

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING September 1, 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 September 1, 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 Barcal, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Building and Grounds Director Archibald, and Street Superintendent Goldman.

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

Mayor Kindig made an announcement regarding the new agenda policy statement providing for expanded opportunity for public comment on agenda items.

### **SERVICE AWARDS – ANGIE HULTBERG – 15 YEARS, PAT ARCHIBALD – 25 YEARS, JEAN HURST – 30 YEARS**

Mayor Kindig presented service awards to Angie Hultberg for 15 years of service to the City; Pat Archibald for 25 years of service to the City; and Jean Hurst for 30 years of service to the City.

### **PRESENTATION – QUILTS TO THE POLICE AND FIRE DEPARTMENTS BY THE QUILT CLUB**

Sharon Bailey and Marsha Schipper, of the Quilt Club, presented quilts to the City of La Vista Police and Fire Departments.

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

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM AUGUST 18, 2009**
- 3. APPROVAL OF PLANNING COMMISSION MINUTES FROM AUGUST 20, 2009**
- 4. APPROVAL OF CLAIMS**

Councilmember Sell 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, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

3M, Equipment	3,983.00
A & M GREEN POWER, Mower	43,772.00
ACTION BATTERIES, Supplies	16.09
ALAMAR UNIFORMS, Wearing Apparel	582.09
AMERICAN RED CROSS, Contract Services	100.00
AQUA-CHEM, Supplies	363.50
ARAMARK UNIFORM, Contract Services	238.24
ASPHALT & CONCRETE MATERIALS, Street Maint.	526.57
ASSOCIATED FIRE PROTECTION, Bldg & Grnds	319.78
AVI SYSTEMS, Bldg & Grnds	129.00
BADGER BODY, Vehicle Maint.	70.00
BAKER & TAYLOR BOOKS, Books	1,609.07
BEACON BUILDING SERVICES, Contract Services	6,437.00
BENNINGTON EQUIPMENT, Vehicle Maint.	709.90
BETTER BUSINESS EQUIPMENT, Rentals	87.86

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BIRCH, ANN, Supplies	22.82
BLACK HILLS ENERGY, Utilities	28.80
BOLEY, ANN, Auto Allowance	100.00
BOOKPAGE, Subscription	270.00
BROWN TRAFFIC PRODUCTS, Traffic Signs	700.00
BROWNELLS, Equipment	23.19
BUETHE, PAM, Phone/Travel/Supplies	78.30
BUILDERS SUPPLY, Sidewalk Maint.	100.16
CALENTINE, JEFFREY, Phone	30.00
CARL JARL LOCKSMITHS, Squad Supplies	16.85
CENTER POINT PUBLISHING, Books	240.84
COLOMBO/PHELPS COMPANY, Concessions	596.96
COMP CHOICE, Professional Services	87.50
CORNHUSKER INTL TRUCKS, Vehicle Maint.	86.00
CREIGHTON EMS EDUCATION, Training	7,256.00
D & D COMMUNICATIONS, Equip.	1,189.90
DIAMOND VOGEL PAINTS, Traffic Signs	799.23
DIESEL POWER EQUIPMENT, Vehicle Maint.	201.73
EAGLE ENGRAVING, Wearing Apparel	99.00
EASTERN LIBRARY SYSTEM, Travel	250.00
ECCLES, PAT, Auto Allowance	100.00
ED M. FELD EQUIPMENT, Wearing Apparel	4,600.00
EDAW, Planning	40,427.60
EDGEWEAR SCREEN PRINTING, Wearing Apparel	414.00
ELECTRONIC ENGINEERING, Vehicle Maint.	121.41
ENCYCLOPAEDIA BRITANNICA, Books	449.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL, Supplies	69.38
FIREGUARD, Equip. Repair	1,855.46
FITZGERALD SCHORR BARMETTLER, Professional Services	15,140.60
FLORATINE CENTRAL TURF PRODS, Supplies	555.00
FRIENDS OF THE LIBRARY, Professional Services	70.00
FROEHLICH, RORY, Auto Allowance	100.00
GALE, Books	169.78
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	57.25
GODFATHER'S PIZZA, Supplies	22.46
GOLDMAN, JOHN, Contract Services/Travel	361.00
GRAYBAR ELECTRIC, Bldg & Grnds	438.67
GREAT PLAINS UNIFORMS, Wearing Apparel	115.00
GUNN, BRENDA, Phone	45.00
H & H CHEVROLET, Vehicle Maint.	79.59
HEARTLAND PAPER, Supplies	34.00
HEIMES CORPORATION, Street Maint.	109.65
HELGET GAS, Squad Supplies	73.00
HIGHSMITH, Supplies	189.93
HUNTEL, Contract Services	384.50
HY-VEE, Concessions	65.92
J Q OFFICE EQUIPMENT, Contract Services	950.33
JONES AND BARTLETT PUBLISHERS, Training	273.84
KINDIG, DOUGLAS, Phone	40.00
KIRKHAM MICHAEL, GIS Conversion	5,800.00
KLINKER, MARK, Professional Services	200.00
KUSTOM SIGNALS, Repair	839.17
LA VISTA COMMUNITY FOUNDATION, Payroll Withholding	80.00
LANDS' END BUSINESS OUTFITTERS, Wearing Apparel	167.02
LAUGHLIN, KATHLEEN, Payroll Withholdings	809.00
LEAGUE OF NEBR MUNICIPALITIES, Contract Services	1,123.00
LINWELD, Supplies	262.22
LOGAN CONTRACTORS SUPPLY, Supplies	100.98
LUKASIEWICZ, BRIAN, Phone	50.00
METRO AREA TRANSIT, Contract Services	617.00
MID AMERICA PAY PHONES, Phone	100.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	713.80
MID-STATES UTILITY TRAILER, Vehicle Supplies	271.67
MIDWEST TAPE, Media	248.92
MILLER BRANDS, Concessions	62.00
MONARCH OIL, Street Maint.	250.25

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MUD, Utilities	7,687.20
NE BUSINESS ELECTRONICS, Supplies	40.00
NE GOLF & TURF, Supplies	54.00
NE LAW ENFORCEMENT, Training	50.00
NE LIBRARY COMMISSION, CD Rom	2,747.11
NEBRASKA IOWA SUPPLY, Vehicle Supplies	8,920.42
NEBRASKA NATIONAL BANK, Cart Lease	1,823.43
NEBRASKA TURF PRODUCTS, Supplies	808.50
NEXTEL COMMUNICATIONS, Phone	715.87
NUTS AND BOLTS, Sidewalk Maint.	369.98
OFFICE DEPOT, Supplies	827.15
OMAHA NEWSPAPER, Advertising	397.50
OMB EXPRESS POLICE SUPPLY, Wearing Apparel	43.94
OPPD, Construction Costs	16,298.10
ORIZON CPAS, Professional Services	1,000.00
OVERHEAD DOOR, Bldg & Grnds	210.00
PAPILLION TIRE, Vehicle Maint.	199.00
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	382.46
PAYLESS, Supplies	191.40
PEPSI COLA, Concessions	308.50
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	101.89
PITNEY BOWES, Supplies/Postage	221.00
PRECISION INDUSTRIES, Repair & Maint.	46.17
PREMIER-MIDWEST BEVERAGE, Concessions	34.50
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	216.00
PRUITT INCORPORATED, Vehicle Maint.	96.94
QUALITY BRANDS, Concessions	222.80
QUINN, JEFF, Summer Reading Program	150.00
QWEST, Phone	1,144.07
RADAR SHOP, Repair	153.50
RAMIREZ, RITA, Phone	43.00
READY MIXED CONCRETE, Sidewalk Maint.	2,263.80
SAFETY-KLEEN, Contract Services	417.56
SALEM PRESS, Books	339.00
SAPP BROS, Vehicle Supplies	884.90
SARPY COUNTY COURTHOUSE, Contract Services	3,487.34
SINNETT, JEFF, Dues	60.00
SOUCIE, JOSEPH, Travel	305.00
SPRINT, Phone	104.99
SUCCESS FACTORS, Professional Services	3,750.00
SUTPHEN CORPORATION, Contract Services	1,200.00
TED'S MOWER, Vehicle Maint.	144.84
THE ROSE, Summer Reading Program	150.00
THOMPSON DREESSEN & DORNER, Design	372.74
TOM'S SHOE REPAIR, Wearing Apparel	35.00
UNDERWRITERS LABORATORIES, Contract Services	2,110.00
UTILITY EQUIPMENT, Construction Costs	113.28
V & V MANUFACTURING, Wearing Apparel	66.44
VERIZON, Phone	198.03
VIERREGGER ELECTRIC, Contract Services	19,142.90
WAL-MART, Supplies	849.68
WEST, JESSICA, Refund	125.00
WICK'S STERLING TRUCKS, Vehicle Maint.	166.75

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council there was a public/private disaster drill on Thursday, using 50 city employees and volunteers. The scenario was an active shooter at PayPal. The business wanted to test the system they have in place for this type of incident.

Fire Chief Uhl informed Council he attended the International Fire Chiefs Conference in Dallas, and was accompanied by District Chief Froehlich.

Street Superintendent Goldman informed Council the Center Park shelter has been moved, the Golf Course projects are completed, and a \$5,000.00 grant was received to do the tire recycling program again.

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Building and Grounds Director Archibald informed Council the quote for the air conditioner repair is \$13,400.00, which is lower than the amount approved.

## B. RENTAL INSPECTION PROGRAM

### 1. ORDINANCE – ADOPT RENTAL INSPECTION PROGRAM (SECOND READING)

Councilmember Crawford made a motion to table Ordinance No. 1095 (Rental Inspection Program) until the September 15, 2009 meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

## C. FISCAL YEAR 09/10 MUNICIPAL BUDGET

### 1. APPROPRIATIONS ORDINANCE NO. 1096– FINAL READING

Finance Director Lindberg introduced this agenda item stating that the changes were the addition of money in contractual services and the refinancing of bond issues.

City Clerk Buethe read Ordinance No. 1096 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2009 AND ENDING ON SEPTEMBER 30, 2010; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT. Said ordinance was read by title.

Councilmember Gowan made a motion to approve Ordinance No. 1096 on its final reading. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: Sheehan. Absent: Quick. Motion carried.

### 2. MASTER FEE ORDINANCE NO. 1097 – FINAL READING

Councilmember Sell made a motion to table Ordinance No. 1097 until the final reading of the Rental Inspection Program. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

### 3. INCREASE BASE OF RESTRICTED FUNDS AUTHORITY

#### A. PUBLIC HEARING

At 7:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on an Increased Base of Restricted Funds Authority.

At 7:22 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.

## B. RESOLUTION

Councilmember Sell introduced and moved for the adoption of Resolution No. 09-081: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE 2009-10 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the 2009-10 municipal budget on September 1, 2009; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the 2009-10 municipal budget is allowed following the approval of at least 75% of the governing body.

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NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the 2009-10 municipal budget by an additional one percent.

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

## 4. SETTING THE PROPERTY TAX LEVY A. PUBLIC HEARING

At 7:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on setting the Property Tax Levy.

At 7:23 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.

## B. RESOLUTION

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-082: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR FY 09/10.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Mayor and City Council of the City of La Vista passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of La Vista that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, by a majority vote, hereby resolve that:

The FY 09/10 property tax request be set at \$5,334,160.00 which would require a mill levy of \$0.5235.

A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2009.

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

## D. AMEND COMPENSATION ORDINANCE AND SET RATES OF AUTO ALLOWANCE 1. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 09-083: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MONTHLY VEHICLE AND MOBILE PHONE ALLOWANCES FOR SPECIFIC OFFICERS AND EMPLOYEES OF THE CITY.

WHEREAS, the Mayor and City Council establish by ordinance the compensation for officers and employees of the City of La Vista and said ordinance establishes that the Mayor and Council may additionally fix by resolution such vehicle and other allowances as may from time to time be fixed in the municipal budget; and

WHEREAS, the FY10 municipal budget establishes funds for vehicle and mobile phone allowances for various officers and employees of the City and are recommended by the Finance Director and City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the following vehicle and mobile phone allowances:

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Position	Monthly Vehicle Allowance	Position	Monthly Vehicle Allowance
Mayor	\$150	City Clerk	\$100
City Administrator	\$300	Assistant City Administrator	\$75
1st Asst. Fire Chief	\$100	2nd Asst. Fire Chief	\$100
District Fire Chief	\$100	Public Information Officer – Fire	\$100
Community Development Director	\$50	City Planner	\$50
Library Director	\$45	Asst. Library Director	\$33

NOW THEREFORE BE IT FURTHER RESOLVED, that the Finance Director may establish monthly mobile phone allowances as follows: mobile phone service for the Recreation Director, Park Superintendent and Golf Course Superintendent in an amount not to exceed \$50; mobile phone data package charges for the City Administrator, Assistant City Administrator, and City Clerk in an amount not to exceed \$45; and mobile phone service and data package charges for the Mayor, Public Works Director and Street Superintendent in an amount not to exceed \$85.

Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: Sheehan. Absent: Quick. Motion carried.

## **2. ORDINANCE**

Councilmember Gowan introduced Ordinance No. 1100 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE 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, 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 Sell. The Mayor then stated the question was, "Shall Ordinance No.1100 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: Sheehan. 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.

## **E. RESOLUTION - PURCHASE OF 12-LEAD CARDIAC MONITORS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 09-084: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF FOUR (4) REFURBISHED 12-LEAD CARDIAC MONITORS FROM ZOLL MEDICAL, CHELMSFORD, MA, IN AN AMOUNT NOT TO EXCEED \$40,000.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of 12-Lead Cardiac Monitors is necessary; and

WHEREAS, the FY08/09 Fire Department budget provides surplus funds for the proposed purchase, and

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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 purchase of four (4) refurbished 12-Lead Cardiac Monitors from Zoll Medical, Chelmsford, MA, in an amount not to exceed \$40,000.00.

Seconded by Councilmember Carlisle. Councilmember Gowan asked what surplus funds were for the purchase. City Administrator Gunn stated the surplus funds were funds not spent on other budget items. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

## **F. DISCUSSION - ZONING TEXT AMENDMENTS – RESIDENTIAL ZONING DISTRICTS**

Community Development Director Birch introduced this agenda item and referenced definitions in the blue letter. These definitions will go to the Planning Commission for approval before being brought back before Council as an ordinance.

## **G. SPECIAL ASSESSMENTS**

### **1. PUBLIC HEARING**

At 7:28 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments.

At 7:29 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmember Sheehan asked how many of the properties being assessed were rental properties. Community Development Director Birch informed Council that the current assessed properties were not rental properties. 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. 09-085: 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  
7421 Ivy Lane Dr., Lot 124/S&S Harvest Hill, \$246.85,  
7818 Terry Dr., Lot 1255/La Vista, \$206.77,  
7788 Greenleaf Dr., Lot 214/Granville East, \$889.13,  
13506 Emilie St., Lot 386/Millard Highlands South II Replat, \$250.34,  
7506 Joseph Ave., Lot 378/La Vista Replat, \$345.71,  
7702 Greenleaf Dr., Lot 1470/La Vista, \$271.38,  
7215 S 81<sup>st</sup> St., Lot 1230/La Vista, \$112.57, and  
13422 Olive St., Lot 533/Millard Highlands South III, \$2,140.60  
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.

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

Councilmember Crawford made a motion to move "Comments from the Floor" up on the agenda ahead of Item H. "Executive Session". Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Ellerbeck, Crawford, and Gowan. Nays: None. Absent: Quick. Motion carried.

## 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.

## **H. EXECUTIVE SESSION – STRATEGY SESSION/NEGOTIATING GUIDANCE – FOP**

At 7:32 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for Strategy Session/Negotiating guidance with FOP. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

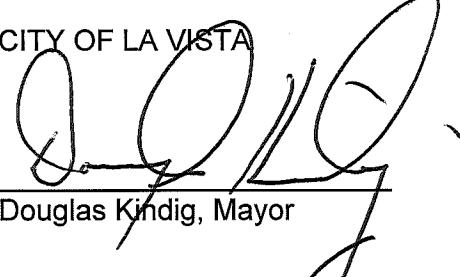
At 8:07 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig informed Council of the NLC Exposition in San Antonio Texas from November 10<sup>th</sup> through November 14<sup>th</sup>, 2009. He asked Councilmembers to let Mary know if they were interested in attending.

At 8:11 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF SEPTEMBER 2009.

CITY OF LA VISTA  
  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk