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**LA VISTA CITY COUNCIL
MEETING
November 25, 2014**

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 November 25, 2014. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buehe, Police Chief Lausten, Director of Public Works Soucie, Director of Administrative Services Pokorny, Community Development Director Birch, Recreation Director Stopak, Library Director Barcal, Human Resource Manager Garrod and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on November 19, 2014. 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 AWARDS – COLIN RUPPERT - 5 YEARS

Mayor Kindig presented a service award to Colin Ruppert for 5 years of service to the City.

A. CONSENT AGENDA

1. **APPROVAL OF THE MINUTES OF THE NOVEMBER 4, 2014 CITY COUNCIL MEETING**
2. **PAY REQUEST FROM MANAGEMENT EDUCATION GROUP, INC. - PROFESSIONAL SERVICES – PERFORMANCE MANAGEMENT PROJECT - \$5,200.00**
3. **PAY REQUEST FROM BERRYDUNN – PROFESSIONAL SERVICES – FINANCIAL INFORMATION SOFTWARE SYSTEM SELECTION - \$24,609.00**
4. **PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$196.20**
5. **PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – EMERGENCY REPAIR ON 72ND STREET - \$2,686.30**
6. **PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$50.00**
7. **PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – THOMPSON CREEK PHASE 1 - \$8,435.81**
8. **PAY REQUEST FROM THOMPSON DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – CITY HALL BIO-BASIN - \$1,017.78**
9. **PAY REQUEST FROM UPSTREAM WEEDS – CONSULTING SERVICES – THOMPSON CREEK RESTORATION PROJECT BIOBLITZ - \$3,450.00**
10. **APPROVAL OF CLAIMS.**

A C NELSEN RV WORLD, maint.	\$60.70
ABE'S PORTABLES, rentals	\$255.00
ACTION BATTERIES, supplies	\$269.85
AIM, services	\$3,336.00
ALAMAR UNIFORMS, apparel	\$780.70

ALLIXA CONSULTING INC, services	\$1,754.82
AMERICAN PLANNING ASSOC., services	\$519.00
ANN TROE, services	\$680.00
A-RELIEF SERVICES, rentals	\$520.00
ASPEN EQUIPMENT CO., maint.	\$1,066.00
ASPHALT & CONCRETE, maint.	\$277.24
BAKER & TAYLOR, books	\$143.58
BARCAL, R., travel	\$62.83
BISHOP BUSINESS EQUIP., supplies	\$1,080.66
BLACK HILLS ENERGY, utilities	\$21.09
BOMA/OMAHA, services	\$44.00
BRENTWOOD AUTO WASH, maint.	\$35.00
BROWN TRAFFIC, maint.	\$516.00
BUETHE, P., travel	\$45.92
BUILDERS SUPPLY, bld&grnds	\$1.60
CARDMEMBER SERVICE, services	\$12,818.36
CENTER POINT PUBLISHING, books	\$42.54
CENTURY LINK, phone	\$64.76
CENTURY LINK, phone	\$69.09
CHILD'S WORLD INC., books	\$576.45
CJ'S HOME CENTER, bld&grnds	\$1,341.98
CONSOLIDATED Mgmt, travel	\$18.00
COSGRAVE CO., bld&grnds	\$54.00
CRANE, R., travel	\$82.00
D & D COMMUNICATIONS, services	\$393.00
D & K PRODUCTS, supplies	\$275.65
DEAN R PODOLL, services	\$100.00
DEARBORN NATIONAL LIFE INS CO	\$1,085.00
D. HALE, travel	\$300.50
DOUGLAS COUNTY SHERIFF, services	\$275.00
DXP ENTERPRISES, maint.	\$287.62
EASTERN LIBRARY SYSTEM, services	\$51.00
EN POINTE TECH., services	\$1,312.80
FEDEX KINKO'S, services	\$20.25
FILTER CARE, maint.	\$20.00
FOCUS PRINTING, supplies	\$75.00
GALE, books	\$162.68
GARROD, M., travel	\$61.69
GENUINE PARTS CO., maint.	\$2,110.52
GRAINGER, bld&grnds	\$38.10
GRAYBAR ELECTRIC CO., bld&grnds	\$206.53
HANEY SHOE STORE, services	\$150.00
HEIMES CORP., maint.	\$80.15
HONEYMAN RENT, rentals	\$125.35
HY-VEE INC, supplies	\$30.55
ICMA RETIREMENT CORPORATION	\$3,400.00
INDUSTRIAL SALES CO., maint.	\$26.98
INGRAM LIBRARY SERVICES, books	\$1,139.37
KARLSON, D., travel	\$25.71
KENT BLANSETT, services	\$100.00
KISSEL/E & S ASSOC., services	\$9,867.38
KRIHA FLUID POWER, maint.	\$319.91
LA VISTA FIREFIGHTERS ASSN, supplies	\$350.76
LAUGHLIN, KATHLEEN A, TRUSTEE	\$116.00
LERNER PUBLISHING GROUP, books	\$359.08
LIBRARY IDEAS, media	\$3,500.00
LOVELAND GRASS PAD, bld&grnds	\$362.78

MARK SCHERER, services	\$100.00
METRO AREA TRANSIT, services	\$465.00
METRO COMM COLLEGE, services	\$24,189.94
MID AMERICA PAY PHONES	\$50.00
MID CON SYSTEMS INC., maint.	\$511.58
MIDLANDS BUSINESS JOURNAL, services	\$70.00
MIDWEST TAPE, media	\$585.04
MONTPELIER GLOVE, apparel	\$86.39
MUNICIPAL PIPE TOOL, maint.	\$244.57
NAT'L EVERYTHING WHLS, supplies	\$272.75
NEBRASKA LIBRARY COMM., media	\$1,175.30
NE MUNICIPAL CLERKS ASSN., services	\$35.00
NOBBIES INC, supplies	\$80.66
NUTS AND BOLTS INC., maint.	\$18.93
OFFICE DEPOT INC, supplies	\$1,243.35
OMAHA PUBLIC POWER DISTRICT, utilities	\$49,033.55
OMAHA PUBLIC POWER DISTRICT, utilities	\$2,085.89
O'REILLY AUTO STORES, maint.	\$76.30
OVERHEAD DOOR CO., bld&grnds	\$485.60
PAPILLION SANITATION, services	\$922.98
PARAMOUNT LINEN, services	\$320.66
PAYLESS OFFICE PRODUCTS, supplies	\$471.91
PERFORMANCE CHRYSLER JEEP, maint.	\$622.55
PETTY CASH	\$194.81
PLAINS EQUIP GROUP, maint.	\$1,450.58
QUICK, T., travel	\$300.50
RAMIREZ, JOHN, refund	\$40.00
RAMIREZ, R., travel	\$56.56
READY MIXED CONCRETE CO., maint.	\$2,023.10
SAM'S CLUB, supplies	\$233.53
SAPP BROS INC., maint.	\$705.00
SILVERSTONE INVESTMENT	\$900.00
SPRINT SPECTRUM, services	\$30.00
STATE STEEL OF OMAHA, maint.	\$77.39
SUNSET LAW ENFORCEMENT, supplies	\$4,992.70
SUTPHEN CORPORATION, maint.	\$16.84
THERMO KING CHRISTENSEN, maint.	\$173.83
THOMPSON DREESSEN & DORNER, services	\$4,381.76
UNITED PARCEL, services	\$202.32
UNO, services	\$3,115.43
UPS STORE, maint.	\$21.92
VAN RU CREDIT CORPORATION	\$41.62
VIERREGGER ELECTRIC CO., supplies	\$5,700.00
VIRGINIA RUBBER CORP, maint.	\$821.88
WASTE MANAGEMENT, bld&grnds	\$678.03
WICK'S STERLING TRUCKS, maint.	\$51.10
WILLIAM G THOMAS III, services	\$100.00

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Thomas. Councilmember Sell reviewed the claims for this period and stated everything was in order. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez informed Council that the candy cane postcards are a teaser for the Comprehensive Plan kickoff and they will be handed out during Santa's sleigh ride Sunday.

Director of Public Works Soucie reported on projects that are near completion including the City Hall Bio Basin project and the 120th and Giles signal project. Soucie stated the Holiday lights will be illuminated beginning tomorrow.

City Clerk Buethe introduced the new Executive Assistant Michelle Coffman.

Library Director Barcal informed Council that donations to the library reached an all time high of 12,558 which surpassed last year by 4,000 items.

B. APPLICATION FOR CONDITIONAL USE PERMITS, FINAL PUD PLAN, REPLAT & SUBDIVISION AGREEMENT - LOTS 1 AND 2, BELLA LA VISTA (NE OF 132ND & CENTECH ROAD)

1. PUBLIC HEARING (REQUEST TO OPEN AND CONTINUE PUBLIC HEARING)

At 7:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the application for Conditional Use Permits, Final PUD Plan, Replat and Subdivision Agreement – Lots 1 and 2, Bella La Vista (NE of 132nd and Centech Road..

Councilmember Sell made a motion to continue the public hearing to the December 16, 2014 meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

C. CONDITIONAL USE PERMIT – EDGE BODY BOOTCAMP – LOT 48, BROOK VALLEY BUSINESS PARK (SE OF 110TH & HARRISON).

1. PUBLIC HEARING

At 7:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Conditional Use Permit for Edge Body Bootcamp – Lot 48, Brook Valley Business Park (SE of 110th and Harrison).

At 7:11 p.m. Councilmember Hale made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION – APPROVE CONDITIONAL USE PERMIT – INDOOR RECREATIONAL FACILITY

Councilmember Sell introduced and moved for the adoption of Resolution No.14-146: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR EDGE BODY BOOTCAMP TO LOCATE AND OPERATE AN INDOOR RECREATION FACILITY IN A 3,600 SQUARE FOOT BAY OF A BUILDING ON LOT 48, BROOK VALLEY BUSINESS PARK.

WHEREAS, Melissa Henry representing Edge Body Bootcamp, on behalf of property owner Central Holding Properties, has applied for a Conditional Use Permit to locate and operate an indoor recreation facility within a 3,600 square foot bay of a building on Lot 48, Brook Valley Business Park located at 10931 Harrison Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a Conditional Use Permit for such purposes,

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 Edge Body Bootcamp to locate and operate an indoor recreation facility within a 3,600 square foot bay of a building on Lot 48, Brook Valley Business Park.

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

D. CALL FOR REDEMPTION OF BONDS AND REFUNDING SERIES 2014 BOND ISSUES

1. RESOLUTION – REDEMPTION OF PUBLIC SAFETY TAX ANTICIPATION REFUNDING BONDS, SERIES 2007

Councilmember Sell introduced and moved for the adoption of Resolution No.14-147: RESOLUTION CALLING PUBLIC SAFETY TAX ANTICIPATION BONDS, SERIES 2007, FOR REDEMPTION BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. That the following bonds of the City of La Vista, Nebraska (the "City"), which are callable at any time on or after November 15, 2012, are hereby authorized to be irrevocably called for redemption on such date as set forth in the Direction for Call (as defined below):

Public Safety Tax Anticipation Bonds, Series 2007, date of original issue—December 21, 2007, in the principal amount of Eight Hundred Thirty Thousand Dollars (\$830,000), numbered as shown on the books of the Paying Agent becoming due and bearing interest as follows:

Principal Amount	Maturing November 15 Of Year	Interest Rate	CUSIP No.
\$ 90,000	2015*	3.80%	505318 LJ2
190,000	2017*	3.95	505318 LK9
550,000	2022*	4.30	505318 LL7

*Term Bond

Said bonds were issued pursuant to Section 18-1202, R.R.S. Neb, as amended, for the purpose of paying the costs of two fire trucks and other fire suppression equipment.

Section 2. Said bonds are payable at the office of the City Treasurer of the City of La Vista, Nebraska, as paying agent and registrar (the "Paying Agent").

Section 3. The Mayor, Clerk or Director of Administrative Services of the City (each, an "Authorized Officer") are each individually hereby authorized at any time on or after the date of this resolution to determine the call date for said Bonds on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and City Council of the City. The Call Date shall be set for such date as determined in the Direction for Call, and such determination shall be made by an Authorized Officer not later than June 1, 2015, after which the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and City Council of the City and this resolution shall be of no further force and effect. Upon delivery of this resolution and the Direction for Call to the Paying Agent, said bonds shall be irrevocably called for redemption on the Call Date.

Section 4. A copy of this resolution and the Direction for Call shall be filed at least 30 days prior to the date of call with the Paying Agent and said Paying Agent is hereby irrevocably instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing said called bonds.

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

2. RESOLUTION – REDEMPTION OF HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BONDS, SERIES 2008

Councilmember Quick introduced and moved for the adoption of Resolution No. 14-148: RESOLUTION CALLING HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2008, FOR REDEMPTION. BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. That the following bonds of the City of La Vista, Nebraska (the "City"), which are callable at any time on or after September 19, 2013, are hereby authorized to be irrevocably called for redemption on such date as set forth in the Direction for Call (as defined below):

Highway Allocation Fund Pledge Bonds, Series 2008, date of original issue—September 19, 2008, in the principal amount of Seven Hundred Eighty Thousand Dollars (\$780,000), numbered as shown on the books of the Paying Agent becoming due and bearing interest as follows:

Principal Amount	Maturing November 15 Of Year	Interest Rate	CUSIP No.
\$125,000	2017*	4.50%	505318 MU6
145,000	2020*	4.75	505318 MV4
510,000	2028*	5.00	505318 MW2

*Term Bond

Said bonds were issued for the purpose of paying the costs of street construction, including refunding of temporary indebtedness, relating to construction costs for 96th Street paving, Cornhusker Road paving and certain paving in the Southport area.

Section 2. Said bonds are payable at the office of the City Treasurer of the City of La Vista, Nebraska, as paying agent and registrar (the "Paying Agent").

Section 3. The Mayor, Clerk or Director of Administrative Services of the City (each, an "Authorized Officer") are each individually hereby authorized at any time on or after the date of this resolution to determine the call date for said Bonds on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and City Council of the City. The Call Date shall be set for such date as determined in the Direction for Call, and such determination shall be made by an Authorized Officer not later than June 1, 2015, after which the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and City Council of the City and this resolution shall be of no further force and effect. Upon delivery of this resolution and the Direction for Call to the Paying Agent, said bonds shall be irrevocably called for redemption on the Call Date.

Section 4. A copy of this resolution and the Direction for Call shall be filed at least 30 days prior to the date of call with the Paying Agent and said Paying Agent is hereby irrevocably instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing said called bonds.

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

3. RESOLUTION – REDEMPTION OF GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2009

Councilmember Thomas introduced and moved for the adoption of Resolution No.

14-149: RESOLUTION CALLING GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2009, FOR REDEMPTION. BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. That the following bonds of the City of La Vista, Nebraska (the "City"), which were callable at any time on or after November 6, 2014, are hereby authorized to be irrevocably called for redemption on such date as set forth in the Direction for Call (as defined below):

General Obligation Various Purpose Refunding Bonds, Series 2009, date of original issue—November 6, 2009, in the principal amount of Five Million One Hundred Five Thousand Dollars (\$5,105,000), numbered as shown on the books of the Paying Agent becoming due and bearing interest as follows:

Principal Amount	Maturing November 15 Of Year	Interest Rate	CUSIP No.
\$615,000	2015	2.50%	505318 NC5
625,000	2016	2.75	505318 ND3
640,000	2017	3.00	505318 NE1
650,000	2018	3.20	505318 NF8
310,000	2019	3.30	505318 NG6
350,000	2019	3.35	505318 NH4
520,000	2020	3.45	505318 NJ0
535,000	2021	3.55	505318 NK7
560,000	2022	3.65	505318 NL5
300,000	2023	3.80	505318 NM3

Said bonds were issued for the purpose of paying the costs of refunding the City's Various Purpose Bonds, Series 2003, in the principal amount of \$2,945,000; the City's General Obligation Refunding Bonds, Series 2003, in the principal amount of \$2,005,000; the General Obligation Bonds, Series 2004, issued by Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, (which district has been annexed by the City) in the principal amount of \$1,725,000, which are valid obligations of the City; and General Obligation Bonds, Series 2004, issued by Sanitary and Improvement District No. 218 of Sarpy County, Nebraska, (which district has been annexed by the City) in the principal amount of \$1,545,000 which are valid obligations of the City.

Section 2. Said bonds are payable at the office of the City Treasurer of the City of La Vista, Nebraska, as paying agent and registrar (the "Paying Agent").

Section 3. The Mayor, Clerk or Director of Administrative Services of the City (each, an "Authorized Officer") are each individually hereby authorized at any time on or after the date of this resolution to determine the call date for said Bonds on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and City Council of the City. The Call Date shall be set for such date as determined in the Direction for Call, and such determination shall be made by an Authorized Officer not later than June 1, 2015, after which the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and City Council of the City and this resolution shall be of no further force and effect. Upon delivery of this resolution and the Direction for Call to the Paying Agent, said bonds shall be irrevocably called for redemption on the Call Date.

Section 4. A copy of this resolution and the Direction for Call shall be filed at least 30 days prior to the date of call with the Paying Agent and said Paying Agent is hereby irrevocably instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing said called bonds.

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

**4. RESOLUTION – REDEMPTION OF GENERAL OBLIGATION REFUNDING
BONDS, SERIES 2009 (ISSUED BY SID 59)**

Councilmember Quick introduced and moved for the adoption of Resolution No.14-150: RESOLUTION CALLING GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009, FOR REDEMPTION. BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. That the following bonds issued by the Sanitary and Improvement District No. 59 of Sarpy County, Nebraska (the "District"), which were callable at any time on or after July 1, 2014, are hereby authorized to be irrevocably called for redemption on such date as set forth in the Direction for Call (as defined below):

General Obligation Refunding Bonds, Series 2009, date of original issue—July 1, 2009, in the principal amount of One Million Four Hundred Ten Thousand Dollars (\$1,410,000), numbered as shown on the books of the Paying Agent becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturing July 1 Of Year</u>	<u>Interest Rate</u>	<u>CUSIP No.</u>
\$260,000	2015	3.10%	80374D AF8
270,000	2016	3.30	80374D AG6
280,000	2017	3.50	80374D AH4
295,000	2018	3.70	80374D AJ0
305,000	2019	3.90	80374D AK7

Said bonds were issued for the purpose of providing the funds, including funds on deposit in the District's bond fund, required to currently refund \$4,495,000 aggregate principal amount of the District's outstanding General Obligation Bonds, Series 1999 and the District's outstanding General Obligation Bonds, Series 2001. The District has since been annexed by the City of La Vista, Nebraska (the "City") and the General Obligation Refunding Bonds, Series 2009 are valid and legally binding obligations of the City.

Section 2. Said bonds are payable at the principal corporate office of Great Western Bank, Omaha, Nebraska, as paying agent and registrar (the "Paying Agent").

Section 3. The Mayor, Clerk or Director of Administrative Services of the City (each, an "Authorized Officer") are each individually hereby authorized at any time on or after the date of this resolution to determine the call date for said Bonds on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and City Council of the City. The Call Date shall be set for such date as determined in the Direction for Call, and such determination shall be made by an Authorized Officer not later than June 1, 2015, after which the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and City Council of the City and this resolution shall be of no further force and effect. Upon delivery of this resolution and the Direction for Call to the Paying Agent, said bonds shall be irrevocably called for redemption on the Call Date.

Section 4. A copy of this resolution and the Direction for Call shall be filed at least 30 days prior to the date of call with the Paying Agent and said Paying Agent is hereby irrevocably instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing said called bonds.

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

5. ORDINANCE – ISSUE GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014

Councilmember Sell introduced Ordinance No. 1230 entitled; AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2014, OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED SIX MILLION SIX HUNDRED THOUSAND DOLLARS (\$6,600,000) FOR THE PURPOSE OF REFUNDING (A) \$5,105,000 OUTSTANDING PRINCIPAL AMOUNT OF GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2009, DATED NOVEMBER 6, 2009 AND (B) \$1,410,000 OUTSTANDING PRINCIPAL AMOUNT OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2009, ISSUED BY SANITARY AND IMPROVEMENT DISTRICT NO. 59 OF SARPY COUNTY, NEBRASKA, DATED JULY 1, 2009; PRESCRIBING THE FORM OF SUCH BONDS AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME, IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. Councilmember Sheehan asked about the issuance of bonds for \$6,600,000 when the previous bonds were for \$6,515,000. Paul Grieger with D.A. Davidson stated that the difference is the fees for administration of the bond. The Mayor then stated the question, "Shall Ordinance No. 1230 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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.

6. ORDINANCE – ISSUE HIGHWAY ALLOCATION PLEDGE REFUNDING BONDS, SERIES 2014

Councilmember Hale introduced Ordinance No. 1231 entitled; AN ORDINANCE AUTHORIZING THE ISSUANCE OF HIGHWAY ALLOCATION FUND PLEDGE REFUNDING BONDS, SERIES 2014, OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) FOR THE PURPOSE OF REFUNDING \$780,000 OUTSTANDING PRINCIPAL AMOUNT OF HIGHWAY ALLOCATION FUND PLEDGE BONDS, SERIES 2008, DATED SEPTEMBER 19, 2008, ALL OF WHICH BONDS WERE ISSUED FOR THE PURPOSE OF PAYING THE COSTS OF CONSTRUCTING CERTAIN STREETS OF THE CITY; PRESCRIBING THE FORM OF SUCH BONDS AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PLEDGING FUNDS TO BE RECEIVED BY THE CITY FROM THE STATE OF NEBRASKA HIGHWAY ALLOCATION FUND FOR THE PAYMENT OF SUCH BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME, IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None.

Abstain: None. 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 Hale. The Mayor then stated the question, "Shall Ordinance No. 1231 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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.

7. ORDINANCE – ISSUE PUBLIC SAFETY TAX ANTICIPATION REFUNDING BONDS, SERIES 2014

Councilmember Quick introduced Ordinance No. 1232 entitled; AN ORDINANCE AUTHORIZING THE ISSUANCE OF PUBLIC SAFETY TAX ANTICIPATION REFUNDING BONDS, SERIES 2014, OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED EIGHT HUNDRED FIFTY-FIVE THOUSAND DOLLARS (\$855,000) FOR THE PURPOSE OF REFUNDING \$830,000 OUTSTANDING PRINCIPAL AMOUNT OF PUBLIC SAFETY TAX ANTICIPATION BONDS, SERIES 2007, DATED DECEMBER 21, 2007, ALL OF WHICH BONDS WERE ISSUED FOR THE PURPOSE OF PAYING THE COSTS OF PURCHASING PUBLIC SAFETY VEHICLES AND PUBLIC SAFETY EQUIPMENT FOR THE CITY; PRESCRIBING THE FORM OF SUCH BONDS AND AUTHORIZING OFFICERS OF THE CITY TO APPROVE CERTAIN FINAL TERMS OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME, IF NECESSARY; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND PROVIDING FOR THE DISPOSITION OF BOND PROCEEDS; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Hale moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1232 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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.

8. ORDINANCE – ISSUE LA VISTA FACILITIES CORPORATION BUILDING AND REFUNDING BONDS, SERIES 2014

Councilmember Hale introduced Ordinance No. 1233 entitled; AN ORDINANCE APPROVING THE ISSUANCE OF BUILDING AND REFUNDING BONDS (PUBLIC WORKS AND POLICE FACILITY PROJECTS), SERIES 2014, OF THE CITY OF LA VISTA FACILITIES CORPORATION IN A PRINCIPAL AMOUNT NOT TO EXCEED THREE MILLION DOLLARS (\$3,000,000); APPROVING AND AUTHORIZING A BOND PURCHASE AGREEMENT WITH THE CORPORATION PROVIDING FOR THE SALE OF THE BONDS TO THE UNDERWRITER; AUTHORIZING A LEASE-PURCHASE AGREEMENT WITH THE CITY OF LA VISTA FACILITIES CORPORATION RELATING TO THE ACQUISITION OF CERTAIN PUBLIC WORKS AND POLICE FACILITIES; PROVIDING FOR THE CALLING AND REDEMPTION OF OUTSTANDING BONDS ISSUED BY THE CORPORATION TO FINANCE CERTAIN POLICE FACILITIES; APPROVING THE EXECUTION OF DOCUMENTS

WITH RESPECT TO SAID LEASE-PURCHASE AGREEMENT AND PROVIDING FOR THE PUBLISHING OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Hale. The Mayor then stated the question, "Shall Ordinance No. 1233 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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.

