFFICE EQUIPMENT, Contract Services	308.15
JARZYNKA, COLLEEN, Rescue Revenue	10.00
JONES AUTOMOTIVE, Equipment	3,069.33
KIMBALL MIDWEST, Vehicle Maint.	115.16
KROGER, Supplies	158.75
LARM, Training	693.96
LAUGHLIN, KATHLEEN, Payroll Withholdings	744.00
LEO A DALY, Planning	15,000.00
LINWELD, Street Maint/Supplies	233.05
LODES, CHRIS, Contract Services	75.00
LOGAN CONTRACTORS SUPPLY, Equip. Repair	39.48
LOU'S SPORTING GOODS, Supplies	527.20
LOVELAND LAWNS, Street Maint.	16.74
MALLARD SAND & GRAVEL, Bldg & Grnds	225.00
MARTIN MARIETTA AGGREGATES, Bldg & Grnds	986.96

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MAX I WALKER CLEANERS, Professional Services	185.44
MCGARVEY, NICOLE, Refund	20.00
MCNAMARA, VICTORIA, Contract Services	90.00
MES-MIDAM, Equip. Repair	120.00
METAL SUPERMARKETS, Bldg & Grnds	10.12
METRO AREA TRANSIT, Contract Services	639.00
METRO UMPIRES, Contract Services	460.00
METROPOLITAN COMMUNITY COLLEGE, Construction	25,835.77
MID AMERICA PAY PHONES, Telephone	100.00
MILLER BRANDS OF OMAHA, Concessions	166.10
MUCKEY, CHRIS, Contract Services	75.00
MUD, Utilities	9.69
MULHALL'S, Supplies	307.98
NATIONAL SAFETY COUNCIL, Training	350.00
NEBRASKA LANDSCAPE SOLUTIONS, Supplies	3,751.36
NEBRASKA LIBRARY COMMISSION, Training	30.00
NEW YORK TIMES, Books	26.00
OABR PRINT SHOP, Printing	166.47
ODEY'S, Bldg & Grnds	24.28
OFFICE DEPOT, Supplies	142.20
OMAHA WORLD HERALD, Advertising	372.00
OPPD, Utilities	40,707.81
PAPILLION SANITATION, Contract Services	195.01
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	312.76
PAUL CONWAY SHIELDS, Wearing Apparel	204.00
PAYLESS, Supplies	122.80
PENWORTHY COMPANY, Books	691.07
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	102.85
PRECISION INDUSTRIES, Vehicle Maint.	157.17
PREMIER-MIDWEST BEVERAGE, Concessions	104.10
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	155.25
QUALITY BRANDS OF OMAHA, Concessions	270.45
QWEST, Telephone	128.28
RADIO SHACK CORPORATION, Bldg & Grnds	2.79
RAMIREZ, JOHN, Contract Services	66.00
RINKER MATERIALS, Bldg & Grnds	297.28
ROSE EQUIPMENT, Training/Vehicle Maint.	178.32
SAFETY-KLEEN CORPORATION, Contract Services	295.25
SAM'S CLUB, Concessions	214.38
SARPY COUNTY TREASURER, Contract Services	25,587.00
SCHOLASTIC LIBRARY PUBLISHING, CD Rom	436.00
SEAT COVER CENTER, Vehicle Maint.	263.50
SMOOTHER CUT ENTERPRISES, Contract Services	330.00
SOFTCHOICE CORPORATION, Software	590.40
SUBURBAN NEWSPAPERS, Legal Advertising	706.72
SUN LIFE & HEALTH INSURANCE, Payroll Withholdings	1,758.82
SUN VALLEY NATURAL STONE, Payroll Withholdings	840.00
SUPERIOR LAMP, Bldg & Grnds	107.46
TANGEMAN, JODI, Auto Allowance	49.50
THOMPSON DREESSEN & DORNER, Eng. Design	2,137.45
THREE RING ENTERPRISES, Vehicle Maint.	2,557.61
TRADE WELL PALLET, Bldg & Grnds	242.00
U S ASPHALT COMPANY, Street Maint.	341.33
UNITED SEEDS, Maintenance	225.00
UPS, Postage	7.20
UPSTART, Supplies	46.00
VIERREGGER ELECTRIC, Bldg & Grnds	1,265.00
WASTE MANAGEMENT, Bldg & Grnds/Contract Services	916.42
YORK, JOHN, Travel	196.00
YOST, JOHN, Wearing Apparel	119.99
ZIMCO SUPPLY, Supplies	1,950.00

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council of a medical emergency that happened in the Runza parking lot at 120th and Giles Road. A male passenger had a heart attack. The officer, on arrival, used an AED (automatic external defibrillator) to assist the gentlemen until paramedics

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arrived. He was transported to Midland's hospital and his condition is improving. Lausten stated it was a good effort by both the La Vista Police and Fire Department.

Councilmember Ronan stated he saw a report of this incident on the news. He said it stated all La Vista Police Cruisers are equipped with an AED. Lausten stated that an AED is in one vehicle for each of the four districts in the City, but not all cruisers are equipped at this time.

B. CALL FOR REDEMPTION OF BONDS AND REFUNDING SERIES 2008 BOND ISSUE (TABLED FROM 5/6/08 MEETING)

Acting Mayor Carlisle stated that staff recommended tabling Agenda Item B until the June 3, 2008 City Council meeting. Councilmember Gowan made a motion to table Agenda Item B until June 3, 2008. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. RESOLUTION – ADVERTISEMENT OF BIDS – 2008 PAVEMENT REHABILITATION

Councilmember Quick introduced and moved for the adoption of Resolution No. 08-047: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF BIDS FOR THE 2008 PAVEMENT REHABILITATION PROGRAM.

WHEREAS, the City Council has determined that pavement reconstruction is necessary at various locations throughout the City; and

WHEREAS, the FY 2007/08 Capital Improvement Plan provides funding for the pavement rehabilitation projects; and

WHEREAS, the City Engineer has prepared plans and specifications for said pavement rehabilitation for the following projects:

- Heather Avenue – Edgewood Blvd to Giles Road
- 89th & Granville Intersection
- 74th Street – Harrison to Josephine
- Josephine Street – 7300 to 7400 block
- James Avenue and Joseph Avenue Intersection

NOW, THEREFORE BE IT RESOLVED, that the City of La Vista hereby authorizes the advertisement of bids for the 2008 Pavement Rehabilitation Program in accordance with plans and specifications prepared by the City Engineer, John Kottmann, and said bids are to be opened and publicly read aloud at 1:30 p.m. at the offices of Thompson, Dreessen & Dorner, 10836 Old Mill Road, Omaha, NE on June 9, 2008.

Public Notice to Contractors	May 21, 2008
Open Bids	June 9, 2008
City Council Award Contract	June 17, 2008

Seconded by Councilmember Gowan. Councilmember Ronan asked if notices are given to residents in affected areas. Street Superintendent Goldman stated that letters are hand delivered to all residents in any neighborhood affected by street rehabilitation. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – SPECIAL DESIGNATED LICENSE – BONES, BREW AND BBQ, LLC – JUNE 7, 2008

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-048: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF ALCOHOL AT BONES BREW AND BBQ LLC JUNE 7, 2008 FOR AN OUTDOOR FESTIVAL

WHEREAS, Bones Brew and BBQ LLC is located within the City of La Vista; and

WHEREAS, Bones Brew and BBQ LLC has requested approval of a Special Designated Permit to sell alcohol in an outdoor area at their establishment June 7, 2008 from 5:00 p.m. to 10:30 p.m., for an outdoor festival

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Bones Brew and BBQ LLC to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell alcohol in an outdoor area at their establishment on June 7, 2008 for an outdoor festival.

Seconded by Councilmember Sheehan. John Falewitch of Lights Out Promotions and John Davis of Bones Brew and BBQ were in attendance to answer questions. Police Chief Lausten asked for an explanation of a martial arts expo. Falewitch stated the event is a Muay Thai Kickboxing Competition for individuals ranging from ages 8 to about 35. It is a family oriented event with the proceeds going to the Ronald McDonald House. Councilmember Sheehan asked the number of security personnel that would cover the event. Falewitch stated they could provide as many as required. A concern was raised due to the increase in number of people expected for the event, as the number was increased from 500 to up to 1000. The Applicant was told that approval of the liquor license application should not be construed as approval of a permit for the event. The Applicant still will need to obtain a separate public assembly permit. Staff will review security and other concerns in the process of considering an application for a public assembly permit. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

Acting Mayor Carlisle asked if there were any comments from the floor and that any person desiring to make comments limit them to 5 minutes. Scott Wollberg and Keith Grimm, from Beautiful Savior Lutheran Church, addressed Council to state they thought an issue concerning a Temporary Sign Permit for the Church would be on tonight's agenda, and proceeded to voice their support of temporary signs in certain cases. Acting Mayor Carlisle stated that staff would contact them when the item is put on the City Council agenda.

COMMENTS FROM MAYOR AND COUNCIL

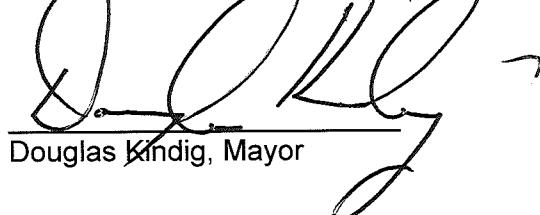
Councilmember Quick stated she might be a little late to the June 3rd City Council meeting, due to another obligation.

Councilmember Sheehan commented on the recent article in the Omaha World Herald concerning fire pits.

At 7:25 p.m. Councilmember Sell 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 3RD DAY OF JUNE 2008.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk