

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING JUNE 5, 2012

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 5, 2012. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, City Clerk Buethe, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Community Development Director Birch, Finance Director Lindberg, Recreation Director Stopak, Public Building and Grounds Director Archibald, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on May 23, 2012. 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 regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL – CODY BEAUDIN, RANDY BLAND, MATT FRANS, BRANDON GARCIA, JEFF JOHNSON, KAITLIN KIMURA, SAMANTHA LORD, CONNOR MATTHIAS, ANGIE MONHEIM, TOM POHL, MARTY PRICE, TAD SMITH, MATT SULLIVAN

Mayor Kindig and Fire Chief Uhl recognized Cody Beaudin, Randy Bland, Matt Frans, Brandon, Garcia, Jeff Johnson, Kaitlin Kimura, Samantha Lord, Conner Matthias, Angie Monheim, Tom Pohl, Marty Price, Tad Smith, and Matt Sullivan as full members of the La Vista Volunteer Fire Department after completing one year of training. Badges were presented and pinned on those present by Chief Uhl.

APPOINTMENT OF FIRE DEPARTMENT RECRUITS – MIKE KAMMERER, KRISTIN KROEKER, VINNIE LANNUTTI, AND NICK MOLEK

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruits: Mike Kammerer, Kristin Kroeker, Vinnie Lannutti, and Nick Molek. Fire Chief Uhl introduced the new recruits to the Council. Councilmember Sheehan motioned the approval, seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Absent: None. Motion carried.

SERVICE AWARD – RICH UHL, PABLO JIMENEZ, MIKE LOYD – 5 YEARS

Mayor Kindig recognized Rich Uhl, Pablo Jimenez and Mike Loyd for 5 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 15, 2012
3. PAY REQUEST – FINAL – MELVIN SUDBECK HOMES, INC. – APPLEWOOD CREEK IMPROVEMENTS PROJECT - \$97269.00
4. APPROVAL OF CLAIMS

3E-ELECTRICAL ENGINEERING, maint.	424.53
AAT (US) INC, supplies	454.28
ABANTE MARKETING, apparel	1950.31
ABE'S PORTABLES, rentals	170.00
ACCURATE TESTING, services	580.00

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ACTION BATTERIES, supplies	387.80
AIR CLEANING TECH., equip.	298.37
AKSARBEN GARAGE DOOR, bld&grnds	85.00
ALAMAR, apparel	142.98
ARAMARK, services	891.16
AUTO BRAKE & CLUTCH, maint.	123.00
AVI SYSTEMS, equip.	260.00
BAKER & TAYLOR, books	1806.55
BARONE SECURITY SYSTEMS, services	660.00
BBE, rentals	59.09
BEACON BUILDING, services	6712.00
BLACK HILLS ENERGY	2277.11
BOBCAT OF OMAHA, maint.	1047.25
BOMA/OMAHA, dues	610.00
BOUNDED TREE MEDICAL, supplies	592.78
BRAKE, A., auto	100.00
BRENTWOOD AUTO WASH, services	70.00
BREWER, W., auto	100.00
BRODART, supplies	90.27
BUILDERS SUPPLY, bld&grnds	169.66
CARL JARL, bld&grnds	5.55
CENTER POINT PUBLISHING, dues	214.50
CENTURY LINK BUSN SVCS, phone	2.89
CENTURY LINK, phone	1172.22
CHIEF SCHOOL BUS, services	193.00
CITY OF BELLEVUE, training	200.00
CITY OF OMAHA, sewer	86317.54
COMP CHOICE, services	420.00
CORNHUSKER INTL, maint.	865.60
COX, utilities	122.24
CROUCH, J., refund	10.00
D & D COMM., equip.	1054.00
DEIML, K., training	660.00
DIAMOND VOGEL, supplies	359.20
DIGITAL ALLY, maint.	279.00
DOUGLAS COUNTY SHERIFF'S, services	725.00
DULTMEIER SALES & SERVICE, maint.	5.30
EASTERN LIBRARY SYSTEM, training	50.00
EDGEWEAR SCREEN PRINTING, services	1129.25
EDWARDS, J., training	40.00
ELLIOTT EQUIPMENT, maint.	709.70
ENVY, services	700.00
EXCHANGE BANK, rental	695.00
FEDEX, services	8.71
FELD FIRE, apparel	3107.00
FERRELLGAS, maint.	361.14
FIREGUARD, maint.	284.69
FORT DEARBORN LIFE INSURANCE	1337.50
FRANCE PUBLICATIONS, services	2000.00
FROEHLICH, R., auto	100.00
GALE, books	447.85
GALLS, maint.	297.68
GCR TIRE CENTERS, supplies	391.74
GODFATHER'S PIZZA, supplies	51.94
GRAINGER, equip.	23.94
GRAYBAR ELECTRIC, bld&grnds	287.83
GREAT PLAINS, services	393.72

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GREENKEEPER, supply	161.00
HAMILTON EQUIPMENT, supplies	2800.00
HARM'S CONCRETE, maint.	125.00
HEARTLAND TIRES, supplies	525.12
HELGET GAS, supplies	102.00
HOLDREN, R., refund	50.00
HORNUNG'S GOLF, services	60.93
HOST COFFEE, concessions	47.80
HOTSY EQUIP., equip.	310.53
IN EXTREMIS TACTICAL, training	185.00
INDUSTRIAL SALES, services	455.24
INFOGROUP, reference	1250.00
INSIGHT PUBLIC SECTOR, services	164.99
IVERSON, D., travel	687.56
J Q OFFICE, services	1221.59
JNFS ENGINEERING, equip.	234.00
JONES AUTO., contracts	2758.84
KENNY'S SERVICES, bld&grnds	495.00
KEY MASTERS, bld&grnds	24.00
KEYSTONE GLASS, bld&grnds	272.00
KLINKER, M., services	200.00
KOSISKI AUTO, maint.	65.00
KRIHA FLUID POWER, maint.	175.76
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT, services	125.00
LANDS' END, apparel	924.90
LARSEN SUPPLY, supplies	626.60
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LEAGUE OF NE MUNICIPAL, training	274.00
LIFE ASSIST, supplies	974.58
LIFEGUARD, equip.	402.74
LINCOLN NATIONAL LIFE INS CO	10657.28
LINDBERG, S., travel	249.00
LINHART, J., travel	218.79
LOGAN CONTRACTORS, equip.	241.69
LOGO LOGIX, apparel	80.00
LOVELAND GRASS PAD, maint.	395.86
LUEDERS LOCK & KEY, bld&grnds	80.00
MANGELSEN'S, supplies	16.61
MATHESON TRI-GAS, supplies	64.29
MCC, utilities	7800.00
MED ALLIANCE , supplies	205.42
MELVIN SUDBECK HOMES, services	43761.89
MID AMERICA PAY PHONES	150.00
MIDWEST FIRE TRAINING, maint.	750.00
MIDWEST TURF, maint.	62.73
MLB LOGISTICS, concessions	788.74
MUD, utilities	1961.85
NACR, services	690.41
NATIONAL PATENT ANALYTICAL, maint.	109.20
NEXTEL SPRINT, phones	2.50
NEXTEL SPRINT, phones	206.18
NMC EXCHANGE, maint.	2845.76
NOBBIES, supplies	42.32
NOVA HEALTH, equip.	5844.24
OCLC, books	28.40
OFFICE DEPOT, supplies	914.46

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OMAHA PNEUMATIC, equip.	134.40
OMAHA PUBLIC POWER DISTRICT	1185.05
OMAHA TACTICAL, , supplies	125.00
OMAHA WORLD HERALD, adv.	548.53
OMB GUNS, apparel	324.69
OMNI, maint.	1540.51
ORIENTAL TRADING, supplies	174.25
ORIZON CPAS, services	2300.00
PAPILLION TIRE INC., maint.	111.60
PARAMOUNT, apparel	474.49
PATTERN RESEARCH, training	2005.32
PAYFLEX, services	250.00
PAYLESS OFFICE, supplies	191.94
PERFORMANCE CHRYSLER JEEP, maint.	307.20
PERFORMANCE FORD, maint.	78.75
PETTY CASH	230.00
PHYSICIANS MUTUAL, supplies	16.50
PITNEY BOWES, supplies	204.00
PLAINS EQUIPMENT, maint.	1243.80
PREMIER-MIDWEST BEVERAGE, supplies	525.00
PRESTIGE FLAG, bld&grnds	274.37
QUALITY AUTO, services	83.00
RECORDED BOOKS, books	1167.15
RINKER MATERIALS, sewer	184.04
S & W HEALTH, supplies	244.00
SARPY COUNTY COURTHOUSE, services	3479.89
SARPY COUNTY LANDFILL, services	50.74
SCHOLASTIC BOOK FAIRS, supplies	579.56
SCHOLASTIC LIBRARY, books	505.00
SHRED-SAFE, services	30.00
SID DILLON, vehicle	18031.00
SIGN IT, services	740.00
SINNETT, J., travel	53.48
SMOOTHER CUT, services	990.00
SPRINT, phone	62.25
SPRINT, phone	119.97
STOLTENBERG NURSERIES, supplies	122.00
SUPERIOR VISION SVCS INC	424.80
TARGET, supplies	13.02
TED'S MOWER, equip.	153.52
TELIN TRANSPORT, maint.	34.35
TERRY'S SMALL ENGINE, equip.	15.97
THERMO KING CHRISTENSEN, maint.	495.70
THOMPSON DREESSEN & DORNER, services	4890.77
THOMPSON DREESSEN & DORNER, services	500.00
TORNADO WASH, services	135.00
TRAFFIC SENSOR, services	198.68
TRI-TECH, services	29.40
UNIVERSAL STEERING HYDRAULIC, maint.	497.00
UPS, postage	0.50
USI EDUCATION, supplies	286.19
UTILITY EQUIPMENT, supplies	21.88
VAIL, A., auto	100.00
VERIZON, phone	573.68
VERNON, services	911.59
VIDACARE CORP., supplies	228.70
WAL-MART, supplies	918.68

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WASTE MANAGEMENT NE., services 4076.20
WINNELSON, bld&grnds 194.00

5. RESOLUTION – AUTHORIZATION TO TAKE BIDS – EASTPORT PAVEMENT MARKINGS

Resolution 12-059: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR FURNISHING AND INSTALLING PREFORMED PAVEMENT MARKING ON EASTPORT PARKWAY FROM GILES ROAD TO HARRISON STREET.

WHEREAS, the City Council has determined that furnishing and installing preformed pavement markings on Eastport Parkway from Giles Road to Harrison Street is necessary, and

WHEREAS, the FY 2011/2012 Capital Improvement Program provides funding for this project, and

WHEREAS, the City Engineer has prepared plans and specifications for the proposed project,

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for furnishing and installing preformed pavement markings on Eastport Parkway from Giles Road to Harrison Street in accordance with plans and specifications prepared by the City Engineer..

Publish Notice to Contractors June 14, 2012 and June 21, 2012

Open Bids July 6, 2012

City Council Award Contract **July 17, 2012**

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn expressed her appreciation to the staff on another successful La Vista Daze Celebration.

Finance Director Lindberg stated that Budget Hearings will begin at 6 pm on July 16 and 18.

Police Chief Lausten reported that the missing woman was found in Amarillo, TX after faking her disappearance and that search costs were around \$5,000.00. Lausten also requested that for National Night Out the Council Meeting time be moved to 6 pm to allow councilmembers to attend. Lausten also stated that as of May the Police Department was at full staff, but they have received resignations and that they will begin the process of filling the open positions.

Chief Uhl reported that no one was injured at a house fire on 88th Street.

Library Director Barcal reported that both the Summer Reading and Teen Programs are up and running and attendance is up from last year.

**B. APPLICATION FOR REPLAT AND SUBDIVISION AGREEMETN APPROVAL – LOTS 1-3,
MAYFAIR 2ND ADDITION, REPLAT FIVE (NW OF 96TH AND GILES**

Councilmember Sell made a motion to continue the public hearing opened May 15, 2012 until June 19, 2012. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Absent: None. Motion carried.

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C. APPLICATION FOR REZONING, FINAL PLANNED USE DEVELOPMENT (PUD), CONDITIONAL USE PERMIT (CUP), REPLAT, WAIVER & SUBDIVISION AGREEMENT —LOT 2, BELLA LA VISTA (EAST OF 132ND & CHANDLER)

1. PUBLIC HEARING

At 7:24 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Rezoning, Final Planned Use Development (PUD), Conditional Use Permit (CUP), Replat, Waiver & Subdivision Agreement – Lot 2, Bella La Vista (East of 132nd & Chandler).

John Wygoski of the Bella La Vista Housing Partners gave an overview of the redesign. Councilmember Quick asked if we had other complexes in La Vista that had open outside stairways, and City Administrator Gunn responded that we did at Cimmaron Terrace. Mayor Kindig asked where lighting would be placed, and Wygoski answered that lighting would be placed on exterior pole lamps. Debbie Davidson asked if the entryways were safe, as she was concerned about a previous incident at The Pointe and with security.

At 7:35 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

2. ORDINANCE – APPROVE RE-ZONING AND FINAL PLANNED USE DEVELOPMENT

Councilmember Carlisle introduced and moved for adoption of Ordinance 1175 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING THE ZONING DISTRICT MAP OF THE CITY OF LA VISTA, NEBRASKA; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE.

Councilmember Carlisle 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, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: Sheehan. 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.

Councilmember Sheehan asked if the entry ways were less secure and Police Chief Lausten responded that he couldn't say if they were more or less secure than other styles.

Said ordinance was then read by title and thereafter Councilmember Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1175 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following abstained: Sheehan. 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.

3. RESOLUTION – APPROVE CONDITIONAL USE PERMIT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-060; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR BELLA LA VISTA HOUSING PARTNERS, L.P., FOR A MULTI-FAMILY RESIDENTIAL DEVELOPMENT GENERALLY LOCATED EAST OF 132ND STREET AND CHANDLER ROAD

WHEREAS, Bella La Vista Housing Partners, L.P., applied for a conditional use permit for the purpose of a multi-family residential development on Lot 2, Bella La Vista; and

WHEREAS, on April 19, 2012, the Planning Commission held a public hearing and recommended approval of the conditional use permit for this purpose; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit.

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NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting for Lot 2, Bella La Vista, subject to the satisfactory approval by the City's Design Review Architect, for Bella La Vista Housing Partners, L.P., be and hereby is approved 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.

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

4. RESOLUTION APPROVE REPLAT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-061; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE REPLAT FOR LOT 2, BELLA LA VISTA, TO BE REPLATTED AS LOT 1 AND OUTLOT "A", BELLA LA VISTA REPLAT 1, A SUBDIVISION LOCATED IN THE SOUTHWEST QUARTER OF SECTION 18, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a Replat for Lot 2, Bella La Vista, to be replatted as Lot 1 and Outlot "A", Bella La Vista Replat 1; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on April 19, 2012, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to resolution of items identified by the city engineer and staff.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 2, Bella La Vista, to be replatted as Lot 1 and Outlot "A", Bella La Vista Replat 1, a subdivision located in the Southwest ¼ of Section 18, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located east of 132nd Street and Chandler Road, be, and hereby is, approved subject to the resolution of the following item identified by the City Engineer and staff:

1. Approval of a waiver of Section 4.02 of the Subdivision Regulations, Design Standards for Streets.

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

5. RESOLUTION APPROVE SUBDIVISION AGREEMENT

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-062; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A SUBDIVISION AGREEMENT FOR LOT 1 AND OUTLOT "A", BELLA LA VISTA REPLAT 1 SUBDIVISION IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City Council did on June 5, 2012, approve the replat for Lot 1 and Outlot "A", Bella La Vista Replat 1 Subdivision subject to certain conditions; and

WHEREAS, the Subdivider, Bella La Vista Housing Partners, L.P., has agreed to execute a Subdivision Agreement satisfactory in form to the City Attorney and City Administrator; and

NOW THEREFORE, BE IT RESOLVED, that the Subdivision Agreement presented at the June 5, 2012, City Council meeting for the Bella La Vista Replat 1 Subdivision be, and hereby is approved 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.

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

D. RESOLUTION – AUTHORIZE PURCHASE OF PROPERTY – PORTION OF PROPOSED REPLAT OF LOTS 1020 & 1021 (NW OF PARK VIEW BLOULEVARD & LILIAN AVENUE)

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-063; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF THE SOUTHERLY 30 FEET, MORE OR LESS, IN WIDTH OF LOT 1020, LA VISTA, A SUBDIVISION AS SURVEYED, PLATTED, AND RECORDED IN SARPY COUNTY, NEBRASKA, FROM THE PROPERTY OWNER, VICTOR ROBB, IN AN AMOUNT NOT TO EXCEED \$2,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of the Southerly 30 feet, more or less, in width of Lot 1020, La Vista, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, ("Property") is necessary for certain public purposes; and

WHEREAS, the Property owner, Victor Robb, desires to sell the Property to the City for a purchase price to be determined in an amount not to exceed \$2,000.00; and

WHEREAS, the FY11/12 Lottery budget will allow for the purchase of said Property; and

WHEREAS, Neb Rev. Stat. Section 18-1755 requires that the governing body of the City, before the City purchases an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby make the following findings and take and approve the following actions:

1. The City published notice of public hearing on the proposed purchase of the Property, to be held at the City Council meeting on June 5, 2012, which notice is hereby approved. The hearing was held and concluded prior to consideration of this Resolution.

2. The Mayor and City Council hereby authorize the purchase of the Southerly 30 feet, more or less, in width of Lot 1020, La Vista, a subdivision as surveyed, platted, and recorded in Sarpy County, Nebraska, from the property owner, Victor Robb, the boundaries of which shall be determined by survey, for a price determined by the City Administrator, not to exceed \$2,000.00.

3. The Mayor or his designee is hereby authorized to take any action he determines necessary or appropriate to carry out the actions approved in this Resolution, including, but not limited to executing any documents or instruments on behalf of the City.

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

E. RESOLUTION – SELECTION CONCURRENCE AND CONSTRUCTION CONTRACT AUTHORIZATION – 96TH STREET, PORTAL TO HARRISON

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-064; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING TAB HOLDING COMPANY, INC., DBA TAB CONSTRUCTION, OMAHA, NEBRASKA AS THE LOW COMPLIANT BIDDER FOR THE 96TH STREET, PORTAL TO HARRISON, PROJECT MAPA 5017(4) IN AN AMOUNT NOT TO EXCEED \$468,304.28.

WHEREAS, the City Council of the City of La Vista has determined that the 96th Street, Portal to Harrison, Project is necessary; and

WHEREAS, the FY 2011/12 Capital Improvement Program (CIP) will provide funds for this expenditure; and

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WHEREAS, the City Council submitted the 96th Street, Portal Harrison, Project MAPA –STP funding in 2010; and

WHEREAS, the State of Nebraska received bids on behalf of the City for said project on May 17, 2012

WHEREAS, Tab Holding Company, Inc. dba Tab Construction, Omaha, Nebraska has submitted the low, qualified bid, and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures 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 accept Tab Holding Company, Inc. dba Tab Construction, Omaha, Nebraska as the low compliant bidder for the 96th Street, Portal to Harrison, Project MAPA 5017(4) in an amount not to exceed \$468,304.28.

Seconded by Councilmember Carlisle. Councilmember Sheehan how the Concrete Pavement Repair bid could be so low and City Engineer Kottmann responded that it was by complete observation. Councilmembers voting aye: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, Gowan, and Ellerbeck. Nays: None. Abstain: None. Absent: None. Motion carried.

F. RESOLUTION – PRELIMINARY ENGINEERING CONTRACT AUTHORIZATION GILES ROAD, I-80 TO 108TH – SIGNAL COORDINATION

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-065; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PUBLIC WORKS DIRECTOR AND CITY CLERK TO SIGN A PROFESSIONAL SERVICE AGREEMENT ON BEHALF OF THE CITY OF LA VISTA WITH FELSBURG, HOLT & ULLEVIG TO PROVIDE PRELIMINARY ENGINEERING SERVICES FOR THE GILES ROAD, I-80 TO 108TH STREET SIGNAL COORDINATION PROJECT NO. MAPA-5129(1).

WHEREAS, the City Council of the City of La Vista has determined that the Giles Road, I-80 to 108th Street signal coordination is necessary; and

WHEREAS, the City of La Vista, Nebraska is developing a transportation project for which it intends to obtain Federal funds; and

WHEREAS, the City of La Vista, Nebraska as sub-recipient of Federal Aid funding is charged with the responsibility of expending said funds in accordance with Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, the City of La Vista Nebraska and Felsburg, Holt & Ullevig wish to enter into a Professional Services Agreement to provide Preliminary Engineering Services for the Federal-aid project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Joe Soucie, Public Works Director to sign said Preliminary Engineering Services agreement between the City of La Vista, Nebraska and Felsburg, Holt & Ullevig, on behalf of the City of La Vista, and the City Clerk is authorized to attest said execution.

NDOR Project Number: MAPA-5129(1)

NDOR Control Number: 22485

NDOR Project Description: Giles Road, I-80 to 108th, La Vista

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

MINUTE RECORD

June 5, 2012

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

G. RESOLUTION – AWARD BID FOR EQUIPMENT AND INSTALLATION TO UPGRADE THE WIRELESS SYSTEM

1. RESOLUTION – APPROVAL TO AWARD BID FOR EQUIPMENT

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-066; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING THE BID FOR PURCHASE OF WIRELESS EQUIPMENT, TO COMPUTER SOLUTIONS, OMAHA NE IN AN AMOUNT NOT TO EXCEED \$30,345.00.

WHEREAS, the City Council of the City of La Vista has determined that the upgrade of the wireless system for improved connectivity and speed to all city facilities is necessary; and

WHEREAS, the FY 2011/12 Capital Improvement Program provides funding for this project; and

WHEREAS, the City Council authorized the advertisement of bids for Wireless Equipment on May 1, 2012, and

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 purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska awarding the bid for purchase of wireless equipment to Computer Solutions, Omaha NE in an amount not to exceed \$30,345.00.

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

2. RESOLUTION – APPROVAL TO AWARD CONTRACT FOR INSTALLATION

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-067; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CONTRACT FOR INSTALLATION OF WIRELESS EQUIPMENT TO LAST MILE NETWORKS, SEWARD, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$11,780.40.

WHEREAS, the City Council of the City of La Vista has determined that the installation of wireless equipment to upgrade the wireless system is necessary; and

WHEREAS, the FY 2011/12 Capital Improvement Program provides funding for this project; and

WHEREAS, the City Council authorized Staff to obtain quotes for Wireless Equipment Installation on May 1, 2012, and

WHEREAS, one quote was received and reviewed by City staff and Sarpy County IS and acceptance of the aforesaid quote was recommended, and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures 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 authorize the contract for installation of wireless equipment to Last Mile Networks of Seward, Nebraska, in an amount not to exceed \$11,780.40.

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

MINUTE RECORD

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

June 5, 2012

H. RESOLUTION – APPROVAL TO AWARD CONTRACT FOR INSTALLATION

1. PUBLIC HEARING

At 7:49 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 7:49 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 12-068; 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 7012 Edna Street/Lot 75 La Vista Replat; \$143.35 were notified to clean up their property as they were in violation of the City Municipal Code, Section 50.03, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said address chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners a bill for said clean up which has 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 amount and against the property specified above, located within Sarpy County, La Vista, Nebraska.

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

I. DISCUSSION – STRATEGIC PLAN UPDATE

City Administrator Gunn reviewed the Strategic Plan Updates and there were no questions from the Mayor or Council.

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

COMMENTS FROM THE FLOOR

No Comments from the Floor.

J. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION; PERSONNEL

At 7:50 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and negotiating guidance regarding land acquisition

MINUTE RECORD

June 5, 2012

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

and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:55 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell thanked staff for another great job with La Vista Daze.

At 9:59 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF JUNE, 2012.

CITY OF LA VISTA

Douglas Kindig
Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk