

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING February 19, 2008

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 February 19, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Absent: Ellerbeck. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Public Works Director Soucie, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on February 7, 2008. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection within 10 days after said meeting and prior to the next convened meeting of said body.

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

Mayor Kindig made an announcement of the location of the posted copy of the Open Meetings Act for public reference.

SERVICE AWARD – VALERIE HOULOOSE – 10 YEARS

Mayor Kindig presented a certificate and pin to Valerie Houloose for 10 years of service to the City.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM FEBRUARY 5, 2008**
- 3. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. MEETING MINUTES FEBRUARY 4, 2008**
- 4. APPROVAL OF PARK & RECREATION ADVISORY COMMITTEE MINUTES
JANUARY 16, 2008**
- 5. PAY REQUEST #5 FROM JOHN Q. HAMMONS FOR CONSTRUCTION
LOAN - \$428,960.87**
- 6. PAY REQUEST #1 FROM THE AUSTIN PETERS GROUP, INC. FOR COMPENSATION
STUDY - \$3,697.50**
- 7. APPROVAL OF CLAIMS**

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

ACTION BATTERIES, Vehicle Supplies	352.16
AKSARBEN HEATING/ARS, Bldg & Grnds	692.00
ALAMAR UNIFORMS, Wearing Apparel	438.04
ALL STAR PRO GOLF, Supplies	432.60
ANDERSON ELECTRIC, Bldg & Grnds	108.00
ANDERSON FORD LINCOLN MERCURY, Vehicle Maint.	64.10
AQUILA, Utilities	19,259.46
ARAMARK UNIFORM SERVICES, Contract Services	325.41
ART FAC GRAPHICS, Vehicle Maint.	191.00
ASPEN EQUIPMENT, Equipment	449.00
BAKER & TAYLOR BOOKS, Books	87.38
BARTH, GEORGE, Travel	86.00
BBC AUDIOBOOKS, Media	127.38
BENNINGTON IMPLEMENT, Vehicle Maint.	1,431.49
BENSON RECORDS, Contract Services	50.78
BIRCH, ANN, Travel	86.95
BOLEY, ANN, Supplies	155.52
BRAND, STEVEN, Travel	214.00
BRENTWOOD AUTO WASH, Vehicle Maint.	145.00

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BRODART, Books	336.00
BUETHE, PAM, Travel/Postage/Employee Recognition Dinner	374.34
BUILDERS SUPPLY, Bldg & Grnds	68.88
CALLAWAY GOLF, Supplies	1,116.87
CARDMEMBER SERVICE-ELAN, Training, Travel, Contract Services	7,646.23
CAVLOVIC, PAT, Travel	160.00
CENTENNIAL ENTERPRISES, Contract Services	3,381.28
CITY OF OMAHA, Contract Services	30,165.30
CJ'S HOME CENTER, Bldg & Grnds, Supplies, Vehicle Maint.	1,376.58
COMP CHOICE, Professional Services	437.50
CORNHUSKER INTL TRUCKS, Vehicle Maint.	33.50
COX, Contract Services	179.15
CUSTOM WIRE ROPE RIGGING, Supplies	300.00
DAHL, DOUG, Travel	245.00
DATA TECHNOLOGIES, Training	500.00
DON'S PIONEER UNIFORMS, Wearing Apparel	84.75
DULTMEIER SALES & SERVICE, Repair	48.40
EASTERN LIBRARY SYSTEM, Training	15.00
EBEL, TY, Travel, Repair	254.62
FEDEX KINKO'S, Printing	31.30
FERRELLGAS, Street Maint.	29.90
FILTER CARE, Vehicle Maint.	87.15
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	272.50
FIREGUARD, Contract Services	12,087.10
FLEETPRIDE, Vehicle Maint.	34.20
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,213.00
GALE, Books	260.78
GALL'S, Wearing Apparel	500.10
GATEWAY HOTEL & CONFERENCE CTR, Travel	539.28
GAYLORD BROS, Supplies	440.60
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	91.89
GOLDMAN, JOHN, Travel	40.00
GRAPHIC IMAGINATION, Vehicle Maint.	864.80
GRAYBAR ELECTRIC COMPANY, Bldg & Grnds	103.76
GREAT PLAINS ONE-CALL SVC, Contract Services	121.49
GUNN, BRENDA, Travel	234.00
H & H CHEVROLET, Vehicle Maint.	109.37
HANNEBAUM GRAIN, Ice Salt	4,492.87
HELGET GAS PRODUCTS, Squad Supplies	120.50
HIGHSMITH, Supplies	53.69
HOME DEPOT, Capital Outlay	1,625.24
HORNUNG'S GOLF PRODUCTS, Equipment	973.74
INDUSTRIAL SALES COMPANY, Training	75.00
IVERSON, DENNIS, Travel	40.00
IWAN, ROSE, Travel	73.53
J Q OFFICE EQUIPMENT, Supplies/Contract Services	637.79
JONES AND BARTLETT PUBLISHERS, Books	397.50
KELLY'S AWARDS, Printing	593.45
KINDIG, DOUGLAS, Travel	142.24
KLINKER, MARK, Professional Services	14.00
KROGER, Supplies	60.61
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEO A DALY, Planning	6,000.00
LIEN TERMITE & PEST CONTROL, Contract Services	1,373.00
LIFE ASSIST, Squad Supplies	606.32
LINWELD, Supplies	419.62
LOGAN CONTRACTORS, Street Maint.	95.65
LOU'S SPORTING GOODS, Equipment	51.46
MALLARD SAND AND GRAVEL, Supplies	4,008.07
MAX I WALKER CLEANERS, Uniform Cleaning	494.55
METAL SUPERMARKETS, Vehicle Maint.	134.96
METRO AREA TRANSIT, Contract Services	561.00
MICHAEL TODD AND COMPANY, Vehicle Maint.	360.00
MID CON SYSTEMS, Bldg & Grnds	164.05
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	612.06
MIDWEST TURF & IRRIGATION, Vehicle Maint.	315.72
MOBILE COMMUNICATIONS, Radio Repair	836.00
MUNICIPAL EMERGENCY SVCS, Supplies	650.00

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NATIONAL RESEARCH CENTER, Professional Services	5,550.00
NE LIQUOR CONTROL COMMISSION, Renewal	45.00
NEBRASKA FURNITURE MART, Furniture	1,616.83
NEMSA-NE EMER MED SVCS ASSN, Dues	606.00
NEUMAN EQUIPMENT, Bldg & Grnds/Vehicle Maint.	193.00
NMC, Vehicle Maint.	336.43
OABR PRINT SHOP, Printing	4,994.25
OFFICE DEPOT, Supplies	871.91
OMAHA COMPOUND, Supplies	67.00
OMAHA TRUCK CENTER, Vehicle Maint.	36.99
OMAHA WORLD HERALD, Legal Advertising	216.30
OPPD, Utilities	35,332.46
PAPILLION SANITATION, Utilities	219.35
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	468.25
PAYLESS OFFICE PRODUCTS, Supplies	144.50
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	118.42
PRECISION INDUSTRIES, Vehicle Maint.	148.40
PROPERTY SERVICES, Supplies	128.00
QWEST, Telephone	127.96
RACOM, Vehicle Maint.	300.40
RAMIREZ, RITA, Travel	30.00
REGAL AWARDS, Awards	69.18
RUSH, TIMOTHY, Travel	214.00
SAM'S CLUB, Travel	21.65
SAPP BROS PETROLEUM, Vehicle Supplies	12,402.70
SARPY COUNTY TREASURER, Contract Services	34,461.00
SCHOLASTIC BOOK FAIRS, Books	70.98
SCHOLASTIC LIBRARY PUBLISHING, Books	148.20
SIMON, DON, Travel	245.00
SINNETT, JEFF, Travel	245.00
SMITH, MELANIE, Printing	252.16
SOUCIE, JOSEPH, Travel	40.00
SPRINT, Telephone	91.25
STATE STEEL, Bldg & Grnds	143.55
SUBURBAN NEWSPAPERS, Legal Advertising	601.67
SUMMER KITCHEN CAFÉ, Travel	134.75
SUN LIFE & HEALTH INSURANCE, Payroll Withholding	1,880.04
SUPERIOR TRANSIT SALES, Vehicle Maint.	38.96
SUSPENSION SHOP, Vehicle Maint.	1,466.01
THOMPSON DREESSEN & DORNER, Professional Services	5,854.28
THORNBURG, JEFF, Wearing Apparel	120.00
THREE RING ENTERPRISES, Vehicle Maint.	1,587.82
TRACTOR SUPPLY COMPANY, Traffic Signs/Repair	153.52
UHL, RICHARD, Travel	154.00
UNIVERSITY OF NEBRASKA LINCOLN, Training	400.00
VITALSIGNS, Printing	325.00
WAL-MART, Equipment/Supplies	369.85
WHITTAKER, VICKI, Supplies	46.42
WICK'S STERLING TRUCKS, Vehicle Maint.	204.57
WITMER ASSOCIATES, Printing	50.99

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council that the Strategic Planning meeting will be held on Saturday, March 8, 2008 at 8:30 a.m. at the Police Station.

Public Works Director Soucie informed Council the new dump truck should be in service within the next few weeks.

Community Development Director Birch informed Council that City Planner Marcus Baker, Chief Building Inspector Jeff Sinnett, and she will be attending the NPZA Conference in Grand Island with week, along with the 3 new planning commissioners

Recreation Director Stopak thanked Mayor Kindig and Councilmembers Carlisle, Ronan, and Sell for their help with the Senior Valentine Lunch.

B. APPLICATION FOR REZONING – LOT 380, CIMARRON WOODS (SW 96TH & HARRISON ST.)

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1. PUBLIC HEARING

At 7:08 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for ReZoning – Lot 380, Cimarron Woods (SW 96th & Harrison St.)

At 7:09 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Nays: None. Absent: Ellerbeck. Motion carried.

2. ORDINANCE – APPROVE REZONING

Councilmember McLaughlin introduced Ordinance No. 1055 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. The following voted nay: None. The following were absent: Ellerbeck. 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 McLaughlin. Councilmember Sheehan asked if rezoning for multi-family housing was what the City wanted for that area. City Administrator Gunn responded that was the intent when the land was originally platted. She stated that a Special Use Permit would be required and Council will have a say on design and density. Councilmember Gowan stated that Cimarron Woods is well designed and he sees no problem with allowing this intended use. The Mayor then stated the question was, "Shall Ordinance No. 1055 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Carlisle, McLaughlin, and Gowan. The following voted nay: Sheehan. The following were absent: Ellerbeck. 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.

C. RESOLUTION – NEBRASKA PUBLIC TRANSPORTATION ASSISTANCE PROGRAM FY2008 AGREEMENT

Councilmember Quick introduced and moved for the adoption of Resolution No. 08-011: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ROADS (NDOR) TO PROVIDE PARTIAL FUNDING FOR THE PUBLIC TRANSPORTATION SYSTEM.

WHEREAS, the Nebraska Public Transportation Act as provided by Neb. Rev. Stat. § 13-1201 through 12-1212 (Reissue 1997), established a public transportation assistance program to provide state financial assistance to qualified eligible recipients; and

WHEREAS, the Senior Bus Service is eligible for public transportation assistance; and

WHEREAS, the City of La Vista has agreed to operate a public transportation system for the duration of the agreement; and

WHEREAS, the City of La Vista has the capability to provide local matching funds in an amount equal to that provided by the State; and

WHEREAS, the City Council of the City of La Vista has determined that said agreement with the Nebraska Department of roads is necessary for funding of the program; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, to authorize the Mayor and City Clerk to enter into an agreement with the Nebraska Department of Roads to provide partial funding of the public transportation system.

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

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D. RESOLUTION – APPROVE PURCHASE – VOICEMAIL COMPUTER FOR ALL CITY FACILITIES

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-012: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO APPROVE THE PURCHASE OF VOICEMAIL COMPUTER FOR ALL CITY FACILITIES FROM HUNTEL COMMUNICATIONS NOT TO EXCEED \$11,700.00.

WHEREAS, City staff has determined that the current voicemail computer is no longer operable, due in part to damage from a lightning strike

WHEREAS, the City Council of the City of La Vista affirms that the purchase of a voicemail system for all city facilities is necessary; and

WHEREAS, funding will come from money received from insurance and the balance will be funded through savings in the General Fund; 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 approve the purchase of a voicemail computer for all city facilities from HunTel Communications in an amount not to exceed \$11,700.00.

Seconded by Councilmember Quick. Councilmember Sheehan asked if the system would work without the software upgrade. Building and Grounds Director Archibald stated that the system would not run correctly without the software being replaced, which includes tech support for a year. Sheehan asked if an upgrade is included each year. Archibald responded that upgrades are included as long as we have a contract. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Nays: None. Absent: Ellerbeck. Motion carried.

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor. There were no comments from the floor.

E. EXECUTIVE SESSION - STRATEGY SESSION/NEGOTIATING GUIDANCE - SARPY COUNTY INTERLOCAL AGREEMENT

At 7:22 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for strategy session/negotiating guidance – Sarpy County Interlocal Agreement. Seconded by Councilmember McLaughlin. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Nays: None. Absent: Ellerbeck. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:07 p.m. the Council came out of executive session. Councilmember Sell made a motion to reconvene in open and public session, noting that the discussion in executive session was limited to the subject matter contained in the original motion. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Nays: None. Absent: Ellerbeck. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council to contact Mary on their preference on the Thompson Creek Tour dates.

Mayor Kindig stated that the Senior Valentine's Day luncheon went well.

Mayor Kindig stated that staff has drafted a letter to the Chamber regarding La Vista Days. Please return your comments to City Administrator Gunn or Assistant City Administrator Ramirez by Wednesday.

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Councilmember Carlisle informed Council she had filed for Mayor. She will conduct all campaigning outside city business.

ADJOURNMENT

At 8:10 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Nays: None. Absent: Ellerbeck. Motion carried.

PASSED AND APPROVED THIS 4TH DAY OF MARCH 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buehe, CMC
City Clerk

K:\APPS\CITYHALL\08 COUNCIL MINUTES\February 19, 2008