

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING February 17, 2009

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 February 17, 2009. Present were Councilmembers: Sell, Ronan Sheehan, Carlisle, Crawford, 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, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, 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 February 5, 2009. 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.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM FEBRUARY 3, 2009
3. MONTHLY FINANCIAL REPORT – JANUARY 2009
4. PAY REQUEST FROM CONTROL MASTERS FOR REPLACEMENT OF ACCESS CONTROL SYSTEM - \$12,950.00
5. APPROVAL OF CLAIMS

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

ACI-NEBRASKA CHAPTER, Dues	60.00
ACTION BATTERIES, Vehicle Supplies	79.95
ALADDIN CUSTOM SPORTSWEAR, Wearing Apparel	56.50
ALAMAR UNIFORMS, Wearing Apparel	1,438.63
ALL MAKES, Supplies	65.00
AMERICAN LEGAL, Contract Services	2,663.00
ANN TROE, Printing	760.00
ARAMARK UNIFORM, Contract Services	386.98
ASPEN EQUIPMENT, Equipment	75.94
AUSTIN PETERS GROUP, Training	2,800.00
AVI SYSTEMS, Equip. Repair	240.00
BAKER & TAYLOR BOOKS, Books	627.35
BATTERY ZONE, Supplies	140.95
BENNINGTON EQUIPMENT, Vehicle Supplies/Maint.	637.30
BENSON RECORDS, Contract Services	63.98
BKD LLP, Professional Services	8,000.00
BLACK HILLS ENERGY, Utilities	3,734.00
BRENTWOOD AUTO WASH, Vehicle Maint.	229.00
BUETHE, PAMELA, Travel/Supplies/Bldg & Grnds/Banquet	517.23
BUILDERS SUPPLY, Vehicle Maint.	126.63
CARDMEMBER SERVICE, Travel/Training/Supplies	3,285.41
CENTERING CORPORATION, Books	24.95
CHASE AUTO TRANSMISSION REPAIR, Vehicle Maint.	1,430.00
CITY OF BELLEVUE, Training	490.00
CITY OF OMAHA, Contract Services	615.13
CIVIC PLUS, Contract Services	1,625.00
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	618.40
CLARITUS, Printing	55.60
COMP CHOICE, Professional Services	171.50

MINUTE RECORD

February 17, 2009

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

CORNHUSKER INTL TRUCKS, Vehicle Maint.	34.57
COSGRAVE COMPANY, Bldg & Grnds	217.16
COX, Contract Services	140.10
CUMMINS CENTRAL POWER, Vehicle Maint.	189.71
D & D COMMUNICATIONS, Vehicle Maint.	258.00
DEMCO, Supplies	295.72
DON'S PIONEER UNIFORMS, Wearing Apparel	786.71
DOUGLAS COUNTY SHERIFF, Contract Services	200.00
DULTMEIER SALES & SERVICE, Bldg & Grnds	184.33
EBSCO SUBSCRIPTION SERVICES, Books	15.15
ED M. FELD EQUIPMENT, Wearing Apparel/Contract Services	2,367.55
EDGEWEAR SCREEN PRINTING, Wearing Apparel	109.25
ELECTRONIC ENGINEERING, Vehicle Maint.	106.00
ELIM GROUP, Training	3,471.96
EMBASSY SUITES, Banquet	2,695.95
FASTENAL COMPANY, Vehicle Maint.	10.35
FBINAA-FBI NATL ACAD ASSOCS, Training	75.00
FEDEX KINKO'S, Professional Services	601.84
FERRELLGAS, Utilities	1.00
FILTER CARE, Vehicle Maint.	24.45
FIREGUARD, Squad Supplies	44.72
FLEETPRIDE, Vehicle Maint.	77.53
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,249.00
FREDERIKSEN, CORY, Training	150.00
G I CLEANER & TAILORS, Uniform Cleaning	143.80
GALE, Books	112.30
GALL'S, Wearing Apparel	274.22
GASSERT, CORTNEY, Contract Services	15.00
GATEWAY HOTEL, Travel	421.12
GENUINE PARTS COMPANY, Vehicle Maint.	1,523.74
GOLDMAN, JOHN, Travel	25.00
GRAYBAR ELECTRIC, Bldg & Grnds	179.00
GREAT PLAINS ONE-CALL, Contract Services	86.43
GRUTEL, PAM, Refund	40.00
HANEY SHOE STORE, Wearing Apparel	120.00
HEARTLAND TIRES AND TREADS, Vehicle Supplies/Maint.	525.11
HELGET GAS, Squad Supplies	99.00
HENKE MANUFACTURING, Equipment	1,425.00
HOLIDAY INN, Travel	201.00
HY-VEE, Supplies	25.94
IA NE SD PRIMA CHAPTER, Dues	40.00
IACP, Dues	240.00
ICMA-INTL CITY/COUNTY MANAGE, Dues	708.00
ICSC-INTL COUNCIL OF SHPG CTRS, Travel	100.00
INTERSTATE ALL BATTERY CENTER, Supplies	59.94
IOWA STATE UNIVERSITY, Training	240.00
IVERSON, DENNIS, Travel	25.00
J Q OFFICE EQUIPMENT, Contract Services	215.70
JOHNSON FARM EQUIP, Vehicle Maint.	37.36
KAPCO-KENT ADHESIVE, Supplies	60.58
LA VISTA FIREFIGHTERS ASSN, Donation	100.00
LA VISTA PHARMACY, Squad Supplies	24.75
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	2,064.00
LIEN TERMITE & PEST CONTROL, Contract Services	1,373.00
LIFE ASSIST, Squad Supplies	499.69
LINWELD, Supplies	111.85
LODES, CHRIS, Contract Services	75.00
LOU'S SPORTING GOODS, Equipment	41.95
MALLARD SAND & GRAVEL, Maintenance	7,003.34
MARSHALL CAVENDISH, Books	356.33
MENARDS, Bldg & Grnds	205.33
MES-MIDAM, Wearing Apparel	746.62
MICHAEL TODD AND CO, Vehicle Maint.	853.91
MID CON SYSTEMS, Bldg & Grnds	173.43
MID-STATES UTILITY TRAILER, Vehicle Maint.	354.05
MUD, Utilities	23.27
NE CONCRETE & AGGREGATES, Training	180.00

MINUTE RECORD

February 17, 2009

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

NE DEPT OF LABOR, Contract Services	396.00
NE FOREST TREE SERVICE, Training	90.00
NE LIBRARY COMMISSION, Training/Books	984.00
NE LIQUOR CONTROL COMMISSION, Renewal	45.00
NE SALT & GRAIN, Ice Control Salt	1,328.90
NMC EXCHANGE, Vehicle Maint.	119.02
NOTARY PUBLIC UNDERWRITERS, Contract Services	100.00
NUTS AND BOLTS INCORPORATED, Vehicle Maint.	123.81
OABR PRINT SHOP, Printing	166.47
OFFICE DEPOT, Supplies	1,947.53
OMAHA STANDARD DISTRIBUTION, Vehicle Maint.	282.70
OMAHA WORLD HERALD, Legal Advertising	247.76
OMB EXPRESS POLICE SUPPLY, Wearing Apparel	28.98
OPPD, Utilities	39,822.56
PAPILLION SANITATION, Contract Services	200.09
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	401.22
PAYLESS, Supplies	327.23
PITNEY BOWES, Supplies	141.56
PLUTA, DON, Travel	148.00
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	225.00
QWEST, Phone	48.97
RALSTON AUTOMOTIVE, Supplies	115.20
RATHMAN, STEVE, Training	150.00
REGAL AWARDS, Plaque	36.59
RUFFNER, JAMES, Travel	92.00
RUSH, TIMOTHY, Travel	148.00
RUSTY ECK FORD, Vehicle Maint.	246.46
SAM'S CLUB, Supplies	395.43
SAPP BROS, Vehicle Supplies	570.50
SHEPPARD'S BUSINESS INTERIORS, Repair	63.00
SMALL, BRADY, Travel	92.00
SMITH, MELANIE, Training	500.00
SOFTCHOICE, Software	658.35
STATE STEEL, Vehicle Maint.	49.30
STOP TECH, Supplies	60.55
SUBURBAN NEWSPAPERS, Legal Advertising	469.81
SUBWAY SANDWICHES, Refund	100.00
SUN LIFE & HEALTH, Payroll Withholding	2,036.44
SUSPENSION SHOP, Vehicle Maint.	78.72
TED'S MOWER SALES & SERVICE, Equipment	480.90
THERMO KING CHRISTENSEN, Vehicle Maint.	186.05
THOMPSON DREESSEN & DORNER, Professional Services	22,481.53
TRACTOR SUPPLY, Vehicle Maint.	52.56
TRANE U S, Bldg & Grnds	88.09
UNIVERSAL HOSPITAL SVCS, Contract Services	2,480.82
UPS, Postage	49.93
VACEK, LISA, Refund	13.75
WHITE CAP CONSTRUCTION, Supplies	37.40

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council of the Strategic Planning Session on Saturday, February 28, 2009.

City Clerk Buethe informed Council that due to the current economic situation, the Web Conference that was scheduled for March had been canceled. Buethe informed Council of statutory updates, which they would receive in the near future.

Police Chief Lausten informed Council of the death of a 22 year old at the Recreation Center on Sunday. Lausten stated a suspect has been arrested in the tree vandalism and there was a domestic violence situation recently at 84th and Harrison.

Lausten informed Council that there is \$4 billion in the stimulus plan for police, with 3 year funding of new police officers.

Public Works Director Soucie informed Council that the traffic signals at 66th and Harrison Street are complete. Beginning March 1st, work will begin on Harrison Street from 60th Street going east.

MINUTE RECORD

February 17, 2009

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

Soucie informed Council that most stimulus package projects will run through MAPA. A list of projects was submitted to the State, and both short and long term projects are back to MAPA.

Soucie informed Council that the salt supply for the City is at a comfortable level.

Councilmember Crawford asked Public Works Director Soucie if the lights on Harrison Street at 66th Street are synchronized. Soucie stated he would follow-up with the contractors to get a definite answer.

Community Development Director Birch presented the annual building report for 2008 to Council.

Recreation Director Stopak informed Council the Park and Recreation Advisory Board will meet on Wednesday, February 19, 2009 at 7:00 p.m. Stopak reminded Council of the re-scheduled Senior Valentine Lunch on February 20, 2009 at 11:30 a.m. He reminded anyone who is helping during the lunch to arrive by 10:45 a.m.

Library Director Iwan informed Council that a review of inventory at the Library will begin soon. She informed Council that toddler storytime has increased due to its popularity.

B. ZONING TEXT AMENDMENTS - DEFINITIONS

1. PUBLIC HEARING

At 7:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Zoning Text Amendments - Definitions.

At 7:17 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

2. ORDINANCE TO APPROVE REVISION

Councilmember Ellerbeck introduced Ordinance No. 1083 entitled: AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Ellerbeck moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 Gowan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. Councilmember Sheehan asked if trucks and buses as used in Section 2.02.98 [Car Wash Industrial] proposed for deletion are located in another definition, noting that there had been discussion in the past about the possible need for this type of facility at some point. City Planner Baker stated that there is currently no use which allows this definition so it will be removed until such time as the Mayor and Council decide there is a need to amend the zoning to permit the use. The Mayor then stated the question was, "Shall Ordinance No. 1083 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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. CODE AMENDMENTS – STORM WATER MANAGEMENT

1. PUBLIC HEARING

At 7:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Code Amendments for Storm Water Management.

At 7:22 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

MINUTE RECORD

February 17, 2009

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

2. ORDINANCE TO APPROVE AMENDMENT TO ARTICLE 3.03.20 OF THE SUBDIVISION REGULATIONS

Councilmember Ellerbeck introduced Ordinance No. 1084 entitled: AN ORDINANCE TO AMEND SECTION 3.03.20 OF ORDINANCE 906 (SUBDIVISION REGULATIONS); TO REPEAL SECTION 3.03.20 OF ORDINANCE 906 AS 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 Sheehan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1084 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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.

3. ORDINANCE TO APPROVE AMENDMENT TO CHAPTER 154 OF THE MUNICIPAL CODE REGARDING STORM WATER MANAGEMENT

Councilmember Gowan introduced Ordinance No. 1085 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 154.03 AND 154.19 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 Carlisle seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 Gowan. The Mayor then stated the question was, "Shall Ordinance No. 1085 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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.

D. RESOLUTION – HELL CREEK AT HARRISON STREET – INTERLOCAL AGREEMENT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-012: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH DOUGLAS COUNTY AND SARPY COUNTY FOR THE REPAIR AND STABILIZATION OF HELL CREEK AT HARRISON STREET.

WHEREAS, in order to promote the health and safety of the residents of all parties to his Agreement pursuant to the authority granted to the parties per the Nebraska Interlocal Cooperation Act, the parties desire to effectuate the stabilization of Hell Creek at Bridge No. 03010 near Harrison Street, and;

WHEREAS, this project is known as Douglas County Project No. SP-2008(03) and;

MINUTE RECORD

February 17, 2009

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

WHEREAS, Douglas County, Sarpy County, and the City of La Vista wish to outline their respective duties and responsibilities and the sharing of costs for the design and construction costs for this improvement.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, authorize the Mayor to execute an Interlocal Agreement with Douglas County and Sarpy County for the repair and stabilization of Hell Creek at Harrison Street.

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

E. RESOLUTION – COUNCIL POLICY STATEMENT – CITY COUNCIL MEETING AGENDA PROCEDURE

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-013: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING REPLACEMENT OF AN EXISTING COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a Council Policy Statement entitled Preparation of City Council Meeting Agendas has been reviewed and replacement of this Council Policy Statement with a Council Policy Statement entitled City Council Meeting Agenda Procedure is recommended by the City Clerk to the City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the replacement of Council Policy Statement entitled Preparation of City Council Meeting Agendas with Council Policy Statement entitled City Council Meeting Agenda Procedure, and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Seconded by Councilmember Sell. City Clerk Buethe gave an overview of the changes from the previous policy statement. Mayor Kindig explained the desire to increase the opportunity for public comment on agenda items at Council meetings; and that this was the sole purpose of the proposed changes. A form also is being proposed to handle additional public comment at meetings in an efficient manner. Those wishing to comment would complete the form upon arriving at the meeting. The Mayor then would know at which points in the meeting someone in the audience would like to address the Mayor and Council on a particular agenda item, and be able to invite the person forward at the proper times. It has been past experience that members of the public desiring to speak on a particular agenda item often miss the opportunity to speak because they are unfamiliar with the flow and procedures of the meeting and fail to recognize when the opportunity to speak arises. It is hoped that using the form would reduce the chance of someone missing the opportunity to comment, while still allowing the meeting to progress in an efficient manner. Discussion was held. The Mayor said his inclination would be to allow a member of the public to speak on an agenda item even if a form is not completed [the sign-in sheet still will be used for anyone addressing the Mayor and Council]. It was noted that the policy is not an exclusive statement on public comment at meetings, and recognized that various rules of order, decorum and procedure still will apply in any given situation. It was determined that the form which the public will complete will not ask if they are a proponent, opponent or neutral. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

F. RESOLUTION – NEW STANDARD OPERATION POLICY – PREPARATION OF AGENDA ITEMS FOR CITY COUNCIL PACKETS

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A NEW STANDARD OPERATION POLICY.

WHEREAS, the City Council has determined that it is necessary and desirable to establish Standard Operation Policies as a means of establishing guidelines and direction to the members of the City Council and to the City administration in regard to various issues which regularly occur; and

MINUTE RECORD

February 17, 2009

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

WHEREAS, a new Standard Operation Policy has been prepared outlining guidelines for preparation of agenda items for City Council packets.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Standard Operation Policy regarding preparation of agenda items for City Council packets.

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

G. SPECIAL ASSESSMENTS

1. PUBLIC HEARING

At 7:37 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments.

At 7:38 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 09-015: 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
10515 Hillcrest Drive, Lot 8, Val Vista \$116.49 and
10509 Hillcrest Drive, Lot 9, Val Vista \$116.49
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, 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 Carlisle. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

H. COUNCIL POLICY STATEMENT – CODE OF CONDUCT

City Administrator Gunn stated that this policy has been in place but in order to be sure all newly elected officials and appointed staff and board members receive and sign for the statement, this will be brought to the Council every two years at the first meeting in December.

I. DISCUSSION – COUNCIL POLICY STATEMENT - PAY FOR PERFORMANCE

Assistant City Administrator Ramirez gave an overview of the Council Policy Statement regarding Pay for Performance. She stated that this is a draft of the policy statement and will most likely change some once the evaluation tool is in place. The expected date for implementation of this new policy is October 2009.

Councilmember Crawford stated he would reserve comments until he is more informed on pay for performance.

MINUTE RECORD

February 17, 2009

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and stated that anyone having comments should limit them to three minutes. There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan stated that Council needs to give their opinion to the City Administrator on various legislative bills. Councilmember Carlisle asked if there were any specific bills that should be reviewed. Councilmember Sheehan stated we should watch LB526 and LB485.

Mayor Kindig stated these are large issues and the City needs concise direction. He will be in Lincoln on Friday to testify.

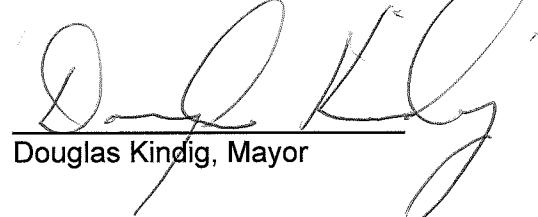
City Administrator Gunn stated staff is reviewing the Natural Gas bill to understand exactly how it works. She stated that the City of Gretna loses about \$11,000 by the change.

Mayor Kindig informed Council that he recently spoke at an Economic Development Luncheon in Grand Island. He gave special thanks to Cathy Lupomech for her hard work on the powerpoint presentation.

At 7:53 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF MARCH 2009.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC

City Clerk