

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING March 4, 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 March 4, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Library Director Iwan, Police Lieutenant Pokorny, 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 21, 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 – MARK FLASH – 5 YEARS

Mayor Kindig presented a certificate and pin to Mark Flash 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 FEBRUARY 19, 2008
3. APPROVAL OF THE PLANNING COMMISSION MINUTES FROM JANUARY 17, 2008
4. PAY REQUEST #3 FROM LEO A DALY FOR MUNICIPAL FACILITIES PLAN - \$3,000.00
5. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda. Seconded by Councilmember Carlisle. Councilmember Ronan 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, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

ACTION BATTERIES, Vehicle Supplies	493.40
ALAMAR UNIFORMS, Wearing Apparel	307.74
AMSAN, Supplies	354.35
ANDERSON FORD LINCOLN MERCURY, Vehicle Maint.	19.48
AQUILA, Utilities	15,029.85
ARAMARK UNIFORM, Contract Services	244.31
ASAP SOFTWARE, Contract Services	1,854.00
ASPEN EQUIPMENT, Repair	730.00
ASPHALT & CONCRETE MATERIALS, Street Maint.	177.67
AUSTIN PETERS GROUP, Professional Services	3,697.50
BAKER & TAYLOR BOOKS, Books	1,116.91
BAKER, MARCUS, Auto Allowance	50.00
BATTERY ZONE, Supplies	47.37
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNINGTON IMPLEMENT, Vehicle Maint.	933.67
BETTER BUSINESS EQUIPMENT, Rental	38.63
BIRCH, ANN, Auto Allowance	50.00
BOHLMANN, Bldg & Grnds	88.74
BRODART, Books	360.66
BUETHE, PAM, Auto Allowance/Travel	232.15
BUILDERS SUPPLY, Bldg & Grnds	4.73
CENTER POINT PUBLISHING, Books	110.82
CITY OF OMAHA, Contract Services	28.91
CLUB CONVENTION CENTER	2,340.50
CORBIT, JEFF, Auto Allowance	100.00
D & D COMMUNICATIONS, Telephone	180.00

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DATA TECHNOLOGIES, Contract Services	14.00
DEMCO, Supplies	729.69
ERICKSON, RANDALL, Auto Allowance	100.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Vehicle Maint.	189.85
FLEETPRIDE, Vehicle Maint.	32.11
GALE, Books	90.37
GALL'S, Wearing Apparel	104.20
GASSETT, MIKE, Contract Services	475.00
GOLDMAN, JOHN, Telephone	40.00
GRAPHIC IMAGINATION, Vehicle Maint.	127.85
GRAYBAR ELECTRIC COMPANY, Bldg & Grnds	352.06
GUNN, BRENDA, Auto Allowance	300.00
H & H CHEVROLET, Vehicle Maint.	111.70
HANEY SHOE STORE, Wearing Apparel	120.00
HELGET GAS PRODUCTS, Squad Supplies	133.00
HUNTEL COMMUNICATIONS, Contract Services	247.50
HY-VEE, Supplies	59.03
ICSC-INTL COUNCIL OF SHPG CTRS, Professional Services	1,660.00
IPMA, Dues	345.00
IWAN, ROSE, Auto Allowance	45.00
J Q OFFICE EQUIPMENT, Contract Services	172.82
JO DON'S, Supplies	16.00
JUSTIN THYME CAFÉ, Supplies	390.00
KIMBALL MIDWEST, Vehicle Maint.	72.54
KINDIG, DOUGLAS, Telephone/Auto Allowance	190.00
KLINKER, MARK, Professional Services	200.00
KORTUS, LEE, Contract Services	285.00
KRIHA FLUID POWER, Vehicle Maint.	76.10
LA VISTA COMMUNITY FOUNDATION, Payroll Withholdings	247.00
LA VISTA FIREFIGHTERS ASSN, Donation	100.00
LANDS' END BUSINESS OUTFITTERS, Wearing Apparel	592.95
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	11,116.00
LEAGUE OF NEBR MUNICIPALITIES, Training	250.00
LINWELD, Welding Supplies	230.21
LIVE OAK MEDIA, Media	162.21
LODES, CHRIS, Contract Services	147.50
LUKASIEWICZ, BRIAN, Telephone	40.00
LUPOMECH, CATHY, Travel	179.67
MEDIA RECOVERY, Contract Services	402.89
METAL SUPERMARKETS, Vehicle Maint.	83.56
METROPOLITAN COMMUNITY COLLEGE, Utilities/Contract Services	10,190.99
MID AMERICA PAY PHONES, Telephone	100.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	221.79
MID-STATES UTILITY TRAILER, Vehicle Maint.	270.35
MIDWEST TAPE, Media	359.78
MILLER PRESS, Printing	861.00
MOBILE COMMUNICATIONS, Equipment	75.00
MOTOROLA, Equipment	36,877.10
MUD, Utilities	684.18
MUNICIPAL EMERGENCY SVCS, Equipment	292.00
MUNICIPAL PIPE TOOL, Equipment	3,558.87
NATIONAL POLICE CANINE ASSN, Training	60.00
NCMA-NEBR CITY MANAGERS ASSN, Training	75.00
NE DEPT OF ROADS, Supplies	261.44
NE LIBRARY COMMISSION, CD Rom	1,917.00
NEBRASKA IOWA SUPPLY, Vehicle Supplies	18,370.80
NERPA MEMBERSHIP, Dues	50.00
NEUMAN EQUIPMENT COMPANY, Bldg & Grnds/Vehicle Supplies	176.00
NEW YORK TIMES, Books	13.00
NEXTEL, Telephone	464.41
NOBBIES, Supplies	76.09
OFFICE DEPOT, Supplies	203.31
OMAHA WINNELSON, Bldg & Grnds	364.69
OVERHEAD DOOR COMPANY, Bldg & Grnds	2,170.00
PAPILLION TIRE, Vehicle Maint.	220.22
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	312.16

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PITNEY BOWES, Supplies	221.00
PRECISION INDUSTRIES, Vehicle Maint.	374.16
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	155.25
PROGRESSIVE BUSINESS, Contract Services	250.00
PROPERTY SERVICES, Supplies	65.00
PUSH PEDAL PULL, Bldg & Grnds	100.00
QUILL CORPORATION, Supplies	104.52
QWEST, Telephone	2,335.49
RAMIREZ, RITA, Auto Allowance	75.00
REGAL AWARDS, Wards	305.00
SAPP BROS PETROLEUM, Vehicle Maint.	20.25
SARPY COUNTY COURTHOUSE, Contract Services	3,234.94
SCHOLASTIC LIBRARY PUBLISHING, Books	699.00
SMITH, MELANIE, Auto Allowance	100.00
SOUCIE, JOSEPH, Telephone	30.00
TARGET BANK, Supplies/Awards	429.38
THOMPSON DREESSEN & DORNER, Professional Services	7,591.78
TURF CARS, Carts	210.44
UNIVERSITY OF NE LINCOLN, Training	385.00
V & V MANUFACTURING, Repair	36.55
VERIZON WIRELESS, Telephone	35.54
VIERS, STEVE, Auto Allowance	100.00
WAL-MART, Supplies/Equip.	177.21
WASTE MANAGEMENT, Contract Services	679.16
WICK'S STERLING TRUCKS, Dump Truck	104,991.20
ZOO BOOKS MAGAZINE, Books	45.90

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez asked the Mayor and Council to check their calendars to be sure they would be able to attend a briefing at 6:00 p.m. on April 1, 2008 to go over a draft of the CIP for next year. She asked for a response by Friday.

Fire Chief Uhl thanked the Mayor and Council for allowing him to attend and educational opportunity in Ames, IA last week. He made some very good contacts while there. He also stated that the Fire Department will be hosting their second Citizens Fire Academy in April. Seven people came on the department from the group which attended the first Academy.

Public Works Director Soucie thanked all of those who participated in the Thompson Creek tours and stated that they could contact him with any questions they may have regarding the area. The new dump truck is ready to be put in service. This truck has a function which will allow accessory parts to be switched quickly.

Community Development Director Birch presented the Mayor and Council with a Building Permit Report showing activity from 2000 through 2007 with regard to Building Permit fees, number of housing starts, valuation of housing starts, and the valuation of larger new commercial/industrial buildings in 2007.

Recreation Director Stopak stated that the annual Easter Egg Hunt will be Saturday March 22, 2008 – weather permitting. Stopak also reported that a large baseball event will again be coming to La Vista in June with the addition of two special evening events in La Vista. One of these events will be on a weeknight and one on a weekend. Details are still being discussed. The new elliptical trainer is in and ready for use at the community center.

Library Director Iwan introduced Leslie McPeck to the Mayor and Council. She is currently doing her 50 hour practicum.

B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the One and Six Year Street Improvement Plan.

Street Superintendent Goldman presented the One and Six Year Street Improvement Plan to the Mayor and Council.

Councilmember Sheehan stated that he was not in favor of pursuing priority number 15 – the 66th Street project – until all funding sources and amounts were decided. City Administrator Gunn informed the Council that they are approving the list of projects that we foresee in the future and

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that this plan may change from year to year. The Council is adopting projects one year at a time. Councilmember Gowan inquired as to the work on Marisu Lane Court and the cost of the concrete driveway approaches. Public Works Director Soucie stated that the City only does a driveway approach if there is no other way to take care of the integrity of the street. Mayor Kindig asked whether the City can make people fix their approach on a street that is not under construction. Soucie that the City can and will contact people if they see an approach that is contributing to the undermining of a street. Councilmember Ronan asked about barricades at the intersection of Joseph and James Streets. Goldman stated that due to the weather and frequent snows these potholes could not be fixed and were therefore blocked off until they could be. These were fixed on February 29 and they will be capped this spring. Councilmember Ronan asked how long this fix will last. Goldman stated that the weather determines that somewhat. This year has been a difficult year with the cold temperatures and frost. The overlay life of that area is coming to an end. Councilmember Gowan stated that we take care of the frontage road in front of Sol's and asked what precludes us from doing the same at Wal-Mart. Soucie stated that we have the right-of-way in front of Sol's and therefore we maintain that access. The Wal-Mart property is private property and we can request that they maintain it. Councilmember Sell inquired as to what our authority is to have them fix their access. Soucie stated that if the surface problems on private property would create a backup onto our public roadways, such as 84th Street we can require maintenance to be done or go in and do it at the property owner's expense. Councilmember Gowan asked if there are any engineering issues with their internal access areas. Soucie stated that the Kroenke Group, eight years ago set up a three phase plan for improvements to their access areas. Phase I was done, phase II and III have not been completed. City Administrator Gunn stated that these are problems which many times occur with an absentee landlord.

At 7:53 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-013: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan 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 One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director 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. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. FIREWORKS PERMITS

1. RESOLUTION – ESTABLISH NUMBER OF PERMITS

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA,

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ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2008.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2008 shall not exceed five (5).

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked why we have to do a resolution setting the number of permits allowed when it states the maximum in our Code. Assistant City Administrator Ramirez stated that the wording in the Code still states that we must set the number by resolution each year. City Staff and the City Attorney will look at this to see if Code can be changed to eliminate this resolution each year. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION – ISSUANCE OF PERMITS

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-015: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF THE, LA VISTA YOUTH FOOTBALL AND CHEERLEADING, LA VISTA AREA CHAMBER OF COMMERCE, LA VISTA YOUTH, LA VISTA LANCERS SOCCER CLUB, LA VISTA VIPERS WRESTLING CLUB

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

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

WHEREAS, five (5) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2008 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

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

La Vista Youth Football and Cheerleading, La Vista Area Chamber of Commerce, La Vista Youth, La Vista Lancers Soccer Club, La Vista Vipers Wrestling Club

to sell fireworks within the City of La Vista for the 2008 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization

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which applied for the permit at a meeting with City staff (date and time to be established).

Seconded by Councilmember Quick. Councilmember Sell asked if there were any problems with the fireworks stands last year. City Clerk Bueth stated that there were not. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – PURCHASE OF FIREFIGHTER BUNKER GEAR

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-016: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIVE SETS OF GLOBE G7 BUNKER GEAR FROM MUNICIPAL EMERGENCY SERVICES, INC., SNYDER, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$11,185.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase bunker gear and accessories for the Fire Department; and

WHEREAS, funds are provided in the FY 07/08 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of this bunker gear will bring the department closer to attaining NFPA 1971 compliance for the 2007 standards for protective gear; 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 authorizes the purchase of five sets of Globe G7 Bunker Gear from Municipal Emergency Services, Inc., Snyder, Nebraska in an amount not to exceed \$11,185.00.

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

E. CLASS CK LIQUOR LICENSE APPLICATION FOR THE RENDEZVOUS COMPANY DBA HOUSTON'S LOUNGE **1. PUBLIC HEARING**

At 8:01 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class CK Liquor License Application for The Rendezvous Company dba Houston's Lounge.

John Houston of 5106 S 181st Street representing The Rendezvous Company was present. Councilmember Sheehan asked if this is a family venture to which Mr. Houston stated it is. Sheehan asked if they were planning to have an outdoor beer garden to which Mr. Houston stated that they were and it will be fenced in and monitored. Councilmember Sheehan asked staff if there will be any issues with this area being close to a hotel regarding noise. Staff can monitor this and we have a noise ordinance which law enforcement can enforce if the situation arises.

At 8:05 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-017: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS CK LIQUOR LICENSE APPLICATION OF THE RENDEZVOUS COMPANY DBA HOUSTON'S LOUNGE, LA VISTA, NEBRASKA.

WHEREAS, The Rendezvous Company dba Houston's Lounge, 12040 McDermott Plaza, Suite 100, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class CK Liquor License, and

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WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class CK Liquor License application submitted by The Rendezvous Company dba Houston's Lounge, 12040 McDermott Plaza, Suite 100, La Vista, NE.

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

F. CLASS C LIQUOR LICENSE APPLICATION FOR GLORY DAYS, INC. DBA J-BIRDS FOOD & SPIRITS LOUNGE

1. PUBLIC HEARING

At 8:06 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class C Liquor License Application for Glory Days, Inc. dba J-Birds Food & Spirits Lounge.

Jay Brown of 9829 Centennial Plaza representing J-Birds Food & Spirits Lounge was present.

At 8:08 p.m. Councilmember Sheehan made a motion to close the public hearing. Seconded by Councilmember McLaughlin. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 08-018: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION OF GLORY DAYS INC. DBA J-BIRDS FOOD & SPIRITS, LA VISTA, NEBRASKA.

WHEREAS, Glory Days Inc., dba J-Birds Food & Spirits, 9723 and 9725 Giles Rd, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by Glory Days Inc. dba J-Birds Food & Spirits, 9723 and 9725 Giles Rd, La Vista, NE.

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

G. SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS

1. PUBLIC HEARING

At 8:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements.

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

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-019: 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
7610 Terry Dr., Lot 660, La Vista Replat, \$162.77, and
7413 S. 69th Street, Lot 145, La Vista Replat, \$158.27, and
7005 S. 78th Street, Lot 1107, La Vista, \$155.91, and
7704 S. 71st Ave, Lot 79, Ardmore, \$158.27, and
7357 S. 69th Street, Lot 140, La Vista Replat, \$153.77
were notified to clean up their property as they were in violation of the City Municipal Code, Section 93.015, or the City would do so and bill them accordingly, and

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

WHEREAS, the City sent the property owners bills for said clean up which have 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 amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

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

H. RESOLUTION – AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-020: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT DATED MAY 3, 2004 BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA REGARDING LODGING TAX RATES AND INFRASTRUCTURE CONSTRUCTION.

City Administrator informed the Council that the Sarpy County Board of Commissioners approved this amendment at their meeting this afternoon with a 5-0 vote. Councilmember Sell asked if this agreement gives us a stronger agreement. City Administrator Gunn stated that we are comfortable with this amendment and our commitment.

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor. Public Works Director Soucie informed the Council that he will be in Denver through Friday for APWA. Mary Harper of 8040 S. 84th Street representing the La Vista Area Chamber of Commerce introduced herself to the Council and stated that she has been the director of the Chamber for a year and wanted to introduce herself. She stated that the Chamber feels working with the City is a very important piece of what they do and wants to continue this strong relationship.

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COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan stated that he had recently been by the Peel's facility and he was impressed as to how nicely the facility and grounds had been done.

Councilmember Ellerbeck thanked the Director of the La Vista Area Chamber of Commerce for coming to the meeting.

City Administrator Gunn reminded the Mayor and Council that the Strategic Planning Retreat will begin Saturday with coffee at 8:15 and the retreat will begin at 8:30 at the Police Facility.

ADJOURNMENT

At 8:13 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\08 COUNCIL MINUTES\March 4, 2008

MINUTE RECORD

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

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING March 8, 2008

A Strategic Planning Retreat of the City Council of the City of La Vista, Nebraska was convened in open and public session at 8:30 a.m. on March 8, 2008. Present were Mayor Kindig and Councilmembers Ronan, Quick, Sheehan, Carlisle, Ellerbeck, Sell, and Gowan. Absent: McLaughlin. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueche, Community Development Director Birch, Fire Chief Uhl, Finance Director Lindberg, Library Director Iwan, Police Chief Lausten, Recreation Director Stopak, Building and Grounds Director Archibald, Public Works Director Soucie, and Administrative Assistant Alex.

A notice of the meeting was given in advance thereof by publication in the Times on February 27, 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.

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.

Mayor Kindig welcomed the group to this Strategic Planning Retreat and then introduced the Facilitator for this Workshop, Marla Flentje.

Ms. Flentje gave an overview of the process of events for the day.

TEAM RECOGNITION

Ms. Flentje had each team member recognize another member of the team for something they had accomplished with regard to the strategic plan for the benefit of the City over the past year.

REVIEW OF STRATEGIC PLAN

City Administrator Gunn reviewed the strategic plan for 2007-2009 which was adopted by the Mayor and Council in 2007. She gave an update of the action steps which have been taken to meet the key objectives within the plan. Team members, working in small groups addressed reaction to the survey results and whether there were any significant survey findings which the team needs to take into account when setting direction for the next two years.

CITIZEN SURVEY RESULTS

City Administrator Gunn reviewed the Citizen Survey Results covering areas such as new development, appearance, education, and taxes. She stated that the overall results were good. Discussion was held regarding Mayor and Council reaction to the Survey results.

At 9:50 a.m. the team took a break.

VIEW FROM THE BRIDGE

City Administrator Gunn talked to the group about current items such as annexation planning, 84th Street redevelopment, Thompson Creek, and the swimming pool. Discussion was held regarding each of these items.

IDENTIFYING ADDITIONAL CITY ISSUES

Ms. Flentje led the Council and Staff through an identification process of emerging challenges or opportunities what the City's strategic plan should address and what priority those issues should be given.

At 11:45 p.m. Council recessed for lunch.

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TEAM BUILDING ACTIVITY

At 12:15 p.m. Council reconvened and Ms. Flentje led the team in an activity to learn more about the history of the City of La Vista.

BRAINSTORMING STRATEGIC OBJECTIVES

Team members worked in discussion groups, and based on the earlier discussions they looked at the current strategic plan to determine if there are any strategic objectives not yet undertaken that should be deleted from the plan. They also looked at possible revised or new objectives that could be added as the plan is updated for 2008-2010. Each team determined new objectives, not to exceed 7, to recommend to the full team.

At 1:30 p.m. The team took a break.

STRATEGIC OBJECTIVES

Each group presented their recommendations and the full team reached preliminary agreement on objectives.

ADDITIONAL TOPICS

Team members talked about additional topics that they felt were important to put on the radar for future planning.

RETREAT EVALUATION

The team evaluated what was accomplished during this retreat, and what was learned about La Vista and the team today.

CLOSING REMARKS AND ADJOURNMENT

At 2:50 p.m. Mayor Kindig made closing remarks regarding the great efforts of council and staff to make this retreat a very productive venture and thanked all for coming. He then declared this meeting adjourned.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING March 4, 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 March 4, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Library Director Iwan, Police Lieutenant Pokorny, 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 21, 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 – MARK FLASH – 5 YEARS

Mayor Kindig presented a certificate and pin to Mark Flash 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 FEBRUARY 19, 2008
3. APPROVAL OF THE PLANNING COMMISSION MINUTES FROM JANUARY 17, 2008
4. PAY REQUEST #3 FROM LEO A DALY FOR MUNICIPAL FACILITIES PLAN - \$3,000.00
5. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda. Seconded by Councilmember Carlisle. Councilmember Ronan 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, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

ACTION BATTERIES, Vehicle Supplies	493.40
ALAMAR UNIFORMS, Wearing Apparel	307.74
AMSAN, Supplies	354.35
ANDERSON FORD LINCOLN MERCURY, Vehicle Maint.	19.48
AQUILA, Utilities	15,029.85
ARAMARK UNIFORM, Contract Services	244.31
ASAP SOFTWARE, Contract Services	1,854.00
ASPEN EQUIPMENT, Repair	730.00
ASPHALT & CONCRETE MATERIALS, Street Maint.	177.67
AUSTIN PETERS GROUP, Professional Services	3,697.50
BAKER & TAYLOR BOOKS, Books	1,116.91
BAKER, MARCUS, Auto Allowance	50.00
BATTERY ZONE, Supplies	47.37
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNINGTON IMPLEMENT, Vehicle Maint.	933.67
BETTER BUSINESS EQUIPMENT, Rental	38.63
BIRCH, ANN, Auto Allowance	50.00
BOHLMANN, Bldg & Grnds	88.74
BRODART, Books	360.66
BUETHE, PAM, Auto Allowance/Travel	232.15
BUILDERS SUPPLY, Bldg & Grnds	4.73
CENTER POINT PUBLISHING, Books	110.82
CITY OF OMAHA, Contract Services	28.91
CLUB CONVENTION CENTER	2,340.50
CORBIT, JEFF, Auto Allowance	100.00
D & D COMMUNICATIONS, Telephone	180.00

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DATA TECHNOLOGIES, Contract Services	14.00
DEMCO, Supplies	729.69
ERICKSON, RANDALL, Auto Allowance	100.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Vehicle Maint.	189.85
FLEETPRIDE, Vehicle Maint.	32.11
GALE, Books	90.37
GALL'S, Wearing Apparel	104.20
GASSERT, MIKE, Contract Services	475.00
GOLDMAN, JOHN, Telephone	40.00
GRAPHIC IMAGINATION, Vehicle Maint.	127.85
GRAYBAR ELECTRIC COMPANY, Bldg & Grnds	352.06
GUNN, BRENDA, Auto Allowance	300.00
H & H CHEVROLET, Vehicle Maint.	111.70
HANEY SHOE STORE, Wearing Apparel	120.00
HELGET GAS PRODUCTS, Squad Supplies	133.00
HUNTEL COMMUNICATIONS, Contract Services	247.50
HY-VEE, Supplies	59.03
ICSC-INTL COUNCIL OF SHPG CTRS, Professional Services	1,660.00
IPMA, Dues	345.00
IWAN, ROSE, Auto Allowance	45.00
J Q OFFICE EQUIPMENT, Contract Services	172.82
JO DON'S, Supplies	16.00
JUSTIN THYME CAFÉ, Supplies	390.00
KIMBALL MIDWEST, Vehicle Maint.	72.54
KINDIG, DOUGLAS, Telephone/Auto Allowance	190.00
KLINKER, MARK, Professional Services	200.00
KORTUS, LEE, Contract Services	285.00
KRIHA FLUID POWER, Vehicle Maint.	76.10
LA VISTA COMMUNITY FOUNDATION, Payroll Withholdings	247.00
LA VISTA FIREFIGHTERS ASSN, Donation	100.00
LANDS' END BUSINESS OUTFITTERS, Wearing Apparel	592.95
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	11,116.00
LEAGUE OF NEBR MUNICIPALITIES, Training	250.00
LINWELD, Welding Supplies	230.21
LIVE OAK MEDIA, Media	162.21
LODES, CHRIS, Contract Services	147.50
LUKASIEWICZ, BRIAN, Telephone	40.00
LUPOMECH, CATHY, Travel	179.67
MEDIA RECOVERY, Contract Services	402.89
METAL SUPERMARKETS, Vehicle Maint.	83.56
METROPOLITAN COMMUNITY COLLEGE, Utilities/Contract Services	10,190.99
MID AMERICA PAY PHONES, Telephone	100.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	221.79
MID-STATES UTILITY TRAILER, Vehicle Maint.	270.35
MIDWEST TAPE, Media	359.78
MILLER PRESS, Printing	861.00
MOBILE COMMUNICATIONS, Equipment	75.00
MOTOROLA, Equipment	36,877.10
MUD, Utilities	684.18
MUNICIPAL EMERGENCY SVCS, Equipment	292.00
MUNICIPAL PIPE TOOL, Equipment	3,558.87
NATIONAL POLICE CANINE ASSN, Training	60.00
NCMA-NEBR CITY MANAGERS ASSN, Training	75.00
NE DEPT OF ROADS, Supplies	261.44
NE LIBRARY COMMISSION, CD Rom	1,917.00
NEBRASKA IOWA SUPPLY, Vehicle Supplies	18,370.80
NERPA MEMBERSHIP, Dues	50.00
NEUMAN EQUIPMENT COMPANY, Bldg & Grnds/Vehicle Supplies	176.00
NEW YORK TIMES, Books	13.00
NEXTEL, Telephone	464.41
NOBBIES, Supplies	76.09
OFFICE DEPOT, Supplies	203.31
OMAHA WINNELSON, Bldg & Grnds	364.69
OVERHEAD DOOR COMPANY, Bldg & Grnds	2,170.00
PAPILLION TIRE, Vehicle Maint.	220.22
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	312.16

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PITNEY BOWES, Supplies	221.00
PRECISION INDUSTRIES, Vehicle Maint.	374.16
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	155.25
PROGRESSIVE BUSINESS, Contract Services	250.00
PROPERTY SERVICES, Supplies	65.00
PUSH PEDAL PULL, Bldg & Grnds	100.00
QUILL CORPORATION, Supplies	104.52
QWEST, Telephone	2,335.49
RAMIREZ, RITA, Auto Allowance	75.00
REGAL AWARDS, Wards	305.00
SAPP BROS PETROLEUM, Vehicle Maint.	20.25
SARPY COUNTY COURTHOUSE, Contract Services	3,234.94
SCHOLASTIC LIBRARY PUBLISHING, Books	699.00
SMITH, MELANIE, Auto Allowance	100.00
SOUCIE, JOSEPH, Telephone	30.00
TARGET BANK, Supplies/Awards	429.38
THOMPSON DRESSEN & DORNER, Professional Services	7,591.78
TURF CARS, Carts	210.44
UNIVERSITY OF NE LINCOLN, Training	385.00
V & V MANUFACTURING, Repair	36.55
VERIZON WIRELESS, Telephone	35.54
VIERS, STEVE, Auto Allowance	100.00
WAL-MART, Supplies/Equip.	177.21
WASTE MANAGEMENT, Contract Services	679.16
WICK'S STERLING TRUCKS, Dump Truck	104,991.20
ZOO BOOKS MAGAZINE, Books	45.90

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez asked the Mayor and Council to check their calendars to be sure they would be able to attend a briefing at 6:00 p.m. on April 1, 2008 to go over a draft of the CIP for next year. She asked for a response by Friday.

Fire Chief Uhl thanked the Mayor and Council for allowing him to attend and educational opportunity in Ames, IA last week. He made some very good contacts while there. He also stated that the Fire Department will be hosting their second Citizens Fire Academy in April. Seven people came on the department from the group which attended the first Academy.

Public Works Director Soucie thanked all of those who participated in the Thompson Creek tours and stated that they could contact him with any questions they may have regarding the area. The new dump truck is ready to be put in service. This truck has a function which will allow accessory parts to be switched quickly.

Community Development Director Birch presented the Mayor and Council with a Building Permit Report showing activity from 2000 through 2007 with regard to Building Permit fees, number of housing starts, valuation of housing starts, and the valuation of larger new commercial/industrial buildings in 2007.

Recreation Director Stopak stated that the annual Easter Egg Hunt will be Saturday March 22, 2008 – weather permitting. Stopak also reported that a large baseball event will again be coming to La Vista in June with the addition of two special evening events in La Vista. One of these events will be on a weeknight and one on a weekend. Details are still being discussed. The new elliptical trainer is in and ready for use at the community center.

Library Director Iwan introduced Leslie McPeck to the Mayor and Council. She is currently doing her 50 hour practicum.

B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the One and Six Year Street Improvement Plan.

Street Superintendent Goldman presented the One and Six Year Street Improvement Plan to the Mayor and Council.

Councilmember Sheehan stated that he was not in favor of pursuing priority number 15 – the 66th Street project – until all funding sources and amounts were decided. City Administrator Gunn informed the Council that they are approving the list of projects that we foresee in the future and

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that this plan may change from year to year. The Council is adopting projects one year at a time. Councilmember Gowan inquired as to the work on Marisu Lane Court and the cost of the concrete driveway approaches. Public Works Director Soucie stated that the City only does a driveway approach if there is no other way to take care of the integrity of the street. Mayor Kindig asked whether the City can make people fix their approach on a street that is not under construction. Soucie that the City can and will contact people if they see an approach that is contributing to the undermining of a street. Councilmember Ronan asked about barricades at the intersection of Joseph and James Streets. Goldman stated that due to the weather and frequent snows these potholes could not be fixed and were therefore blocked off until they could be. These were fixed on February 29 and they will be capped this spring. Councilmember Ronan asked how long this fix will last. Goldman stated that the weather determines that somewhat. This year has been a difficult year with the cold temperatures and frost. The overlay life of that area is coming to an end. Councilmember Gowan stated that we take care of the frontage road in front of Sol's and asked what precludes us from doing the same at Wal-Mart. Soucie stated that we have the right-of-way in front of Sol's and therefore we maintain that access. The Wal-Mart property is private property and we can request that they maintain it. Councilmember Sell inquired as to what our authority is to have them fix their access. Soucie stated that if the surface problems on private property would create a backup onto our public roadways, such as 84th Street we can require maintenance to be done or go in and do it at the property owner's expense. Councilmember Gowan asked if there are any engineering issues with their internal access areas. Soucie stated that the Kroenke Group, eight years ago set up a three phase plan for improvements to their access areas. Phase I was done, phase II and III have not been completed. City Administrator Gunn stated that these are problems which many times occur with an absentee landlord.

At 7:53 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-013: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan 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 One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director 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. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. FIREWORKS PERMITS

1. RESOLUTION - ESTABLISH NUMBER OF PERMITS

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA,

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ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2008.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2008 shall not exceed five (5).

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked why we have to do a resolution setting the number of permits allowed when it states the maximum in our Code. Assistant City Administrator Ramirez stated that the wording in the Code still states that we must set the number by resolution each year. City Staff and the City Attorney will look at this to see if Code can be changed to eliminate this resolution each year. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION – ISSUANCE OF PERMITS

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-015: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF THE, LA VISTA YOUTH FOOTBALL AND CHEERLEADING, LA VISTA AREA CHAMBER OF COMMERCE, LA VISTA YOUTH, LA VISTA LANCERS SOCCER CLUB, LA VISTA VIPERS WRESTLING CLUB

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

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

WHEREAS, five (5) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2008 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

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

La Vista Youth Football and Cheerleading, La Vista Area Chamber of Commerce, La Vista Youth, La Vista Lancers Soccer Club, La Vista Vipers Wrestling Club

to sell fireworks within the City of La Vista for the 2008 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization

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which applied for the permit at a meeting with City staff (date and time to be established).

Seconded by Councilmember Quick. Councilmember Sell asked if there were any problems with the fireworks stands last year. City Clerk Buethe stated that there were not. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – PURCHASE OF FIREFIGHTER BUNKER GEAR

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-016: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIVE SETS OF GLOBE G7 BUNKER GEAR FROM MUNICIPAL EMERGENCY SERVICES, INC., SNYDER, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$11,185.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase bunker gear and accessories for the Fire Department; and

WHEREAS, funds are provided in the FY 07/08 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of this bunker gear will bring the department closer to attaining NFPA 1971 compliance for the 2007 standards for protective gear; 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 authorizes the purchase of five sets of Globe G7 Bunker Gear from Municipal Emergency Services, Inc., Snyder, Nebraska in an amount not to exceed \$11,185.00.

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

E. CLASS CK LIQUOR LICENSE APPLICATION FOR THE RENDEZVOUS COMPANY DBA HOUSTON'S LOUNGE **1. PUBLIC HEARING**

At 8:01 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class CK Liquor License Application for The Rendezvous Company dba Houston's Lounge.

John Houston of 5106 S 181st Street representing The Rendezvous Company was present. Councilmember Sheehan asked if this is a family venture to which Mr. Houston stated it is. Sheehan asked if they were planning to have an outdoor beer garden to which Mr. Houston stated that they were and it will be fenced in and monitored. Councilmember Sheehan asked staff if there will be any issues with this area being close to a hotel regarding noise. Staff can monitor this and we have a noise ordinance which law enforcement can enforce if the situation arises.

At 8:05 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-017: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS CK LIQUOR LICENSE APPLICATION OF THE RENDEZVOUS COMPANY DBA HOUSTON'S LOUNGE, LA VISTA, NEBRASKA.

WHEREAS, The Rendezvous Company dba Houston's Lounge, 12040 McDermott Plaza, Suite 100, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class CK Liquor License, and

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WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class CK Liquor License application submitted by The Rendezvous Company dba Houston's Lounge, 12040 McDermott Plaza, Suite 100, La Vista, NE.

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

F. CLASS C LIQUOR LICENSE APPLICATION FOR GLORY DAYS, INC. DBA J-BIRDS FOOD & SPIRITS LOUNGE

1. PUBLIC HEARING

At 8:06 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class C Liquor License Application for Glory Days, Inc. dba J-Birds Food & Spirits Lounge.

Jay Brown of 9829 Centennial Plaza representing J-Birds Food & Spirits Lounge was present.

At 8:08 p.m. Councilmember Sheehan made a motion to close the public hearing. Seconded by Councilmember McLaughlin. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 08-018: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION OF GLORY DAYS INC. DBA J-BIRDS FOOD & SPIRITS, LA VISTA, NEBRASKA.

WHEREAS, Glory Days Inc., dba J-Birds Food & Spirits, 9723 and 9725 Giles Rd, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by Glory Days Inc. dba J-Birds Food & Spirits, 9723 and 9725 Giles Rd, La Vista, NE.

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

G. SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS

1. PUBLIC HEARING

At 8:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements.

MINUTE RECORD

March 4, 2008

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

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

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-019: 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
7610 Terry Dr., Lot 660, La Vista Replat, \$162.77, and
7413 S. 69th Street, Lot 145, La Vista Replat, \$158.27, and
7005 S. 78th Street, Lot 1107, La Vista, \$155.91, and
7704 S. 71st Ave, Lot 79, Ardmore, \$158.27, and
7357 S. 69th Street, Lot 140, La Vista Replat, \$153.77
were notified to clean up their property as they were in violation of the City Municipal Code, Section 93.015, or the City would do so and bill them accordingly, and

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

WHEREAS, the City sent the property owners bills for said clean up which have 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 amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

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

H. RESOLUTION – AMENDMENT TO INTERLOCAL COOPERATION AGREEMENT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-020: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE INTERLOCAL COOPERATION AGREEMENT DATED MAY 3, 2004 BETWEEN SARPY COUNTY AND THE CITY OF LA VISTA REGARDING LODGING TAX RATES AND INFRASTRUCTURE CONSTRUCTION.

City Administrator informed the Council that the Sarpy County Board of Commissioners approved this amendment at their meeting this afternoon with a 5-0 vote. Councilmember Sell asked if this agreement gives us a stronger agreement. City Administrator Gunn stated that we are comfortable with this amendment and our commitment.

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor. Public Works Director Soucie informed the Council that he will be in Denver through Friday for APWA. Mary Harper of 8040 S. 84th Street representing the La Vista Area Chamber of Commerce introduced herself to the Council and stated that she has been the director of the Chamber for a year and wanted to introduce herself. She stated that the Chamber feels working with the City is a very important piece of what they do and wants to continue this strong relationship.

MINUTE RECORD

March 4, 2008

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

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan stated that he had recently been by the Peel's facility and he was impressed as to how nicely the facility and grounds had been done.

Councilmember Ellerbeck thanked the Director of the La Vista Area Chamber of Commerce for coming to the meeting.

City Administrator Gunn reminded the Mayor and Council that the Strategic Planning Retreat will begin Saturday with coffee at 8:15 and the retreat will begin at 8:30 at the Police Facility.

ADJOURNMENT

At 8:13 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\08 COUNCIL MINUTES\March 4, 2008

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING March 8, 2008

A Strategic Planning Retreat of the City Council of the City of La Vista, Nebraska was convened in open and public session at 8:30 a.m. on March 8, 2008. Present were Mayor Kindig and Councilmembers Ronan, Quick, Sheehan, Carlisle, Ellerbeck, Sell, and Gowan. Absent: McLaughlin. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Community Development Director Birch, Fire Chief Uhl, Finance Director Lindberg, Library Director Iwan, Police Chief Lausten, Recreation Director Stopak, Building and Grounds Director Archibald, Public Works Director Soucie, and Administrative Assistant Alex.

A notice of the meeting was given in advance thereof by publication in the Times on February 27, 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.

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.

Mayor Kindig welcomed the group to this Strategic Planning Retreat and then introduced the Facilitator for this Workshop, Marla Flentje.

Ms. Flentje gave an overview of the process of events for the day.

TEAM RECOGNITION

Ms. Flentje had each team member recognize another member of the team for something they had accomplished with regard to the strategic plan for the benefit of the City over the past year.

REVIEW OF STRATEGIC PLAN

City Administrator Gunn reviewed the strategic plan for 2007-2009 which was adopted by the Mayor and Council in 2007. She gave an update of the action steps which have been taken to meet the key objectives within the plan. Team members, working in small groups addressed reaction to the survey results and whether there were any significant survey findings which the team needs to take into account when setting direction for the next two years.

CITIZEN SURVEY RESULTS

City Administrator Gunn reviewed the Citizen Survey Results covering areas such as new development, appearance, education, and taxes. She stated that the overall results were good. Discussion was held regarding Mayor and Council reaction to the Survey results.

At 9:50 a.m. the team took a break.

VIEW FROM THE BRIDGE

City Administrator Gunn talked to the group about current items such as annexation planning, 84th Street redevelopment, Thompson Creek, and the swimming pool. Discussion was held regarding each of these items.

IDENTIFYING ADDITIONAL CITY ISSUES

Ms. Flentje led the Council and Staff through an identification process of emerging challenges or opportunities what the City's strategic plan should address and what priority those issues should be given.

At 11:45 p.m. Council recessed for lunch.

MINUTE RECORD

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

TEAM BUILDING ACTIVITY

At 12:15 p.m. Council reconvened and Ms. Flentje led the team in an activity to learn more about the history of the City of La Vista.

BRAINSTORMING STRATEGIC OBJECTIVES

Team members worked in discussion groups, and based on the earlier discussions they looked at the current strategic plan to determine if there are any strategic objectives not yet undertaken that should be deleted from the plan. They also looked at possible revised or new objectives that could be added as the plan is updated for 2008-2010. Each team determined new objectives, not to exceed 7, to recommend to the full team.

At 1:30 p.m. The team took a break.

STRATEGIC OBJECTIVES

Each group presented their recommendations and the full team reached preliminary agreement on objectives.

ADDITIONAL TOPICS

Team members talked about additional topics that they felt were important to put on the radar for future planning.

RETREAT EVALUATION

The team evaluated what was accomplished during this retreat, and what was learned about La Vista and the team today.

CLOSING REMARKS AND ADJOURNMENT

At 2:50 p.m. Mayor Kindig made closing remarks regarding the great efforts of council and staff to make this retreat a very productive venture and thanked all for coming. He then declared this meeting adjourned.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

City of LaVista
Park & Recreation Advisory Committee Minutes
February 20, 2008

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:02 p.m. on February 20, 2008. Present were Recreation Director Scott Stopak, Chairperson Greg Johnson, John Vendetti, George Forst, and Pat Lodes. Absent: Randall Cahill

A notice of the meeting was given advance thereof by publication in the Times on February 14, 2008. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Chairperson Johnson called the meeting to order.

Seconded by Committee Member Lodes. Motion carried.

Recreation Director Stopak led the audience in the Pledge of Allegiance.

Recreation Director Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Chairperson Johnson made the motion to approve the consent agenda.

Seconded by Committee Member Vendetti. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Recreation Director Scott Stopak informed the Board that the 2008 Citizen Survey results have been compiled and staff are reviewing and will be made available to the public in the near future.

Recreation Director Stopak informed the Board that a salary compensation study was also being conducted at the time.

Recreation Director Stopak informed the Board that Louis Carter, Special Services Bus Driver, has submitted his resignation. His last day will be March 4, 2008.

Recreation Director Stopak informed the Board that the Golf Clubhouse was going to have new blinds installed and new tables and chairs were ordered as well.

Assistant Recreation Director David Karlson stated that the Recreation Dept. is going to be a local host sight for the Jr. Olympics Skills Competition. The program is free for 8-13 year olds. The basketball skills competition will be held on March 18, from 4 - 6 pm. There is a chance of advancement to regional and national level competition. Travel expenses would incur if the participant would advance to a higher level.

The annual Easter Egg Hunt will be held on March 22, 2008.

Free tax preparation is also offered at the Community Center on various days thru April 15, 2008.

Program Director Carstensen reported on the Senior program. Meals are provided Monday, Wednesday and Fridays. February events include a visiting nurse on the first Friday of each month, Bingo on the first Monday of the month, a beach party pot luck, a trip to the Shrine Circus, Thursday movie day and a pitch tournament. The Senior Valentine Brunch was held on February 14, and attended by 115 people.

Program Coordinator Burns stated that the following programs were ongoing: 1st & 2nd grade basketball clinic, 3rd - 6th grade basketball, adult basketball, adult volleyball and the Teachers league. Registrations are currently being accepted for youth flag football, youth baseball and softball, and adult softball.

B. SWIMMING POOL CONCEPT DISCUSSION

Recreation Director Stopak informed the Board that the 2008 Citizen Survey results have been compiled and staff are reviewing and will be made available to the public in the near future to assist with the recommendation process for the swimming pool concept.

COMMENTS FROM THE FLOOR

No comments.

COMMENTS FROM COMMITTEE MEMBERS

No comments.

ADJOURNMENT

Committee member Vendetti made the motion to adjourn. Seconded by Committee member Forst. Motion carried.

Meeting adjourned at 7:30 p.m.



THOMPSON, DREESSEN & DORNER, INC.

Consulting Engineers & Land Surveyors

February 21, 2008

Mr. Joe Soucie
Public Works Director
City of La Vista
8116 Park View Boulevard
La Vista, NE 68128

ROBERT E. DREESSEN, P.E.	TIMOTHY T. PAPSTEIN, P.E.
NELSON J. HYMAN, P.E.	MICHAEL J. SMITH, L.S.
JAMES D. WARNER, L.S.	TROY J. NISSEN, P.E./S.E.
CHARLES E. RIGGS, P.E.	DOUGLAS E. KELLNER, P.E.
KA "KID" P. SQUIRE III, P.E./S.E.	GARY A. NORTON, P.E.
JOHN M. KOTTMANN, P.E.	BRIAN L. LODES, P.E.
ARTHUR D. BECCARD, P.E.	KURTIS L. ROHN, P.E.
DOUGLAS S. DREESSEN, P.E.	JEFFREY L. THOMPSON, P.E.
DEAN A. JAEGER, P.E.	DAREN A. KONDA, P.E.
RICHARD M. BROYLES, L.S.	MICHAEL T. CANIGLIA, L.S.
DAVID H. NEEF, L.S.	JEREMY T. STEENHOEK, P.E.
RONALD M. KOENIG, L.S.	JOSHUA J. STORM, P.E.
CHRIS E. DORNER, L.S.	

RE: Keystone Trail-La Vista Link
Pay Request No. 5 for Engineering Services
Invoice No. 82758
TD² File No. 171-254.20

Joe:

Please find herewith Invoice No. 82758 in the amount of \$4,756.18. We are sending this invoice to you rather than City Hall since this should be reimbursed under your agreement with the NDOR for this project. Attached to the invoice is an itemization of the services and a progress report required by our Consultant Agreement with the City for this project.

Please let me know if we need to provide further information.

Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

Enclosure

cc: File

OK for Payment
J 3-4-08
05.71.0816.02

KEYSTONE TRAIL - LA VISTA LINK
PAYMENT REQUEST NO. 5 ITEMIZATION
INVOICE NO. 82758

Labor

Name & Title	Title	Hours	Actual Rate/Hr.	Cost
John M. Kottmann	Senior Engineer	12.5	\$40.24	\$503.00
Brian Lodes	Staff Engineer	7	\$24.52	\$171.64
Roger Meyer	Sr. CADD Tech w/Eqpt.	38.5	\$24.20	\$931.70
Michael Smith	Registered Land Surveyor	0	\$27.31	\$0.00
David Pearson	Survey Party Chief	0	\$15.00	\$0.00
Brian Morgan	Survey Technician	0	\$13.00	\$0.00
Michael Skiles	Survey CADD Tech w/Eqpt.	0	\$17.00	\$0.00
Barb Mazurak	Clerical	1	\$19.15	\$19.15
Sub-Total				\$1,625.49
Direct Labor Subtotal				\$1,625.49
Overhead @ 166%				\$2,698.31
Sub-Total Labor & Overhead				\$4,323.80
Profit, 10% of Subtotal for Labor & Overhead				\$432.38
Total Labor, Overhead & Profit				\$4,756.18

Other Direct Costs

Reimbursable Expenses

Reproduction Services	\$0.00
Mileage	\$0.00
Data Collection Eqpt.	\$0.00
Sub-Total for Reimbursables	\$0.00

Total Estimated Professional Fees \$4,756.18

KEYSTONE TRAIL-LA VISTA LINK
PROJECT NO. ENH-77(50)
CONTROL NO. 22251
CONSULTANT AGREEMENT
PAY REQUEST NO. 5
PROGRESS REPORT

Environmental Reviews	80%
Topo. Survey, ROW & Utility Information	100%
Preliminary Design	80%
Final Design	0%
Final P, S & E	0%
Bidding Phase	0%



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors
10836 Old Mill Road
Omaha, NE 68154

Invoice

CITY OF La VISTA
8116 PARKVIEW BOULEVARD
LA VISTA, NE 68128

February 21, 2008
Project No: 0171-254
Invoice No: 82758

Project 0171-254 BIG PAPIO TRAIL CONNECTION PO# 08-0085
Professional Services from December 31, 2007 to February 3, 2008

Payment Request No. 5 per Attached Documentation

Total this Invoice \$4,756.18

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% Per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees.



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors
10836 Old Mill Road
Omaha, NE 68154

Invoice

CITY OF La VISTA
8116 PARKVIEW BOULEVARD
LA VISTA, NE 68128

February 21, 2008
Project No: 0171-254
Invoice No: 82758

COPY

Project 0171-254 BIG PAPIO TRAIL CONNECTION PO# 08-0085
Professional Services from December 31, 2007 to February 3, 2008

Payment Request No. 5 per Attached Documentation

Total this Invoice \$4,756.18

Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% Per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees.



John Q Hammons
INDUSTRIES

March 4, 2008

Sheila Lindberg, Finance Director
City of La Vista
8116 Park View Blvd.
LaVista, NE 68128

RE: Draw Request #6 on LaVista, NE Conference Center

Dear Ms. Lindberg:

Enclosed is our sixth draw on the Conference Center in LaVista, NE in the amount of \$687,532.60 with supporting invoices. Our 28% equity of this draw is \$192,509.13.

We would like the funds in the amount of \$495,023.47 wired as early as possible on the morning of March 19, 2008 using the enclosed wiring instructions. Please notify me at 417/864-4300 when this is completed.

Sincerely,

Jacquie Dowdy
Treasurer

lfh
enclosures

PROJECT: LAVISTA, NE CONVENTION CENTER

LENDER: CITY OF LAVISTA

DRAW #6

MARCH 4, 2008

LAVISTANECONVCTRDRAW.xls

	CONSTRUCTION BUDGET	AMOUNT PAID BY JOH	ADVANCED TO DATE	TOTAL PAID TO DATE BEFORE REQUEST	CURRENT DRAW #5	LESS JOH 28.00%	NET CURRENT REQUEST	TOTAL ADV AFTER REQUEST	TOTAL PAID AFTER REQUEST	TOTAL % OF BUDGET	BALANCE TO FINISH
LAND	\$ 1,200,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%	\$ 1,200,000.00
CONSTRUCTION	\$ 14,850,000.00	\$ 2,734,125.13	\$ 7,078,854.60	\$ 9,812,979.73	\$ 588,723.64	\$ (164,842.62)	\$ 423,881.02	\$ 7,502,735.62	\$ 10,401,703.37	70.05%	\$ 4,448,296.63
BUILDING PERMITS	\$ 90,000.00	\$ 35,551.65	\$ 91,418.54	\$ 126,970.19	\$ -	\$ -	\$ -	\$ 91,418.54	\$ 126,970.19	141.08%	\$ (36,970.19)
TECHNICAL FEES	\$ 1,312,000.00	\$ 154,575.44	\$ 395,983.50	\$ 550,558.94	\$ 19,552.04	\$ (5,474.57)	\$ 14,077.47	\$ 410,060.97	\$ 570,110.98	43.45%	\$ 741,889.02
F F & E	\$ 3,957,000.00	\$ 36,098.52	\$ 92,824.75	\$ 128,923.27	\$ 79,256.92	\$ (22,191.94)	\$ 57,064.98	\$ 149,889.73	\$ 208,180.19	5.26%	\$ 3,748,819.81
CAPITALIZED INTEREST	\$ 665,156.00	\$ 19,669.79	\$ 50,579.47	\$ 70,249.26	\$ -	\$ -	\$ -	\$ 50,579.47	\$ 70,249.26	10.56%	\$ 594,906.74
FINANCE COSTS	\$ 626,844.00	\$ 18,762.75	\$ -	\$ 18,762.75	\$ -	\$ -	\$ -	\$ -	\$ 18,762.75	2.99%	\$ 608,081.25
PRE-OPENING	\$ 300,000.00	\$ 21.69	\$ 55.76	\$ 77.45	\$ -	\$ -	\$ -	\$ 55.76	\$ 77.45	0.03%	\$ 299,922.55
LEGAL FEES	\$ 50,000.00	\$ 68.60	\$ 176.40	\$ 245.00	\$ -	\$ -	\$ -	\$ 176.40	\$ 245.00	0.49%	\$ 49,755.00
MISCELLANEOUS	\$ 150,000.00	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	0.00%	\$ 150,000.00
TOTAL	\$ 23,201,000.00	\$ 2,998,873.57	\$ 7,709,803.02	\$ 10,708,766.59	\$ 687,532.60	\$ (192,509.13)	\$ 495,023.47	\$ 8,204,916.49	\$ 11,396,299.19	72.00%	\$ 11,804,700.81
% OF JOB AFTER CURRENT DRAW											100.00%
28% PAID BY BORROWER:											
72% ADVANCED BY CITY:											
TOTAL INVOICES SUBMITTED:											

28% PAID BY BORROWER: \$ 192,509.13

72% ADVANCED BY CITY: \$ 495,023.47

TOTAL INVOICES SUBMITTED: \$ 687,532.60

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL

1	Bank of Nebraska	(600-873)							
		45928			Payroll Checks				
Thru		45929							
		45930			Gap in Checks				
Thru		92084							
		92085	3/05/2008	3909	LEO A DALY COMPANY	3,000.00			**MANUAL**
		92086	3/05/2008	2803	PERFORMANCE DODGE	74,664.00			**MANUAL**
		92087	3/05/2008	2888	HOME DEPOT CREDIT SERVICES	299.00			**MANUAL**
		92088	3/05/2008	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	372.00			**MANUAL**
		92089	3/06/2008	2625	CARDMEMBER SERVICE-ELAN	6,578.10			**MANUAL**
		92090	3/18/2008	571	ALAMAR UNIFORMS	6.80			
		92091	3/18/2008	3926	ALEXANDER, KATHLEEN	139.88			
		92092	3/18/2008	435	ANDERSON FORD LINCOLN MERCURY	99.99			
		92093	3/18/2008	1	ANDERSON, HAROLD	282.72			
		92094	3/18/2008	1973	ANN TROE	329.50			
		92095	3/18/2008	1954	APWA MID-AMERICA CONFERENCE	300.00			
		92096	3/18/2008	196	AQUILA	4,071.03			
		92097	3/18/2008	536	ARAMARK UNIFORM SERVICES INC	232.69			
		92098	3/18/2008	188	ASPHALT & CONCRETE MATERIALS	87.20			
		92099	3/18/2008	201	BAKER & TAYLOR BOOKS	65.90			
		92100	3/18/2008	3761	BAKER, MARCUS	147.66			
		92101	3/18/2008	3102	BBC AUDIOBOOKS AMERICA	142.38			
		92102	3/18/2008	1784	BENNINGTON IMPLEMENT	40.83			
		92103	3/18/2008	3119	BIRCH, ANN	138.37			
		92104	3/18/2008	220	BLUE CROSS BLUE SHIELD	282.95			
		92105	3/18/2008	1242	BRENTWOOD AUTO WASH	155.00			
		92106	3/18/2008	117	BRODART	350.41			
		92107	3/18/2008	3760	BUETHE, PAM	52.40			
		92108	3/18/2008	76	BUILDERS SUPPLY CO INC	14.00			
		92109	3/18/2008	3037	CAKE GALLERY	175.97			
		92110	3/18/2008	2	CALIBRE PRESS INC	597.00			
		92111	3/18/2008	1294	CAPSTONE PRESS INCORPORATED	1,220.20			
		92112	3/18/2008	2078	CAVLOVIC, PAT	120.00			
		92113	3/18/2008	1370	CDW GOVERNMENT INC	10,361.00			
		92114	3/18/2008	244	CHILD'S WORLD	716.00			
		92115	3/18/2008	152	CITY OF OMAHA	534.62			
		92116	3/18/2008	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
		92117	3/18/2008	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
		92118	3/18/2008	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
		92119	3/18/2008	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**	
		92120	3/18/2008	83	CJ'S HOME CENTER	870.12			
		92121	3/18/2008	468	CONTROL MASTERS INCORPORATED	439.81			
		92122	3/18/2008	2158	COX COMMUNICATIONS	242.75			
		92123	3/18/2008	3136	D & D COMMUNICATIONS	194.05			
		92124	3/18/2008	3486	DANKO EMERGENCY EQUIPMENT CO	117.47			
		92125	3/18/2008	3295	DAYMARK SOLUTIONS	230.00			
		92126	3/18/2008	77	DIAMOND VOGEL PAINTS	23.25			
		92127	3/18/2008	127	DON'S PIONEER UNIFORMS	193.75			

BANK NO	BANK NAME						
CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
92128	3/18/2008	364	DULTMEIER SALES & SERVICE	128.11			
92129	3/18/2008	2983	EAGLE ENGRAVING	155.54			
92130	3/18/2008	3310	FBINAA-FBI NATL ACAD ASSOCS	75.00			
92131	3/18/2008	1201	FERRELLGAS	44.85			
92132	3/18/2008	1245	FILTER CARE	240.95			
92133	3/18/2008	34	FOLLETT SOFTWARE COMPANY	660.00			
92134	3/18/2008	3132	FORT DEARBORN LIFE INSURANCE	1,208.50			
92135	3/18/2008	1344	GALE	81.86			
92136	3/18/2008	1248	GASSERT, MIKE	285.00			
92137	3/18/2008	3688	GATEWAY COMPANIES INC	.00	**CLEARED**	**VOIDED**	
92138	3/18/2008	3688	GATEWAY COMPANIES INC	249.00			
92139	3/18/2008	53	GCR OMAHA TRUCK TIRE CENTER	967.97			
92140	3/18/2008	285	GRAYBAR ELECTRIC COMPANY INC	537.49			
92141	3/18/2008	2224	GRETNA WELDING	60.00			
92142	3/18/2008	1624	GUNN, BRENDA	90.99			
92143	3/18/2008	3742	HALPAIN, LEAH	146.25			
92144	3/18/2008	1688	HANNEBAUM GRAIN CO INC	2,854.91			
92145	3/18/2008	86	HOLIDAY INN-MIDTOWN GI	458.75			
92146	3/18/2008	136	HUNTEL COMMUNICATIONS, INC	11,646.40			
92147	3/18/2008	1612	HY-VEE FOOD STORES & DRUGTOWN	19.00			
92148	3/18/2008	1151	ICMA-INTL CITY/COUNTY MANAGE	654.42			
92149	3/18/2008	2296	IOWA STATE UNIVERSITY, TREAS	60.00			
92150	3/18/2008	835	IVERSON, DENNIS	120.00			
92151	3/18/2008	1896	J Q OFFICE EQUIPMENT INC	983.25			
92152	3/18/2008	1054	KLINKER, MARK A	32.00			
92153	3/18/2008	2864	KORTUS, LEE	285.00			
92154	3/18/2008	2394	KRIHA FLUID POWER CO INC	42.09			
92155	3/18/2008	2697	KROGER-DILLON CUST CHARGES	170.59			
92156	3/18/2008	381	LANDS' END BUSINESS OUTFITTERS	40.50			
92157	3/18/2008	1241	LEAGUE ASSN OF RISK MGMT	508.00			
92158	3/18/2008	2327	LIEN TERMITE & PEST CONTROL	230.00			
92159	3/18/2008	2297	LINDBERG, SHEILA	364.99			
92160	3/18/2008	877	LINWELD	157.20			
92161	3/18/2008	3913	LITTLE FALLS MACHINE INC	173.65			
92162	3/18/2008	2142	LODES, CHRIS	210.00			
92163	3/18/2008	3868	MAX I WALKER CLEANERS	242.30			
92164	3/18/2008	3468	METAL SUPERMARKETS-OMAHA	51.16			
92165	3/18/2008	371	MIDWEST SERVICE AND SALES CO	2,659.95			
92166	3/18/2008	2299	MIDWEST TAPE	59.97			
92167	3/18/2008	342	MUNICIPAL PIPE TOOL CO LLC	381.97			
92168	3/18/2008	1071	NE DEPT OF LABOR	252.00			
92169	3/18/2008	2483	NE DEPT OF REVENUE-50G GAMING	100.00			
92170	3/18/2008	719	NEBRASKA FOREST TREE SERVICE	30.00			
92171	3/18/2008	2685	NEBRASKA TURF PRODUCTS	357.75			
92172	3/18/2008	2530	NOVA HEALTH EQUIPMENT	4,028.00			
92173	3/18/2008	124	NPZA-NE PLANNING/ZONING ASSN	510.00			
92174	3/18/2008	3415	OABR PRINT SHOP	215.51			
92175	3/18/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92176	3/18/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92177	3/18/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92178	3/18/2008	1014	OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
92179	3/18/2008	1014	OFFICE DEPOT INC-CINCINNATI	912.69			
92180	3/18/2008	195	OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
92181	3/18/2008	195	OMAHA PUBLIC POWER DISTRICT	33,726.23					
92182	3/18/2008	1178	OVERHEAD DOOR COMPANY OF OMAHA	579.00					
92183	3/18/2008	3039	PAPILLION SANITATION	220.61					
92184	3/18/2008	976	PAPILLION TIRE INCORPORATED	309.83					
92185	3/18/2008	2686	PARAMOUNT LINEN & UNIFORM	312.16					
92186	3/18/2008	1769	PAYLESS OFFICE PRODUCTS INC	263.10					
92187	3/18/2008	159	PRECISION INDUSTRIES INC	265.00					
92188	3/18/2008	1725	PUSH PEDAL PULL	100.00					
92189	3/18/2008	219	QWEST	128.53					
92190	3/18/2008	3139	RECORDED BOOKS, LLC	765.86					
92191	3/18/2008	292	SAM'S CLUB	136.73					
92192	3/18/2008	503	SCHOLASTIC LIBRARY PUBLISHING	323.05					
92193	3/18/2008	3925	SINNETT, HELEN	80.00					
92194	3/18/2008	1864	SINNETT, JEFF	29.99					
92195	3/18/2008	3923	SPEEDY PATCH DRYWALL INC	550.00					
92196	3/18/2008	3838	SPRINT	87.40					
92197	3/18/2008	3928	STRITTMATTER, BRAD	143.42					
92198	3/18/2008	47	SUBURBAN NEWSPAPERS INC	664.50					
92199	3/18/2008	264	TED'S MOWER SALES & SERVICE	402.00					
92200	3/18/2008	3309	THREE RING ENTERPRISES INC	.00	**CLEARED**	**VOIDED**			
92201	3/18/2008	3309	THREE RING ENTERPRISES INC	.00	**CLEARED**	**VOIDED**			
92202	3/18/2008	3309	THREE RING ENTERPRISES INC	.00	**CLEARED**	**VOIDED**			
92203	3/18/2008	3309	THREE RING ENTERPRISES INC	.00	**CLEARED**	**VOIDED**			
92204	3/18/2008	3309	THREE RING ENTERPRISES INC	2,975.05					
92205	3/18/2008	176	TURFWERKS	154.58					
92206	3/18/2008	167	U S ASPHALT COMPANY	176.28					
92207	3/18/2008	78	WASTE MANAGEMENT NEBRASKA	688.29					
92208	3/18/2008	3150	WHITE CAP CONSTRUCTION SUPPLY	143.00					
92209	3/18/2008	3089	WHITTAKER, VICKI	100.00					
BANK TOTAL						184,956.97			
OUTSTANDING						184,956.97			
CLEARED						.00			
VOIDED						.00			
FUND						TOTAL	OUTSTANDING	CLEARED	VOIDED
01	GENERAL FUND	174,847.23	174,847.23	.00	.00				
02	SEWER FUND	5,304.89	5,304.89	.00	.00				
04	BOND(S) DEBT SERVICE FUND	46.29	46.29	.00	.00				
05	CONSTRUCTION	3,059.79	3,059.79	.00	.00				
08	LOTTERY FUND	100.00	100.00	.00	.00				
09	GOLF COURSE FUND	1,575.74	1,575.74	.00	.00				
15	OFF-STREET PARKING	23.03	23.03	.00	.00				
REPORT TOTAL						184,956.97			
OUTSTANDING						184,956.97			
CLEARED						.00			
VOIDED						.00			
+ Gross Payroll 3/7/08						181,964.21			
GRAND TOTAL						\$366,921.18			

APPROVED BY COUNCIL MEMBERS 3/18/08

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
FY 2006/2007 AUDIT REPORT — ORIZON CPAS LLC	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

SYNOPSIS

A resolution has been prepared to accept the audit for the twelve months ending September 30, 2007. The Council will also be accepting the audit for the Economic Development Fund – LB840.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

The certified public accountants, Orizon CPAs LLC, have submitted to the City their *Accountants' Report and General Purpose Financial Statement*. The audit states that the City's financial statements were tested and disclosed no instances of noncompliance with *Government Auditing Standards*. The following findings have been noted as part of the audit:

- Segregation of Duties — to maintain adequate internal accounting control. (Significant Deficiency)
- Finance Personnel — lack expertise to complete financial statements. (Material Weakness)

For a city the size of La Vista segregation of duties is a challenge. Staff has implemented new procedures, but with the current staff and the tightening of the standards, the City may continue to have the significant deficiency. While you have a copy of the full audit, the findings and management response have been included as an attachment to this staff report. After completing the audit, the auditors informed staff of the new internal control standards. If staff had become aware of the new standards in a more timely manner, the material weakness could have been avoided.

CITY OF LA VISTA, NEBRASKA

SCHEDULE OF FINDINGS AND RESPONSES

As noted in our independent auditor's report on internal control over financial reporting and on compliance and other matters based on an audit of financial statements performed in accordance with *Government Auditing Standards*, we identified three findings that we consider to be significant deficiencies which includes one finding we consider to be a material weakness. These findings are presented below.

Significant Deficiencies

2007-1

Certain members of the City's administrative and finance personnel have access to or responsibility for certain duties that compromise its segregation of duties. Among the conflicting duties includes the City Finance Director having access to cash, reconciling certain bank accounts, and preparing and posting journal entries.

Management Response

The City acknowledges the inability to segregate duties based on current staffing levels. The City is trying to address conflicting duties as much as possible with the existing staff. The City is also developing a staffing plan that would completely eliminate this significant deficiency.

2007-2

The City's finance personnel lack the expertise in preparing financial statements in accordance with generally accepted accounting principles to detect and correct a potential misstatement in the presentation of its external financial statements or notes in accordance with these principles. We consider this significant deficiency to be a material weakness.

Management Response

The City was not advised of the specific requirements of SAS112 until the audit was completed. It is true that the City's finance staff is not Certified Public Accountants (CPA's) which would be necessary to address this issue in-house. If the City had prior knowledge of this accounting standard measures would have been taken to ensure that the financial statements were completed by a firm other than the City's auditors. The City will pursue a new contract for audit services that will follow these new control standards.

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FISCAL YEAR 2006 - 2007 MUNICIPAL AUDIT AS PREPARED BY THE AUDITING FIRM OF ORIZON CPAs, LLC, OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of ORIZON CPAs, LLC, Omaha, Nebraska, to complete an audit of the City's fiscal year 2006-2007 municipal operations; and

WHEREAS, ORIZON CPAs, LLC has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, that the 2006-2007 municipal audit is hereby accepted and approved.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
BOARD OF EQUALIZATION — LEVY OF SPECIAL ASSESSMENTS SOUTHPORT WEST	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A public hearing has been continued from the meeting of February 5, 2008 and a resolution prepared to approve the levying of special assessments for improvements to the former Sanitary and Improvement District No. 253 (Southport West)

FISCAL IMPACT

We understand that Southwest Partners LLC will be proposing adjustments which may change the original assessment numbers. This information will be provided prior to the meeting.

RECOMMENDATION

Approval

BACKGROUND

Benefiting property owners were given notice and the City Council sat as the Board of Equalization on March 4, 2008 for the purpose of levying special assessments on properties in the former SID 253 subdivision known as Southport West. These improvements include Sanitary Sewer, Paving, and Storm Sewer Section I, Water Section I, Power Section I, Giles Road & 126th Street Improvements Section I, Traffic Signals Section I, Traffic Signals Section II, and Sanitary Outfall Sewer No. 2.

In accordance with the Subdivision Agreement between the Subdividers, Sanitary and Improvement District No. 253, and the City of La Vista, Nebraska, the difference in construction cost of storm sewers 24 inches in diameter and the actual size required, sanitary outfall sewers, and the construction cost of intersections and certain extra width pavement, together with their proportionate share of engineering, legal, and miscellaneous fees, are considered to be of benefit to the City at large and should be treated as general obligation costs with the balance being specially assessed. The special assessment schedule has been established.

One protest had been received asking the City to grant time for the owner of the property or their agent to meet with the City engineer to review and understand the assessment amounts. A continuation of the public hearing to March 18, 2008 was approved by the Board of Equalization in order that all assessments could be done at the same time.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
DISCUSSION —THOMPSON CREEK	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

This item has been placed on the agenda to provide Council with an opportunity to discuss the Thompson Creek improvement options and to give staff direction in pursuing funding options.

FISCAL IMPACT

N/A.

RECOMMENDATION

Following public comment and Council discussion it is recommended that Council determine the preferred improvement option for which staff should pursue funding.

BACKGROUND

At the June 19, 2007 City Council meeting, City Engineer John Kottmann presented the findings of the 2006 Thompson Creek Channel Study which was prepared to provide an evaluation of alternatives for the treatment of Thompson Creek downstream of the storm water detention structure located on the La Vista Golf Course. This topic was placed on the August 21, 2007 Council agenda as a discussion item to provide an opportunity for the Mayor and Council to discuss the study and have subsequent questions answered. A public hearing was held on October 2, 2007 to receive public input regarding the Thompson Creek study update and a follow up homeowner survey was conducted in January 2008. The Mayor and City Council have also individually toured the subject area.

It is now necessary to determine the desired improvement option in order to enable staff to begin pursuing funding opportunities. Council direction at this time only commits the City to trying to identify financing options. The City has not committed any funds or established a project timeline.

A description of the alternatives is attached.

DESCRIPTION OF ALTERNATIVES

OPTION 1

This option can be called the “as-is” solution. Under this option there would be no property acquisitions and no major construction projects. The City would repair existing public infrastructure affected by the creek such as the pedestrian bridge in Central Park, storm sewer outlets into Thompson Creek when such repairs are needed and money is available. Repair of channel bank erosion would remain the responsibility of the affected property owner. Any channel bank repairs will have to be done in a manner that does not affect the capacity of the channel or affect the flow of water and may require the property owner to obtain permits from the Corps of Engineers and other agencies. The City would adopt a policy of establishing a setback line along the creek to keep any additional structures from being placed too close to the creek. The policy would also apply to any existing structure that is more than 50% percent destroyed, based on value, meaning that the replacement structure would have to meet the setback requirement. The setback would be a distance of three times the depth of the channel plus 20 feet measured horizontally from the edge of the normal water surface. The total cost of this option is estimated at \$180,000.

OPTION 2

This option would be considered the least environmentally damaging solution since it does not propose major construction. The solution under this option is to remove the structures that are threatened by the creek bank erosion. This option proposes the acquisition of all existing homes, 65 in total, on both sides of the creek between 72nd Street and Edgewood Boulevard. There would be no acquisition of homes west of Edgewood Boulevard since the creek channel and flows to the creek are much smaller in this area and since Central Park provides space and access to the creek. Existing storm sewer outlets would be stabilized but essentially the creek would be left in its existing condition. Property owners would be given fair market value and would receive relocation assistance to find decent, safe and sanitary housing. The acquisition process would comply with applicable Federal regulations under the Uniform Relocation Act. The time period for the acquisition process is uncertain since sources and availability of funding for such a project have yet to be identified. A preliminary estimate is that the acquisition process could take approximately 10 years and would start with willing sellers. The total cost of this option is estimated at \$10,410,000.

OPTION 3

This option is a combination of property acquisition and channel construction work. The property acquisition would include a total of 22 homes with 18 of these located on the north side of Thompson Creek between 72nd Street and Edgewood Boulevard and 4 of these on the south side of Thompson Creek just east of Edgewood Boulevard. The acquisition of homes is needed to provide construction and long-term maintenance access to the channel. Property owners would be given fair market value and would receive relocation assistance to find decent, safe and sanitary housing. The acquisition process would comply with applicable Federal regulations under the Uniform Relocation Act. Where homes are not acquired the City would adopt a channel setback policy establishing a setback line along the creek to keep any additional structures from being placed too close to the creek. The policy would also apply to any existing structure that is more than 50% percent destroyed, based on value, meaning that the replacement structure would have to meet the setback requirement. The setback would be a distance of three times the

depth of the channel plus 20 feet measured horizontally from the edge of the normal water surface. The construction work would affect approximately 50 percent of the length of the channel between 72nd Street and Edgewood Boulevard. The construction work would include relocating the channel to the north away from the homes that would remain on the south side of the creek. This would be done in those locations where the channel is presently eroding or threatens to erode yards and structures. Where such channel relocation is performed the creek banks would be regarded and existing vegetation, including trees, would be removed. Channel lining would be used only at culvert inlet and outlet areas. Replacement trees would be planted in abutting City owned property and the regarded channel would be re-vegetated with grasses. The total cost of this option is estimated at \$4,320,000.

OPTION 4

Option 4 involves the most construction work of the options under consideration. In this option the full length of the channel between the cart path bridge on Green No. 3 in the golf course and 72nd Street would be regraded to receive a channel lining system. The regrading would require removal of nearly all existing vegetation, including trees, along the channel so that the banks can be properly sloped and shaped uniformly to receive the lining system. The type of lining system has not yet been selected but one type of lining under consideration is the system that was used in the golf course. Planting of new trees would be performed in adjacent public and private property to mitigate the removal of trees. A portion of the channel just east of Edgewood Boulevard would receive gabion walls on the north side of the creek opposite of the existing gabion walls. This option would include acquisition of 4 to 6 homes at locations in order to allow construction and long-term maintenance access. Such acquisitions are anticipated to be from willing sellers. The City would need to acquire temporary construction easements over parts of abutting lots and would need to acquire additional permanent grading and drainage easements since the proposed improvements will not fit within the existing 45 feet wide easement. The pedestrian bridge in Central Park would be replaced in this option. The total cost of this option is estimated at \$5,565,000.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
RESOLUTION — LB 371	► RESOLUTION ORDINANCE RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

A resolution has been prepared to oppose LB 371 with proposed standing committee amendments — AM 1857, which would adopt the Nebraska Peace Officer Retirement Act.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

LB 371 with proposed standing committee amendments — AM 1857 would enact the Nebraska Peace Officer Retirement Act (NPORA), an unfunded statewide defined benefit retirement plan for all law enforcement personnel not currently enrolled in a defined benefit retirement plan.

Introduced by Sen. Phil Erdman of Bayard in 2007, LB 371 did not advance from committee in 2007, but did carryover to the 2008 legislative session. The Legislature's Retirement Committee held an Interim Study Hearing on December 14, 2007. Milliman Consultants and Actuaries presented to the Committee an "Actuarial Study of Nebraska Law Enforcement Retirement System". (*The study was funded by proponents of LB 371*). The Committee advanced LB 371 with Standing Committee Amendments — AM 1857 as a priority bill.

The Milliman study indicated that the projected "Unfunded Actuarial Accrued Liability" (UAAL) would at minimum create an unfunded accrued liability of \$88 million. To the best of our knowledge there has not been an actuarial analysis regarding the impact of AM 1857.

LB 371 with AM 1857 provides that the State of Nebraska would administer, invest and govern the statewide peace officers retirement system and obligates the respective political subdivision to provide supplemental appropriations sufficient to pay for the difference between what would be in the officer's account and what is needed to fund their annuity.

To truly understand the far-reaching impact of this proposed legislation on the City of La Vista, our own actuarial analysis would be needed. We can easily calculate that the annual cost of increasing the City's pension contribution from 6% to 9.25% on today's payroll would be \$61,420. What cannot simply be determined is the amount the City would be required to appropriate in order to fund each officer's annuity upon retirement. This

is dependent upon a number of factors including but not limited to the age and number of dependants of the officer and interest rates and market conditions. We can report that the City's financial obligations for our (2) two pre-1984 officers who retired was \$406,000. Additionally, it is impossible to predict the modifications that could be made by the Legislature from time to time.

History

In the early 1980's the Legislature changed police and fire retirement benefit plans for first class cities from defined benefit plans to defined contribution plans in order to address problems faced by first class cities. The majority of first class cities faced large unfunded pension liabilities at that time. For your information, the following is a description of the two types of pension plans.

Defined Benefit – This type of plan provides a benefit for the retiree at a fixed amount, for example, one half (or some other percentage) of their highest yearly salary. The City would be responsible for funding these benefits, as in the case of our pre-1984 police officers. When they retired they were guaranteed 50% of the average of their highest five years of annual salary for the remainder of their life. Even though the City and the employee had been contributing to the City's 401 pension plan, there was not enough money in these accounts to fund the lifetime benefit. The City had to invest additional funds to purchase annuities to fund this benefit. Obviously, this would continue to increase with higher salaries and if the percentage was greater than 50%.

Defined Contribution – This type of plan provides a benefit for the retiree based on the amount of money they have accumulated in their pension plan. Basically, what you have in the pension fund when you retire is what you get. The City and the employee both contribute to the fund while the employee is working and after an established number of years (in our case seven) the employee is fully vested. If the employee separates from the City after seven years or waits until retirement all of the funds and whatever interest they have earned belong to the employee.

Copies of LB 371 and AM 1857 are attached for your review.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO OPPOSE LB 371 WITH PROPOSED STANDING COMMITTEE AMENDMENTS — AM 1857, WHICH WOULD ADOPT THE NEBRASKA PEACE OFFICER RETIREMENT ACT.

WHEREAS, LB 371 with proposed standing committee amendments — AM 1857 would enact the Nebraska Peace Officer Retirement Act (NPORA), an unfunded statewide defined benefit retirement plan for all law enforcement personnel not currently enrolled in a defined benefit retirement plan; and

WHEREAS, the report funded by the proponents of LB 371 indicates that the projected "Unfunded Actuarial Accrued Liability (UAAL) would at a minimum create an unfunded accrued liability of \$88 million"; and

WHEREAS, there is no knowledge of an actuarial analysis regarding the impact of AM 1857; and

WHEREAS, LB 371 with AM 1857 provides that the State of Nebraska would administer, invest and govern the statewide peace officers retirement system and obligates the respective political subdivision to provide a supplemental appropriations sufficient to pay for the difference; and

WHEREAS, the State of Nebraska moved away from a defined benefit pension plan requirement for law enforcement officers in 1984; and

WHEREAS, municipalities across the country have financial problems rooted in similar pension programs as evidenced by the City of Omaha; and

WHEREAS, LB 371 with AM 1857 will create a significant financial burden for the City of La Vista, likely resulting in a reduction of services to the taxpayers of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby expresses its opposition to LB 371 with proposed standing committee amendments — AM 1857, which would adopt the Nebraska Peace Officer Retirement Act.

BE IT FURTHER RESOLVED, that the Mayor is hereby directed to communicate this position to our representative in the Legislature and such other parties as may be desirable to further these purposes.

PASSED AND APPROVED THIS _____ DAY OF _____, 2008

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
AWARD CONTRACT – 78 TH STREET AND HARRISON STREET RETAINING WALL RECONSTRUCTION	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared awarding a contract to Linhart Construction, Inc., Omaha, Nebraska, for the 78th and Harrison Street Retaining Wall Reconstruction Project in an amount not to exceed \$62,743.65.

FISCAL IMPACT

They FY 2007/08 Capital Fund provides funding for the proposed improvements.

RECOMMENDATION

Approval

BACKGROUND

On February 5, 2008, the City Council authorized the advertisement of bids for the 78th & Harrison Street Retaining Wall Reconstruction Project. Bids were received at the office of Thompson Dreessen & Dörner, Inc., on March 3, 2008. Five bids were received as shown below and in the attached bid tabulation.

Linhardt Construction, Inc.	\$62,743.65
TAB Construction, Inc.	\$79,215.05
Dostals Construction Company, Inc.	\$81,002.50
US Asphalt Company	\$83,832.60
Robert's Lawn & Landscaping LLC	\$94,440.05

Engineers estimate for the project was \$72,825.00. The City Engineer has reviewed the bids and recommends Linhardt Construction, Inc., as the low qualified bidder.

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO LINHART CONSTRUCTION, INC., OMAHA, NEBRASKA, FOR THE 78TH & HARRISON STREET RETAINING WALL RECONSTRUCTION PROJECT IN AN AMOUNT NOT EXCEED \$62,743.65.

WHEREAS, the City Council of the City of La Vista has determined that proposed reconstruction improvements is necessary; and

WHEREAS, the FY 2007/08 Capital Fund provides funding for the proposed project.

WHEREAS, on February 5, 2008 the City Council authorized the advertisement of bids for said project in accordance with plans and specifications as prepared by the City Engineer; and

WHEREAS, the City Engineer has reviewed the bids and recommends that a contract be awarded to Linhart Construction, Inc., as the low qualified bidder; 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, that a contract be awarded to Linhart Construction, Inc., Omaha, Nebraska, for the 78th & Harrison Street Retaining Wall Reconstruction Project in an amount not to exceed \$62,743.65, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

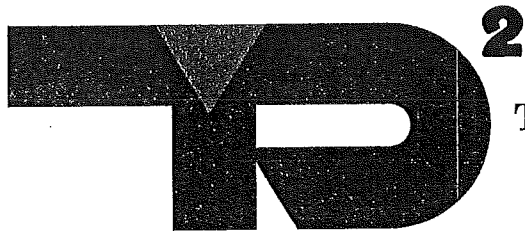
PASSED AND APPROVED THIS 18TH DAY MARCH 2008

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



THOMPSON, DREESSEN & DORNER, INC.
Consulting Engineers & Land Surveyors

March 5, 2008

Mayor and City Council Members
City of La Vista
c/o Ms. Brenda Gunn, City Administrator
8116 Park View Boulevard
La Vista, NE 68128

ROBERT E. DREESSEN, P.E.	TIMOTHY T. PAPSTEIN, P.E.
NELSON J. HYMANS, P.E.	MICHAEL J. SMITH, L.S.
JAMES D. WARNER, L.S.	TROY J. NISSEN, P.E., S.E.
CHARLES E. RIGGS, P.E.	DOUGLAS E. KELLNER, P.E.
KA "KJH" P. SQUIRE III, P.E., S.E.	GARY A. NORTON, P.E.
JOHN M. KOTTMANN, P.E.	BRIAN L. LODES, P.E.
ARTHUR D. BECCARD, P.E.	KURTIS L. ROHN, P.E.
DOUGLAS S. DREESSEN, P.E.	JEFFREY L. THOMPSON, P.E.
DEAN A. JAEGER, P.E.	DAREN A. KONDA, P.E.
RICHARD M. BROYLES, L.S.	MICHAEL T. CANIGLIA, L.S.
DAVID H. NEEF, L.S.	JEREMY T. STEENHOEK, P.E.
RONALD M. KOENIG, L.S.	JOSHUA J. STORM, P.E.
CHRIS E. DORNER, L.S.	

RE: 78th & Harrison Street Retaining Wall Reconstruction
Recommendation for Award of Contract
TD² File No. 171-350.20

Mayor and Members of the Council:

Bids were received at our office on March 3, 2008 at 3:00 P.M. for the above-referenced project. Five bids were received as shown on the enclosed bid tabulation.

Linhart Construction, Inc. is the low bidder in the amount of \$62,743.65. They are a qualified contractor and I recommend that a contract be awarded to them.

Submitted by,

THOMPSON, DREESSEN & DORNER, INC.

John M. Kottmann, P.E.

JMK/jlf

Enclosure

cc: Mr. Joe Soucie, w/enclosure
File

[illegible]

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
AUTHORIZATION TO ADVERTISE BIDS – MOWING TRACTORS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the advertisement of bids for the following equipment:

- (2) 4-Wheel Drive Front Mowers with 72” Mowing Deck; 60” Snow Blade; 47” Two-Stage Snow Blower and Hard Cab
- (1) 4-Wheel Drive Front Mower with 72” Mowing Deck
- (1) Z-Trak Mower with 60” Mowing Deck

FISCAL IMPACT

The FY 2007/08 General Fund Budget provides funding for the purchase of this equipment.

RECOMMENDATION

Approval

BACKGROUND

The Public Works Department requested this equipment as part of the Southwind and Val Verde annexation package. The Public Works Park Superintendent prepared specifications for the proposed equipment purchases.

Advertise for Bids	March 26, 2008
Open Bids	April 8, 2008 at 3:00 p.m.
Award Bid	April 15, 2008

A complete copy of the specifications is on file in the Office of the City Clerk.

RESOLUTION_____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR TWO 4-WHEEL DRIVE FRONT MOWERS WITH 72" MOWER DECK, CAB, SNOW BLADE AND SNOW BLOWER; ONE 4-WHEEL DRIVE FRONT MOWER WITH 72" MOWER DECK AND ONE Z-TRAK MOWER WITH A 60" MOWER DECK FOR THE PUBLIC WORKS DEPARTMENT.

WHEREAS, the City Council has determined that the proposed mower purchases are necessary; and

WHEREAS, the FY 2007/08 General Fund Budget provides funding for the proposed purchases; and

WHEREAS, the Public Works Park Superintendent has prepared specifications for the proposed equipment.

NOW, THEREFORE BE IT RESOLVED, that City Administrator is hereby authorized to advertise for bids for purchase of two 4-Wheel Drive Front Mowers with 72" mower deck, cab, snow blade and snow blower; one 4-Wheel Drive Front Mower with 72" mower deck; and one Z-Trak Mower with a 60" mower deck; in accordance with specifications prepared by the Public Works Park Superintendent and said bids are to be opened and publicly read aloud at 3:00 p.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska, on April 8, 2008.

PASSED AND APPROVED THIS 18TH DAY MARCH 2008

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ITEM 4

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
EXTENSION OF CONTRACT FOR GOLF MERCHANDISE CONSIGNMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the Mayor to execute an extension to the contract with Fairway Golf LLC., Omaha, Nebraska to furnish and supply the La Vista Falls Golf Course Clubhouse golf merchandise on a consignment basis.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval.

BACKGROUND

Fairway Golf LLC has been under contract with the City since 2006 to furnish and supply the La Vista Falls Golf Course Clubhouse with golf merchandise on a consignment basis. This gives the golf course the ability to offer an expanded line of merchandise to customers without an investment on the part of the City. The current contract expired March 8, 2008 and staff is recommending that an extension be granted for one year.

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR CONTRACT WITH FAIRWAY GOLF LLC., OMAHA, NEBRASKA, TO FURNISH AND SUPPLY THE LA VISTA FALLS GOLF COURSE WITH GOLF CLUBHOUSE MERCHANDISE ON A CONSIGNMENT BASIS.

WHEREAS, the City has determined that it is desirable to contract for the furnishing and supplying of golf merchandise on a consignment basis at La Vista Falls Golf Course Clubhouse; and

WHEREAS, Fairway Golf LLC., supplied said golf merchandise on a consignment basis to the City during 2007; and

WHEREAS, the current contract with Fairway Golf LLC will expired in March of 2008; and

WHEREAS, the Recreation Director recommends extending the current contract with Fairway Golf LLC for one year; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the Mayor to sign a one-year contract with Fairway Golf LLC., Omaha, Nebraska, to furnish and supply the La Vista Falls Golf Course Clubhouse with golf merchandise on a consignment basis.

PASSED AND APPROVED THIS 18TH DAY OF MARCH, 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

GOLF COURSE CLUBHOUSE MERCHANDISE CONSIGNMENT AGREEMENT

THIS GOLF COURSE CLUBHOUSE MERCHANDISE CONSIGNMENT AGREEMENT is made and entered into March _____, 2008 by and between the City of La Vista, a Nebraska municipal corporation (hereinafter referred to as the "City") and Fairway Golf LLC., a Nebraska corporation, (hereinafter collectively referred to as "Contractor").

WHEREAS, City has established the desire to contract for the furnishing and supplying of golf merchandise on a consignment basis at La Vista Falls Golf Course; and

WHEREAS, City has determined that it is desirable to have merchandise available for sale; and

WHEREAS, Contractor is willing and able to provide merchandise on consignment in accordance with terms hereinafter set forth.

NOW THEREFORE, in consideration of the foregoing and the mutual promises, terms, and covenants contained, the parties hereto agree as follows:

1. **Appointment of Contractor.** The City hereby appoints Contractor, and Contractor hereby accepts such appointment, to supply City with golf merchandise at the La Vista Falls Golf Course Clubhouse.
2. **Independent Contractor.** In all matters pertaining to Consignment Operation, Contractor is and shall be an independent contractor. Nothing contained in the Agreement or in the practice or course of dealing between the parties shall be construed to create a partnership, joint venture, agency or employment relationship.
3. **Term and Termination.** This Agreement shall be and become effective commencing March _____, 2008, and shall be effective for a term of one (1) year ending on March _____, 2009, with the option to renew for one additional twelve (12) month period at the discretion of both the City and the Contractor. Notwithstanding the foregoing, either the City or Contractor may terminate this Agreement for any reason at any time upon written notice given from one party to the other at least sixty (60) days prior to the effective date of termination.
4. **Record Keeping Requirements.** City agrees to maintain or cause to be maintained, on a calendar year basis, complete books and records of all aspects of the Consignment Operation. City shall submit to the Contractor monthly financial reports for said operations no later than thirty (30) days following the last

day of each month's operations. Such monthly reports shall contain all information related to merchandise sold.

5. **Merchandise and Furnishings.** All merchandise and furnishings and replacements thereof, shall be the property of the Contractor, and, at the termination of this Agreement, possession thereof shall be peaceably given to the Contractor.

Defective product merchandise clause: Contractor replaces merchandise if defect comes from normal use of clubs and flaws present on clothing.

Replacement merchandise available at monthly inventory.

6. **Fees.** In consideration of the merchandise on consignment in accordance with the terms of this Agreement, City shall pay Contractor set price per type of merchandise and approved by Recreation Director and or Finance Director.
7. **Insurance.** All merchandise and furnishings and replacements thereof owned by the Contractor, will be covered by the City of La Vista insurance.
8. **Notices.** Any notices or payments required hereunder shall be made in writing and delivered personally or by the U.S. mail in certified or registered form, with postage fully prepaid, and addressed as follows:

If to the City of La Vista:	City of La Vista 8116 Park View Boulevard La Vista, Nebraska 68128
-----------------------------	--

If to the Contractor:	Jason Laferriere 11219 Ohio St Omaha, Nebraska 68164
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or such different address as either party may designate in writing to the other. Notice shall be deemed given or made upon request.

9. **Governing Law.** This Agreement shall be construed and governed in accordance with the laws of the State of Nebraska.
10. **Binding Nature.** This agreement shall inure to the benefit and be binding upon the parties hereto and their respective successors and assigns. Nothing in this Agreement, either express or implied, is intended to confer upon any other person or entity any rights or revenues under or by reason of this Agreement.
11. **Waiver.** No waiver by either party to this Agreement at any time of any breach of the other party of or compliance by the other party with any condition or provision of this Agreement to be performed by the other party shall be deemed to be a

waiver of similar or dissimilar provisions or conditions at the same or any prior to subsequent time.

12. **Counterparts.** This document may be executed in one or more counterparts, each of which shall be deemed to be an original and each of which shall constitute the parties' Agreement.

13. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, superseding any prior agreement, understanding, arrangement, warranty or representation, oral or written, express or implied, with respect to such subject matter. It may not be amended except by a writing signed by the parties hereto.

14. **Assignment.** This Agreement may not be assigned by Contractor without the prior written consent of the City.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

CITY OF LA VISTA, NEBRASKA,
A municipal corporation

BY: _____
Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

CONTRACTOR: FAIRWAY GOLF LLC.
A Nebraska corporation,

BY: _____
Jason Laferriere, President

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
EXTENTION OF CONTRACT FOR CONCESSION STAND OPERATIONS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the Mayor to execute an extension to the contract with HAMS, Inc., Laurie Hamzhie, for operation of the concession stands at LaVista Sports Softball Complex, La Vista Soccer Complex, City Park, and the La Vista Community Center.

FISCAL IMPACT

The Contractor will pay the City a monthly commission of ten percent (10%) of gross food, beverage and merchandise concessions sold from the Softball Complex, Soccer Complex, City Park and Community Center.

RECOMMENDATION

Approval.

BACKGROUND

HAMS, Inc. has been under contract with the City of La Vista since 2005 for concession stand operations. HAMS, Inc. requested that the sale of liquor at the La Vista Sports Complex not be included in the contract this year and the contract reflects that. The current contract expires on April 30, 2008 and staff is recommending that an extension be granted for one year.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SPORTS SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with HAMS Inc.; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City during 2007; and

WHEREAS, the current contract with HAMS, Inc. will expire in April of 2008; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for one year; and

WHEREAS, the contract provides for Hams Inc. to make payments of 10% of the gross revenues from all sales to the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a one-year contract with HAMS Inc., Omaha, Nebraska, for the operation of the concessions at the Sports Softball Complex , Soccer Complex, City Park and Community Center.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK AND COMMUNITY CENTER CONCESSION OPERATION AGREEMENT

THIS SOFTBALL COMPLEX, SOCCER COMPLEX , CITY PARK AND COMMUNITY CENTER CONCESSION OPERATION AGREEMENT is made and entered into MARCH _____, _____ by and between the City of La Vista, a Nebraska municipal corporation (hereinafter referred to as the "City") and Hams Inc., a Nebraska corporation, (hereinafter collectively referred to as "Contractor"), and Laurie Hamzhie (hereinafter referred to as "Guarantor").

WHEREAS, City has established and caused to be operated on its behalf, a softball complex concession stand, soccer complex concession stand, city park concession stand and community center concession stand; and

WHEREAS, City has determined that it is necessary and desirable to cause the softball complex concession stand, soccer complex concession stand, city park concession stand and community center concession stand as defined herein (the "Concession Operations") to be operated by Contractor as an independent contractor of City; and

WHEREAS, Contractor is willing and able to manage and operate such Concession Operations in accordance with terms hereinafter set forth.

NOW THEREFORE, in consideration of the foregoing and the mutual promises, terms, and covenants contained, the parties hereto agree as follows:

- 1. Appointment of Contractor.** The City hereby appoints Contractor, and Contractor hereby accepts such appointment, to operate the Concession Operations on behalf of the City pursuant to the terms contained herein. Such Concession Operations shall include, but not be limited to, staffing and supervision with Contractor's own employees; record keeping and daily accounting of all revenues and expenses related to Softball Complex, Soccer Complex, City Park and Community Center Concessions Operations; preparation and submission of statements of operations; operation of Softball Complex, Soccer Complex, City Park and Community Center collection of revenues and disbursement of all expenses; purchasing and selling food and beverage concessions; purchasing supplies and services; procurement of insurance coverage's; maintenance and cleaning of the Softball Complex, Soccer Complex, City Park and Community Center concession facilities; maintenance of the area immediately surrounding the concession stands to keep the area free of litter during the stands' normal hours of operation; collecting, reporting and paying all payroll taxes in respect to all personnel employed by the Contractor; development and implementation of sales promotion programs; and such other activities as shall be necessary to successful Concession Operations. Contractor shall provide all services hereunder under the direct supervision of Laurie Hamzhie. Contractor shall operate all aspects of the Concession Operations

such that concession stands are open for business during such hours as determined by the City and the City's Recreation Director.

2. **Independent Contractor.** In all matters pertaining to Concession Operations, Contractor is and shall be an independent contractor. Nothing contained in the Agreement or in the practice or course of dealing between the parties shall be construed to create a partnership, joint venture, agency or employment relationship or to create in Contractor any ownership interest in the Concession Buildings Softball Complex, Soccer Complex, City Park and Community Center or the operations thereof, except as otherwise specifically provided herein. No employee of Contractor shall be deemed to be an employee of city. However, the City expressly reserves the right to approve matters pertaining to policy for the concession Operations, including but not limited to, general staffing and qualifications therefore, concession products, and inventory mixture. Contractor acknowledges and agrees that it shall be the obligation of Contractor to report all income, compensation and fees received hereunder and to pay all applicable taxes in respect thereto and Contractor shall indemnify and hold harmless City against any obligation imposed on City to pay withholding, social security, unemployment or other taxes, including interest and penalties in connection with any payments made to Contractor.
3. **Contractor's Employee's.** Contractor shall be responsible for hiring and staffing of employees at the concession stands and shall be responsible for the withholding and payment of all payroll taxes and the payment of all compensation and fringe benefits of its staff in compliance with all applicable laws.
4. **Term and Termination.** This Agreement shall be and become effective commencing May 1, 2008, and shall be effective for a term of one (1) year ending on April 30, 2009, with the option to renew for one additional twelve (12) month period at the discretion of both the City and the Contractor. Notwithstanding the foregoing, either the City or Contractor may terminate this Agreement for any reason at any time upon written notice given from one party to the other at least sixty (60) days prior to the effective date of termination; provided, however, that if Contractor desires to terminate this Agreement and the date of termination is to occur during the months of March through October, Contractor shall provide at least ninety (90) days notice of termination. Notice of termination of the agreement shall not negate the contractor's obligation to pay rental fees to City and Contractor's obligation to operate Concession Operations as provided herein to the date of termination.
5. **Record Keeping Requirements.** Contractor agrees to maintain or cause to be maintained, on a calendar year basis, complete books and records of all aspects of the Concession Operations. Contractor shall submit to the City monthly financial reports for said operations no later than ten (10) days following the last day of each month's operations. Such monthly reports shall contain all information related to revenues, expenses, inventories and cost of goods sold,

taxes and fees for the month reported. Contractor shall submit a year end report to City reporting such operations for the previous year on or before January 1st of each year. All records and reports shall be kept by Contractor in the manner and on the forms approved by City. City reserves the right to prescribe cash handling, accounting and reporting practices and procedures which shall be strictly followed by Contractor and shall at any time have the right without notice to review and examine all books and records of Contractor relating to the concession Operations. In addition, the City reserves the right to conduct, or cause to be conducted, an audit of contractor's books and records pertaining to the concession Operations, annually or more frequently as it shall determine. In such event, the City shall pay for the expense of such audit, provided however, that if such audit discloses shortages or non-compliance on the part of the Contractor, then Contractor shall pay the cost of the audit.

6. **Equipment and Furnishings.** Except for Concession inventory, supplies, and equipment purchased by Contractor in connection with Concession Operations, all machinery, equipment, furnishings and replacements thereof, whether purchased or leased by City, shall be the property of the City, and, at the termination of this Agreement, possession thereof shall be peaceably given to the city. All machinery, equipment and furnishings owned or leased by the City and used by the Contractor for Concession Operations shall be maintained, cleaned and repaired in a husband like manner by Contractor and Contractor shall, at all times, keep said machinery, equipment and furnishings in good working condition and repair. All City parts, mechanisms and devices required to keep the City equipment running in good repair shall be provided at the expense of the City. All Contractor parts, mechanisms and devices required to keep the Contractor equipment running in good repair shall be provided at the expense of the Contractor. Contractor shall have no authority to mortgage, encumber or otherwise hypothecate any of such equipment, machinery and furnishings, or to contract on behalf of the City for any improvements or repairs which would give rise to a mechanic's, artisan's or other lien against any of the same.
7. **Fees.** In consideration of use of the Concession buildings in accordance with the terms of this Agreement, Contractor shall pay operation fees as follows:
 - a. Contractor shall pay to the City a commission in the amount of ten percent (10%) of gross food, beverage and merchandise concessions sold from the Softball Complex, Soccer Complex, City Park and Community Center premises. Commissions shall be paid to City by contractor on a monthly basis no later than the 10th day of the month and shall accompany the contractor's monthly financial report.
8. **Insurance.** Contractor shall provide and maintain, at its own expense, general liability insurance in the amount of \$1,000,000 combined single limit for products liability insurance, property damage insurance and personal injury insurance. Contractor shall name the City as additional insured as pertains to the

performance of this agreement. The insurance policies shall insure the City from any and all demands, claims, causes of action at law or in equity resulting from the performance of these services. Contractor agrees to indemnify and save harmless the City from any and all demands, claims, causes of action at law or in equity arising out of the performance of these services. Contractor shall provide and at all time maintain, at its own expense, Workers' Compensation coverage on all personnel employed by Contractor in connection with the concession Operations with such endorsements as City shall deem appropriate and with an insurer acceptable to the City. Contractor shall provide City with certification of such insurances, subject to the approval of the City Attorney.

9. **Notices.** Any notices or payments required hereunder shall be made in writing and delivered personally or by the U.S. mail in certified or registered form, with postage fully prepaid, and addressed as follows:

If to the Corporation:	City of La Vista 8116 Park View Boulevard La Vista, Nebraska 68128
------------------------	--

If to the Contractor:	Laurie Hamzhie 14930 N Circle Omaha, Nebraska 68137
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or such different address as either party may designate in writing to the other. Notice shall be deemed given or made upon request.

10. **Governing Law.** This Agreement shall be construed and governed in accordance with the laws of the State of Nebraska.
11. **Binding Nature.** This agreement shall inure to the benefit and be binding upon the parties hereto and their respective successors and assigns. Nothing in this Agreement, either express or implied, is intended to confer upon any other person or entity any rights or revenues under or by reason of this Agreement.
12. **Waiver.** No waiver by either party to this Agreement at any time of any breach of the other party or of compliance by the other party with any condition or provision of this Agreement to be performed by the other party shall be deemed to be a waiver of similar or dissimilar provisions or conditions at the same or any prior to subsequent time.
13. **Counterparts.** This document may be executed in one or more counterparts, each of which shall be deemed to be an original and each of which shall constitute the parties' Agreement.
14. **Entire Agreement.** This Agreement constitutes the entire agreement between the parties hereto with respect to the subject matter hereof, superseding any

prior agreement, understanding, arrangement, warranty or representation, oral or written, express or implied, with respect to such subject matter. It may not be amended except by a writing signed by the parties hereto.

15. **Assignment.** This Agreement may not be assigned by Contractor without the prior written consent of the City.

IN WITNESS WHEREOF, the parties have hereunto set their hands the day and year first set forth above.

CITY OF LA VISTA, NEBRASKA,
A municipal corporation

BY: _____
Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

CONTRACTOR: HAMS Inc.
A Nebraska corporation,

BY: _____
Laurie Hamzhie, President

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 18, 2008 AGENDA**

Subject:	Type:	Submitted By:
STRATEGIC PLAN UPDATE	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR

SYNOPSIS

On March 20, 2007 the City Council adopted the strategic plan that was developed during the annual strategic planning work session held by the Mayor and City Council on February 24, 2007. This is the fourth quarterly progress report.

FISCAL IMPACT

N/A.

RECOMMENDATION

Receive/File.

BACKGROUND

On Saturday, February 24, 2007 the Mayor and City Council held their annual strategic planning work session. As a result, the collaborative effort with the management team produced the City's Strategic Plan for 2007-2009 which Council approved via Resolution No. 07-033 on March 20, 2007. Attached for your review is the fourth progress report.

As you know, the Mayor and City Council held their 2008 annual strategic planning work session this past Saturday (March 8, 2008). The results will be incorporated into the existing plan and will be brought back for your approval, likely in April.



City of La Vista, Nebraska Strategic Plan for 2007-2009

As a part of the annual strategic planning work session the Mayor and City Council developed and has adopted this strategic plan to position the city government to meet La Vista's future needs.

1. Pursue revitalization of the 84th Street corridor

Key objectives:

- a. Understand that revitalization of the 84th Street corridor is twofold which includes dealing with the loss of businesses and vacant storefronts as well as potential redevelopment of the corridor
- b. Seek professional services to bring new ideas to the table and assist with plan development
- c. Appoint a committee to work on the development of an 84th Street Corridor Revitalization plan (*with consultant*)
 - i. Provide avenues to involve current business owners and other stakeholders in decisions about a redevelopment plan
- d. Adopt and enforce design standards to assure attractive redevelopment that promotes a unique community identity

Responsible Parties: Administration & Community Development

Action Steps:

- ♦ ICSC Attendance & Exhibition — May 2007
 - Cultivate resources and contacts identified from recent attendance.
 - Follow up correspondence & marketing materials were sent out.
- ♦ Budget for increased ICSC Participation & Exposure
 - Funding for the identified ICSC programs was approved in the recommended FY 08 municipal budget.
 - ICSC Deal Makers — October 2007 Attended by Gunn & Birch.
 - ICSC Alliance — January 29-30, 2008, St. Louis — Attended by Ramirez and Birch. New contacts were made and follow up marketing materials and site location information was sent out).
 - ICSC Annual Conference — May 2008 Plans are currently underway for attendance at this conference. Staff is also working on enhancements to our booth and updating handout materials offering site location information related to our various commercial areas.
- ♦ Begin 84th Street Visioning Process for Public Spaces — Anticipate utilizing American Planning Association (APA) resources.
Staff is working to develop a recommended strategy for addressing the 84th Street Corridor which we anticipate discussing further at the strategic planning workshop.
- ♦ Items C & D are not currently anticipated in the upcoming fiscal year. As we continue to develop an 84th Street strategy it is anticipated that potential funding sources will be considered prior to the end of the current fiscal year.

Timeline: Immediate & Ongoing

2. Provide for planned, fiscally responsible expansion of the city's boundaries.

Key objectives:

a. Prepare a long-range plan for the annexation of both residential and industrial subdivisions

Responsible Parties: All departments will be involved with primary responsibility to Community Development, Finance & Administration

Action Steps:

- ♦ Community Development and Finance prepare draft
Staff has prepared a synopsis of the current debt to valuation ratios of the subdivisions within the city's extra territorial zoning jurisdiction and drafted a potential timeframe recommendation. Based on Council feedback, a more detailed plan will be drafted for Council consideration.
- ♦ Draft to Council at 2008 Strategic Planning Workshop
This information along with a recommended timeframe for annexation is included in your strategic planning workshop materials.
- ♦ Plan approval by ~~Fall of 2008~~ prior to the 2009 City Council Strategic Planning Workshop

Timeline: Plan completion ~~at time of FY 08/09 Budget adoption~~ February 2009

b. Plan for infrastructure improvements in the city's capital improvement budget

Responsible Parties: Administration, Finance & Public Works

Action Steps:

- ♦ Adoption of CIP 2008-2013, September 2007
Completed.
- ♦ Develop Capital budget for projects approved for FY 2008
Completed.
- ♦ Implement quarterly project progress reports
The Assistant City Administrator has developed the process and forms for said reports. The first reports were submitted at the end of December.
- ♦ Draft of 2009-2014 plan to Council at 2008 Strategic Planning Workshop
This is included in the materials for the strategic planning workshop.

Timeline: Fall of 2007 & Ongoing

c. Communicate the annexation plan and property tax implications to key stakeholders

Responsible Parties: Administration

Action Steps:

- ♦ Letters to property owners
- ♦ Quarterly newsletter
- ♦ Website
- ♦ Public Meetings

Timeline: TBD based on plan.

3. Preservation of older residential neighborhoods

Key objectives:

a. Schedule needed improvements in public facilities through the city's capital improvement plan

Responsible Parties: Public Works

Action Steps:

- ♦ Submit public facility improvements as part of the CIP process.

Timeline: Ongoing

b. Strengthen and enforce city building and environmental codes

Responsible Parties: Community Development

Action Steps:

- ♦ Review and propose improvements to municipal codes.
- ♦ Continue to be proactive in code enforcement.

Timeline: Ongoing

c. Implement a rental inspection program

Responsible Parties: Community Development

Action Steps:

- ♦ Review resource requirements for program.
- ♦ Develop proposal for rental housing program.

Timeline: Propose program as part of the FY 2008/09 Budget

4. Strengthen a sense of shared community identity among residents and businesses.

Key objectives:

- a. **Provide leadership to accomplish a significant celebration of the community's 50th anniversary.**

Responsible Parties: Administration

Action Steps:

- ♦ Retain the services of an author to write the La Vista Story.
The City Attorney has assisted the Assistant City Administrator in making some contacts with people who have worked on similar projects. As a result, a project steering committee has been formed. The steering committee (consisting of Rita Ramirez, Tom McKeon, Alan Ronan, Jeff Sinnett, Shon Barenklau and Brenda Gunn) met and among other things recommended proceeding with a meeting of those knowledgeable about La Vista's history to inform them about the project. That meeting has taken place and was well attended. Subsequent meetings will soon begin to start recording the oral histories.
- ♦ Engage the La Vista Community Foundation in the planning of 50th Anniversary celebration events.
Once the LVCF has hired an Executive Director we will begin working on this.
- ♦ In conjunction with the LVCF, identify a 50th Anniversary Celebration committee.

Timeline:

- ♦ ~~Currently in the process of identifying an author, timeline to be identified. Intend to be completed for the City's 50th celebration.~~
- ♦ Committee established by Summer of 2008

- b. **Market community identity through strategic partnerships with the Chamber of Commerce and the Community Foundation**

Responsible Parties: Administration

Action Steps:

- ♦ Propose funding for marketing materials
Funding for has been included in the recommended FY 08 municipal budget.
- ♦ Develop Website Video
We have submitted our final revisions and anticipate completion at any time.
- ♦ Identify opportunities for cooperative efforts with Chamber and Foundation (i.e. Citizen Survey)
The results of the Citizen Survey are included in your strategic planning workshop materials. Following the workshop, we anticipate doing a press release to announce the availability of the results. We will make the survey results available to public at City Hall, the Library and online. We will also provide a synopsis in the next Citywise Newsletter.

Timeline: Immediate & Ongoing.

- d. Conduct a random-sample written survey of citizens to determine attachment to community and ideas for improving the community and municipal services.**

Responsible Parties: Administration

Action Steps:

- ♦ Funding request as part of the FY 07/08 budget
- ♦ If approved, engage with the National Citizen Survey to conduct survey.

Timeline: Completed.

- e. Distribute quarterly citizen newsletter to residents of La Vista's SID's**

Responsible Parties: Administration

Action Steps:

- ♦ Funding request as part of the FY 07/08 budget

Timeline: Completed.

5. Improve and expand the city's quality of life amenities for residents and visitors to the community.

Key objectives:

- a. Complete swimming pool plan and determine implementation schedule**

Responsible Parties: Administration & Finance

Action Steps:

- ♦ Continue working with Citizen Committee to present recommendation to the Mayor & Council
- ♦ Based on scope of recommended project, prepare financing proposal.
- ♦ Propose a timeline for potential bond issue.

Timeline: Fall 2008

Based on the Swimming Pool Committee's desire to have additional community input, two related questions were included in the Citizen Survey. Now that we have received the survey results, it is anticipated that the Committee will start meeting again in April to consider the survey results and formulate a recommendation for the Mayor and Council.

b. Identify options for creation of public green space with the property owner of the sod farm and develop a plan

Responsible Parties: Administration, Community Development, Public Works, Recreation
Action Steps:

- ♦ Explore opportunities with the La Vista Community Foundation
- ♦ Request funding for plan development. A recommendation for funding is included in the CIP draft.

Timeline: Ongoing. Propose funding for plan as part of the FY 2008/09 Budget.

d. Create strategies for accomplishing other high priority quality of life amenities identified by residents through the citizen survey

- ♦ To Be Determined based on results of citizen survey.

6. Become more proactive on legislative issues

Key objectives:

a. Form a consortium with other local governments in the region so as to work cooperatively in pursuit of mutual interests

Responsible Parties: Mayor & Administration

Action Steps:

- ♦ Quarterly Mayors Meeting

Timeline: Completed & Ongoing.

b. Adopt a common legislative agenda for advancing state policies that promote the interests of communities in the consortium

i. Consider hiring a lobbyist

Responsible Parties: Administration

Action Steps:

- ♦ Through an Interlocal Cooperation Agreement the five cities of Sarpy County have jointly hired a lobbyist and established a legislative agenda for the 2008 Legislative session.

Timeline: Completed & Ongoing.

7. Adopt and implement standards of excellence for the administration of city services.

Key objectives:

a. Achieve a successful leadership transition in the fire department

Responsible Parties: Fire & Administration

Action Steps:

- ♦ This has been successfully completed and the transition will continue to evolve.
- ♦ Continue to monitor progress and address related issues. Must also continue to monitor legislation related to volunteer fire departments.

Timeline: Ongoing.

b. Provide for the orderly and uninterrupted transition of personnel into key city appointed positions through a succession plan

Responsible Parties: All Departments

Action Steps:

- ♦ Utilize hiring process as an opportunity to review position descriptions to articulate long term organizational expectations
- ♦ Fund and provide training opportunities
Funding for additional training opportunities has been included in the FY 08 municipal budget.
- ♦ Provide succession planning training to the Management Team
- ♦ Review and make recommendation regarding the City's policies for funding for employee educational assistance.
- ♦ In conjunction with a local educational institution develop a training program for mid-level supervisors tailored to the needs of our organization.
- ♦ Establish quarterly meetings between mid-level supervisors and City Administrator. It is hoped that this will provide an opportunity for the City Administrator to provide updates about what is going on in the organization and an opportunity to answer questions.
- ♦ Consider establishing a City Hall internship for an up and coming supervisor.
- ♦ **Timeline:** Immediate & Ongoing.

c. Expand formal learning opportunities for employee development

Responsible Parties: All Departments.

Action Steps:

- ♦ Fund training requests as part of the annual budget.
Funding was approved in the FY 08 municipal budget.
- ♦ Identify opportunities in-house training
Funding for to bring an ICMA Training Session to La Vista has been included in the approved FY 08 municipal budget.

Timeline: Immediate & Ongoing.

d. Assure the recruitment and retention of city staff through competitive compensation which is guided by results of a wage and benefit survey

Responsible Parties: Human Resources

Action Steps:

- ♦ Funding was included in FY 08 budget.
- ♦ Council recently approved a contract engaging a consultant to perform a compensation study for certain positions. That process is currently underway and is anticipated to be completed this spring.

Timeline: TBD

K

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AT A BEER GARDEN IN CENTRAL PARK ON JUNE 6-7, 2008, IN CONJUNCTION WITH THE ANNUAL LA VISTA DAYS CELEBRATION.

WHEREAS, Central Park is located within the City of La Vista; and

WHEREAS, the La Vista Chamber of Commerce has requested approval of a Special Designated Permit to sell and serve beer at a beer garden in Central Park June 6-7, 2008, in conjunction with the annual La Vista Days celebration.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the La Vista Chamber of Commerce to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer at a beer garden in Central Park on June 6-7, 2007, in conjunction with the annual La Vista Days celebration.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



March 11, 2008

Nebraska Liquor Control Commission
P.O. Box 95046
Lincoln, NE 68509

Re: La Vista Area Chamber of Commerce
Special Designated Use Permit

To whom it may concern,

The La Vista Police Department has recently reviewed the request by the La Vista Chamber of Commerce for a special designated use permit to have an outdoor area to serve beer during La Vista Days at La Vista's Central Park on Friday and Saturday, June 6 & 7, 2008. The Chamber has been advised that they are to have the proper number of security personnel staffing the event. Therefore, we would recommend approval of the permit contingent on the proper number of security personnel assigned.

Sincerely,

Robert S. Lausten
Chief of Police

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Fire
8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course
8305 Park View Blvd.
p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

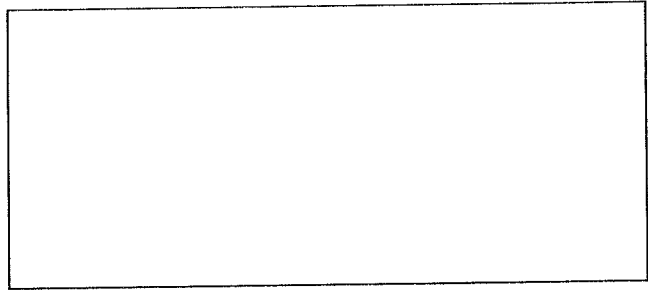
Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Works
9900 Cornhusker Rd.
p: 402-331-8927
f: 402-331-1051

Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

**APPLICATION FOR SPECIAL
DESIGNATED LICENSE
NON PROFIT APPLICANTS**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/



BEFORE SUBMITTING APPLICATION TO THE LIQUOR CONTROL COMMISSION

- ☐ Include approval from the City, Village or County Clerk where the event is to be held
- ☐ Include signed statement from the local law enforcement (see question #8)
- ☐ A license fee \$40 (payable to Nebraska Liquor Control Commission) for each day/event to be licensed (i.e. if you have two separate areas at one event they both need to be licensed)
- ☐ Application MUST be received at the Liquor Control Commission Office no later than 10 working days prior to event (excluding weekends, Federal and State observed holidays)
- ☐ Letter from IRS declaring your organization exempt from payment of federal income taxes, or copy of federal tax return, as filed with the IRS, as well as affidavit signed by an officer of the organization declaring that the copy of the tax return is true and correct copy as filed with the IRS

COMPLETE ALL QUESTIONS

1. Type of alcohol to be served and/or consumed

☒ Beer ☐ Wine ☐ Distilled Spirits

2. Status of applicant (check one)

☐ Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☒ Public Service

3. Licensee name (last, first, middle), Corporate name, Limited Liability Company (LLC)

NAME: LaVista Area Chamber of Commerce

ADDRESS: 8040 S. 84th Street LaVista, NE 68138 COUNTY SARPY

4. Location where event will be held; name, address, city, county, zip code

ADDRESS: Central Park - Edgewood + Valky Rd LA Vista COUNTY SARPY
18128

- a. Is this location within the city/village limits? ☒ YES ☐ NO
- b. Is this location within the 150' of church, school, hospital or home aged/indigent or for veterans their wives? ☐ YES ☒ NO
- c. Is this location within 300' of any university or college campus? ☐ YES ☒ NO

5. Date(s) and Time(s) of event (no more then six (6) consecutive days on one application)

[illegible]

- a. Alternate date: _____
- b. Alternate location: _____
(alternate date or location must be approved by local and law enforcement)

6. Indicate type of activity to be carried on during event
☐ Dance ☐ Reception ☐ Fund Raiser ☒ Beer Garden ☐ Sampling/Tasting ☐ Other

7. Description of area to be licensed
☐ Inside building, dimensions of area to be covered **INFEET** _____ x _____
 Name of building _____ (not square feet or acres)

☒ Outdoor area dimensions of area to be covered IN FEET 40' x 100'
(not square feet or acres)

If outdoor area, how will premises be enclosed

☒ fence, type of fence CHAIN link & plastic fencing

☒ tent

☐ other, explain _____

*If both inside and outdoor area to be licensed include **simple sketch**

8. Attach a signed statement from local police chief or county sheriff, whichever is applicable, that local law enforcement has been informed in advance of this event, and if they are aware of any reason the event should not occur.

9. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages.

10. Will premises to be covered by license comply with all Nebraska sanitation laws?
☒ YES ☐ NO

a. Are there separate toilets for both men and women? ☒ YES ☐ NO



Tent

Uncovered
Seating

11. Will there be any games of chance operating during the event? ☐ YES ☒ NO
If so, describe activity _____

NOTE: Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law: There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

12. Any other information or requests for exemptions:

13. Name and **telephone number/cell phone number** of immediate **supervisor**. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to.

Tom Kerfoot Phone: Before 402-960-0306 During SAME
Print name of Event Supervisor

Tom Kerfoot
Signature of Event Supervisor

Consent of Authorized Representative/Applicant

14. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign here Mary E. Harper Executive Director 3/3/08
Authorized Representative/Applicant Title Date

Mary E. Harper
Print Name

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

**Application for Special Designated License
Under Nebraska Liquor Control Act
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

LaVista Area Chamber of Commerce
NAME OF CORPORATION

47-0650061
FEDERAL ID NUMBER

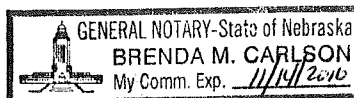
Tom Kufner
SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 27th DAY OF

February 2008

[Signature]
NOTARY PUBLIC SIGNATURE & SEAL





#9 Prevention of underage person from obtaining alcohol beverages

The policy to prevent underage drinking is as follows:

- Uniformed Police Officers working as security
- Wristbands for participants once ID is validated
- Seating area fenced
- Trained Volunteers Uniformed as Security/ID Validators
- Signage Posted

L

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS B LIQUOR LICENSE APPLICATION OF CASEY'S RETAIL COMPANY DBA CASEY'S GENERAL STORE 2454, LA VISTA, NEBRASKA.

WHEREAS, Casey's Retail Company dba Casey's General Store 2454, 9542 Giles Road, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class B Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class B Liquor License application submitted by Casey's Retail Company dba Casey's General Store 2454, 9542 Giles Road, La Vista, NE.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

LA VISTA POLICE DEPARTMENT INTEROFFICE MEMORANDUM

TO: PAM BUETHE, CITY CLERK
FROM: BOB LAUSTEN, POLICE CHIEF
SUBJECT: LOCAL BACKGROUND- CORPORATE LIQUOR LICENSE-
CORPORATE MANAGER
CASEY'S 96TH/GILES
DATE: 2/28/2008
CC:

The police department conducted a check of computerized records on the applicant, Terry Handley, for criminal conduct in Nebraska in reference to the Corporate Manager application. The applicant has no entries in Nebraska.

A check was also conducted on the Corporate Liquor License applicants (CT Corporation) Michael Richardson, Eli Wirtz, and William Walljasper. All had no entries.

A check of the applicants current liquor license at 9542 Giles shows the business has had no action taken against the license.

License Information

Number: 67352

Expiration Date: 04/30/2008

Category: Retail

Type of Beverages:

Ownership: Corporation

Class: B

Exemptions:

Trade Information

Trade Name CASEY'S GENERAL STORE #2454

Trade Address 1 9542 GILES ROAD

City, State, Zip Code LA VISTA, NE 68128

County 59

Individual Applicant Information

Name: KRINGS, TINA M

Corporate Applicant Information

Corporation: CASEY'S RETAIL
COMPANY

Address 1: ONE CONVENIENCE
BLVD

Address 2: PO BOX 3001
City, State, Zip ANKENY, IA 50021
Code
Troop ID Troop A
Registered Agent CT CORPORATION
Bond Information
Company: Start Date:
Number: Cancel Date:
Restrictions: *SEE PREVIOUS HISTORY ON 2005 ROLL 9 PAGE 161*

Partner Information

Partner 1

NAME: HANDLEY,
TERRY W
*SPOUSE

Title: PRESIDENT
Shares:

Partner 2

NAME: HEYER,
BRADLEY G
*SPOUSE

Title: VP
Shares:

Partner 3

NAME: BROWN, HAL D
*SPOUSE

Title: VP
Shares:

Partner 4

NAME: MYERS,
ROBERT J
*SPOUSE

Title: VP
Shares:

Partner 5

NAME: WIRTZ, ELI J
*SPOUSE

Title: SEC/TRE
Shares:

Partner 6

NAME: JACKOWSKI,
JULIA L
*SPOUSE

Title: ASST SEC
Shares:

Description

ONE STORY BUILDING APPROX 40 X 68

History

Description: NEW
APPLICATION

Date Effective: 03/04/2005

Description: STATUTORY

Date Effective: 03/10/2005

	TIME	
Description:	STATUTORY TIME	Date Effective: 03/17/2005
Description:	INV. REV. FINAL	Date Effective: 03/25/2005
Description:	AG. APPROVE	Date Effective: 03/28/2005
Description:	LOCAL APPROVE	Date Effective: 04/21/2005
Description:	FIRE APPROVE	Date Effective: 04/28/2005
Description:	CLK LTR LIC PKP	Date Effective: 04/28/2005
Description:	ISSUE LICENSE	Date Effective: 05/01/2005
Description:	FIRE APPROVE	Date Effective: 05/02/2005
Description:	CORRECT LICENSE	Date Effective: 02/10/2006
Description:	RENEW APP.	Date Effective: 03/01/2006
Description:	RENEW APP.	Date Effective: 02/26/2007
Description:	MANAGER CHG	Date Effective: 03/30/2007
Description:	INV. REV.	Date Effective: 04/30/2007
Description:	LOCAL APPROVE	Date Effective: 05/07/2007
Description:	MGR. APPROVE	Date Effective: 05/08/2007

Annexed

**APPLICATION FOR LIQUOR LICENSE
CHECKLIST**

301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

80181

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

Applicant Name CASEY'S RETAIL COMPANY *jm*

Trade Name CASEY'S GENERAL STORE #2454 Previous Trade Name _____

Provide all the items requested. Failure to provide any item will cause this application to be returned or placed on hold. All documents must be legible. Any false statement or omission may result in the denial, suspension, cancellation or revocation of your license. If your operation depends on receiving a liquor license, the Nebraska Liquor Control Commission cautions you that if you purchase, remodel, start construction, spend or commit money that you do so at your own risk. Prior to submitting your application review the application carefully to ensure that all sections are complete, and that any omissions or errors have not been made. You may want to check with the city/village or county clerk, where you are making application, to see if any additional requirements must be met before submitting application to the state.

REQUIRED ATTACHMENTS

Each item must be checked and included with application or marked N/A (not applicable)

☒ 1. Fingerprint cards for each person (two cards per person) must be enclosed with a check payable to the Nebraska State Patrol for processing in the amount of \$38.00 per person. All areas must be completed on cards as per brochure. **ON FILE**

☒ 2. Enclose registration fee for the appropriate class of license, made out to the Nebraska Liquor Control Commission.

☒ 3. Enclose the appropriate application forms; Individual License – Form 1; Partnership License – Form 2; Corporate - Form 3a; Limited Liability Form (LCC) – Form 3b. Corporate Form 3a and LLC Form 3b requires Corporate Manager application – Form 3c.

☒ 4. If building is being leased send a copy of the lease. Be sure it reads in the individual(s), corporate or LLC name being applied for. Also, the lease must extend through the license year being applied for. If building owned, send a copy of the deed or purchase agreement in appropriate name.

☐ 5. If you are buying the business of a current licensee, provide a copy of the purchase agreement from licensee. This also needs to be in appropriate applicant's name.

NA

☐ 6. If wishing to run on current liquor license enclose temporary agency agreement (**must be Commission form only, must include copy of signature card from the bank showing both the seller and buyers name on account**).

NA

*Bas 1793462
45-mm*



0800000984

☐ 7. Copy of alcohol inventory being purchased. Inventory shall include brand names and container sizes. Inventory may be taken at the time application is being submitted.

NA

☐ 8. Enclose a list of any inventory or property owned by other parties that are on the premise.

NA

☐ 9. For individual, partnership and LLC enclose proof of citizenship; copy of birth certificate (certificate from the State where born, not hospital certificate), naturalization paper or passport, for all applicants, members and spouses. NA

☒ 10. If corporation or LLC enclose a copy of articles as filed with the Secretary of States Office. This document must show barcode.

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 45-60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.

Signature


ELI J. WIRTZ, SECRETARY FOR
CASEY'S RETAIL COMPANY

APPLICATION FOR LIQUOR LICENSE

301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES CHECK DESIRED CLASS(S)

RETAIL LICENSE(S)

- | | | | |
|-------------------------------------|---|---|---------|
| <input type="checkbox"/> | A | BEER, ON SALE ONLY | \$45.00 |
| <input checked="" type="checkbox"/> | B | BEER, OFF SALE ONLY | \$45.00 |
| <input type="checkbox"/> | C | BEER, WINE & DISTILLED SPIRITS, ON & OFF SALE | \$45.00 |
| <input type="checkbox"/> | D | BEER, WINE & DISTILLED SPIRITS, OFF SALE ONLY | \$45.00 |
| <input type="checkbox"/> | I | BEER, WINE & DISTILLED SPIRITS, ON SALE ONLY | \$45.00 |

Class K Catering license may be added to any of these classes with the filing of the appropriate form and fee of \$100.00

MISCELLANEOUS

- | | | | | |
|--------------------------|---|--------------------------|------------------------|-----------------------|
| <input type="checkbox"/> | L | Craft Brewery (Brew Pub) | \$295.00 | \$1,000 minimum bond |
| <input type="checkbox"/> | O | Boat | \$ 95.00 | |
| <input type="checkbox"/> | V | Manufacturer | \$ 45.00(+license fee) | \$10,000 minimum bond |
| <input type="checkbox"/> | W | Wholesale Beer | \$545.00 | \$5,000 minimum bond |
| <input type="checkbox"/> | X | Wholesale Liquor | \$795.00 | \$5,000 minimum bond |
| <input type="checkbox"/> | Y | Farm Winery | \$295.00 | \$1,000 minimum bond |
| <input type="checkbox"/> | Z | Micro Distillery | \$295.00 | \$1,000 minimum bond |

All Class C licenses expire October 31st

All other licenses expire April 30th

Catering expire same as underlying retail license

TYPE OF APPLICATION BEING APPLIED FOR (CHECK ONE)

- | | |
|-------------------------------------|---|
| <input type="checkbox"/> | Individual License (requires insert form 1) |
| <input type="checkbox"/> | Partnership License (requires insert form 2) |
| <input checked="" type="checkbox"/> | Corporate License (requires insert form 3a & 3c) |
| <input type="checkbox"/> | Limited Liability Company (requires form 3b & 3c) |

NAME OF PERSON OR FIRM ASSISTING WITH APPLICATION

(commission will call this person with any questions we may have on this application)

Name DEBBIE DOLASH

Phone number: 515-965-6517

Firm Name CASEY'S RETAIL COMPANY

EMAIL: ddolash@caseys.com

PREMISE INFORMATION

Trade Name (doing business as) CASEY'S GENERAL STORE #2454

Street Address #1 9542 GILES ROAD

Street Address #2 _____

City LAVISTA

County SARPY

59

Zip Code 68128

Premise Telephone number 402-331-9632

Is this location inside the city/village corporate limits:



YES

city



NO

Mail address (where you want receipt of mail from the commission)

Name CASEY'S RETAIL COMPANY ATTN: STORE OPERATIONS

Street Address

#1 PO BOX 3001

Street Address

#2 ONE CONVENIENCE BLVD

City ANKENY, IA

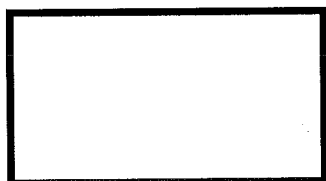
County POLK

Zip Code 50021

DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

68'



40'

N
W + E
S

ONE STORY BUILDING APPROXIMATELY 68' X 40'

APPLICANT INFORMATION

1. READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☒ YES ☐ NO

If yes, please explain below or attach a separate page.

ELI WIRTZ: TRAFFIC TICKETS - MOST RECENT 2003 PAID FINE

MARILYN WIRTZ: TRAFFIC TICKETS - MOST RECENT 2005 PAID FINE

TERRY HANDLEY: TRAFFIC TICKETS - MOST RECENT 2004 PAID FINE

NANCY HANDLEY: TRAFFIC TICKET - SOMETIME IN 2002-2004 PAID FINE

2. Are you buying the business and/or assets of a licensee?

☐ YES ☒ NO

If yes, give name of business and license number _____

- a) Submit a copy of the sales agreement including a list of the furniture, fixtures and equipment.
- b) Include a list of alcohol being purchased, list the name brand, container size and how many?

3. Are you filing a temporary agency agreement whereby current licensee allows you to operate on their license?

☐ YES ☒ NO

If yes, attach temporary agency agreement form and signature card from the bank.

This agreement is not effective until you receive your three (3) digit ID number from the Commission.

4. Are you borrowing any money from any source to establish and/or operate the business?

☐ YES ☒ NO

If yes, list the lender _____

5. Will any person or entity other than applicant be entitled to a share of the profits of this business?

☐ YES ☒ NO

If yes, explain. All involved persons must be disclosed on application. _____

6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

☐ YES ☒ NO

If yes, list such items and the owner. _____

7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business?

☐ YES ☒ NO

If yes, explain. _____

No silent partners

8. Are you premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 feet of a college or university campus?

☐ YES ☒ NO

If yes, list the name of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)

9. Is anyone listed on this application a law enforcement officer?

☐ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the individual(s) who will be authorized to write checks and/or withdrawals on accounts at the institution.

UMB BANK - PO BOX 419226, KANSAS CITY, MO 64141 - CASEY'S CORPORATE ACCOUNTING DEPT

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

PLEASE SEE ATTACHED SPREADSHEET

12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations. CARISSA STRIPE, MANAGER - 45 HOURS PER WEEK

13. List the training and/or experience (when and where) of the person lists in #12 above in connection with selling and/or serving alcoholic beverages. ALL STORE MANAGERS MUST REVIEW AND SIGN CORPORATE TRAINING PACKET WHEN THEY ARE HIRED AS STORE MANAGER. PLEASE SEE ATTACHED. CARISSA STRIPE - MNGR LESS THAN 1 YEAR, 4 YRS AS CLERK

14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

☐ Lease: expiration date

☒ Deed

☐ Purchase Agreement

15. When do you intend to open for business? CURRENTLY OPEN- CHANGING JURISDICTION

16. What will be the main nature of business? CONVENIENCE STORE

17. What are the anticipated hours of operation? 6AM-11PM DAILY

18. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses. If necessary attach a separate sheet.

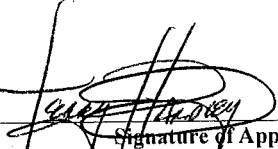
RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE

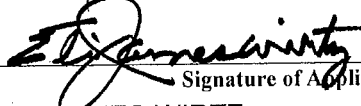
APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
TERRY W. HANDLEY	1993	CURRENT	NANCY A. HANDLEY	1993	CURRENT
ELI J. WIRTZ	1987	CURRENT	MARILYN C. WIRTZ	1987	CURRENT

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background investigation and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will operate the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock and spouses). Full (birth) names only, no initials.

✓ 
Signature of Applicant
TERRY WILLIAM HANDLEY


Signature of Applicant
ELI JAMES WIRTZ

Signature of Applicant

Signature of Applicant

Signature of Applicant

State of ~~Nebraska~~ IOWA

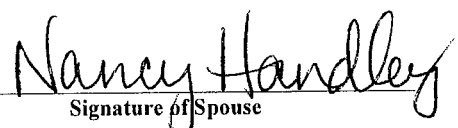
County of POLK

✓ The foregoing instrument was acknowledged before me this Feb. 19, 2008 by

Terry Handley and Eli Wirtz


Notary Public signature
CHRIS MCCREADY



✓ 
Signature of Spouse
NANCY ANN HANDLEY


Signature of Spouse
MARILYN CUPLIN WIRTZ

Signature of Spouse

Signature of Spouse

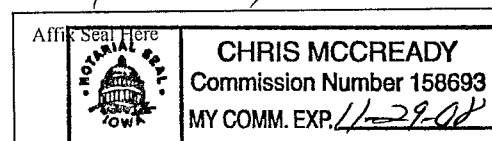
Signature of Spouse

County of POLK

✓ The foregoing instrument was acknowledged before me this Feb 19, 2008 by

Nancy Handley and Marilyn Wirtz


Notary Public signature
CHRIS MCCREADY



**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

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FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

Corporate manager, including their spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006)
- 3) Must provide a copy of their certified birth certificate or INS papers
- 4) Must submit their fingerprints (2 cards per person)
- 5) Must be 21 years of age or older
- 6) Applicant may be required to take a training course

Corporation/LLC information

✓ Name of Corporation/LLC: CASEY'S RETAIL COMPANY

Premise information

Premise License Number: CLASS B 67352


✓ Premise Trade Name/DBA: CASEY'S GENERAL STORE #2454

Premise Street Address: 9542 GILES ROAD

City: LAVISTA State: NE Zip Code: 68128

Premise Phone Number: 402-331-9632

The individual whose name is listed in the president or contact member category on either insert form 3a or 3b must sign their name below.

✓


TERRY W. HANDLEY, PRESIDENT

CORPORATE OFFICER SIGNATURE

(Faxed signatures are acceptable)

Manager's information must be completed below PLEASE PRINT CLEARLY

Gender: ☐ MALE ☒ FEMALE

Last Name: KRINGS First Name: TINA MI: MARIE

Home Address (include PO Box if applicable): 1005 VILLAGE GREEN DRIVE #4

City: NORFOLK State: NE Zip Code: 68701

Home Phone Number: 402-371-7308 Business Phone Number: 515-965-6517

Social Security Number: 94 2400 Drivers License Number & State: 007014757

Date Of Birth: 12-21-67 Place Of Birth: ANAHEIM, CA

Are you married? If yes, complete spouse's information (Even if a spousal affidavit has been submitted)

☐ YES ☒ NO

Spouse's information

Spouses Last Name: First Name: MI:

Social Security Number: Drivers License Number & State:

Date Of Birth: Place Of Birth:

APPLICANT AND SPOUSE MUST LIST RESIDENCE(S) FOR THE PAST 10 YEARS

APPLICANT

SPOUSE

CITY & STATE		YEAR FROM TO		CITY & STATE		YEAR FROM TO	
NORFOLK, NE		1967	CURRENT				

MANAGER'S LAST TWO EMPLOYERS

YEAR FROM TO		NAME OF EMPLOYER	NAME OF SUPERVISOR	TELEPHONE NUMBER
09/01	CURRENT	CASEY'S GENERAL STORES	JAN KONRAD	515-965-6517
01/98	08/01	ARNOLD ENGINEERING	PLANT CLOSED	NO PHONE

Manager and spouse must review and answer the questions below.
PLEASE PRINT CLEARLY

1. **READ PARAGRAPH CAREFULLY AND ANSWER COMPLETELY AND ACCURATELY.**

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. **If more than one party, please list charges by each individual's name.**

☒ YES

☐ NO

If yes, please explain below or attach a separate page.

ELI & MARILYN WIRTZ HAVE TRAFFIC VIOLATIONS - PAID FINES

TERRY & NANCY HANDLEY HAVE TRAFFIC VIOLATIONS - PAID FINES

TINA KRINGS - HAS HAD SPEEDING TICKET OVER 10 YEARS AGO - PAID FINES

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? **IF YES**, list the name of the premise.

☒ YES

☐ NO

PLEASE SEE THE ATTACHED LIST

3. Do you, as a manager, have all the qualifications required to hold a Nebraska Liquor License? Nebraska Liquor Control Act (§53-131.01)

☒ YES

☐ NO

4. Have you filed the required fingerprint cards and **PROPER FEES** with this application? (The check or money order must be made out to the **Nebraska State Patrol for \$38.00 per person**)

☒ YES

☐ NO

ON FILE

PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.

Tina M. Krings
Signature of Manager Applicant

TINA MARIE KRINGS

State of Nebraska

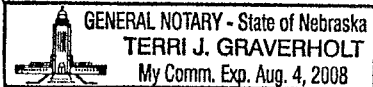
County of Madison

The foregoing instrument was acknowledged before me this February 14, 2008 by

TERRI GRAVERHOLT

Terri J. Graverholt
Notary Public signature

Affix Seal Here



Signature of Spouse

County of _____

The foregoing instrument was acknowledged before me this _____ by

Notary Public signature

Affix Seal Here

In compliance with the ADA, this manager insert form 3c is available in other formats for persons with disabilities. A ten day advance period is required in writing to produce the alternate format.

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

STATE OF CALIFORNIA
DEPARTMENT OF HEALTH SERVICES
HEALTH DATA AND STATISTICS BRANCH

DATA DATE: 1018

EVENT: BIRTH

RECEIPT NO: 599951

AMOUNT: \$13.00

POSTAGE: .00

TINA MARIO DEWIL
1311 IMPALA DR., #A
NORFOLK, NE 68701

DATE: 10/18/95

THIS IS YOUR RECEIPT.

THIS COMPUTER GENERATED ABSTRACT OF BIRTH IS AN OFFICIAL DOCUMENT.

463339

STATE OF CALIFORNIA
DEPARTMENT OF HEALTH SERVICES
CERTIFIED ABSTRACT OF BIRTH

NAME: TINA M PAULSEN

This is to certify that this
document is a true abstract
of the official record filed with
the Office of Vital Records and Statistics
S. Kimberly Belshe, Director
Department of Health Services
and State Registrar of Vital Records and Statistics

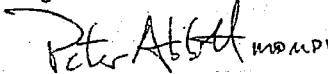
DATE OF BIRTH: DECEMBER 21, 1967

SEX: FEMALE

COUNTY OF BIRTH: ORANGE

BIRTH SURNAME OF MOTHER: STREETER

by:


George B. (Peter) Abbott, Jr., M.D., M.P.H., Chief
Office of Vital Records and Statistics

DATE FILED: 02/68

DATE ISSUED: 10/18/95

REGISTRATION NUMBER -
599951

STATE: 67-334858
LOCAL: 019545

463339
VS-1(4-94)



managers

STORE	LOCATION	LICENSE NUMBER	MANAGING OFFICER
2736	ASHLAND	B71284	TINA KRINGS
1752	AUBURN	B28763	TINA KRINGS
2377	AURORA	B49302	TINA KRINGS
65	BEATRICE #2	B10710	TINA KRINGS
1744	BEATRICE #3	B29127	TINA KRINGS
1784	BEATRICE #4	B29126	TINA KRINGS
2702	BEATRICE #5	B71285	TINA KRINGS
2709	CAMBRIDGE	B71399	TINA KRINGS
1804	CENTRAL CITY	B31470	TINA KRINGS
1575	CRETE	B76412	TINA KRINGS
2725	EAGLE	B71405	TINA KRINGS
1603	EXETER	B26283	TINA KRINGS
1193	FAIRBURY	B67355	TINA KRINGS
1790	FALLS CITY	B67356	TINA KRINGS
1595	FRANKLIN	B22070	TINA KRINGS
1717	GENEVA	D54883	TINA KRINGS
1768	GRAND ISLAND	B29484	TINA KRINGS
2707	GRAND ISLAND #2	B76264	TINA KRINGS
2727	GRAND ISLAND #3	B71406	TINA KRINGS
2732	GRAND ISLAND #4	B71404	TINA KRINGS
2737	GRAND ISLAND #5	B76265	TINA KRINGS
2742	GRAND ISLAND #6	B71396	TINA KRINGS
1780	HASTINGS	B30540	TINA KRINGS
2719	HASTINGS	D71290	TINA KRINGS
2752	HASTINGS	B77726	TINA KRINGS
1576	HEBRON	B20969	TINA KRINGS
1606	HOLDREGE #1	B26282	TINA KRINGS
1800	HOLDREGE #2	B31240	TINA KRINGS
2711	KEARNEY 3	B76263	TINA KRINGS
2454	LA VISTA	B67352	TINA KRINGS

STORE	LOCATION	LICENSE NUMBER	MANAGING OFFICER
1934	LINCOLN	B36334	TINA KRINGS
2720	LINCOLN	B71213	TINA KRINGS
2721	LINCOLN	B76261	TINA KRINGS
2729	LINCOLN #11	B71288	TINA KRINGS
2745	LINCOLN #13	B71289	TINA KRINGS
2723	LINCOLN #8	B71352	TINA KRINGS
2724	LINCOLN #9	B71351	TINA KRINGS
1954	MCCOOK 1	B36976	TINA KRINGS
2291	MCCOOK 2	B50367	TINA KRINGS
1622	MILFORD	B26284	TINA KRINGS
1801	MINDEN	B67357	TINA KRINGS
1817	NEBRASKA CITY	B31425	TINA KRINGS
2675	NORTH BEND	B78600	TINA KRINGS
2740	OSCEOLA	B71378	TINA KRINGS
2743	PALMYRA	B76262	TINA KRINGS
2441	PAPILLION	B55223	TINA KRINGS
1579	PAWNEE CITY	B20974	TINA KRINGS
1600	PERU	B21008	TINA KRINGS
1583	RED CLOUD	B24068	TINA KRINGS
2733	STROMSBURG	B76266	TINA KRINGS
2712	SUPERIOR	B71287	TINA KRINGS
2735	SYRACUSE	B71380	TINA KRINGS
2750	TECUMSEH	B28747	TINA KRINGS
2700	WAHOO	B71375	TINA KRINGS
2718	WILBER	B71354	TINA KRINGS
1565	WYMORE	B20970	TINA KRINGS
1690	YORK 1	B67354	TINA KRINGS
2015	YORK 2	B38063	TINA KRINGS

APPLICATION FOR LIQUOR LICENSE
CORPORATION
INSERT - FORM 3a

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

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FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

Officers, directors and stockholders holding over 25%, including spouses, are required to adhere to the following requirements

- 1) The president and stockholders holding over 25% and their spouse (if applicable) must submit their fingerprints (2 cards per person)
- 2) All officers, directors and stockholders holding over 25 % and their spouse (if applicable) must sign the signature page of the Application for License form (Even if a spousal affidavit has been submitted)

Attach copy of Articles of Incorporation (Articles must show barcode receipt by Secretary of States Office)

Name of Registered Agent: CT CORPORATION

Name of Corporation that will hold license as listed on the Articles

CASEY'S RETAIL COMPANY

Corporation Address: PO BOX 3001, ONE CONVENIENCE BLVD

City: ANKENY State: IA Zip Code: 50021

Corporation Phone Number: 515-965-6517 Fax Number: 515-965-6205

Total Number of Corporation Shares Issued: 0

Name and notarized signature of president (Information of president must be listed on following page)

Last Name: HANDLEY First Name: TERRY MI: W

Home Address: 8661 NE 108TH AVENUE City: BONDURANT

State: IOWA Zip Code: 50035 Home Phone Number: 515-965-6218

TERRY W. HANDLEY

Signature of president

State of ~~Nebraska~~ IOWA
County of POLK

The foregoing instrument was acknowledged before me this

Feb. 19, 2008

date

by TERRY W. HANDLEY

name of person acknowledged

Notary Public signature

Affix Seal Here



CHRIS MCCREEDY
Commission Number 158693
MY COMM. EXP. 1-29-08

List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: HANDLEY First Name: TERRY MI: W

Social Security Number: _____ Date of Birth: 11-20

Title: PRESIDENT Number of Shares 0

Spouse Full Name (indicate N/A if single): NANCY HANDLEY (NON PARTICIPATING)

Spouse Social Security Number: 3-3172 Date of Birth: 2-17-63

Last Name: RICHARDSON First Name: MICHAEL MI: R

Social Security Number: 182 Date of Birth: 1-13-56

Title: VICE-PRESIDENT Number of Shares 0

Spouse Full Name (indicate N/A if single): PATRICIA RICHARDSON (NON PARTICIPATING)

Spouse Social Security Number: 7685 Date of Birth: 7-28-59

Last Name: WIRTZ First Name: ELI MI: J

Social Security Number: 90-5 Date of Birth: 4-28-43

Title: SECRETARY Number of Shares 0

Spouse Full Name (indicate N/A if single): MARILYN WIRTZ (NON PARTICIPATING)

Spouse Social Security Number: 3-5117 Date of Birth: 10-30-43

Last Name: WALLJASPER First Name: WILLIAM MI: J

Social Security Number: 3-06-7622 Date of Birth: 8-6-64

Title: TREASURER Number of Shares 0

Spouse Full Name (indicate N/A if single): LAURA WALLJASPER (NON PARTICIPATING)

Spouse Social Security Number: 3-84-2273 Date of Birth: 6-19-64

List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: _____ First Name: _____ MI: _____
Social Security Number: _____ Date of Birth: _____
Title: _____ Number of Shares _____
Spouse Full Name (indicate N/A if single): _____
Spouse Social Security Number: _____ Date of Birth: _____

Last Name: FORD First Name: ROBERT MI: C
Social Security Number: 30708-9090 Date of Birth: 3-5-51
Title: VICE-PRESIDENT Number of Shares 0
Spouse Full Name (indicate N/A if single): CINDY FORD (NON PARTICIPATING)
Spouse Social Security Number: 432-68-9072 Date of Birth: 11-3-61

Last Name: JACKOWSKI First Name: JULIA MI: L
Social Security Number: 479-98-0766 Date of Birth: 2-24-66
Title: AST. SECRETARY Number of Shares 0
Spouse Full Name (indicate N/A if single): THOMAS JACKOWSKI (NON PARTICIPATING)
Spouse Social Security Number: 376-82-5154 Date of Birth: 12-22-62

Last Name: _____ First Name: _____ MI: _____
Social Security Number: _____ Date of Birth: _____
Title: _____ Number of Shares _____
Spouse Full Name (indicate N/A if single): _____
Spouse Social Security Number: _____ Date of Birth: _____

Is the applying Corporation controlled by another Corporation?

☒ YES

☐ NO

If yes, provide the name of corporation and supply an organizational chart

CASEY'S GENERAL STORES, INC.

Indicate the Corporation's tax year with the IRS (Example January through December)

Starting Date: MAY 1

Ending Date: APRIL 30

Is this a Non-Profit Corporation?

☐ YES

☒ NO

If yes, provide the Federal ID #.

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

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NEBRASKA LIQUOR

CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

Nancy Handley

Signature of spouse asking for waiver
(Spouse of individual listed below)

NANCY A. HANDLEY

Printed name of spouse asking for waiver

State of IOWA

County of POLK

The foregoing instrument was acknowledged before me this

NANCY HANDLEY

by

name of person acknowledged

Chris McCreedy
Notary Public signature



CHRIS MCCREEDY
Commission Number 158693
MY COMM. EXP. 11-29-08

I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

Terry Handley

Signature of individual involved with application
(Spouse of individual listed above)

TERRY W. HANDLEY

Printed name of applying individual

State of IOWA

County of POLK

The foregoing instrument was acknowledged before me this

TERRY HANDLEY

by

name of person acknowledged

Chris McCreedy
Notary Public signature



CHRIS MCCREEDY
Commission Number 158693
MY COMM. EXP. 11-29-08

In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
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FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

PATRICIA M. RICHARDSON

Printed name of spouse asking for waiver

Signature of spouse asking for waiver
(Spouse of individual listed below)

State of IOWA

County of POLK

The foregoing instrument was acknowledged before me this

PATRICIA RICHARDSON

by _____
name of person acknowledged

Notary Public signature

Affix



CHRIS MCCREADY
Commission Number 158693
MY COMM. EXP. 11-29-08

I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

MICHAEL R. RICHARDSON

Printed name of applying individual

Signature of individual involved with application
(Spouse of individual listed above)

State of IOWA

County of POLK

The foregoing instrument was acknowledged before me this

MICHAEL RICHARDSON

by _____
name of person acknowledged

Notary Public signature

Affix



CHRIS MCCREADY
Commission Number 158693
MY COMM. EXP. 11-29-08

In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

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301 CENTENNIAL MALL SOUTH
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Office Use

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FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

Marilyn C. Wirtz

Signature of spouse asking for waiver
(Spouse of individual listed below)

State of IOWA

County of POLK

February 19, 2008
date

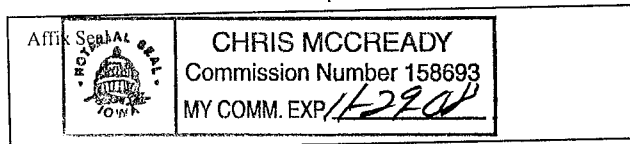
[Signature]
Notary Public signature

MARILYN C. WIRTZ

Printed name of spouse asking for waiver

The foregoing instrument was acknowledged before me this
MARILYN C. WIRTZ

by _____
name of person acknowledged



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

[Signature]

Signature of individual involved with application
(Spouse of individual listed above)

State of IOWA

County of POLK

February 19, 2008
date

[Signature]
Notary Public signature

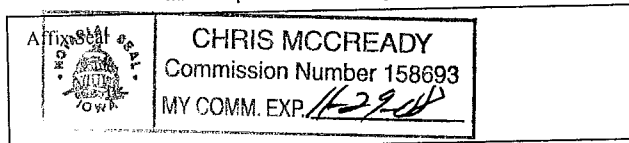
ELI J. WIRTZ

Printed name of applying individual

The foregoing instrument was acknowledged before me this

ELI J. WIRTZ

by _____
name of person acknowledged



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

Laura A Walljasper

Signature of spouse asking for waiver
(Spouse of individual listed below)

LAURA A. WALLJASPER

Printed name of spouse asking for waiver

State of IOWA

County of POLK

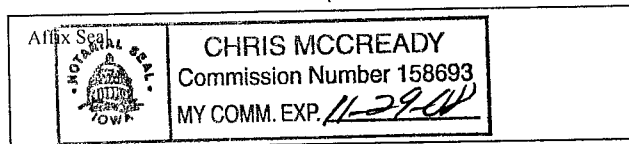
February 19, 2008

date

Notary Public signature

The foregoing instrument was acknowledged before me this
LAURA WALLJASPER

name of person acknowledged



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

William J Walljasper

Signature of individual involved with application
(Spouse of individual listed above)

WILLIAM J. WALLJASPER

Printed name of applying individual

State of IOWA

County of POLK

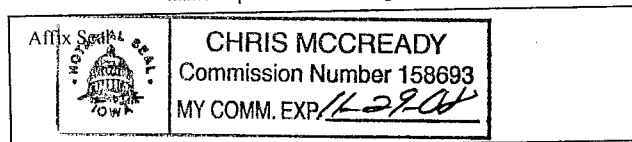
February 19, 2008

date

Notary Public signature

The foregoing instrument was acknowledged before me this
WILLIAM WALLJASPER

name of person acknowledged



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

Cindy J Ford

Signature of spouse asking for waiver
(Spouse of individual listed below)

State of IOWA

County of POLK

February 19, 2008

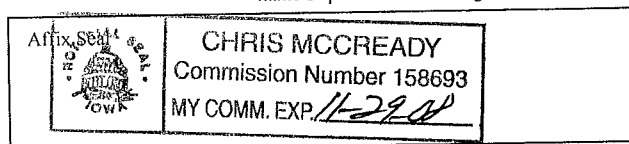
Notary Public signature

CINDY J. FORD

Printed name of spouse asking for waiver

The foregoing instrument was acknowledged before me this
CINDY FORD

by _____
name of person acknowledged



I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

Robert C Ford

Signature of individual involved with application
(Spouse of individual listed above)

State of IOWA

County of POLK

February 19, 2008

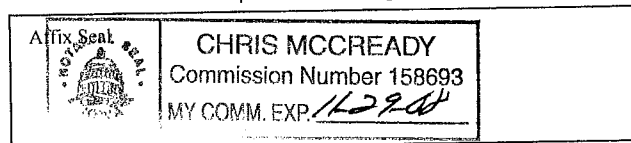
Notary Public signature

ROBERT C. FORD

Printed name of applying individual

The foregoing instrument was acknowledged before me this
ROBERT FORD

by _____
name of person acknowledged



In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

SPOUSAL AFFIDAVIT OF NON PARTICIPATION INSERT

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

I acknowledge that I am the spouse of a liquor license holder. My signature below confirms that I will have not have any interest, directly or indirectly in the operation or profit of the business (§53-125(13)) of the Liquor Control Act. I will not tend bar, make sales, serve patrons, stock shelves, write checks, sign invoices or represent myself as the owner or in any way participate in the day to day operations of this business in any capacity. I understand my fingerprint will not be required; however, I am obligated to sign and disclose any information on all applications needed to process this application.

Thomas J. Jackowski

Signature of spouse asking for waiver
(Spouse of individual listed below)

THOMAS J. JACKOWSKI

Printed name of spouse asking for waiver

IOWA
State of _____

POLK
County of _____

February 19, 2008

date
[Signature]

Notary Public signature

The foregoing instrument was acknowledged before me this

THOMAS J. JACKOWSKI

by _____
name of person acknowledged

Affix Seal



CHRIS MCCREADY
Commission Number 158693
MY COMM. EXP. *11-29-08*

I acknowledge that I am the spouse of the above listed individual. I understand that my spouse and I are responsible for compliance with the conditions set out above. If it is determined that the above individual has violated (§53-125(13)) the Commission may cancel or revoke the liquor license.

Julia L. Jackowski

Signature of individual involved with application
(Spouse of individual listed above)

JULIA L. JACKOWSKI

Printed name of applying individual

IOWA
State of _____

POLK
County of _____

February 19, 2008

date
[Signature]

Notary Public signature

The foregoing instrument was acknowledged before me this

JULIA JACKOWSKI

by _____
name of person acknowledged

Affix Seal



CHRIS MCCREADY
Commission Number 158693
MY COMM. EXP. *11-29-08*

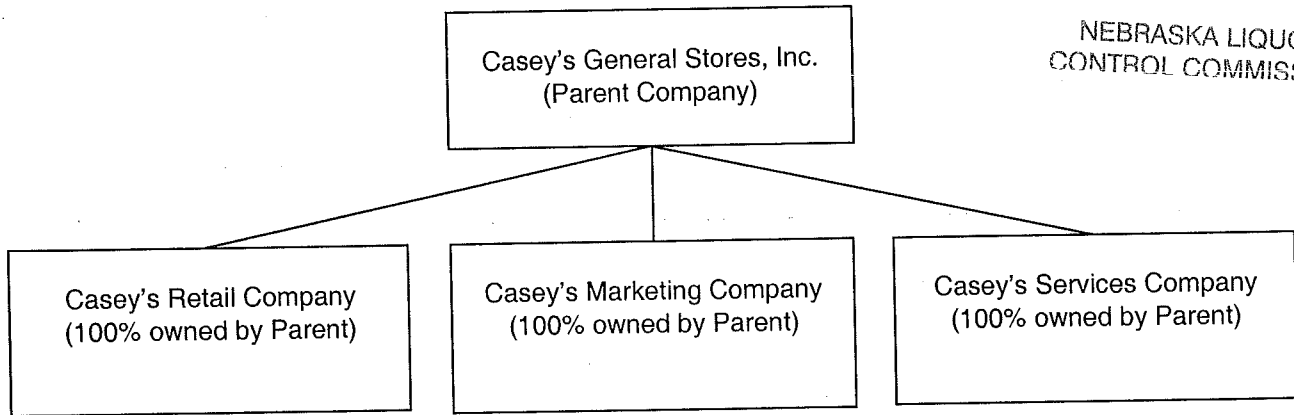
In compliance with the ADA, this spousal affidavit of non participation is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

RECEIVED

FEB 20 2008

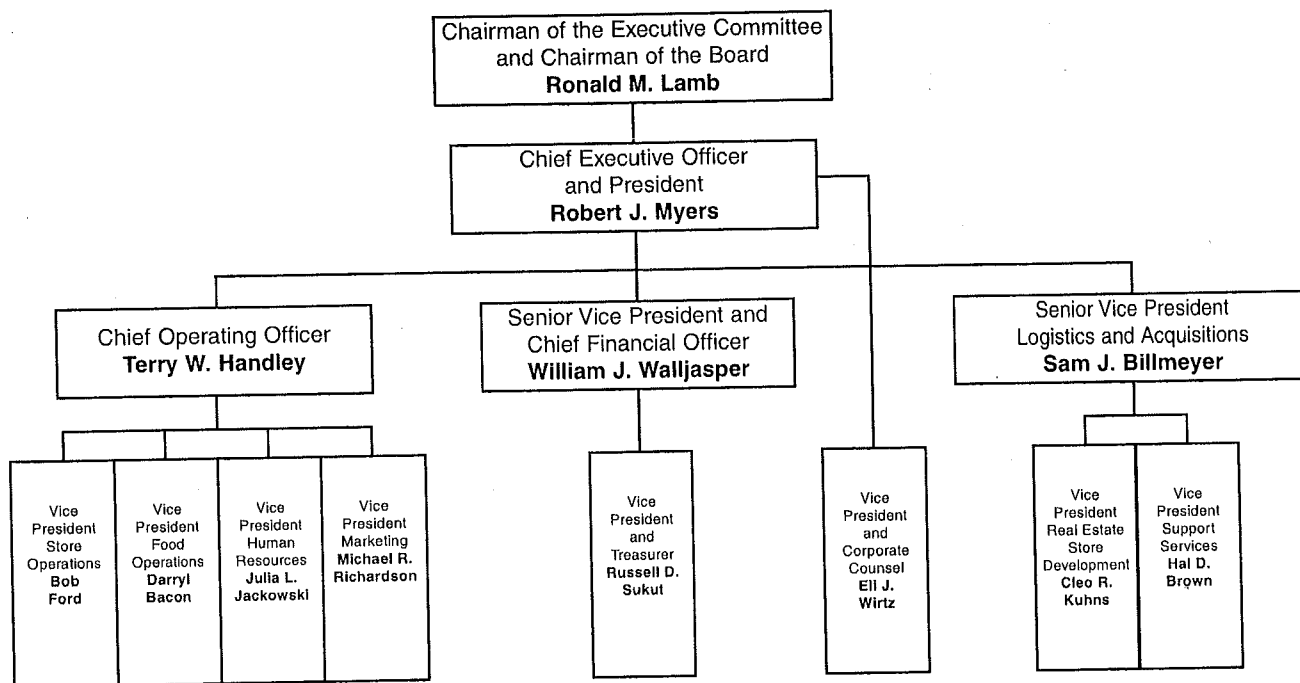
NEBRASKA LIQUOR
CONTROL COMMISSION

Casey's Corporate Structure as of May 1, 2004

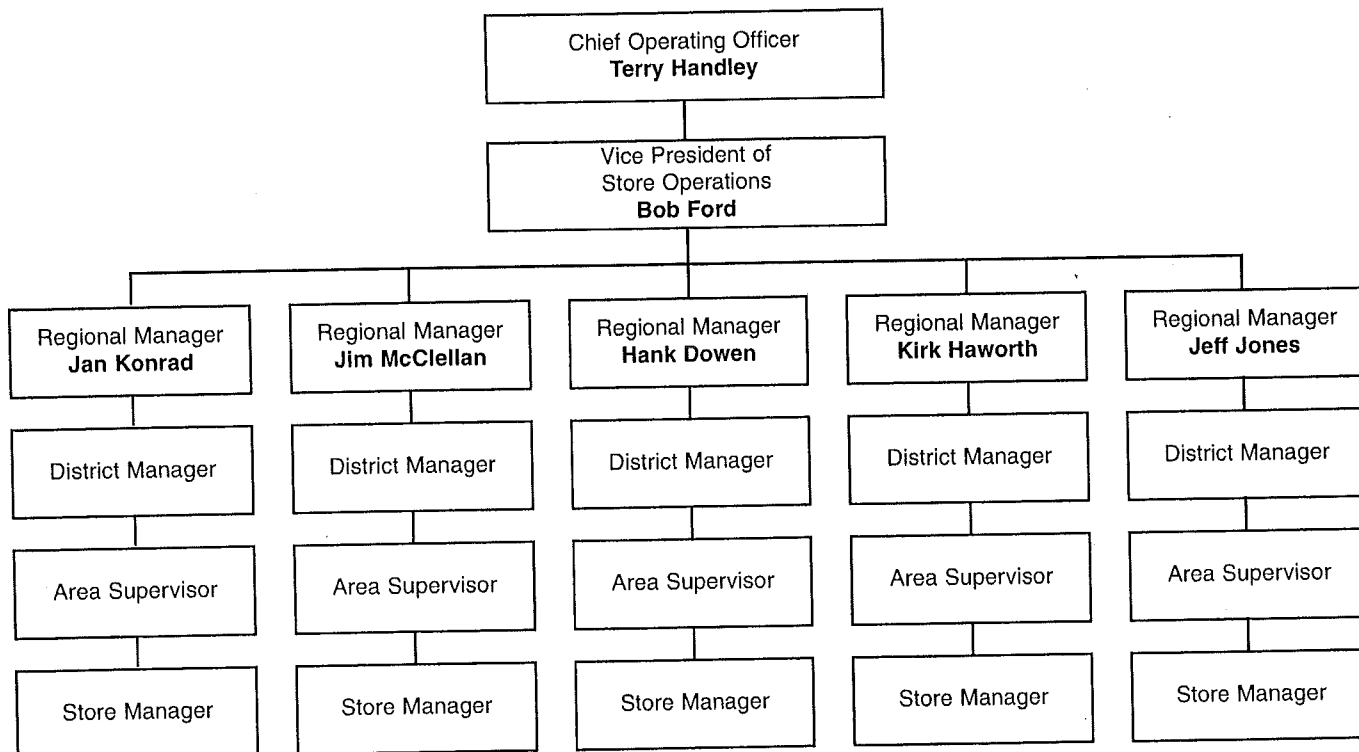


10.400. ORGANIZATIONAL CHARTS

CORPORATE ORGANIZATION CHART



STORE OPERATIONS ORGANIZATION CHART



STATE OF

NEBRASKA

RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

United States of America, } ss.
State of Nebraska



Department of State
Lincoln, Nebraska

I, John A. Gale, Secretary of State of Nebraska do hereby certify;

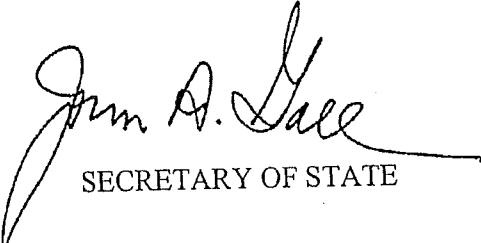
CASEY'S GENERAL STORES, INC.

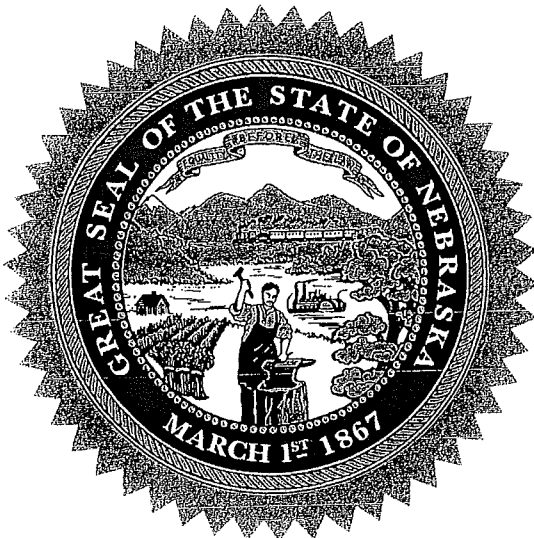
a Iowa corporation, was duly authorized to transact business in this state on September 5, 1978.

I further certify that no occupation taxes assessed are unpaid and no biennial reports are delinquent; and said corporation is in existence as of the date of this certificate.

In Testimony Whereof,

I have hereunto set my hand and
affixed the Great Seal of the State
of Nebraska on June 26, 2006.


SECRETARY OF STATE



STATE OF

NEBRASKA

United States of America,
State of Nebraska } ss.



Department of State
Lincoln, Nebraska

I, John A. Gale, Secretary of State of Nebraska do hereby certify;

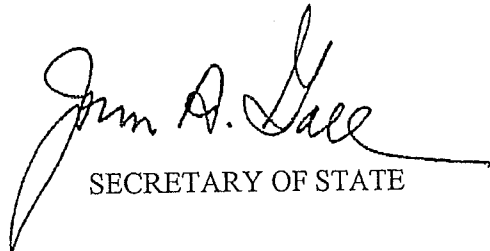
CASEY'S RETAIL COMPANY

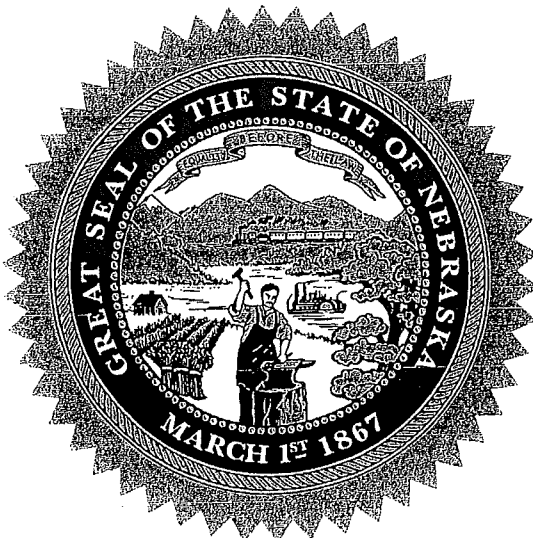
a Iowa corporation, was duly authorized to transact business in this state on April 29, 2004.

I further certify that no occupation taxes assessed are unpaid and no biennial reports are delinquent; and said corporation is in existence as of the date of this certificate.

In Testimony Whereof,

I have hereunto set my hand and
affixed the Great Seal of the State
of Nebraska on June 26, 2006.


SECRETARY OF STATE



STATE
04 APR 14 PM 12:17

ARTICLES OF INCORPORATION
OF

CASEY'S RETAIL COMPANY,
an Iowa corporation

293143
RECEIVED

FEB 20 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

TO THE SECRETARY OF STATE OF THE STATE OF IOWA:

Pursuant to Section 202 of the Iowa Business Corporation Act, the undersigned, acting as incorporator of a corporation, adopts the following Articles of Incorporation for the corporation.

ARTICLE I

The name of the corporation is Casey's Retail Company (the "Corporation").

ARTICLE II

The number of shares the Corporation is authorized to issue is: Ten Thousand (10,000) shares of no par value common voting stock.

ARTICLE III

The street address of the Corporation's initial registered office in Iowa and the name of its initial registered agent at that office is:

Eli J. Wirtz
One Convenience Boulevard
Ankeny, Iowa 50021

ARTICLE IV

The name and address of each incorporator is:

John H. Bunz
100 Court Avenue, Suite 600
Des Moines, Iowa 50309

ARTICLE V

A. A director of the Corporation shall not be personally liable to the Corporation or its shareholders for monetary damages for breach of fiduciary duty as a director, except for liability (i) the amount of a financial benefit received by a director to which the director is not entitled, (ii) an intentional infliction of harm on the corporation or the shareholders, (iii) a violation of Section 490.833 and (iv) an intentional violation of criminal law.

If the Iowa Business Corporation Act is amended to authorize corporate action further eliminating or limiting the personal liability of directors, then the liability of a director of the Corporation shall be eliminated or limited to the fullest extent permitted by the Iowa Business Corporation Act, as so amended.

Any repeal or modification of this Article by the shareholders of the Corporation shall not adversely affect any right or protection of a director of the Corporation existing at the time of such repeal or modification.

B. (1) Each person who was or is made a party or is threatened to be made a party to or is involved in any action, suit or proceeding, whether civil, criminal, administrative or investigative (hereinafter a "proceeding"), by reason of the fact that he or she, or a person of whom he or she is the legal representative, (a) is or was a director or officer of the Corporation, or (b) is or was serving (at such time as he or she is or was a director or officer of the Corporation) at the request of the Corporation as a director, officer, partner, trustee, administrator, employee or agent of another corporation or of a partnership, joint venture, trust or other enterprise, including service with respect to employee benefit plans, whether the basis of such proceeding is alleged action in an official capacity as a director, officer, partner, trustee, administrator, employee or agent or in any other capacity while serving as a director, officer, partner, trustee, administrator, employee or agent, shall be indemnified and held harmless by the Corporation to the fullest extent authorized by the Iowa Business Corporation Act, as the same exists or may hereafter be amended (but, in the case of any such amendment, only to the extent that such amendment permits the Corporation to provide broader indemnification rights than said law permitted the Corporation to provide prior to such amendment), against all expense, liability and loss (including attorneys' fees, judgments, fines, ERISA excise taxes or penalties and amounts paid or to be paid in settlement) reasonably incurred or suffered by such person in connection therewith, and such indemnification shall continue as to a person who has ceased to be such a director or officer and shall inure to the benefit of his or her heirs, executors and administrators; provided, however, that, (a) with respect to proceedings seeking to enforce rights to indemnification as provided in paragraph (2) of this Section

B. the Corporation shall indemnify any such person seeking indemnification in connection with a proceeding (or part thereof) initiated by such person only if such proceeding (or part thereof) was authorized by the Board of Directors of the Corporation, (b) in the case of a proceeding brought by or in the right of the Corporation, any such indemnification shall be limited as provided in the Iowa Business Corporation Act and (c) no such indemnification shall be provided to any director or officer, as applicable, for any proceeding wherein it shall ultimately be determined by final judicial decision that such director or officer is liable (i) for receipt of a financial benefit to which the person is not entitled, (ii) an intentional infliction of harm on the corporation or its shareholders, (iii) a violation of Section 490.833 and (iv) an intentional violation of criminal law. The right to indemnification conferred in this Section B shall be a contract right and shall include the right to be paid by the Corporation the expenses incurred in defending any such proceeding in advance of its final disposition; provided, however, that if the Iowa Business Corporation Act requires, the payment of such expense incurred by a director or officer (and not in any other capacity in which service was or is rendered by such person while a director or officer, including, without limitation, service to an employee benefit plan) in advance of the final disposition of a proceeding shall be made only upon delivery to the Corporation of the written affirmation of the good faith belief of such director or officer that he or she has met the standard of conduct necessary for indemnification, and an undertaking, by or on behalf of such director or officer, to repay all amounts so advanced if it shall ultimately be determined by final judicial decision that such director or officer is not entitled to be indemnified under this Section B or otherwise. The Corporation may, by action of its Board of Directors, provide indemnification to other employees and agents of the Corporation with the same scope and effect as the foregoing indemnification of directors and officers.

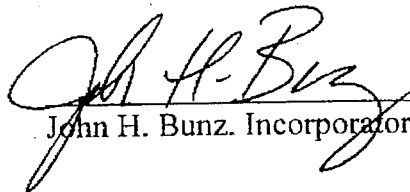
(2) If a claim under paragraph 1 of this Section B is not paid in full by the Corporation within thirty days after a written claim has been received by the Corporation, the claimant may at any time thereafter bring suit against the Corporation to recover the unpaid amount of the claim and, if successful in whole or in part, the claimant shall be entitled to be paid also the expense of prosecuting such claim. It shall be a defense to any such action (other than an action brought to enforce a claim for expenses incurred in defending any proceeding in advance of its final disposition where the required affirmation and undertaking, if any is required, has been tendered to the Corporation) that the claimant has not met the standards of conduct which make it permissible under the Iowa Business Corporation Act for the Corporation to indemnify the claimant for the amount claimed, but the burden of proving such defense shall be on the Corporation. Neither the failure of the Corporation (including its Board of Directors, independent legal counsel, or its stockholders) to have made a determination prior to the commencement of such action that indemnification of the claimant is proper in the circumstances because he

or she has met the applicable standard of conduct set forth in the Iowa Business Corporation Act, nor an actual determination by the Corporation (including its Board of Directors, independent legal counsel or its stockholders) that the claimant has not met such applicable standard of conduct, shall be a defense to the action or create a presumption that the claimant has not met the applicable standard of conduct.

(3) The right to indemnification and the payment of expenses incurred in defending a proceeding in advance of its final disposition conferred in this Article shall not be exclusive of any other rights which any person may have or hereafter acquire under a provision of the Articles of Incorporation, Bylaws, agreements, vote of stockholders or disinterested directors or otherwise, both as to action in a person's official capacity and as to action in another capacity while holding the office. The Corporation may enter into separate written agreements with directors, officers, employees and agents of the Corporation and of other enterprises, which agreements expressly provide for indemnification and reimbursement of such persons to the fullest extent now or hereafter permitted by this Article or applicable law.

(4) The Corporation may maintain insurance, at its expense, to protect itself and any director, officer, employee or agent of the Corporation or another corporation, partnership, joint venture, trust or other enterprise against any expense, liability or loss, whether or not the Corporation would have the power to indemnify such person against such expense, liability or loss under the Iowa Business Corporation Act.

Dated this 14th day of April, 2004.


John H. Bunz, Incorporator



FILED
IOWA
SECRETARY OF STATE
4-14-04
12:17 PM
W379568



049384



STATE OF IOWA
Secretary of State Office

C # 789

I hereby certify that this is a true and complete document(s) to which the seal is affixed as filed in this office beginning 14th day of April 2004 to and including the date below.

DATED April 27, 2004

Chris J. Holmes
Secretary of State

BY: Diane Bussletta



M

RESOLUTION _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS D LIQUOR LICENSE APPLICATION OF RALSTON INVESTMENT GROUP, INC. DBA EDDY'S CONVENIENCE STORE, LA VISTA, NEBRASKA.

WHEREAS, Ralston Investment Group, Inc. dba Eddy's Convenience Store, 9849 Giles Road, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class D Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class B Liquor License application submitted by Ralston Investment Group, Inc. dba Eddy's Convenience Store, 9849 Giles Road, La Vista, NE.

PASSED AND APPROVED THIS 18TH DAY OF MARCH 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

LA VISTA POLICE DEPARTMENT INTEROFFICE MEMORANDUM

TO: PAM BUETHE, CITY CLERK
FROM: BOB LAUSTEN, POLICE CHIEF
SUBJECT: LOCAL BACKGROUND- CORPORATE LIQUOR LICENSE- CORPORATE MANAGER
EDDY'S 9849 GILES
DATE: 2/14/2008
CC:

The police department conducted a check of computerized records on the applicant, David Wenck, for criminal conduct in Nebraska in reference to the Corporate Manager application. The applicant has no criminal record.

A check was also conducted on the Corporate Liquor License applicants (Ralston Investment Group). Alan Bennet, Kevin Hitzemann, and David Wenck had no entries. James Linhart was cited and convicted in 2005 for having a dog at large.

A check of the applicants current liquor license at 9849 Giles shows the business was cited once each in 2005 and 2006 for selling alcohol to minors.

License Information

Number: 66225

Suspended Date: 01/15/2007

Category: Retail

Suspended Days: 42

Ownership: Corporation

Expiration Date: 04/30/2008

Class: D

Type of Beverages:

Exemptions:

Trade Information

Trade Name EDDY'S CONVENIENCE STORE

Trade Address 1 9849 GILES ROAD

City, State, Zip Code LA VISTA, NE 68128

County 59

Individual Applicant Information

Name: WENCK, DAVID A

Corporate Applicant Information

RALSTON

Corporation: INVESTMENT GROUP
INC

Address 1: 10855 WEST DODGE RD

Address 2: SUITE 100

City, State, Zip
Code OMAHA, NE 68154

Troop ID Troop A

Registered Agent BELMONT, BENJAMIN
M

Bond Information

Company:

Start Date:

Number:

Cancel Date:

Restrictions:

Partner Information

Partner 1

Name: BENNET, ALAN
D

Title: PRESIDENT

Shares: 0000000750

Partner 2

Name: LINHART,
JAMES B

Title: VP

Shares: 0000000750

Partner 3

Name: HITZEMANN,
KEVIN J

Title: TRE

Shares: 0000000500

Partner 4

Name: WENCK, DAVID
A

Title: SHRHLDR

Shares: 0000000500

Description

ONE STORY BUILDING APPROX 40 X 100

History

Description: NEW APPLICATION	Date Effective: 10/26/2004
Description: STATUTORY TIME	Date Effective: 11/01/2004
Description: CLASS CHG.	Date Effective: 11/19/2004
Description: STATUTORY TIME	Date Effective: 11/23/2004
Description: INV. REV. FINAL	Date Effective: 11/24/2004
Description: AG. APPROVE	Date Effective: 11/30/2004
Description: FIRE APPROVE	Date Effective: 12/01/2004
Description: LOCAL	Date Effective: 12/22/2004

APPROVE

Description: ISSUE LICENSE	Date Effective: 01/04/2005
Description: CLK LTR LIC PKP	Date Effective: 01/05/2005
Description: RENEW APP.	Date Effective: 03/28/2005
Description: SELL ALC/MINORS	Date Effective: 05/13/2005
Description: CITE	Date Effective: 09/01/2005
Description: SUSPEND LICENSE	Date Effective: 10/04/2005
Description: PAY FINE	Date Effective: 10/25/2005
Description: RENEW APP.	Date Effective: 02/16/2006
Description: SELL ALC/MINORS	Date Effective: 06/13/2006
Description: CORRECT LICENSE	Date Effective: 10/19/2006
Description: MANAGER CHG	Date Effective: 10/26/2006
Description: INV. REV.	Date Effective: 11/15/2006
Description: LOCAL APPROVE	Date Effective: 11/17/2006
Description: SERVICE ED COMP	Date Effective: 12/01/2006
Description: PLEA OF GUILTY	Date Effective: 12/01/2006
Description: CITE	Date Effective: 12/01/2006
Description: SUBPOENA	Date Effective: 12/01/2006
Description: HEARING COSTS	Date Effective: 12/07/2006
Description: MGR. APPROVE	Date Effective: 12/08/2006
Description: SUSPEND LICENSE	Date Effective: 12/08/2006
Description: PAY FINE	Date Effective: 01/09/2007
Description: RENEW APP.	Date Effective: 02/22/2007
Description: *DO NOT RENEW*	Date Effective: 11/07/2007
Description: APP. TO REPL.	Date Effective: 02/13/2008

**APPLICATION FOR LIQUOR LICENSE
CHECKLIST**

301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

RECEIVED

FEB 18 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

RECEIVED

FEB 04 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

Applicant Name RALSTON INVESTMENT GROUP INC

Trade Name EDDY'S CONVENIENCE STORE Previous Trade Name NONE

**NEW APP D-80115/ ANNEXED
REPLACING D-66225
DEED**

vide any item will cause this application to be returned or
Any false statement or omission may result in the denial,
license. If your operation depends on receiving a liquor
ion cautions you that if you purchase, remodel, start
do so at your own risk. Prior to submitting your application

review the application carefully to ensure that all sections are complete, and that any omissions or errors
have not been made. You may want to check with the city/village or county clerk, where you are making
application, to see if any additional requirements must be met before submitting application to the state.

REQUIRED ATTACHMENTS

Each item must be checked and included with application or marked N/A (not applicable)

☒ 1. Fingerprint cards for each person (two cards per person) must be enclosed with a check payable to
the Nebraska State Patrol for processing in the amount of \$38.00 per person. All areas must be completed
on cards as per brochure.

☒ 2. Enclose registration fee for the appropriate class of license, made out to the Nebraska Liquor
Control Commission.

☒ 3. Enclose the appropriate application forms; Individual License - Form 1; Partnership License -
Form 2; Corporate - Form 3a; Limited Liability Form (LCC) - Form 3b. Corporate Form 3a and LLC Form
3b requires Corporate Manager application - Form 3c. *All officers must sign App*

☒ 4. If building is being leased send a copy of the lease. Be sure it reads in the individual(s), corporate
or LLC name being applied for. Also, the lease must extend through the license year being applied for. If
building owned, send a copy of the deed or purchase agreement in appropriate name.

☒ 5. If you are buying the business of a current licensee, provide a copy of the purchase agreement
from licensee. This also needs to be in appropriate applicant's name.

☒ 6. If wishing to run on current liquor license enclose temporary agency agreement (must be
Commission form only, must include copy of signature card from the bank showing both the seller
and buyers name on account).



0800002409

*BUS 5622-45-jbm
2x-mm*

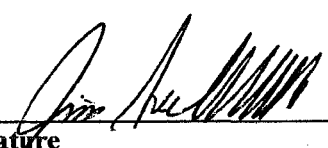
☒ 1. Copy of alcohol inventory being purchased. Inventory shall include brand names and container sizes. Inventory may be taken at the time application is being submitted.

☒ 8. Enclose a list of any inventory or property owned by other parties that are on the premise.

☒ 9. For individual, partnership and LLC enclose proof of citizenship; copy of birth certificate (certificate from the State where born, ~~not hospital certificate~~), naturalization paper or passport, for all applicants, members and spouses. *Managers and spouse also must submit proof*

☒ 10. If corporation or LLC enclose a copy of articles as filed with the Secretary of States Office. This document must show barcode.

I acknowledge that this application is not a guarantee that a liquor license will be issued to me, and that the average processing period is 45-60 days. Furthermore, I understand that all the information is truthful and I accept all responsibility for any false documents.


Signature

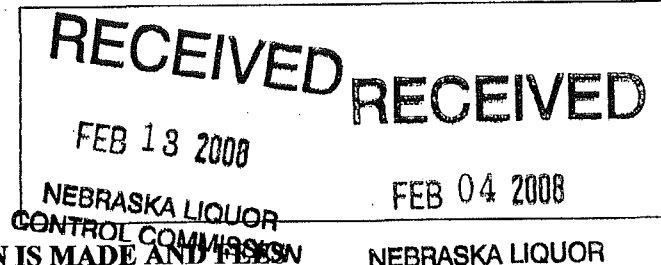
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NEBRASKA LIQUOR
CONTROL COMMISSION

APPLICATION FOR LIQUOR LICENSE

301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov/



CLASS OF LICENSE FOR WHICH APPLICATION IS MADE AND FEES
CHECK DESIRED CLASS(S)

NEBRASKA LIQUOR
CONTROL COMMISSION

RETAIL LICENSE(S)

<input type="checkbox"/>	A	BEER, ON SALE ONLY	\$45.00
<input type="checkbox"/>	B	BEER, OFF SALE ONLY	\$45.00
<input type="checkbox"/>	C	BEER, WINE & DISTILLED SPIRITS, ON & OFF SALE	\$45.00
<input checked="" type="checkbox"/>	D	BEER, WINE & DISTILLED SPIRITS, OFF SALE ONLY	\$45.00
<input type="checkbox"/>	I	BEER, WINE & DISTILLED SPIRITS, ON SALE ONLY	\$45.00

Class K Catering license may be added to any of these classes with the filing of the appropriate form and fee of \$100.00

MISCELLANEOUS

<input type="checkbox"/>	L	Craft Brewery (Brew Pub)	\$295.00	\$1,000 minimum bond
<input type="checkbox"/>	O	Boat	\$ 95.00	
<input type="checkbox"/>	V	Manufacturer	\$ 45.00(+license fee)	\$10,000 minimum bond
<input type="checkbox"/>	W	Wholesale Beer	\$545.00	\$5,000 minimum bond
<input type="checkbox"/>	X	Wholesale Liquor	\$795.00	\$5,000 minimum bond
<input type="checkbox"/>	Y	Farm Winery	\$295.00	\$1,000 minimum bond
<input type="checkbox"/>	Z	Micro Distillery	\$295.00	\$1,000 minimum bond

All Class C licenses expire October 31st

All other licenses expire April 30th

Catering expire same as underlying retail license

TYPE OF APPLICATION BEING APPLIED FOR (CHECK ONE)

- ☐ Individual License (requires insert form 1)
☐ Partnership License (requires insert form 2)
☒ Corporate License (requires insert form 3a & 3c)
☐ Limited Liability Company (requires form 3b & 3c)

NAME OF PERSON OR FIRM ASSISTING WITH APPLICATION

(commission will call this person with any questions we may have on this application)

Name JIM SCHALL

Phone number: 402-216-7988

Firm Name RALSTON INVESTMENT GROUP INC

PREMISE INFORMATION

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Trade Name (doing business as) EDDY'S CONVENIENCE STORE

Street Address #1 9849 GILES ROAD

FEB 18 2008

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Street Address #2 _____

NEBRASKA LIQUOR
CONTROL COMMISSION

NEBRASKA LIQUOR
CONTROL COMMISSION

City LA VISTA

County SARPY

Zip Code 68128

Premise Telephone number 402-884-0470

Is this location inside the city/village corporate limits:



YES



NO

Mail address (where you want receipt of mail from the commission)

Name EDDY'S CONVENIENCE STORE

Street Address

#1 9849 GILES ROAD

Street Address

#2 _____

City LA VISTA

County SARPY

Zip Code 68128

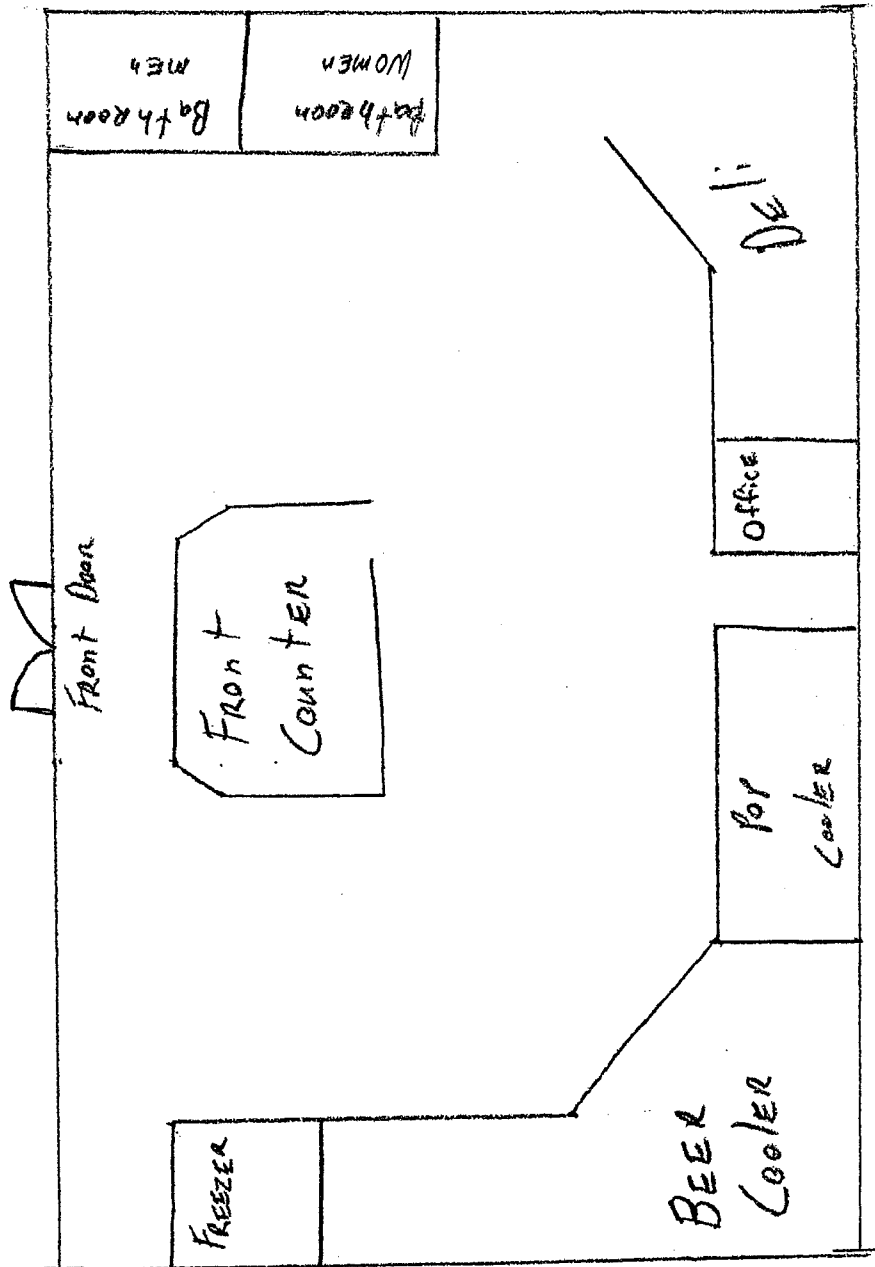
DESCRIPTION AND DIAGRAM OF THE STRUCTURE TO BE LICENSED

In the space provided or on an attachment draw the area to be licensed. This should include storage areas, basement, sales areas and areas where consumption or sales of alcohol will take place. If only a portion of the building is to be covered by the license, you must still include dimensions (length x width) of the licensed area as well as the dimensions of the entire building in situations. No blue prints please. Be sure to indicate the direction north and number of floors of the building.

SEE Attachment.

Entire one story area approx
100' x 42'

Eddy's LAUNDRY
9849 Giles Rd.
DICK



42'

100'

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NEBRASKA LIQUOR
CONTROL COMMISSION

APPLICANT INFORMATION

READ CAREFULLY. ANSWER COMPLETELY AND ACCURATELY.

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. If more than one party, please list charges by each individual's name.

☐ YES ☒ NO

If yes, please explain below or attach a separate page.

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2. Are you buying the business and/or assets of a licensee?

☐ YES ☒ NO

If yes, give name of business and license number

Annexed D-66225

a) Submit a copy of the sales agreement including a list of the furniture, fixtures and equipment.

b) Include a list of alcohol being purchased, list the name brand, container size and how many?

3. Are you filing a temporary agency agreement whereby current licensee allows you to operate on their license?

☐ YES ☒ NO

If yes, attach temporary agency agreement form and signature card from the bank.

This agreement is not effective until you receive your three (3) digit ID number from the Commission.

4. Are you borrowing any money from any source to establish and/or operate the business?

☒ YES ☐ NO

If yes, list the lender AMERICAN NATIONAL BANK

5. Will any person or entity other than applicant be entitled to a share of the profits of this business?

☐ YES ☒ NO

If yes, explain. All involved persons must be disclosed on application.

6. Will any of the furniture, fixtures and equipment to be used in this business be owned by others?

☐ YES ☒ NO

If yes, list such items and the owner.

7. Will any person(s) other than named in this application have any direct or indirect ownership or control of the business?

☐ YES ☒ NO

If yes, explain.

No silent partners

8. Are you premises to be licensed within 150 feet of a church, school, hospital, home for the aged or indigent persons or for veterans, their wives, children, or within 300 feet of a college or university campus?

☐ YES ☒ NO

If yes, list the name of such institution and where it is located in relation to the premises (Neb. Rev. Stat. 53-177)

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9. Is anyone listed on this application a law enforcement officer?

☐ YES ☒ NO

If yes, list the person, the law enforcement agency involved and the person's exact duties

10. List the primary bank and/or financial institution (branch if applicable) to be utilized by the business and the individual(s) who will be authorized to write checks and/or withdrawals on accounts at the institution.

AMERICAN NATIONAL BANK, Jim Linhart, Alan Bennet, Kevin Hitzemann & David Wenck

11. List all past and present liquor licenses held in Nebraska or any other state by any person named in this application. Include license holder name, location of license and license number. Also list reason for termination of any license(s) previously held.

DAVE WENCK, Eddy's 9849 GILES Rd, LaVista, NE 66225

12. List the person who will be the on site supervisor of the business and the estimated number of hours per week such person or manager will be on the premises supervising operations. JIM SCHALL 50 HRS

13. List the training and/or experience (when and where) of the person lists in #12 above in connection with selling and/or serving alcoholic beverages. No Training & 1 YR. EXPERIENCE AS C-STORE Manager

14. If the property for which this license is sought is owned, submit a copy of the deed, or proof of ownership. If leased, submit a copy of the lease covering the entire license year. Documents must show title or lease held in name of applicant as owner or lessee in the individual(s) or corporate name for which the application is being filed.

☐ Lease: expiration date

☒ Deed

☐ Purchase Agreement

15. When do you intend to open for business? CURRENTLY OPEN.

16. What will be the main nature of business? C-STORE

17. What are the anticipated hours of operation? 6:00AM - 11:00 PM

18. List the principal residence(s) for the past 10 years for all persons required to sign, including spouses. If necessary attach a separate sheet. Alan, James, Kevin and Spouses

RESIDENCES FOR THE PAST 10 YEARS, APPLICANT AND SPOUSE MUST COMPLETE

APPLICANT: CITY & STATE	YEAR		SPOUSE: CITY & STATE	YEAR	
	FROM	TO		FROM	TO
BEAIR, NE, Dave & Mary Wenck	04	Now	BEAIR, NE Mary Wenck	04	Now
OMAHA, NE, Dave & Mary Wenck	81	2004	OMAHA Mary Wenck	91	04
Kevin Hitzemann, Omaha, NE	1996	Now	Linda Hitzemann Omaha, NE	1996	Now
Alan Bennett, Papillion, NE	1995	Now	Kathleen Bennett, Papillion, NE	1995	Now
Jim Linhart, Ralston, NE	'87	Now			

The undersigned applicant(s) hereby consent(s) to an investigation of his/her background investigation and release present and future records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant(s) and spouse(s) waive(s) any right or causes of action that said applicant(s) or spouse(s) may have against the Nebraska Liquor Control Commission, the Nebraska State Patrol, and any other individual disclosing or releasing said information. Any documents or records for the proposed business or for any partner or stockholder that are needed in furtherance of the application investigation of any other investigation shall be supplied immediately upon demand to the Nebraska Liquor Control Commission or the Nebraska State Patrol. The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate or fraudulent.

Individual applicants agree to supervise in person the management and operation of the business and that they will ~~operate~~ the business authorized by the license for themselves and not as an agent for any other person or entity. Corporate applicants agree the approved manager will superintend in person the management and operation of the business. Partnership applicants agree one partner shall superintend the management and operation of the business. All applicants agree to operate the licensed business within all applicable laws, rules regulations, and ordinances and to cooperate fully with any authorized agent of the Nebraska Liquor Control Commission.

Must be signed in the presence of a notary public by applicant(s) and spouse(s). If partnership or LLC (Limited Liability Company), all partners, members and spouses must sign. If corporation all officers, directors, stockholders (holding over 25% of stock and spouses), ~~all~~ each (full names only, no initials).

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NEBRASKA LIQUOR CONTROL COMMISSION

Alan Bennett
Signature of Applicant

Kathleen Bennett
Signature of Spouse

[Signature]
Signature of Applicant

Signature of Spouse

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Kevin Hitzemann
Signature of Applicant

LINDA Hitzemann
Signature of Spouse

FEB 04 2008

NEBRASKA LIQUOR CONTROL COMMISSION

Signature of Applicant
[Signature]
Signature of Applicant

Signature of Spouse
[Signature]
Signature of Spouse

State of Nebraska
County of Douglas

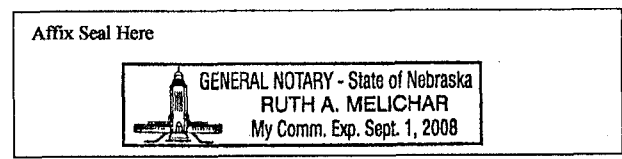
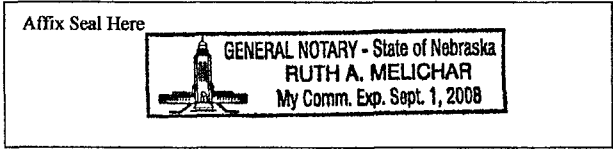
County of Douglas

The foregoing instrument was acknowledged before me this 2/1/2008 by

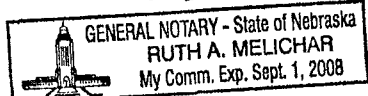
The foregoing instrument was acknowledged before me this 2/1/2008 by

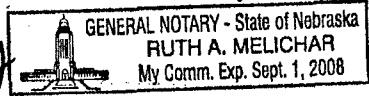
[Signature]
Notary Public signature

[Signature]
Notary Public signature



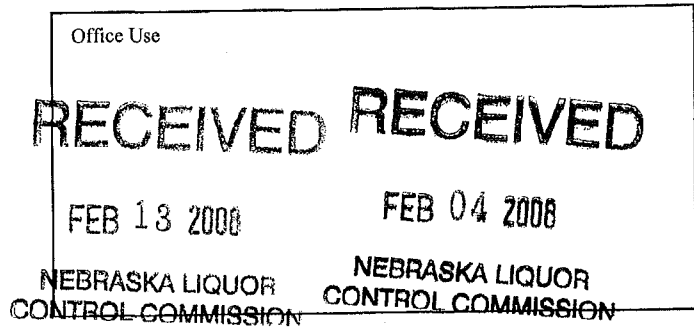
in compliance with the ADA, this manager insert form 3c is available in other formats for persons with disabilities.
A ten day advance period is required in writing to produce the alternate format.

[Signature] 2/12/08
Notary


[Signature] 2/12/08
Notary


APPLICATION FOR LIQUOR LICENSE
CORPORATION
INSERT - FORM 3a

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov



Officers, directors and stockholders holding over 25%, including spouses, are required to adhere to the following requirements

- 1) The president and stockholders holding over 25% and their spouse (if applicable) must submit their fingerprints (2 cards per person)
- 2) All officers, directors and stockholders holding over 25 % and their spouse (if applicable) must sign the signature page of the Application for License form (Even if a spousal affidavit has been submitted)

Attach copy of Articles of Incorporation (Articles must show barcode receipt by Secretary of States Office)

Name of Registered Agent: BENJAMIN M BELMONT

Name of Corporation that will hold license as listed on the Articles

RALSTON INVESTMENT GROUP INC

Corporation Address: 10855 WEST DODGE ROAD SUITE 100

City: OMAHA State: NE Zip Code: 68154

Corporation Phone Number: (402) 397-2000 Fax Number: _____

Total Number of Corporation Shares Issued: 2,500

Name and notarized signature of president (Information of president must be listed on following page)

Last Name: BENNET First Name: ALAN MI: D

Home Address: 169 SO 57 AVE City: PAPILLION

State: NE Zip Code: 68133 Home Phone Number: 402-331-3479

Alan Bennett

Signature of president

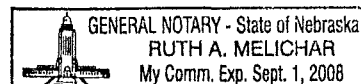
County of Douglas

The foregoing instrument was acknowledged before me this February 01, 2008 by

[Signature]

Notary Public signature

Affix Seal Here



List names of all officers, directors and stockholders including spouses (Even if a spousal affidavit has been submitted)

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Last Name: _____ First Name: _____ MI: _____

Social Security Number: _____ Date of Birth: _____

Title: _____ Number of Shares: _____

Spouse Full Name (indicate N/A if single): _____

Spouse Social Security Number: _____ Date of Birth: _____

Is the applying Corporation controlled by another Corporation?

☐ YES

☒ NO

If yes, provide the name of corporation and supply an organizational chart

Indicate the Corporation's tax year with the IRS (Example January through December)

Starting Date: JAN / Ending Date: DEC 31

Is this a Non-Profit Corporation?

☐ YES

☒ NO

If yes, provide the Federal ID #.

In compliance with the ADA, this corporation insert form 3a is available in other formats for persons with disabilities.
A ten day advance period is requested in writing to produce the alternate format.

**MANAGER APPLICATION
INSERT - FORM 3c**

NEBRASKA LIQUOR CONTROL COMMISSION
301 CENTENNIAL MALL SOUTH
PO BOX 95046
LINCOLN, NE 68509-5046
PHONE: (402) 471-2571
FAX: (402) 471-2814
Website: www.lcc.ne.gov

Office Use RECEIVED FEB 13 2008 NEBRASKA LIQUOR CONTROL COMMISSION	RECEIVED FEB 04 2008 NEBRASKA LIQUOR CONTROL COMMISSION
---	---

Corporate manager, including their spouse, are required to adhere to the following requirements

- 1) Must be a citizen of the United States
- 2) Must be a Nebraska resident (Chapter 2 - 006)
- 3) Must provide a copy of their certified birth certificate or INS papers
- 4) Must submit their fingerprints (2 cards per person)
- 5) Must be 21 years of age or older
- 6) Applicant may be required to take a training course

Corporation/LLC information

Name of Corporation/LLC: RAKSTON INVESTMENT GROUP INC

Premise information

Premise License Number: RETAIL CLASS D # 66225

Premise Trade Name/DBA: EDDY'S CONVENIENT STORE

Premise Street Address: 9849 GILES ROAD

City: LAUITA State: NE Zip Code: 68128

Premise Phone Number: (402) 884-0470

The individual whose name is listed in the president or contact member category on either insert form 3a or 3b must sign their name below.

AB Alan Bennett

CORPORATE OFFICER SIGNATURE
(Faxed signatures are acceptable)

Manager and spouse must review and answer the questions below

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PLEASE PRINT CLEARLY

FEB 18 2008

NEBRASKA LIQUOR

CONTROL COMMISSION

1. READ PARAGRAPH CAREFULLY AND ANSWER COMPLETELY AND ACCURATELY

Has anyone who is a party to this application, or their spouse, EVER been convicted of or plead guilty to any charge. Charge means any charge alleging a felony, misdemeanor, violation of a federal or state law; a violation of a local law, ordinance or resolution. List the nature of the charge, where the charge occurred and the year and month of the conviction or plea. Also list any charges pending at the time of this application. **If more than one party, please list charges by each individual's name.**

☐ YES

☒ NO

If yes, please explain below or attach a separate page.

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NEBRASKA LIQUOR
CONTROL COMMISSION

2. Have you or your spouse ever been approved or made application for a liquor license in Nebraska or any other state? **IF YES**, list the name of the premise.

☒ YES

☐ NO

Ralston Investment Group Inc.

3. Do you, as a manager, have all the qualifications required to hold a Nebraska Liquor License? Nebraska Liquor Control Act (§53-131.01)

☒ YES

☐ NO

4. Have you filed the required fingerprint cards and **PROPER FEES** with this application? (The check or money order must be made out to the **Nebraska State Patrol for \$38.00 per person**)

☒ YES

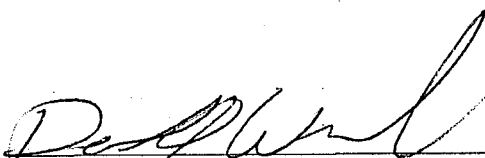
☐ NO

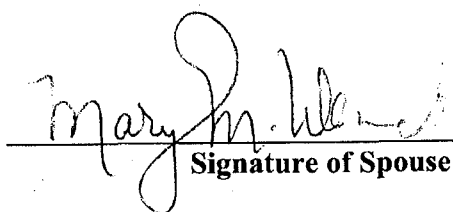
PERSONAL OATH AND CONSENT OF INVESTIGATION

The above individual(s), being first duly sworn upon oath, deposes and states that the undersigned is the applicant and/or spouse of applicant who makes the above and foregoing application that said application has been read and that the contents thereof and all statements contained therein are true. If any false statement is made in any part of this application, the applicant(s) shall be deemed guilty of perjury and subject to penalties provided by law. (Sec §53-131.01) Nebraska Liquor Control Act.

The undersigned applicant hereby consents to an investigation of his/her background including all records of every kind and description including police records, tax records (State and Federal), and bank or lending institution records, and said applicant and spouse waive any rights or causes of action that said applicant or spouse may have against the Nebraska Liquor Control Commission and any other individual disclosing or releasing said information to the Nebraska Liquor Control Commission. If spouse has **NO** interest directly or indirectly, a spousal affidavit of non participation may be attached.

The undersigned understand and acknowledge that any license issued, based on the information submitted in this application, is subject to cancellation if the information contained herein is incomplete, inaccurate, or fraudulent.


Signature of Manager Applicant


Signature of Spouse

State of Nebraska

County of Douglas

County of Douglas

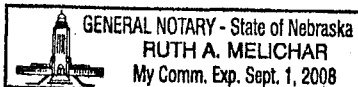
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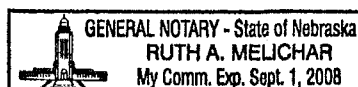

Notary Public signature


Notary Public signature

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Inventory 1-28-08

E

RALSTON INVESTMENT GROUP
DBA EDDYS - LAVISTA
9849 GILES RD.
LAVISTA, NE 68128

Budweiser Order Form

Product	Size	OH
Budweiser	6 Pack NR	-0.50
8	12 Pack NR	3.00
18	20 Pack NR	2.00
3	16 Oz. Can	0.00
7	12 Pack Can	1.50
10	18 Pack Can	3.00
7	24 Pack Can	1.00
	24 Oz. Can	7.00
	40 Oz Bottle	5.00
Bud Light	6 Pack NR	-1.00
	12 Pack NR	6.00
	20 Pack NR	0.00
	16 Oz. Can	1.00
	12 Pack Can	4.00
	18 Pack Can	5.00
	24 Pack Can	22.00
	24 Oz. Can	-3.00
	40 Oz Bottle	1.00
Chelada	16 Oz 4Pk	0.25
	24 Oz Can	1.00
Bud Select	6 Pack NR	-0.25
	12 Pack NR	1.00
	20 Pack NR	2.00
	12 Pack Can	2.00
	24 Pack Can	1.00
Busch	12 Pack Can	1.00
10	18 Pack Can	3.00
14	24 Pack Can	4.00
Busch Light	6 Pack NR	0.00
	16 Oz. Can	0.00
	12 Pack Can	3.50
	18 Pack Can	6.00
	24 Pack Can	20.00
	40 Oz Bottle	2.00
Bud Ice	24 Oz. Can	4.00
	40 Oz Bottle	-2.00
	6 Pack NR	-0.75
Michelob Golden Draft Light	6 Pack NR	0.25
	12 Pack NR	2.00
Michelob Ultra	6 Pack NR	-0.50
	12 Pack NR	1.00
	20 Pack NR	3.00
	12 Pack Can	1.00
Michelob Amber Bock	6 Pack NR	0.25
Michelob Ultra Amber	6 Pack NR	0.75
Michelob Light	6 Pack NR	0.00
Bacardi Razz	6 Pack NR	0.00
Bacardi Peach	6 Pack NR	0.00
Bacardi Strawberry	6 Pack NR	-0.25
Bacardi Watermelon	6 Pack NR	0.00
Widmer Hefeweizen	6 Pack NR	-0.25
Rolling Rock	6 Pack NR	0.50
Corona	6 Pack NR	-0.75
	12 Pack NR	2.00
	24 Oz. Bottle	0.00
Corona Light	6 Pack NR	0.75
	12 Pack NR	1.50
Natural Ice	12 Pack Can	1.50
3	16 Oz. Can	0.25
	24 Oz Can	4.00
Natural Light	12 Pack Can	0.50
	16 Oz. Can	0.50
	30 Pack Can	1.00
Monster Assault	16Oz	5.00
Green	16Oz	20.00
Kaos	16Oz	20.00
Low Carb	16Oz	11.00
Java	16Oz	-5.00
Green	24 Oz. Can	6.00
Assult	24 Oz. Can	10.00
Low Carb	24 Oz. Can	-4.00

62.50

#2

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NEBRASKA LIQUOR
CONTROL COMMISSION

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NEBRASKA LIQUOR
CONTROL COMMISSION

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FEB 13 2008
RALSTON INVESTMENT GROUP
DBA EDDYS
NEBRASKA LIQUOR
CONTROL COMMISSION
LAVISTA, NE 68128

NEBRASKA LIQUOR
CONTROL COMMISSION

1-28-08

Miller Order Form

Eddy's 52

© 689-5422

Product	Size	PAR	OH
Miller Light	6 Pack NR		0.25
	12 Pack Cans		4.00
	12 Pack NR		1.50
	18 Pack NR		6.00
7	24 Pack Cans		10.00
	16 Oz. 6 Pack Cans		-0.25
	24 Oz Can		-3.00
	24 Oz Bottle		-6.00
MGD	6 Pack NR		0.00
	12 Pack Bottles		3.00
Miller Hightlife	40 Oz Bottle		3.00
	16 Oz. 6 Pack Cans		0.25
Miller Chelada	6 Pack NR		-0.25
Miller Hightlife	30 Pack		3.00
Sam Adams	6 Pack NR		-0.50
Sam Adams Lt.	6 Pack NR		1.00
Red Dog	6 Pack NR		0.00
Ice House	6 Pack NR		0.25
Mikes Lemon	5 6 Pack NR		-0.25
Mikes Berry	6 Pack NR		0.25
Mikes Lime	6 Pack NR		0.25
Mikes Crisp Apple	6 Pack NR		-0.50
Mikes	24 Oz. Bottle		-8.00
Mil. Best Lt	24 Pack Cans		7.00
Mil. Best	24 Pack Cans		3.00
Mil. Best Ice	24 Oz Can		-3.00
Leinenkugel Sunset	6 Pack NR		0.25
Steel Reserve	24 Oz Can		-6.00
			15.25

Nebraska Wine & Spirits

Eddy's
Chad

339-9444
210-9362

####

Product	Size	OH
Cruzan Dark Rum	375	2.00
Cruzan Light Rum	375	3.00
Sauza Teq. Gold	375	3.00
Sauza Teq. Gold	200	2.00
Sauza Teq. Gold	50	7.00
Country Club Gin	375	6.00
Country Club Gin	200	6.00
Skyy Vodka	375	0.00
Skyy Vodka	200	1.00
Jim Beam	375	3.00
Jim Beam	200	4.00
Jagermeister	375	2.00
Jagermeister	200	2.00
DK Sour Apple Puck	200	6.00
DK Peach Schnaps	200	5.00
DK Buttershots Schnaps	200	4.00
DK Buttershots Schnaps	375	3.00
Canadian Springs	375	4.00
Canadian Springs	200	3.00
Country Club Vodka	375	2.00
Country Club Vodka	200	2.00
Paul Masson Brandy	375	4.00
Paul Masson Brandy	200	5.00

79.00

1-28-08

RECEIVED

FEB 18 2008

RALSTON INVESTMENT GROUP
DBA EDDYS - LAVISTA
9849 GILES RD.
LAVISTA, NE 68128

RECEIVED

FEB 04 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

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NEBRASKA LIQUOR
CONTROL COMMISSION

FEB 04 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

1-28-08
RALSTON INVESTMENT GROUP
DBA EDDYS - LAVISTA
9849 GILES RD.
LAVISTA, NE 68128

NE Distributing Order Form

Lavista

####

Product	Size	OH
Cobra Light	6 Pack NR	-0.25
7	12 Pack Cans	0.50
7	12 Pack Bottle	4.50
8	20 Pack Bottle	3.00
7	24 Pack Can	6.00
3	6 Pack 16 Oz Can	1.00
	40 Oz Bottle	7.00
	24 Oz Cans	-1.00
Heineken	6 Pack NR	0.00
	12 Pack Bottle	3.50
	40 Oz Bottle	4.00
Heineken Light	6 Pack NR	0.25
	12 Pack Bottle	1.50
Boulevard Wheat	6 Pack NR	0.50
	12 Pack Bottle	2.00
Boulevard Pale	6 Pack NR	0.75
	12 Pack Bottle	1.00
Blue Moon	6 Pack NR	0.50
SOL	6 Pack NR	-0.25
ZIMA Citrus	6 Pack NR	0.00
ZIMA Tangerine	6 Pack NR	0.00
Killian	6 Pack NR	0.25
St. Pauli	6 Pack NR	0.50
Dos XX	6 Pack NR	0.25
Carta Blanca	32 Oz Bottle	2.00
Keystone Light	18 Pack Cans	4.00
	6 Pack 16 Oz Can	0.25
6	30 Pack Cans	6.00
Keystone	30 Pack Cans	3.00
Keystone ICE	24 Oz Cans	-4.00
Keystone Light	24 Oz Cans	-2.00
Campo	24 Oz Cans	6.00
Campo Black Ice	24 Oz Cans	-5.00
Red Bull	Single 8.7 Oz Can	31.00
	Single 16.9 Oz Can	23.00
	4 Pack	6.00
Red Bull	12 Oz Can	29.00
Diet Red Bull	Single 8.7 Oz Can	14.00
	4 Pack	2.00
Diet Red Bull	12 Oz Can	17.00

COPY

SPECIAL WARRANTY DEED

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FEB 13 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

Know all men by these presents, that I or We, ConocoPhillips Company, a Delaware corporation, herein called the grantor whether one or more, for and in consideration of the sum of Four Hundred Fifty Thousand Dollars and other valuable consideration received from grantee, do hereby grant, bargain, sell, convey and confirm unto Ralston Investment Group, Inc., a Nebraska corporation, herein called the grantee whether one or more, the following described real property in Sarpy County, Nebraska:

Lot 250, in Val Verde, A Subdivision, as surveyed, platted and recorded in Sarpy County, Nebraska

GRANTOR covenants with GRANTEE that GRANTOR:

- (1) is lawfully seized of such real estate and that it is free from encumbrances
- (2) has legal power and lawful authority to convey the same.
- (3) warrants and will defend title to the real estate against the lawful claims of all persons claiming the same or any part thereof through, by or under Grantor.

Dated: 06/17/04

ConocoPhillips Company, a Delaware corporation

By: Randall D. Amen
Randall D. Amen, Attorney-in-Fact

STATE OF COLORADO)
COUNTY OF ARAPAHOE)

On this 17th day of June, 2004, before me, the undersigned, a Notary Public in and for said County, personally came Randall D. Amen, Attorney-in-Fact of ConocoPhillips Company, a Delaware corporation, known to be the same and identical person(s) whose name is affixed to the above conveyance, and acknowledged the execution thereof to be their voluntary act and deed.

[Signature]
Notary Public

My commission expires the 1st day of June, 2008

Return to:
Ralston Investment Group, Inc.
6511 Daly Circle
Omaha NE 68127

DAVID SCHALK
NOTARY PUBLIC
STATE OF COLORADO

STATE OF

COPY

United States of America,
State of Nebraska } ss.



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NEBRASKA LIQUOR
CONTROL COMMISSION

Department of State
Lincoln, Nebraska

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NEBRASKA LIQUOR
CONTROL COMMISSION

I, John A. Gale, Secretary of State of Nebraska do hereby certify;

the attached is a true and correct copy of Articles of Incorporation of

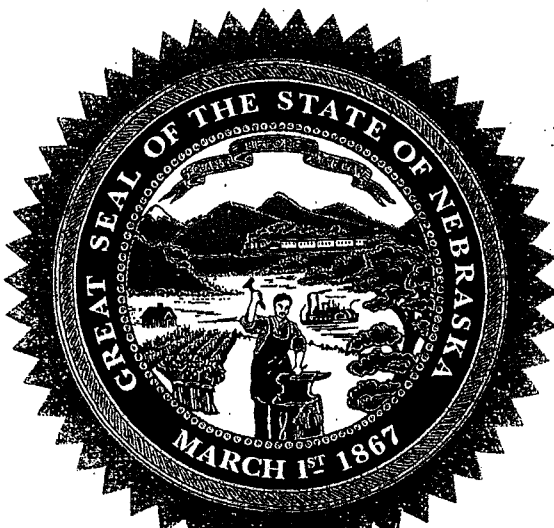
RALSTON INVESTMENT GROUP, INC.

with its registered office located in OMAHA, Nebraska, as filed in this
office on February 2, 2004.

In Testimony Whereof,

I have hereunto set my hand and
affixed the Great Seal of the State of
Nebraska on February 2, 2004.

John A. Gale
SECRETARY OF STATE





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FEB 04 2008

NEBRASKA LIQUOR
CONTROL COMMISSION

ARTICLES OF INCORPORATION
OF
RALSTON INVESTMENT GROUP, INC.

The undersigned acting as the Incorporators of the Corporation under the Nebraska Business Corporation Act, adopt the following Articles of Incorporation for such Corporation:

ARTICLE I

The name of the Corporation shall be Ralston Investment Group, Inc.

ARTICLE II

The aggregate number of shares which this Corporation shall authority to issue is 25,000 shares, having a par value of \$1.00 each, all of which shall be common stock.

All transfers of the shares of this Corporation shall be made in accordance with the provisions of the Bylaws of the Corporation.

ARTICLE III

The Corporation reserves the right to amend or repeal any provisions contained in these Articles of Incorporation in the manner now and hereinafter permitted by law, and rights conferred upon Shareholders herein are granted subject to this reservation.

ARTICLE IV

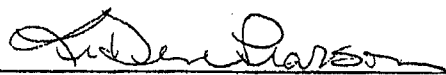
The address of the Corporation's initial registered office is 10855 West Dodge Road, Suite 100, Omaha, Nebraska 68154-2666 (Douglas County) and the name of the initial Registered Agent at such address shall be Benjamin M. Belmont.

ARTICLE V

The name and street address of the Incorporator is as follows:

LeDene Pearson
5255 North 129th Street
Omaha, NE. 68164

DATED this 22 day of January, 2004.



LeDene Pearson, Incorporator