E. RESOLUTION – APPROVE CONSULTING AGREEMENT – COMMUNICATION TOWERS

Councilmember Quick introduced and moved for the adoption of Resolution No. 14-151: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AGREEMENT WITH RICHARD A. COMI DBA THE CENTER FOR MUNICIPAL SOLUTIONS FOR THE PURPOSE OF ASSISTING, ADVISING AND REPRESENTING THE CITY TO REVIEW AND ANALYZE APPLICATIONS FOR WIRELESS COMMUNICATION FACILITIES.

WHEREAS, the City Council of the City of La Vista has determined that the selection of a consultant for assisting, advising and representing the City to review and analyze applications for wireless communication facilities is necessary; and

WHEREAS, the fee to cover the cost of these services is in the Master Fee Ordinance; 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 do hereby approve an agreement with Richard A. Comi dba The Center for Municipal Solutions for the purpose of assisting, advising and representing the City to review and analyze applications for wireless communication facilities.

Seconded by Councilmember Sheehan. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

F. ORDINANCE – AMEND MASTER FEE ORDINANCE

Councilmember Quick introduced Ordinance No. 1234 entitled; AN ORDINANCE TO AMEND ORDINANCE NO.1229, 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 Hale moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Sell moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1233 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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.

G. RESOLUTION – RELEASE AND SETTLEMENT AGREEMENT WITH MUTUAL OF OMAHA BANK

Councilmember Hale introduced and moved for the adoption of Resolution No. 14-152: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A RELEASE AND SETTLEMENT AGREEMENT WITH MUTUAL OF OMAHA BANK REGARDING SPECIAL ASSESSMENTS ON LOT 20 AND LOT 36 BROOK VALLEY II BUSINESS PARK.

WHEREAS, Mutual of Omaha Bank is the current owner of Lot 20 and Lot 36 Brook Valley II Business Park; and

WHEREAS, on or about January 23, 2008 the City levied special assessments against Lot 20 in the amount of \$100,557.25 and against Lot 36 in the amount of \$190,255.41; and

WHEREAS, as of December 17, 2013 the special assessment amounts plus accrued interest had not been paid and the City filed two lawsuits against the bank seeking to foreclose its asserted liens against the property; and

WHEREAS, the City and the bank desire to resolve these matters by compromise and without need for further litigation; and

WHEREAS, the City and the bank have negotiated a Release and Settlement Agreement in which the bank will pay the City \$340,812.00 in full satisfaction of the assessment debt and the City will dismiss the assessment lawsuits.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Release and Settlement Agreement is hereby approved in form and content presented at this meeting, subject to any modifications the City Administrator determines necessary or advisable; and the City Clerk is hereby authorized and directed to instruct Sarpy County officials to remove the special assessment liens from Lot 20 and Lot 36, and to take any other actions as necessary or appropriate to carry out the Settlement Agreement.

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

H. RESOLUTION – AUTHORIZATION TO PURCHASE – TABLETS

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-153: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TWENTY FIVE (25) APPLE IPAD AIR DEVICES AND CORRESPONDING KEYBOARD CASES FROM

November 25, 2014

MINJ TECHNOLOGIES PUBLIC SECTOR LLC OF BUFFALO GROVE ILLINOIS IN AN AMOUNT NOT TO EXCEED \$11,008.00.

WHEREAS, the Mayor and City Council have determined that the purchase of tablet devices for use in conjunction with City Council meetings is necessary; and

WHEREAS, the FY 15 General Fund Budget provides funding for the purchase of said tablets, 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 Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of twenty five (25) Apple iPad Air Devices and corresponding keyboard cases from MINJ Technologies Public Sector LLC, in an amount not to exceed \$11,008.00.

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

COMMENTS FROM THE FLOOR

Director of Public Works Soucie stated that the signals at 85th and Giles will remain flashing until work can be done on them tomorrow morning.

I. EXECUTIVE SESSION - PERSONNEL

Mayor Kindig stated that there would be no executive session.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Quick thanked Council for the opportunity to attend the NLC Conference in Austin TX. Both Quick and Councilmember Hale stated there were very good sessions and good ideas they have brought back.

Mayor Kindig gave Council an update on meetings with legislators.

Mayor Kindig stated the Veteran's day dinner had over 500 people in attendance and was a very good event.

At 7:38 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Thomas. Councilmembers voting aye: Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 2ND DAY OF DECEMBER, 2014

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk