

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING June 20, 2006

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 June 20, 2006. Present were Mayor Kindig and Councilmembers: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Finance Director Lindberg, Library Director Schinker, Recreation Director Stopak, Fire Chief Schuster, Police Chief Lausten, City Engineer Kottmann, Public Works Director Soucie, and City Clerk Ramirez.

A notice of the meeting was given in advance thereof by publication in the Times on June 8, 2006. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection within 10 days after said meeting and prior to the next convened meeting of said body.

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

SPECIAL PRESENTATION – CITY WEB SITE

City Clerk Ramirez and Deputy Clerk Lupomech gave a presentation to the Council on the City's web site makeover. CivicPlus, a leader in custom designed city and county websites, has assisted the City in updating and improving all features of the website, all at no cost to the City. The Council was given a view of the new website and the new pages that will be available to the public on June 30, 2006.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE JUNE 6, 2006 CITY COUNCIL MEETING
3. PAY REQUEST FROM THOMPSON, DREESSEN AND DORNER FOR PROFESSIONAL SERVICES FOR GROUP A PARKING DISTRICT NO. 1 IMPROVEMENTS - \$46,249.14
4. PAY REQUEST FROM ANDRUS ENTERPRISES FOR GROUP A PARKING DISTRICT NO. 1 IMPROVEMENTS - \$456,689.87
5. PAY REQUEST FROM CONSTRUCT, INC. FOR FIRE STATION NO. 2 PROJECT - \$312,930.58
6. APPROVAL OF CLAIMS

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

ACCURATE TESTING, Supplies	70.00
ACTION BATTERIES, Vehicle Supplies	165.62
ALL SEASONS POOL AND SPA, Pool Improvements	200.00
ANCHOR INDUSTRIES, Bldg & Grnds	6,397.84
AQUA-CHEM, Supplies	476.50
AQUILA, Utilities	121.14
ARAMARK, Contract Services	144.33
AUTO GLASS CENTER, Vehicle Maint.	152.35
BAKER & TAYLOR BOOKS, Books	1,285.56
BECK, BOB, Refund	85.00
BENNINGTON IMPLEMENT, Maintenance, Equip	3,217.44
BETTER BUSINESS EQUIPMENT, Contract Services	93.12
BITTING, BILL, Refund	85.00
BKD LLP, Professional Services	3,770.00
BOBIER, LORI, Refund	25.00
BRENTWOOD AUTO WASH, Vehicle Maint./Supplies	105.00
BUILDERS SUPPLY, Street Maint.	22.50
C & H DISTRIBUTORS, Supplies	495.68
CALLAWAY GOLF, Supplies	101.97

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CAMPBELL, PAUL, Refund	105.00
CARDMEMBER SERVICE-ELAN, Travel, Professional Services	6,930.96
CARRITT, LORI, Refund	100.00
CELEBRITY STAFFING, Professional Services	200.00
CENTRAL STATES TACTICAL, Supplies	4,891.84
CITY OF OMAHA, Contract Services	30,213.53
CITY OF RALSTON, Contract Services	1,205.42
CJ'S HOME CENTER, Bldg & Grnds	1,675.03
COCA-COLA, Concessions	499.00
CORNHUSKER INTL TRUCKS, Vehicle Maint.	137.17
COSGRAVE, Supplies	178.00
COX, Contract Services	779.40
CUMMINS CENTRAL POWER, Contract Services	402.80
DEMCO, Supplies	357.56
DIAMOND VOGEL, Bldg & Grnds	57.15
DYER, ROBERT, Refund	85.00
EASTERN LIBRARY SYSTEM, Training	30.00
EBSCO SUBSCRIPTION SERVICES, Books	3,270.08
EDGEWEAR SCREEN PRINTING, Wearing Apparel	1,773.00
ELLISON, MARCY, Refund	85.00
EMS BILLING SERVICES, Rescue Revenue	672.50
FACTS ON FILE, Books	44.50
FILTER CARE, Vehicle Maint.	45.50
FITZGERALD SCHORR BARMETTLER, Professional Services	22,981.28
FLEETPRIDE, Vehicle Maint.	107.14
GASSERT, MIKE, Contract Services	540.00
GAYLORD BROS, Supplies	141.10
GOOCH, LINDA, Supplies	66.28
GRAYBAR ELECTRIC COMPANY, Bldg & Grnds	33.45
GREAT PLAINS ONE-CALL SVC, Contract Services	574.95
GUEST SERVICES, Travel	223.20
HANEY SHOE STORE, Wearing Apparel	238.95
HARM'S TRAILER CRETE, Bldg & Grnds	115.00
HARROD, RAYMOND, Travel	128.00
HEIMES, Street Maint.	209.52
HENN'S CATERING, Concessions	1,221.88
HIC-UPS THE CLOWN, Library Program	100.00
HOME DEPOT, Bldg & Grnds	153.02
HONEYMAN RENT-ALL, Bldg & Grnds	18.08
HOST COFFEE, Concessions	20.60
HYDROLOGIC WATER MANAGEMENT, Bldg & Grnds	81.75
INFO USA, Contract Services	1,100.00
IOMA-INST MGMT/ADMINSTRTN, Dues	283.03
J Q OFFICE EQUIPMENT, Contract Services	465.43
JOHNSTONE SUPPLY, Bldg & Grnds	53.19
LEAGUE OF NE MUNICIPA-, Dues	400.00
LIFEGUARD STORE, Supplies	133.50
LINDBERG, SHEILA, Travel	546.68
LINWELD, Supplies	134.62
LOGAN CONTRACTORS SUPPLY, Street Maint.	353.51
LOU'S SPORTING GOODS, Supplies	449.24
M & M PORTABLES, Rental	5.39
MEDLEY, WILLIAM, Contract Services	110.00
METRO AREA TRANSIT, Transportation	7,505.00
METRO UMPIRES, Contract services	129.00
MUD, Sewer Fees	67,036.69
MID CON SYSTEMS, Equipment	136.40
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	248.33
NE OFFICE OF HIGHWAY SAFETY, Supplies	26.00
NOBBIES, Supplies	70.67
NOGG CHEMICAL & PAPER, Supplies	434.56
OFFICE DEPOT, Supplies	675.47
OMAHA COMPOUND, Supplies	65.73
OPPD, Utilities	26,745.80
OMAHA WINNELSON, Bldg & Grnds	282.27
OMNIGRAPHICS, Books	37.55
ON YOUR MARKS, Professional Services	1,445.99
OXMOOR HOUSE, Books	32.91

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PAPILLION SANITATION, Contract Services	151.85
PARAMOUNT LINEN & UNIFORM, Services	296.80
PAYLESS, Supplies	315.32
PEPSI, Concessions	589.15
PERFORMANCE CHRYSLER JEEP, Vehicle Maint	99.34
POSITIVE PROMOTIONS, Printing	61.75
PRECISION INDUSTRIES, Vehicle Maint.	174.86
PRIME TIME SPORTING GOODS, Supplies	90.00
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	84.00
QUILL CORPORATION, Supplies	75.98
QUINN, JEFF, Library Program	150.00
QWEST, Telephone	80.94
R & R PRODUCTS, Bldg & Grnds	137.18
RAMIREZ, JOHN, Contract Services	20.00
RITA RAMIREZ, Supplies	66.01
READY MIXED CONCRETE, Street Maint.	1,103.86
SAM'S CLUB, Supplies	763.20
SARPY COUNTY CHAMBER, Travel	105.00
SARPY COUNTY HIGHWAY DEPT, Street Project	653,136.01
SCHUSTER, KEVIN, Contract Services	90.00
SIGNS BY TOMORROW, Signs	60.00
SMOOTHER CUT ENTERPRISES, Contract Services	1,350.00
SOUTHEAST LIBRARY SYSTEM, Training	15.00
SOUTHPORT WEST PARTNERS, Street Light	38,093.08
STAPLES, Supplies	56.00
STOLLER, AMY, Refund	40.00
SUBURBAN NEWSPAPERS, Legal Advertising	739.89
SUMMER KITCHEN, Travel	38.94
SUPERIOR SPA & POOL, Bldg & Grnds	101.95
TED'S MOWER SALES, Equipment	212.36
TEECO SAFETY, Street Maint.	187.40
THIELE GEOTECH, Professional Services	153.00
THREE RING ENTERPRISES, Vehicle Maint.	403.00
TIERNEY HEATING & AIR, Bldg. & Grnds	352.00
TURFWERKS, Vehicle Maint.	36.31
U S ASPHALT, Bldg & Grnds	43.75
UNITED RENTALS, Bldg & Grnds	132.24
UTILITY EQUIPMENT, Bldg & Grnds	22.12
VAN HOOSIER, BRIDGET, Refund	33.75
VITAL SUPPORT SYSTEMS, Contract Services	5,432.50
WASTE MANAGEMENT, Bldg & Grnds	633.29
WHITE, BRETT, Refund	85.00

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Ramirez introduced the new Executive Assistant, Mary Alex, to the Council. Alex became a member of the city staff on June 6, 2006.

City Administrator Gunn reminded Council of the City tour on Monday, June 26, 2006 at 5:00 p.m.

Police Chief Lausten thanked Style House Barber Shop for the \$1,500 contribution to the DARE program. The money was raised during their annual golf tournament held during La Vista Days.

Fire Chief Schuster reported to Council that the Department would be participating in some upcoming training activities including an arson training session with the State Fire Marshal's Office. La Vista was one of only three metro area fire departments selected to participate.

Public Works Director Soucie informed Council that the Thompson Creek Phase V project had been completed. Soucie updated the Council on street projects, stating that Giles Road is now open east of 72nd Street. It will be an additional 7-8 weeks before installation of the permanent traffic signals is complete. The recently constructed additional lanes of 96th Street south of Giles Road will be open to local traffic in the very near future. The intersection of 96th Street and Cornhusker Road will close on July 5th for approximately three months. This intersection is being reconstructed and realigned in conjunction with the extension of 96th Street. During this time access to the Public Works facility will be via 108th Street.

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B. ORDINANCE – RIGHT OF WAY VACATION – 120TH STREET (NORTH OF GILES ROAD)

Councilmember Carlisle introduced Ordinance No. 995 entitled: AN ORDINANCE VACATING, RESERVING AND RETAINING TITLE IN THE CITY TO, AND DIRECTING THE SALE AND CONVEYANCE OF A PART OF 120TH STREET RIGHT-OF-WAY LOCATED IN THE SE ¼ OF THE SE ¼ OF SECTION 18; AND ALSO THE SW ¼ OF SECTION 17; ALL LOCATED IN TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. 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 Gowan. The Mayor then stated the question was, "Shall Ordinance No. 995 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

C. ORDINANCE – AMEND SECTION 11.05 OF LA VISTA MUNICIPAL COADE – WARD IV BOUNDARY

Councilmember Gowan introduced Ordinance No. 996 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 11.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. 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 Quick moved for final passage of the ordinance which motion was seconded by Councilmember McLaughlin. The Mayor then stated the question was, "Shall Ordinance No. 996 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

D. ORDINANCE – AMEND SECTIONS 33.16, 33.17 AND 33.22 OF MUNICIPAL CODE – OPEN MEETING ACT

Councilmember Carlisle introduced Ordinance No. 997 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 33.16, 33.17, AND 33.22; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF

Councilmember McLaughlin 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: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

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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. The Mayor then stated the question was, "Shall Ordinance No. 997 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

E. OFF STREET PARKING FACILITY

1. RESOLUTION – AUTHORIZATION TO ADVERTISE FOR BIDS, PHASE I, GROUP B

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-087: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PHASE I – GROUP "B" CONSTRUCTION (IRRIGATION AND LANDSCAPING) IN THE OFF-STREET PARKING FACILITY LOCATED ON LOT 2, SOUTHPORT WEST REPLAT ONE, CITY OF LA VISTA, SARPY COUNTY, NEBRASKA.

WHEREAS, The Mayor and Council find and determine that it is necessary and advisable for the City to acquire and construct off-street parking facilities in Southport West Subdivision pursuant to Neb. Rev. Stat. Sections 19-3301 to 19-3327, R.R.S. Neb. 1997, as amended, ("Act") to encourage the development of commercial retail facilities in a portion of the City immediately adjacent to Interstate 80 in order to provide for better retail services to the City and its inhabitants and to enhance the possibility for additional tax revenues for supporting the costs of public services; and

WHEREAS, the City Engineer Thompson, Dreessen & Dorner has developed specifications for the irrigation and landscaping of said off-street parking facility, Phase I – Group "B", located on Lot 2, Southport West Replat One, City of La Vista, Sarpy County, Nebraska, which specifications are presented at this meeting ("Specifications").

NOW, THEREFORE BE IT RESOLVED, that the City of La Vista hereby approves the Specifications and authorizes the advertisement of bids for the Phase I – Group "B" construction in the off-street parking facility located on Lot 2, Southport West Replat One, City of La Vista, Sarpy County, Nebraska, in accordance with said specifications. Copies of said Specifications may be obtained from the City Engineer and said bids are to be opened and publicly read aloud at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska, at 10:00 a.m. on July 7, 2006. The following schedule is hereby approved.

Advertise for Bids — June 22 & June 29, 2006

Open Bids — July 7, 2006

Award Bid — July 18, 2006

City Engineer Kottmann addressed the Council stating that the parking facility had been divided into three phases or groups for bidding and construction purposes. Group A was bid in April and included the concrete paving. This bid came in at \$2.1 million. The Council is being asked to authorize the bidding of Group B and C tonight. Group B includes the landscaping and irrigation system. The engineer's estimate for this phase of the project is \$400,000. Group C is the water feature and is being bid separately due to the specialized nature of the project. The engineer's estimate for this phase of the project is \$700,000. The final item on the agenda regarding this project is a request for authorization to solicit proposals on some specific pieces of equipment that are necessary for the water feature. Councilmembers asked several questions regarding the water feature. Kottmann indicated that lighting is included in the design, however sound is not. Availability of the two bronzes included in the feature has been researched by the design team. They are standard deer sculptures and should be readily available. Sheehan asked about the warranties on the items purchased directly. Kottmann stated the City would be responsible for these items, however the factory warranty would still apply.

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

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2. RESOLUTION – AUTHORIZATION TO ADVERTISE FOR BIDS, PHASE I, GROUP C

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-088: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING SPECIFICATIONS AND AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PHASE I — GROUP "C" CONSTRUCTION (WATER FEATURE) IN THE OFF-STREET PARKING FACILITY LOCATED ON LOT 2, SOUTHPORT WEST REPLAT ONE, CITY OF LA VISTA, SARPY COUNTY, NEBRASKA.

WHEREAS, The Mayor and Council find and determine that it is necessary and advisable for the City to acquire and construct off-street parking facilities in Southport West Subdivision pursuant to Neb. Rev. Stat. Sections 19-3301 to 19-3327, R.R.S. Neb. 1997, as amended, ("Act") to encourage the development of commercial retail facilities in a portion of the City immediately adjacent to Interstate 80 in order to provide for better retail services to the City and its inhabitants and to enhance the possibility for additional tax revenues for supporting the costs of public services; and

WHEREAS, the City Engineer Thompson, Dreessen & Dorner has developed specifications for the water feature in said off-street parking facility, Phase I — Group "C", located on Lot 2, Southport West Replat One, City of La Vista, Sarpy County, Nebraska, which specifications are presented at this meeting ("Specifications").

NOW, THEREFORE BE IT RESOLVED, that the City of La Vista hereby approves the Specifications and authorizes the advertisement of bids for the Phase I — Group "C" construction in off-street parking facility located on Lot 2, Southport West Replat One, City of La Vista, Sarpy County, Nebraska, in accordance with said specifications. Copies of said Specifications may be obtained from the City Engineer and said bids are to be opened and publicly read aloud at La Vista city Hall, 8116 Park View Boulevard, La Vista, Nebraska, at 10:00 a.m. on July 7, 2006. The following schedule is hereby approved.

Advertise for Bids — June 22 & June 29, 2006

Open Bids — July 7, 2006

Award Bid — July 18, 2006

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

3. RESOLUTION – AUTHORIZATION TO SOLICIT PROPOSALS

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 06-089: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CITY ENGINEER TO SOLICIT PROPOSALS FOR SPECIFIC ITEMS RELATED TO THE WATER FEATURE TO BE CONSTRUCTED AS PART OF THE OFF-STREET PARKING FACILITY LOCATED ON LOT 2, SOUTHPORT WEST REPLAT ONE, CITY OF LA VISTA, SARPY COUNTY, NEBRASKA.

WHEREAS, The Mayor and Council find and determine that it is necessary and advisable for the City to acquire and construct off-street parking facilities in Southport West Subdivision pursuant to Neb. Rev. Stat. Sections 19-3301 to 19-3327, R.R.S. Neb. 1997, as amended, ("Act") to encourage the development of commercial retail facilities in a portion of the City immediately adjacent to Interstate 80 in order to provide for better retail services to the City and its inhabitants and to enhance the possibility for additional tax revenues for supporting the costs of public services; and

WHEREAS, the City Engineer has determined that certain materials related to the water feature need to be ordered by the City in order to avoid delays that require long lead-time for ordering and manufacturing.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorizes the City Engineer to solicit proposals for specific items related to the water feature to be constructed as a part of the off street parking facility located on Lot 2, Southport West Replat One, City of La Vista, Sarpy County, Nebraska.

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

F. RESOLUTION – FIREWORKS PERMITS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-090: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF THE LA VISTA LANCERS SOCCER CLUB AND THE LA VISTA YOUTH FOOTBALL AND CHEERLEADING ASSOCIATION.

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits, and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, the two non-profit organizations listed have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2006 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

La Vista Lancers Soccer Club and the La Vista Youth Football and Cheerleading Association

to sell fireworks within the City of La Vista for the 2006 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit at a meeting with City staff (date and time to be established).

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

G. RESOLUTION – SARPY COUNTY LOCAL EMERGENCY OPERATIONS PLAN

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-091: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE SARPY COUNTY LOCAL EMERGENCY OPERATIONS PLAN.

WHEREAS, a Sarpy County Local Emergency Operations Plan has been developed in order to provide a coordinated response to a disaster or emergency in Sarpy County; and

WHEREAS, the City Council of the City of La Vista has determined that it is advisable and in the best interest of the community to approve the Local Emergency Operations Plan in order to provide for a coordinated response to a disaster or emergency in Sarpy County, the City of La Vista, and other cities in Sarpy County.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Sarpy County Local Emergency Operations Plan be, and hereby is, approved.

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

H. RESOLUTION – AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT - GIS

Councilmember Carlisle introduced and moved for the adoption of Resolution No.06-092: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA

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APPROVING THE EXECUTION OF A SECOND AMENDMENT TO GIS INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, THE CITIES OF GRETNNA, PAPILLION, BELLEVUE, AND SPRINGFIELD AND THE PAPIO MISSOURI RIVER NATURAL RESOURCE DISTRICT.

WHEREAS, each Party to the GIS Interlocal Cooperation Agreement is authorized pursuant to the Interlocal Cooperation Act of the State of Nebraska to enter into such Agreement, found at 13-801 et. seq. Neb. Rev. Stat., '43, Reissue 1991; and

WHEREAS, each Party engages in the delivery of sundry services to the public supported by information regarding real estate, sewers, water, infrastructure, etc; and

WHEREAS, each Party desires to improve the coordination, cooperation, and efficiency in rendering such services through the development and implementation of a Geographic Information System (GIS); and

WHEREAS, the Parties had previously entered into an agreement for achieving the GIS being the creation of a base map and obtaining the related equipment necessary to utilize it; and

WHEREAS, the Parties desire to enter into an additional agreement for support and training services provided by Sarpy County; and

WHEREAS, additional phases and enhancement to the GIS will be determined by the financial considerations of all Parties to the Agreement primarily based upon the recommendations of the GIS Advisory Board.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby approves the Second Amendment to GIS Interlocal Cooperation Agreement with Sarpy County, the cities of Gretna, Papillion, Bellevue, and Springfield and the Papio Missouri River Natural Resource District and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

A representative from Sarpy County was in attendance to answer any questions Council might have. There were no questions from Council.

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

I. RESOLUTION – AMENDMENT TO PROFESSIONAL SERVICES AGREEMENT – WATER’S EDGE AQUATIC DESIGN

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 06-093: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN AMENDMENT TO THE PROFESSIONAL SERVICES AGREEMENT WITH WATER’S EDGE AQUATIC DESIGN, LENEXA, KANSAS, FOR EXPANDED PROFESSIONAL SERVICES ASSOCIATED WITH THE MUNICIPAL AQUATICS STUDY IN AN AMOUNT NOT TO EXCEED \$10,890.

WHEREAS, the development of a Municipal Aquatic Study was identified in the Action Plan section of Park & Recreation Master Plan as a priority; and

WHEREAS, Water’s Edge Aquatic Design, Lenexa, Kansas has prepared and presented a Municipal Aquatics Study; and

WHEREAS, additional professional services are needed in order to continue the planning process; and

WHEREAS, the additional funds required would be budgeted in the FY 06/07 budget.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that staff is hereby authorized to negotiate an amendment to the professional services agreement with Water’s Edge Aquatic Design, Lenexa, Kansas, for expanded professional services associated with the municipal aquatics study in an amount not to exceed \$10,890.

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Councilmember Sheehan stated he wanted to encourage the recently appointed Swimming Pool Committee to take the lead in the upcoming process rather than let the consultant come up with all of the ideas and suggestions. Councilmember Gowan reiterated that philosophy. City Administrator Gunn commented that Water's Edge was a good firm and their commitment to doing the research and providing the information, while letting the City make the decisions was part of the reason they were chosen.

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

J. RESOLUTION – NEW STANDARD OPERATION POLICY – EMPLOYEE

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-094: 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

WHEREAS, a new Standard Operation Policy has been prepared outlining guidelines for employee dress and appearance.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Standard Operation Policy regarding employee dress and appearance guidelines.

Councilmember Ellerbeck asked if Council members would be expected to follow the new policy. City Administrator Gunn indicated that Councilmembers could make that decision individually. Councilmember Sheehan stated he felt the new policy was too restrictive, especially concerning the Professional Business attire section. He agreed to approve and see how the policy works.

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

K. RESOLUTION – INSTALLATION OF STOP SIGNS – BRIARWOOD SUBDIVISION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-095: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE INSTALLATION OF STOP SIGNS IN THE BRAIRWOOD SUBDIVISION AT VARIOUS LOCATIONS CITED HEREIN.

WHEREAS, the Mayor and City Council of the City of La Vista have determined that the installation of stop signs at the locations cited herein will enhance traffic and pedestrian safety in the Briarwood Subdivision; and

WHEREAS, the Public Works Department, Police Department and City Engineer have reviewed the stop sign installation proposal and recommend its approval; and

WHEREAS, Section 70.072 of the La Vista Municipal Code requires City Council approval prior to the placement of any regulatory traffic sign, signal or mechanical devices.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby authorize the installation of stop signs in the Briarwood Subdivision at the following locations:

Southeast Corner – Intersection of Cottonwood Avenue and Tallowood Street
Southeast Corner – Intersection of Cottonwood Avenue and Chestnut Street
Northeast Corner – Intersection of Cottonwood Avenue and Willow Street
Northeast Corner – Intersection of Willow Street and Leaf Plum Drive
Northwest Corner – Intersection of Leaf Plum Drive and Marisu Lane (Lot 20)
Northwest Corner – Intersection of Leaf Plum Drive and Marisu Lane (Lot 100)

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Northwest Corner – Intersection of Willow Street and Marisu Lane
Northwest Corner – Intersection of Chestnut Street and Marisu Lane
Northwest corner – Intersection of Tallowood Street and Marisu Lane

Councilmember Ronan commented that this issue was brought to his attention by his neighbors and he thanked Public Works Director Soucie for looking into it. Soucie stated that whenever citizen concerns are reported regarding a potential need for stop signs an analysis is done that includes traffic counts and accident history. Stop signs are not required at t-intersections by the traffic code, but they are permitted if the statistics indicate a need.

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

L. DISCUSSION – CAPITAL IMPROVEMENT PROGRAM POLICY

Mayor Kindig stated the development of more formalized Capital Improvement Program has been discussed by staff for the past couple of years during the strategic planning session.

City Administrator Gunn stated the City currently has a semblance of a CIP in the construction fund. The draft policy being proposed is a much more formal process than the City has had in the past. It will require departments to plan ahead and think in advance about upcoming projects. CIPs from other entities were reviewed and used to create something that Gunn feels will work well in La Vista. The document is intended to be a work in progress that can and will be changed as projects get re-prioritized or financial or other situations change, etc.

Gunn stated the proposed policy is criteria based, which she feels is important to take some of the politics out of the process. Each project or equipment request would be evaluated against a specific set of criteria and prioritized accordingly. She pointed out the CIP is a planning document and does not authorize or fund projects. A committee would be established to evaluate proposed projects based on the criteria.

Councilmember Gowan asked if a project is not approved one year, does it move up on the list the next year. Gunn stated that Council will have the prerogative to choose from the list of projects. Any project not completed would remain on the list for future consideration.

It was the consensus of Council that the proposed policy be brought back to Council for consideration and adoption at a future meeting.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

M. EXECUTIVE SESSION – PERSONNEL, CONTRACT NEGOTIATIONS AND NEGOTIATING STRATEGY

At 8:09 p.m. Councilmember McLaughlin made a motion to go into executive session to discuss a personnel issue, contract negotiations and negotiating strategies. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried.

At 9:27 p.m. the Council came out of executive session. Councilmember Gowan made a motion to reconvene in open and public session. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor or Council.

MINUTE RECORD

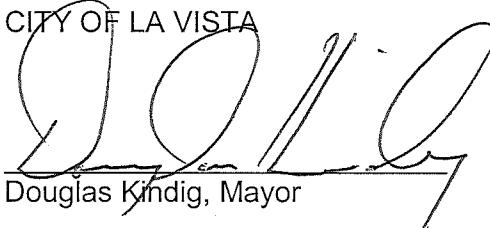
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ADJOURNMENT

At 9:29 p.m. Councilmember Sheehan made a motion to adjourn the meeting. Seconded by Councilmember McLaughlin. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF JULY 2006.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:


Rita M. Ramirez, CMC
City Clerk

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