

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING November 4, 2008

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 November 4, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Community Development Director Birch, Finance Director Lindberg, 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 October 23, 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 at City Hall during normal business hours.

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.

SPECIAL PRESENTATION

A copy of the upcoming Economic Development Report segment on the City of La Vista was shown to the Mayor and Council.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM OCTOBER 21, 2008
3. PAY REQUEST FROM KIRKHAM MICHAEL FOR GIS CONVERSION
PROFESSIONAL SERVICES - \$7,897.00
4. PAY REQUEST NO. 6 FROM BERINGER CIACCIO DENNELL MABREY FOR
PROFESSIONAL SERVICES – CART CORRAL DESIGN - \$3,148.52
5. PAY REQUEST NO. 2 FROM LINHART CONSTRUCTION, INC. FOR 78TH &
HARRISON STREET RETAINING WALL RECONSTRUCTION - \$12,486.47
6. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Ronan 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 ADVERTISING & SUPPLY, Supplies	201.00
ACTION BATTERIES, Vehicle Maint.	64.95
ADT SECURITY, Contract Services	233.89
ADVANTAGE DEVELOPMENT, Supplies	198.00
AMSAN, Supplies	492.72
AQUILA, Utilities	3,125.00
ARAMARK UNIFORM SERVICES, Contract Services	254.19
ASPHALT & CONCRETE MATERIALS, Street Maint.	96.38
ASSOCIATED FIRE PROTECTION, Bldg & Grnds	600.00
AUSTIN PETERS GROUP, Professional Services	1,755.00
BAKER & TAYLOR BOOKS, Books	1,477.26
BAKER, MARCUS, Auto Allowance	50.00
BEACON BUILDING SERVICES, Contract Services	6,437.00
BENNINGTON IMPLEMENT, Vehicle Maint.	137.76
BETTER BUSINESS EQUIPMENT, Rental	47.04
BIRCH, ANN, Auto Allowance	50.00
BRAND, STEVEN, Travel	39.00
BUETHE, PAM, Auto Allowance/Phone/Vehicle Maint./Bldg & Grnds	224.25
BUILDERADIUS, Professional Services	2,000.00
BUILDERS SUPPLY, Bldg & Grnds	170.88
CALENTINE, JEFFREY, Phone	30.00

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CENTER POINT PUBLISHING, Books	38.94
CITY OF BELLEVUE, Training	150.00
CITY OF OMAHA, Contract Services	35,258.66
CLASSIC REFRIGERATION, Bldg & Grnds	155.25
COMP CHOICE, Professional Services	529.50
CORNHUSKER INTL, Repair	565.60
CUMMINS CENTRAL POWER, Contract Services	583.95
DAYSPRING PRINTING, Printing	750.00
DIAMOND VOGEL PAINTS, Bldg & Grnds	122.25
DILLON BROS HARLEY DAVIDSON, Vehicle Maint.	735.27
DON'S PIONEER UNIFORMS, Wearing Apparel	14.95
DOUGLAS COUNTY SHERIFF, Contract Services	350.00
DULTMEIER SALES & SERVICE, Street Maint./Repair	401.54
EBSCO SUBSCRIPTION SERVICES, Books	3,739.32
ECONOMIC REPORT, Professional Services	1,850.00
EDGEWEAR SCREEN PRINTING, Wearing Apparel	207.00
ELECTRONIC ENGINEERING, Vehicle Maint.	261.41
EZRA, GAYLA, Refund	14.96
FAGIN, KAREN, Travel	608.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Vehicle Maint.	180.39
FEDEX, Signs	9.07
FILTER CARE, Vehicle Maint.	33.15
FIREGUARD, Repair	309.60
FITZGERALD SCHORR BARMETTLER, Professional Services	14,223.17
FOSTER, TERRY, Travel	39.00
G I CLEANER & TAILORS, Uniform Cleaning	120.75
GALE, Books	46.43
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	143.00
GOLDMAN, JOHN, Travel/Phone	124.00
GOWAN, ANTHONY, Travel	196.00
GRAYBAR ELECTRIC COMPANY, Bldg & Grnds	307.04
GUNN, BRENDA, Auto Allowance	300.00
H W WILSON COMPANY LOCKBOX, Books	237.00
HANEY SHOE STORE, Equip.	240.00
HELGET GAS PRODUCTS, Squad Supplies	30.00
HOME DEPOT, Vehicle Maint.	20.00
HURST, JEAN, Travel	115.83
HY-VEE, Supplies	226.19
I.D. EDGE, Supplies/Postage	126.01
IWAN, ROSE, Auto Allowance/Travel	160.83
J Q OFFICE EQUIPMENT, Supplies/Lease	500.50
JO DON'S, Equip.	540.00
KINDIG, DOUGLAS, Auto Allowance/Phone	190.00
KLINKER, MARK, Professional	240.00
KRIHA FLUID POWER, Equip	513.39
LA VISTA COMMUNITY FOUNDATION, Payroll Deduction	95.00
LA VISTA FIREFIGHTERS ASSN, Ad	390.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEO A DALY, Planning	3,000.00
LIFE ASSIST, Squad Supplies	60.52
LIVE OAK MEDIA, Media	112.08
LOU'S SPORTING GOODS, Wearing Apparel	162.93
LUKASIEWICZ, BRIAN, Phone	50.00
MAPA-METRO AREA PLANNING AGNCY, Travel	240.00
MATT FRIEND TRUCK, Equip.	223.28
MATT PARROTT AND SONS COMPANY, Printing	508.73
METRO AREA TRANSIT, Sept. Fees	601.00
METROPOLITAN COMMUNITY COLLEGE, Utilities	10,407.25
MID AMERICA PAY PHONES, Phone	150.00
MIDLANDS COMMUNITY HOSPITAL, Ad	150.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	27.78
MID-STATE DISTRIBUTING, Traffic Signs	52.34
MIDWEST TURF & IRRIGATION, Bldg & Grnds	83.08
MOORE, WAYNE, Contract Services	18.00
MSC INDUSTRIAL, Supplies	600.57
MUD, Utilities	1,222.89
NATIONAL SAFETY COUNCIL, Dues	362.00

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NEBRASKA CHAPTER APWA, Training	340.00
NEBRASKA FURNITURE MART, Equip.	359.97
NEBRASKA IOWA SUPPLY, Vehicle Supplies	14,781.36
NEBRASKA LIBRARY COMMISSION, Supplies/Training	46.77
NEFF TOWING, Vehicle Maint.	225.00
NEXTEL, Phone	1,539.41
NORTHEAST COMMUNITY COLLEGE, Training	15.00
OABR PRINT SHOP, Printing	688.49
OFFICE DEPOT, Supplies	671.62
OMAHA COMPOUND, Supplies	151.13
OPPD, Professional Services	71.16
ORIENTAL TRADING COMPANY, Supplies	44.89
PAPILLION LA VISTA SCHOOLS, Travel	80.00
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	340.44
PAYLESS, Supplies	159.50
PENWORTHY COMPANY, Books	1,444.45
PITNEY BOWES, Supplies/Lease	221.00
PLUTA, DON, Travel	39.00
PRECISION INDUSTRIES, Vehicle Maint.	130.40
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	148.50
QWEST, Telephone	141.70
RADAR SHOP, Repair	114.00
RAMIREZ, RITA, Auto Allowance/Phone/Travel	156.27
RECORDED BOOKS, Media	6.95
RUSH, TIMOTHY, Travel	39.00
SAPP BROS, Vehicle Maint.	13.50
SARPY COUNTY CHAMBER, Travel	135.00
SARPY COUNTY REGISTER OF DEEDS, Professional Services	26.00
SCARPA, DAN, Travel	39.00
SCHOLASTIC LIBRARY PUBLISHING, Books	144.30
SEAT COVER CENTER, Vehicle Maint.	126.00
SHEEHAN, RON, Travel	208.00
SIGNS & SHAPES INTERNATIONAL, Printing	662.50
SMITH, MELANIE, Auto Allowance	100.00
SOUCIE, JOSEPH, Travel/Phone	99.00
STRATEGIC INSIGHTS, Contract Services	650.00
TANGEMAN, JODI, Auto Allowance	33.00
TARGET BANK, Supplies	8.56
TED'S MOWER SALES & SERVICE, Repair	296.13
THERMO KING CHRISTENSEN, Vehicle Maint.	529.74
TRACTOR SUPPLY, Wearing Apparel/Repair	409.30
U S ASPHALT, Street Maint.	247.55
UNIVERSITY OF LOUISVILLE, Training	650.00
UPS, Postage	23.90
USI, Supplies	71.69
V & V MANUFACTURING, Wearing Apparel	68.07
VIERS, STEVE, Auto Allowance	100.00
WAL-MART, Supplies, Equipment	172.51

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council there were no major incidents in the city on Halloween night. There was an incident on 10/30 in which pumpkins were taken and some smashed. Officers had the violators return the pumpkins and buy and carve pumpkins to replace the ones which were smashed.

Fire Chief Uhl informed Council the La Vista Volunteer Fire Department provided mutual aid to Papillion on the fire at the Southgate Apartments. The cause of the fire was a lampshade touching the light bulb. There was water damage to the first floor.

Community Development Director Birch informed Council of the two day seminar that she attended with Councilmember Sell. The seminar is for City Officials to meet with planning and design experts.

Recreation Director Stopak thanked the Volunteer Fire Department, the Chamber of Commerce, and City Officials and Staff for their assistance at another successful Halloween Safe Night.

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Public Works Director Soucie informed Council the fall clean-up day will be held this Saturday, November 8th from 8:00 a.m. – 3:00 p.m. Soucie introduced Josh Buethe to Council. Buethe works in the Parks division of public works.

B. ORDINANCE – AMEND SECTION 71.111 OF MUNICIPAL CODE - SPEED LIMIT EXCEPTIONS

Councilmember Ellerbeck introduced Ordinance No. 1081 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 71.111; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck 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 McLaughlin moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. Councilmember Gowan stated the residents of Val Verde and Val Vista have expressed concern with increasing the speed limit and the effect that will have on entering 96th Street from these subdivisions. Public Works Director Soucie stated that both the Police Department and the Public Works Department are concerned with varying speed limits up and down that currently exist on certain stretches of this road. He recommends a consistent 45 mph speed limit, and recommends the installation of traffic signals as warranted. Councilmember Gowan stated he wants homeowners in the area to know the City plans to break up long stretches of the road with traffic lights. Police Chief Lausten stated there would be extra patrols in the area. Councilmember Sheehan stated his concern with this change. The Mayor then stated the question was, "Shall Ordinance No.1081 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Quick, Carlisle, McLaughlin, and Ellerbeck. The following voted nay: Ronan, Sheehan, and Gowan. 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.

C. RESOLUTION – APPROVAL – SATELLITE KENO LOCATION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-096: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A SATELLITE KENO LOCATION FOR THE CITY'S KENO LOTTERY GAME AT FIELDS, INC. D/B/A ISLAND BAR AND GRILL, 7826 SOUTH 123RD PLAZA, LA VISTA NEBRASKA EFFECTIVE NOVEMBER 1, 2008.

WHEREAS, the current Keno Lottery Operator Agreement between the City of La Vista and La Vista Keno, Inc., dated August 8, 2008, requires La Vista Keno, Inc. to obtain prior written consent of the City to establish a satellite location; and further that the satellite location shall comply with such qualification standards as adopted by the City pursuant to Nebraska Statutes, Section 9-642.01, governing lottery sales outlet locations, and such other terms and conditions determined necessary or advisable; and

WHEREAS, the City of La Vista, by Ordinance No. 1073, set forth qualification standards for Keno Lottery Sales Outlet Locations, which includes satellite locations ("Ordinance"); and

WHEREAS, La Vista Keno, Inc. has proposed a satellite location for the City's keno lottery game at Fields, Inc. d/b/a Island Bar and Grill, located at 7826 South 123rd Plaza, La Vista, Nebraska pursuant to a Satellite Agreement between said parties dated October 19, 2008, a copy of which has been presented at this meeting ("Satellite Agreement"); and

WHEREAS, the requirements of the Lottery Operator Agreement and other Keno Requirements as defined in the Ordinance are incorporated into the Satellite Agreement pursuant to said Ordinance; and

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WHEREAS, the City Clerk has determined that the standards for the Keno Lottery Sales Outlet Location at Fields, Inc. d/b/a Island Bar and Grill, 7826 South 123rd Plaza, La Vista NE, have been met.

NOW, THEREFORE, BE IT RESOLVED: that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize and approve a satellite keno location for the City's keno lottery game at Fields, Inc. d/b/a Island Bar and Grill, 7826 South 123rd Plaza, La Vista NE, and further approve the owner and operator thereof, Fields, Inc., effective November 1, 2008 and subject to the following:

- a. Submittal of all Exhibits to the Satellite Agreement in form and content satisfactory to the City;
- b. Any change of ownership or control of the satellite, Fields, Inc. or any stock of Fields, Inc. shall require prior written approval of the City of La Vista;
- c. The satellite, Fields, Inc. and stockholders of Fields, Inc. shall be bound by the Lottery Operator Agreement between the City of La Vista and La Vista Keno, Inc. and owe to La Vista Keno, Inc. all responsibilities and obligations which La Vista Keno, Inc. and its owner by said Lottery Operator Agreement, as personally guaranteed, owe to the City of La Vista. The City of La Vista shall be a beneficiary entitled to enforce such responsibilities and obligations of the satellite, Fields, Inc. and its stockholders;
- d. City of La Vista shall have access at any time to the satellite location and keno-related funds, documents and records in the possession or control of the satellite owner or operator;
- e. City of La Vista shall be named as an additional named insured on any insurance required of the satellite owner or operator by the Satellite Agreement;
- f. City of La Vista, as owner of the La Vista keno game, retains authority over use of the term "La Vista keno"; and all uses of said term shall be subject to review and approval of the City and cease upon termination of the Satellite Agreement;
- g. Funds of the La Vista keno game handled by the satellite shall be the sole and exclusive property and held in trust for the benefit of the City of La Vista until properly paid in accordance with the Lottery Operator Agreement or Satellite Agreement; and
- h. Ongoing satisfaction by the satellite owner and operator of the Satellite Agreement and this Resolution, as well as the Lottery Operator Agreement, Ordinance and other Keno Requirements, as defined in said Ordinance.

BE IT FURTHER RESOLVED that, in addition to devices for satellite keno, the following gambling devices are hereby authorized at the satellite premises pursuant to Section 2(H) of the Ordinance: pickle card device.

BE IT FURTHER RESOLVED that the Mayor is hereby authorized to sign such documents, including, but not limited to, Nebraska Department of Revenue Form(s) 50G, and take such further actions as necessary or appropriate to carry out the actions approved herein.

Seconded by Councilmember Quick. Councilmember Sell asked about the approval of pickle cards. Mr. Richard Bellino of La Vista Keno, Inc. addressed the Mayor and Council, stating that pickle cards currently are sold at the location. Specific approval of other gambling devices is required by Ordinance No. 1073. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – 132ND & WEST GILES ROAD

Councilmember Carlisle motioned to table Resolution No. 08-097 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, NEBRASKA CONCERNING IMPROVEMENTS RELATED TO THE INTERSECTION OF WEST GILES ROAD

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AND 132ND STREET, THE ADJACENT LEGS OF WEST GILES ROAD AND 132ND STREET AND ADJACENT RAILROAD CROSSINGS, IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

Seconded by Councilmember Sheehan. City Administrator Gunn informed Council that Sarpy County did not have the agreement on their agenda. Councilmember Gowan asked how the City of La Vista received the approval for the quiet zone so quickly. Public Works Director Soucie informed Council that some communities have to close one location to get a Quiet Zone in another and this is not the case here and this has a higher severity rating which increases its importance. Councilmember Sheehan asked if any future development in Southport will influence this project. City Administrator Gunn stated that these improvements will work with any development which could go in. City Engineer Kottmann stated that various studies were done and configuration explored and this is the best configuration for the area and will affect the least amount of adjacent property. Councilmember Sheehan asked how soon the improvements would take place. Engineer Kottmann stated that the final phase will be years down the road depending on federal funding. City Administrator Gunn stated that there is funding in the budget for the smaller initial phases which will not be federally funded. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

E. RESOLUTION – POLICE CRUISER PURCHASE

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-098: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO PERFORMANCE DODGE, LINCOLN, NEBRASKA FOR THE PURCHASE OF THREE (3) 2009 DODGE CHARGER POLICE PACKAGE CRUISERS IN AN AMOUNT NOT TO EXCEED \$96,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a new police cruisers is necessary, and

WHEREAS, the FY 2008/2009 General Fund budget does include funds for the purchase of said cruisers, and

WHEREAS, the State of Nebraska did receive bids for 2009 Dodge police cruisers, and

WHEREAS, Performance Dodge, Lincoln, Nebraska, was awarded the state bid for Nebraska for the 2009 Dodge Police Package cruisers and will extend that price to the City of La Vista, and

WHEREAS, Subsection (c) 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 accept the Nebraska state bid of Performance Dodge, Lincoln, Nebraska and authorize the purchase of three 2009 Dodge Charger Police Package cruisers in an amount not to exceed \$96,000.

Seconded by Councilmember Carlisle. Mayor Kindig asked about the long term durability of the Charger. Police Sergeant Waugh stated that research to switch from Ford to Dodge was done in 2006 when the Department began purchasing the Chargers. Michigan studies show success with this vehicle. The piston problem currently encountered with one of the Chargers was an exception not a rule for the durability of these vehicles and the manufacturer allowed the repair under warranty even though the warranty was up for this vehicle. We are now in the fourth generation Chargers and improvements have been done to make these even better. Councilmember McLaughlin asked if this problem was the same as the blown engines in the Intrepids. Waugh stated that the Intrepids had V-6 engines which were not durable while these have a hemi and are very durable. Mayor Kindig asked if these were easy to work on for repairs. Public Works Director Soucie stated that he had not heard any complaints from his mechanics. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

F. RESOLUTION – AWARD OF CONTRACT – EASTERN NEBRASKA OFFICE ON AGING

Councilmember Quick introduced and moved for the adoption of Resolution No. 08-099: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF AN AGREEMENT WITH THE EASTERN NEBRASKA OFFICE ON AGING FOR PROVISION OF A NUTRITION PROGRAM.

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WHEREAS, the City of La Vista's Community Center has annually served as a hot meal site for senior citizens in conjunction with the Nutrition program of the Eastern Nebraska Office on Aging (ENOA); and

WHEREAS, the Mayor and City Council believe it is desirable to continue to participate in this important program.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City of La Vista be, and hereby is, authorized to execute an agreement with the Eastern Nebraska Office on Aging for provision of a nutrition program

Seconded by Councilmember McLaughlin. Councilmember Quick asked how close the City is to providing meals five days a week. Recreation Director Stopak informed Council that, while the state has been cutting meals, the City of La Vista's program is strong and will continue for three days per week. Mayor Kindig asked Stopak to check to see what the cost would be for the City to fund the program for the additional two days that meals currently are not being provided. Councilmember Sell asked if there were other resources for funding. Recreation Director Stopak stated there is the possibility of intermingling with other cities. Stopak stated that currently meals are available in Papillion on the days they are not available in La Vista. He will check on other funding mechanisms and the cost to the City to fund a portion or all of the meals if needed. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

G. SPECIAL ASSESSMENTS FOR PROPERTY IMPROVEMENTS

1. PUBLIC HEARING

At 6:54 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements.

At 6:55 p.m. Councilmember Ellerbeck 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.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-100: 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
7423 S 77th Avenue, Lot 65, La Vista Replat, \$475.74,
7506 Joseph Avenue, Lot 378, La Vista Replat, \$1,036.38,
7421 Ivy Lane Drive, Lot 124, S & S's Harvest Hill, \$256.73,
8762 Pine Drive, Lot 186, Park View Heights 2nd Addition, \$414.40,
7701 Grace Court, Lot 1484, La Vista, \$276.14,
7312 Lillian Avenue, Lot 533, La Vista Replat, \$265.25,
7406 S 70th Street, Lot 199, La Vista Replat, \$246.76, and
7508 Elm Drive, Lot 303, Park View Heights 2nd Addition, \$243.16
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, or La Vista Zoning Code 7.12, 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.

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Seconded by Councilmember Sell. Councilmember McLaughlin asked the reason for the high cost of the cleanup on Joseph Avenue. Public Works Director Soucie stated that trash and other debris had to be picked up in the yard before staff could mow and trim the property. He also stated that with the small entrances to the back yard the city mowers could not access it and therefore it was done with weed eaters. Councilmember Gowan asked if we can put more teeth into these to help eliminate the number of cleanups the City needs to do. Staff will research and see if there are more options or alternatives. Councilmember Sheehan thanked Community Development Director Birch for the addition of pictures with the assessment information. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

H. JOB DESCRIPTION – ACCOUNTANT

I.

Councilmember Sell made a motion to approve the job description for an accountant. 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

Mayor Kindig asked if there were any comments from the floor; and if so, for each person to limit his or her comments to 3 minutes. There were no comments from the floor.

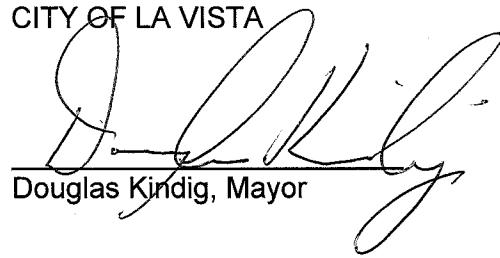
COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan congratulated all of those who put their names on the ballot.

At 7:04 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 18TH DAY OF NOVEMBER 2008.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe

Pamela A. Buethe, CMC
City Clerk