

MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

LA VISTA CITY COUNCIL MEETING September 4, 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 September 4, 2012. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Public Works Director Soucie, Recreation Director Stopak, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on August 22, 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 announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

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

SERVICE AWARD – CINDY NORRIS – 15 YEARS

Mayor Kindig recognized Cindy Norris for 15 years of service to the City.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED

2. APPROVAL OF CITY COUNCIL MINUTES FROM AUGUST 21, 2012

3. APPROVAL OF PARKS & RECREATION ADVISORY COMMITTEE MINUTES FROM MAY 16, 2012

4. PAY REQUEST – FELSBURG HOLT 7 ULLEVIG – PROFESSIONAL SERVICES – GILES ROAD SIGNAL COORDINATION - \$1,008.57

5. APPROVAL OF CLAIMS

6. APPROVAL OF CHANGE OF DATE

AA WHEEL & TRUCK SUPPLY, maint.	49.25
ACCO UNLIMITED, supplies	202.8
ACTION BATTERIES UNLTD, supplies	184.51
ACUFF CONSULTING, training	150
ALAMAR, apparel	100
AMERICAN BOTTLING, supplies	211.44
AMERICAN LEGAL PUBLISHING, services	1,548.00
ARAMARK, services	455.11
ASI-ADVANCED SECURITY, bld& grnds	261.4
AUTO BRAKE & CLUTCH, maint.	90
BAKER & TAYLOR, books	1,189.04
BCDM-, services	1,995.00
BEACON BUILDING, services	6,712.00
BEAUMONT, M., mileage	55.5
BLACK HILLS ENERGY, utilities	1,724.97
BOBCAT OF OMAHA, maint.	369.09
BOB'S RADIATOR REPAIR, maint.	145
BOOKPAGE, books	456
BOUND TREE MEDICAL, supplies	210.99
BRAKE, A., auto	100
BREWER, W., auto	100
C E SMITH CABINETS, bld&grnds	510.5

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CENTER POINT PUBLISHING, books	214.5
CENTURY LINK, phone	1,184.70
CITY OF OMAHA, services	99,159.32
CITY OF PAPILLION PARKS/RECR, rec services	35
CLARK, R. supplies	25
COCA-COLA BOTTLING, supplies	669.85
COMPUTER SOLUTIONS, equip.	191.57
CONRECO INC., maint.	45
CONTINENTAL FIRE, bld&grnds	252.45
CONTROL MASTERS, bld&grnds	618.08
CORNHUSKER INTL TRUCKS, maint.	142.68
COX, utilities	78.1
CROWDER, W., services	100
CUMMINS CENTRAL POWER, contracts	55.69
D & D COMM., radio contract	1,637.20
DARE, supplies	498.99
DECOSTA SPORTING GOODS, supplies	214.8
DEMCO INC., supplies	476.99
DIAMOND VOGEL PAINTS, bld&grnds	648.75
DXP, maint.	56.76
EASTERN LIBRARY SYSTEM, training	125
EDGEWEAR SCREEN PRINTING, supplies	971
ELECTRONIC ENGINEERING, maint.	59.45
FEDEX KINKO'S, maint.	33.97
FEDEX, maint.	302.78
FELSBURG HOLT & ULLEVIG, services	760.43
FILTER CARE, maint.	67.2
FIREGUARD, maint.	425.44
FITZGERALD SCHORR BARMETTLER, services	25,752.09
FLEET US, equip.	99.65
FLORATINE CENTRAL TURF PRODS, supplies	420
FORT DEARBORN LIFE INSURANCE	1,355.00
FRED PETERSON, maint.	300
GALE, books	351.29
GASSERT, MIKE, other	654
GCR TIRE CENTERS, supplies	1,474.23
GLOCK PROFESSIONAL, training	195
GOLEY, C., auto	100
GRAYBAR ELECTRIC, maint.	307.05
GREENKEEPER, supplies	295.25
H & H CHEVROLET, maint.	145.41
HEARTLAND AWARDS, apparel	8.8
HEARTLAND PAPER, supplies	240
HEIMES CORPORATION, maint.	136.53
HELGET GAS PRODUCTS, supplies	102
HOLSTEIN'S HARLEY DAVIDSON, maint.	30
HONEYMAN RENT-ALL #1, maint.	342.56
HOST COFFEE SERVICE, supplies	47.8
HUNTEL COMMUNICATIONS, services	895.12
HURST, J., travel	80.81
HY-VEE, supplies	245
INLAND TRUCK PARTS, maint.	33.69
JNFS ENGINEERING, equip.	689.99
JOHNSON HARDWARE, bld&grnds	94.88
JOHNSTONE SUPPLY, bld&grnds	127.3
KIMBALL MIDWEST, maint.	114.69
KLINKER, M., equip.	200
KRIHA FLUID POWER, equip.	3.96
LANDPORT SYSTEMS, services	125
LARRY'S BOILER SERVICE, bld&grnds	95

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LAUGHLIN, KATHLEEN A, TRUSTEE	474
LAWNSMITH, maint.	1,625.00
LIFE ASSIST, supplies	500.63
LOVELAND GRASS PAD, maint.	44.85
MASTER MECHANICAL, bld&grnds	793
MAT, services	585
MCC, utilities	22,784.31
MCCAIN, D., refund	210
MCCANN PLUMBING, bld&grnds	31
MCCARTHY, J., refund	85
METRO YOUTH FOOTBALL LEAGUE	1,650.00
MIDWEST TAPE, media	995.96
MIDWEST TURF & IRRIGATION, bld&grnds	214.85
MLB LOGISTICS, supplies	304.32
MOTOROLA SOLUTIONS, equip.	33,992.81
MSC INDUSTRIAL SUPPLY, maint.	49.66
MUD, utilities	9,428.95
NACR INC., equip.	7,671.68
NATIONAL EVERYTHING, supplies	409.07
NE GOLF, training	75
NEBRASKA IOWA SUPPLY, supplies	14,171.63
NEBRASKA LIBRARY COMMISSION, renewal	2,700.00
NEWMAN TRAFFIC SIGNS, supplies	254.46
NEXTEL SPRINT, phones	205.78
NMC EXCHANGE, equip.	680.5
NUTS AND BOLTS INC., maint.	27.56
OCLC, books	29.2
OFFICE DEPOT, supplies	685.23
OFFUTT YOUTH CENTER, services	1,008.00
OMAHA TRUCK CENTER, maint.	51.25
OMNIGRAPHICS, books	163.7
PARAMOUNT, services	314.16
PAULSEN, D., supplies	224
PAYFLEX SYSTEMS, services	250
PAYLESS OFFICE PRODUCTS, supplies	113.38
PERFORMANCE DODGE, vehicles	37,782.30
PETTY CASH	60.48
PITNEY BOWES, services	204
PLAINS EQUIPMENT GROUP, maint.	1,697.09
PREMIER-MIDWEST BEVERAGE CO, supplies	571.65
QUALITY AUTO REPAIR & TOWING, maint.	81
QUALITY BRANDS OF OMAHA, supplies	477.5
RAINBOW GLASS & SUPPLY, bld&grnds	324.55
READY MIXED CONCRETE, maint.	1,257.90
RECORDED BOOKS, books	294.15
REGAL AWARDS, services	139.14
ROAD BUILDERS MACHINERY, maint.	385.01
ROTELLA'S ITALIAN BAKERY, supplies	30.24
SAPP BROS PETROLEUM, supplies	1,452.00
SARPY COUNTY COURTHOUSE, services	3,479.89
SCHMADER ELECTRIC, services	157
SEAT COVER CENTER OF NE., maint.	65.5
SHRED-SAFE, services	30
SIRCHIE FINGER PRINT LABS, supplies	162.88
SMOOTHER CUT, services	1,170.00
SPRINT, phone	62.11
SPRINT, phone	119.97
SUPERIOR VISION SVCS INC	424.8
SUTPHEN CORP., maint.	558.46
TED'S MOWER, maint.	68.31

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THERMO KING CHRISTENSEN, maint.	427.11
TORREZ, T., refund	110
TRACTOR SUPPLY, supplies	82.37
UNDERWRITERS LABORATORIES, services	2,497.00
UNITED HEALTHCARE - NE	859.2
UPS, postage	7.84
VAIL, A., auto	100
VAL VERDE ANIMAL HOSPITAL, services	218.54
WAL-MART COMMUNITY, supplies	1,187.02
WHITE CAP CONSTR, supplies	66.84
ZIMCO SUPPLY, supplies	588
ZOOK, R., services	150

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe invited the Mayor and Council to join her as observers for the Disaster Drill being held on Saturday September 8th at 8:00 a.m.

Police Chief Lausten reported that the DUI checkpoint held at 118th and Harrison Street on Saturday September 1st between 9:30 p.m. and 2:00 a.m. netted 9 drunk drivers.

Fire Chief Uhl also invited the Mayor and Council to attend the upcoming Disaster Drill.

Public Works Director Soucie informed the Council that 400 tires were collected at the tire collection. Soucie also updated the Council on upcoming road work on 96th Street. Lane restrictions will begin September 11, 2012. Soucie also reminded Council of the annual Papillion La Vista Vehicle Day on September 14, 2012.

Recreation Director Stopak informed the Council that the pool season ended on September 3rd, 2012 and Stopak thanked Public Works, Pool Manager Kelly and the Pool Staff for another great season.

Library Director Barcal informed the Council that the Library had begun working to renew their accreditation. Barcal stated that the accreditation happens every three years and that the Library staff is working to move from the mid level of accreditation to the top level.

B. 2013 – 2017 CAPITAL IMPROVEMENT PROGRAM

1. PUBLIC HEARING

At 7:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the 2013-2017 Capital Improvement Plan.

At 07:10 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. RESOLUTION – ADOPTION OF 2013-2017 CAPITAL IMPROVEMENT PLAN

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-091: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE 2013-2017 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR INFRASTRUCTURE AND OTHER CAPITAL IMPROVEMENTS FOR THE CITY OF LA VISTA.

WHEREAS, the City of La Vista's Capital Improvement Program (CIP) document has been prepared and presented to Council; and

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WHEREAS, the La Vista Planning Commission has reviewed the 2013-2017 Capital Improvement Program (CIP) for the City of La Vista and recommends to Council approval of the Plan, and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's 2013-2017 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the 2013-2017 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the La Vista City Council.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the 2013-2017 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

Seconded by Councilmember Sell. Assistant City Administrator Ramirez reported on the changes in the Capital Improvement Plan and any carryovers. Councilmember Sheehan asked why a half time employee would be needed for records management in upcoming years. City Clerk Buethe responded that there are no plans at this time to add a half time employee for records management. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

C. FISCAL YEAR 11/12 AMENDED MUNICIPAL BUDGET

1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the 2011/2012 Amended Municipal Budget.

At 07:15 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

2. ORDINANCE

Councilmember Gowan introduced Ordinance No. 1182 entitled; AN ORDINANCE TO AMEND ORDINANCE NO. 1154 AND 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, 2011 AND ENDING ON SEPTEMBER 30, 2012; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; TO REPEAL ORDINANCE NO. 1154 CONFLICT HERewith; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Carlisle seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. The Mayor then stated the question, "Shall Ordinance No. 1182 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. 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.

D. FISCAL YEAR 12/13 MUNICIPAL BUDGET

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1. APPROPRIATIONS ORDINANCE – FINAL READING

City Clerk Buethe read Ordinance No. 1180 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, 2012 AND ENDING ON SEPTEMBER 30, 2013; 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.

Councilmember Ellerbeck made a motion to approve Ordinance No. 1180 on its final reading. 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. MASTER FEE ORDINANCE – FINAL READING

City Clerk Buethe read Ordinance No. 1181 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1158, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell made a motion to approve Ordinance No. 1181 on its final reading. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Motion carried.

3. INCREASE BASE OF RESTRICTED FUNDS AUTHORITY

A. PUBLIC HEARING

At 7:19 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the increasing the base of restricted funds authority.

At 07:19 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Motion carried.

B. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 12-092: 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 2012-13 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 2012-13 municipal budget on September 4, 2012; 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 2012-13 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 2012-13 municipal budget by an additional one percent.

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

4. SETTING THE PROPERTY TAX LEVY

A. PUBLIC HEARING

At 7:20 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the increasing the base of restricted funds authority.

At 07:20 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. Motion carried.

B. RESOLUTION

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-093: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR FY 12/13.

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 12/13 property tax request be set at \$5,832,060.38 which would require a mill levy of \$0.5500.

A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2012.

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

E. AMENDING THE COMPENSATION ORDINANCE AND SETTING RATES OF AUTO AND PHONE ALLOWANCE

1. ORDINANCE

Councilmember Ellerbeck introduced Ordinance No. 1183 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 Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent:

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None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question, "Shall Ordinance No. 1183 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. 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.

2. RESOLUTION – SETTING RATES OF AUTO AND PHONE ALLOWANCES

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-094; 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 FY13 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:

	Monthly Vehicle Allowance		Monthly Phone Allowance
Tier		Tier	
Tier 1	\$30	Tier 1	\$24
Tier 2	\$60	Tier 2	\$48
Tier 3	\$90	Tier 3	\$72
Tier 4	\$120	Tier 4	\$96
Tier 5	\$150	Tier 5	\$120
Firefighter	\$100		

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked about the affect of phone and mileage allowances on the budget. Mayor Kindig suggested that staff track mileage and phone usage to ensure that it is accurate for the amounts specified in the budget and that staff look into a discount from service providers. Councilmember Sheehan stated he would like to see the tracking. Councilmember Carlisle stated she would agree that she would like to see the numbers as well to ensure that we are doing everything correctly. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

F. RESOLUTION – APPROVE LEASE – CITY COPIERS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-095; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LEASE OF COPIERS FOR USE IN THE CITY HALL, LIBRARY, RECREATION DEPARTMENT, POLICE DEPARTMENT AND PUBLIC WORKS DEPARTMENT FROM LEAF CAPITAL FUNDING IN AN AMOUNT NOT TO EXCEED \$40,950.00 OVER 63 MONTHS.

WHEREAS, the City Council has deemed that a need exists to replace current leased copy machines; and

WHEREAS, the City did appropriate funds in the FY12/13 General Fund budget for said leases; and

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WHEREAS the Office Manager/Deputy City Clerk has obtained suitable financing for this lease through LEAF Capital Funding; 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 purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, does hereby authorize the lease agreement for copiers for use in the City Hall, Library, Recreation Department, Police Department and Public Works Department amount not to exceed \$40,950.00 over 63 months and in form and content satisfactory to the City Administrator.

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

G. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – LEAGUE ASSOCIATION OF RISK MANAGEMENT

Councilmember Carlisle made a motion to table Resolution – Interlocal Cooperation Agreement – League Association of Risk Management until the September 18, 2012 meeting.

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

Councilmember Sell made a motion to move Comments from the Floor up on the agenda ahead of Item H Executive Session. Seconded by Councilmember Sheehan. 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.

H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL

At 7:36 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Sell. 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 8:42 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

September 4, 2012

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell congratulated Finance Director Lindberg on her picture in the Nebraska Municipal Review

At 8:43 p.m. Councilmember Sheehan made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 18TH DAY OF SEPTEMBER, 2012

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk