

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING April 1, 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 April 1, 2008. Present were Mayor Kindig and Councilmembers: Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Absent: Sell. 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 Chief Lausten, Fire Chief Uhl, Assistant Recreation Director Karlson, 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 March 20, 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.

### **PROCLAMATION – NATIONAL LIBRARY WEEK, PARKINSON'S DISEASE AWARENESS MONTH, NATIONAL KITE MONTH**

Mayor Kindig presented a proclamation for National Kite Month to Randy Fox of Midwest Wind Kite Flyers. The American Kite Association will hold its annual event at the Sports Complex on Sunday, April 27th from 12:00 noon to 5:00 p.m.

Mayor Kindig presented the National Library Week proclamation to Library Director Iwan.

Mayor Kindig read a proclamation declaring February 2008 as Parkinson's Disease Awareness Month in La Vista.

### **A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM MARCH 18, 2008**
- 3. APPROVAL OF SAFETY COMMITTEE MEETING MINUTES FROM NOVEMBER 28, 2007**
- 4. APPROVAL OF CITIZEN ADVISORY REVIEW COMMITTEE MEETING DECEMBER 10, 2007**
- 5. APPROVAL OF CITIZEN ADVISORY REVIEW COMMITTEE MEETING MARCH 10, 2008**
- 6. KEYSTONE TRAIL-LA VISTA LINK**
  - a. PAY REQUEST NO. 6 FROM THOMPSON, DREESSEN & DORNER, INC. FOR ENGINEERING SERVICES - \$1,893.58**
  - b. PAY REQUEST FROM HAYES ENVIRONMENTAL, L.L.C. FOR WETLAND/WATERWAY DELINEATION - \$3,200.00**
- 7. APPROVAL OF CLAIMS**

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

|                                               |        |
|-----------------------------------------------|--------|
| A ADVERTISING & SUPPLY, Equipment             | 442.00 |
| A TO Z TINTING, Vehicle Maint.                | 100.00 |
| AIR POWER, Maint.                             | 103.90 |
| AKSARBEN GARAGE DOOR SVCS, Bldg & Grnds       | 200.00 |
| ALAMAR UNIFORMS, Wearing Apparel              | 20.00  |
| AMSAN, Supplies                               | 523.79 |
| APPLIED CONTROLS EQUIPMENT, Vehicle Maint.    | 341.37 |
| AQUILA, Utilities                             | 21.29  |
| ARAMARK UNIFORM, contract Services            | 240.00 |
| ASPEN EQUIPMENT, Repair                       | 85.00  |
| ASSOCIATED FIRE PROTECTION, Contract Services | 305.00 |
| BAKER & TAYLOR BOOKS, Books                   | 726.75 |

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|-----------------------------------------------------|-----------|
| BAKER, MARCUS, Auto Allowance                       | 100.00    |
| BEACON BUILDING SERVICES, Contract Services         | 6,737.00  |
| BENSON RECORDS, Contract Services                   | 50.78     |
| BETTER BUSINESS EQUIPMENT, Contract Services        | 37.00     |
| BIRCH, ANN, Auto Allowance                          | 50.00     |
| BRODART, Books                                      | 618.13    |
| BROWNELLS, Tools                                    | 98.78     |
| BUETHE, PAM, Auto Allowance/Travel/Supplies         | 685.60    |
| BUILDERS SUPPLY, Bldg & Grnds                       | 856.03    |
| CAPSTONE PRESS, Books                               | 1,825.50  |
| CIRCO, MICHAEL, Travel                              | 136.35    |
| COMP CHOICE, Professional Service                   | 419.50    |
| CONTROL MASTERS, Bldg & Grnds                       | 516.52    |
| CORBIT, JEFF, Auto Allowance                        | 100.00    |
| CORNHUSKER MOTOR LINES, Refund                      | 35.00     |
| CRANE, RAY, Refund                                  | 35.00     |
| D & D COMMUNICATIONS, Maintenance                   | 658.32    |
| DON'S PIONEER UNIFORMS, Wearing Apparel             | 256.55    |
| DULTMEIER SALES & SERVICE, Vehicle Maint.           | 100.53    |
| EBSCO SUBSCRIPTION SERVICES, Books                  | 63.53     |
| ED M. FELD EQUIPMENT, Supplies                      | 710.00    |
| EDGEWEAR SCREEN PRINTING, Wearing Apparel           | 521.90    |
| ENSLOW PUBLISHERS, Books                            | 49.90     |
| ERICKSON, RANDALL, Auto Allowance                   | 100.00    |
| FARQUHAR, MIKE, Auto Allowance                      | 100.00    |
| FASTENAL COMPANY, Supplies/Maintenance              | 232.67    |
| FEDEX, Postage                                      | 108.29    |
| FITZGERALD SCHORR BARMETTLER, Professional Services | 28,397.72 |
| FROEHLICH, RORY, Travel                             | 188.00    |
| GALL'S, Wearing Apparel                             | 460.73    |
| GLENDALE PARADE STORE, Equipment                    | 31.50     |
| GLS SALES, Supplies                                 | 81.50     |
| GOLDMAN, JOHN, Telephone                            | 40.00     |
| GRAINGER, Bldg & Grnds                              | 17.64     |
| GRAYBAR ELECTRIC, Bldg & Grnds                      | 558.06    |
| GREAT WESTERN BANK, Fees                            | 500.00    |
| GUNN, BRENDA, Auto Allowance                        | 300.00    |
| HALPAIN, LEAH, Contract Services                    | 48.75     |
| HANNEBAUM GRAIN, Salt                               | 5,643.85  |
| HEARTLAND AWARDS, Supplies                          | 50.35     |
| HEIMAN FIRE EQUIPMENT, Equip.                       | 1,121.31  |
| HELGET GAS, Squad Supplies                          | 73.00     |
| HOCKENBERGS, Furniture                              | 1,383.80  |
| HY-VEE, Supplies                                    | 214.33    |
| IOWA STATE UNIVERSITY, Books                        | 62.10     |
| IWAN, ROSE, Auto Allowance                          | 429.00    |
| J Q OFFICE EQUIPMENT, Contract Services             | 434.69    |
| KINDIG, DOUGLAS, Auto Allowance/Telephone           | 190.00    |
| KLINKER, MARK, Professional Services                | 200.00    |
| KRIHA FLUID POWER, Vehicle Maint.                   | 63.52     |
| LA VISTA COMMUNITY FOUNDATION, Payroll Deductions   | 247.00    |
| LANGLEY ANIMAL HOSPITAL, Contract Services          | 14.00     |
| LAUGHLIN, KATHLEEN, Payroll Withholdings            | 372.00    |
| LEAGUE OF NEBRASKA MUN, Training/Travel             | 664.00    |
| LEARNER PUBLISHING GROUP, Books                     | 391.88    |
| LIFE ASSIST, Squad Supplies                         | 767.13    |
| LINWELD, Vehicle Maint./Street Maint.               | 572.07    |
| LUKASIEWICZ, BRIAN, Telephone                       | 40.00     |
| LUPOMECH, CATHY, Travel                             | 417.96    |
| MASA, Equipment                                     | 2,360.73  |
| MATAI 2008 CONFERENCE, Training                     | 500.00    |
| MC DONALD AND ASSOCIATES, Contract Services         | 50.00     |
| MCKEIGHAN, LORI, Books                              | 6.99      |
| MES-MIDAM, Equipment                                | 3,508.56  |
| METAL SUPERMARKETS, Traffic Signs                   | 158.08    |
| METRO AREA TRANSIT, Contract Services               | 594.00    |
| MICHAEL TODD AND COMPANY, Vehicle Maint.            | 1,258.32  |
| MID AMERICA PAY PHONES, Telephone                   | 100.00    |

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|---------------------------------------------------|----------|
| MID-AMERICA COCA-COLA BOTTLING, Concessions       | 240.20   |
| MIDWEST TAPE, Media                               | 6.99     |
| MILLER BRANDS, Concessions                        | 214.00   |
| MOBILE COMMUNICATIONS, Repair                     | 463.25   |
| MONARCH OIL, Street Maint.                        | 411.00   |
| MUD, Utilities                                    | 651.69   |
| NATIONAL ENTERTAINMENT, Supplies                  | 337.23   |
| NE DEPT OF LABOR, Contract Services               | 144.00   |
| NE HHS REGULATION/LICENSURE, Permit               | 40.00    |
| NEXTEL, Telephone                                 | 470.66   |
| NOBBIES, Supplies                                 | 21.43    |
| OFFICE DEPOT, Supplies                            | 452.97   |
| OMAHA WORLD HERALD, Subscription                  | 189.28   |
| OPPD, Utilities                                   | 68.29    |
| PARAMOUNT LINEN & UNIFORM, Uniform Cleaning       | 156.08   |
| PAYLESS, Supplies                                 | 99.82    |
| PEPSI COLA, Concessions                           | 729.41   |
| PITNEY BOWES, Supplies                            | 305.48   |
| PRECISION INDUSTRIES, Vehicle Maint.              | 614.41   |
| PREMIER-MIDWEST BEVERAGE, Concessions             | 69.40    |
| PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits   | 153.00   |
| QUALITY BRANDS, Concessions                       | 344.90   |
| QUEDENSLEY, BRAD, Travel                          | 188.00   |
| QUILL CORPORATION, Supplies                       | 171.70   |
| QWEST, Telephone                                  | 2,335.41 |
| RACOM CORPORATION, Vehicle Maint.                 | 324.93   |
| RAMIREZ, RITA, Auto Allowance                     | 75.00    |
| RAY ALLEN MANUFACTURING, Supplies                 | 38.40    |
| ROSE EQUIPMENT, Vehicle Maint.                    | 488.11   |
| SAPP BROS PETROLEUM, Vehicle Supplies             | 1,103.75 |
| SARPY COUNTY COURTHOUSE, Contract Services        | 3,234.94 |
| SARPY COUNTY ECONOMIC DEV. CORP, Travel           | 180.00   |
| SCHOLASTIC LIBRARY PUBLISHING, Books              | 24.05    |
| SIMPLEX GRINNELL, Contract Services/Bldg & Grnds  | 1,235.30 |
| SMITH, MELANIE, Auto Allowance                    | 100.00   |
| SOUCIE, JOSEPH, Telephone                         | 30.00    |
| STATE STEEL, Equipment                            | 114.80   |
| SUMMER KITCHEN, Supplies                          | 94.80    |
| SUN LIFE & HEALTH INSURANCE, Payroll Withholdings | 3,352.26 |
| TARGET BANK, Supplies                             | 17.45    |
| TERRITORIAL SUPPLIES, Equipment                   | 2,671.50 |
| THOMAS KLISE/CRIMSON, Media                       | 197.84   |
| THOMPSON DREESSEN & DORNER, Trail Design          | 4,756.18 |
| U S ASPHALT, Street Maint.                        | 603.42   |
| UHL, RICHARD, Travel                              | 58.15    |
| VERIZON, Telephone                                | 35.50    |
| VIERS, STEVE, Auto Allowance                      | 100.00   |
| WAL-MART, Bldg & Grnds/Supplies                   | 655.93   |
| WHITE CAP CONSTRUCTION, Equip/Repair              | 32.40    |
| WICK'S STERLING TRUCKS, Vehicle Maint.            | 68.11    |
| WITMER ASSOCIATES, Equip.                         | 195.67   |
| WITT, ROB, Travel                                 | 188.00   |
| WOOD, BRAD, Travel                                | 128.00   |
| WOODHAVEN COUNSELING, Contract Services           | 300.00   |

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten addressed Council and asked for volunteers to be actors for a scenario based incident at a training class on April 20th and April 27th.

Lausten informed Council that Ofc. Ray Harrod was involved in a rear-end collision at 84th and Centennial. A truck ran into the back of the 1997 Crown Victoria cruiser.

Library Director Iwan displayed the first completed quilt made at the quilt club at the La Vista Public Library. Iwan gave a quarterly report for the Library. The Library has 3 work study participants that volunteered 118 hours, for a savings of \$880.00. Iwan thanked the Council for allowing her to attend the National Library Convention in Minneapolis, which had over 9,800 librarians in attendance.

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## **B. RESOLUTION – AUTHORIZE ADVERTISEMENT FOR REQUEST FOR PROPOSALS – ANNUAL FINANCIAL AUDIT**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-031: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF REQUEST FOR PROPOSALS FOR AUDIT SERVICES.

WHEREAS, the City has determined that it is desirable to take proposals for the City's Annual Financial Statements, the City's Annual Financial Audit and the City's Quarterly and Annual Keno Audit; and

WHEREAS, the Finance Director have prepared specifications for the request for proposals.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the advertisement for request for proposals and the City Clerk is hereby authorized to advertise for the proposals in accordance with the specifications prepared by the Finance Director, and said sealed proposals are to be opened publicly at 12:00 p.m. May 16, 2008, at City Hall, 8116 Park View Boulevard, La Vista, Nebraska, 68128.

Publish Notice

April 10, 2008

Open Bids

May 16, 2008

City Council Award Contract

on or about June 3, 2008

Seconded by Councilmember Quick. Councilmember Sheehan asked if the current auditor would receive a copy of the bid request. City Administrator Gunn stated that a copy will be given to them. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried.

## **C. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – LEAGUE ASSOCIATION OF RISK MANAGEMENT (LARM)**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-032: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RELATING TO THE TERM OF PARTICIPATION IN THE LEAGUE ASSOCIATION OF RISK MANAGEMENT.

WHEREAS the City of La Vista is a member of the League Association of Risk Management (LARM); and

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Director of Insurance at least 90 days prior to the desired termination date and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates, and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM; and

WHEREAS, the Mayor and City Council have determined that it is in the best financial interest of the City to extend the term of agreement by three years and establish notice of termination terms in order to receive participation discounts.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2011, and hereby authorize the Mayor to execute the necessary agreements to implement the action authorized herein.

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

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

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## COMMENTS FROM THE FLOOR

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

### D. EXECUTIVE SESSION – LITIGATION STRATEGY SESSION – SPECIAL ASSESSMENTS – LOTS 43A AND 45, BROOK VALLEY BUSINESS PARK – BOARDWALK INVESTORS V. IRISH, LTD & LIBERTY INVESTMENTS V. SCHROPP

At 7:15 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for litigation strategy session – special assessments – Lot 43A and 45, Brook Valley Business Park – Boardwalk Investors V. Irish, LTD & Liberty Investments V. Schropp. Seconded by Councilmember Gowan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 7:45 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session, noting that the discussion in executive session was limited to the subject matter contained in the original motion. Seconded by Councilmember Gowan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig asked Council if they would prefer to walk or ride in a vehicle during the upcoming La Vista Days parade. He asked them to let staff know of their preference by the next City Council meeting.

Councilmember Sheehan commented on kids practicing football on Kelly Field in the past week and asked if the Recreation or Public Works department would check on restroom facilities if they are going to be there for an extended period of time. Assistant Recreation Director Karlson stated that they were there for one week and will be moving to the Sports Complex. He stated that practices there were one hour long.

At 7:48 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Sell. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF APRIL 2008.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

K:\APPS\CITYHALL\08 COUNCIL MINUTES\April 1, 2008