

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING November 18, 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 November 18, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Community Development Director Birch, Recreation Director Stopak, Finance Director Lindberg, 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 November 6, 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 at City Hall during normal business hours.

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

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

### SWEAR IN POLICE SERGEANT – KRAIG GOMON

Mayor Kindig administered the oath of office to new Police Sergeant Kraig Gomon.

### SPECIAL PRESENTATION – PAYPAL TO LA VISTA VOLUNTEER FIRE & RESCUE DEPARTMENT

Jason Neilson, Mark Schenkelberg, and Kim McPherson-Krietter, representatives of PayPal, presented a check to the La Vista Volunteer Fire Department. Fire Chief Uhl thanked Melanie Smith, a member of the LVFD for her efforts. Mayor Kindig thanked PayPal for their many donations.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM NOVEMBER 4, 2008
3. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM  
OWNERS ASSOCIATION, INC. FROM NOVEMBER 3, 2008
4. APPROVAL OF PARK & RECREATION ADVISORY COMMITTEE MINUTES FROM  
OCTOBER 15, 2008
5. PAY REQUEST NO. 11 FROM LEO A DALY FOR MUNICIPAL FACILITIES  
PLAN - \$6,000.00
6. FINAL PAY REQUEST FROM JOHN Q. HAMMONS FOR CONSTRUCTION LOAN -  
\$1,581,111.01
7. PAY REQUEST FROM BAINBRIDGE LEADERSHIP CENTER FOR PROFESSIONAL  
SERVICES - \$5,000.00
8. FINAL PAY REQUEST FROM U.S. ASPHALT COMPANY, INC. FOR 2008 PAVEMENT  
REHABILITATION - \$36,152.77
9. APPROVAL OF CLAIMS

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

|                                               |        |
|-----------------------------------------------|--------|
| ABE'S PORTABLES, Rentals                      | 216.75 |
| ACCUCUT SYSTEMS, Supplies                     | 645.00 |
| ACTION BATTERIES, Vehicle Supplies            | 399.36 |
| AMSAN, Supplies                               | 541.14 |
| ANN TROE, Printing                            | 865.00 |
| ARAMARK UNIFORM SERVICES, Contract Services   | 250.48 |
| ASSOCIATED FIRE PROTECTION, Contract Services | 71.50  |
| BAKER & TAYLOR BOOKS, Books                   | 284.72 |

# MINUTE RECORD

November 18, 2008

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

|                                                        |           |
|--------------------------------------------------------|-----------|
| BARTMAN, PEGGY, Contract Services                      | 30.00     |
| BATTERY ZONE, Supplies                                 | 339.48    |
| BCDM-BERINGER CIACCIO DENNELL, Professional Services   | 3,248.52  |
| BEAUMONT, MITCH, Professional Services                 | 500.00    |
| BENNINGTON IMPLEMENT, Vehicle Maint.                   | 2,657.38  |
| BENSON RECORDS, Contract Services                      | 56.56     |
| BLACK HILLS ENERGY, Utilities                          | 18.14     |
| BRENTWOOD AUTO WASH, Vehicle Maint.                    | 102.00    |
| BUETHE, PAM, Travel/Bldg & Grnds/Vehicle Maint.        | 97.91     |
| CAHILL, KAROLYN, Contract Services                     | 90.00     |
| CAHILL, THOMAS, Contract Services                      | 70.00     |
| CARDMEMBER SERVICE, Supplies/Travel/Training/Books     | 10,513.76 |
| CDW GOVERNMENT, Supplies                               | 535.00    |
| CITY OF BELLEVUE, Training                             | 600.00    |
| CITY OF OMAHA, Contract Services                       | 36,823.02 |
| CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint./Supplies | 1,384.80  |
| CLARK, WILLIAM, Contract Services                      | 36.00     |
| COX COMMUNICATIONS, Contract Services                  | 270.80    |
| CUES, Vehicle Maint.                                   | 251.16    |
| DEMCO, Supplies                                        | 128.46    |
| DITCH WITCH, Vehicle Maint.                            | 235.92    |
| DULTMEIER SALES & SERVICE, Bldg & Grnds                | 87.93     |
| EBSCO SUBSCRIPTION SERVICES, CD Rom                    | 1,600.00  |
| ELECTRONIC ENGINEERING, Vehicle Maint.                 | 107.91    |
| FILTER CARE, Vehicle Maint.                            | 59.95     |
| FIREGUARD, Printing                                    | 47.00     |
| FITZGERALD SCHORR BARMETTLER, Professional Services    | 9,500.00  |
| FLEETPRIDE, Vehicle Maint.                             | 50.90     |
| FLOHR ELECTRIC, Equip. Maint.                          | 25.16     |
| FOSTER, TERRY, Wearing Apparel                         | 74.89     |
| FUTUREWARE, Contract Services                          | 42.00     |
| GALE, Books                                            | 46.43     |
| GALL'S, Wearing Apparel                                | 671.81    |
| GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies          | 60.00     |
| GENUINE PARTS COMPANY, Vehicle Maint./Bldg & Grnds     | 903.19    |
| GRAPHIC IMAGINATION, Supplies                          | 45.00     |
| GRAYBAR ELECTRIC, Bldg & Grnds                         | 20.94     |
| GREAT PLAINS ONE-CALL SVC, Contract Services           | 330.49    |
| H & H CHEVROLET, Vehicle Maint.                        | 76.82     |
| HALL, ERICA, Contract Services                         | 100.00    |
| HALL, LAUREN, Contract Services                        | 100.00    |
| HELGET GAS PRODUCTS, Squad Supplies                    | 68.00     |
| HOBBY LOBBY STORES, Supplies                           | 19.99     |
| HOTSY EQUIPMENT, Equip. Repair                         | 73.42     |
| HYDROLOGIC WATER MANAGEMENT, Bldg & Grnds              | 15.54     |
| HY-VEE, Supplies                                       | 10.88     |
| J Q OFFICE EQUIPMENT, Contract Services/Supplies       | 373.12    |
| JESUS, MATTHEW, Contract Services                      | 160.00    |
| JIM MORGAN'S BOOKS, Books                              | 234.28    |
| JOHNSON HARDWARE, Bldg & Grnds                         | 30.50     |
| KIRKHAM MICHAEL, GIS Conversion                        | 7,897.00  |
| KOSISKI AUTO PARTS, Vehicle Maint.                     | 100.00    |
| LA VISTA FIREFIGHTERS ASSN, Supplies                   | 60.00     |
| LAUGHLIN, KATHLEEN, Payroll Withholdings               | 372.00    |
| LEAGUE OF NEBRASKA MUN., Dues                          | 560.00    |
| LIFE ASSIST, Squad Supplies                            | 785.00    |
| LINHART CONSTRUCTION, Construction Cost                | 12,486.47 |
| LINWELD, Street Maint.                                 | 181.91    |
| LOGAN CONTRACTORS SUPPLY, Street Maint/Bldg & Grnds    | 2,722.38  |
| MAPES, HANNAH, Contract Services                       | 30.00     |
| MCNAMARA, VICTORIA, Contract Services                  | 120.00    |
| MEDICAID-NE DEPT OF SOC SVCS, Rescue Revenue           | 74.03     |
| MICHAEL TODD AND COMPANY, Vehicle Maint.               | 255.00    |
| MID CON SYSTEMS, Bldg & Grnds                          | 293.34    |
| MID-STATES UTILITY TRAILER, Equip. Repair              | 150.72    |
| MIDWEST TURF & IRRIGATION, Bldg & Grnds                | 12.28     |
| MILLER PRESS, Printing                                 | 300.00    |
| MINITEX - CPP, Supplies                                | 261.00    |

# MINUTE RECORD

November 18, 2008

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

|                                                          |           |
|----------------------------------------------------------|-----------|
| MOORE, WAYNE, Contract Services                          | 18.00     |
| NEUMAN EQUIPMENT, Bldg & Grnds/Vehicle Maint.            | 170.00    |
| NMC, Vehicle Maint.                                      | 102.57    |
| OABR PRINT SHOP, Printing                                | 4,445.29  |
| OFFICE DEPOT, Contract Services                          | 502.60    |
| OMAHA COMPOUND, Supplies                                 | 98.76     |
| OMAHA STANDARD DISTRIBUTION, Equip. Repair               | 328.37    |
| OPPD, Utilities                                          | 36,230.47 |
| ORIENTAL TRADING COMPANY, Supplies                       | 479.74    |
| PARAMOUNT LINEN & UNIFORM, Uniform Cleaning              | 345.54    |
| PAYLESS OFFICE, Supplies                                 | 159.50    |
| PETERS, SANDI, Books                                     | 8.58      |
| PRECISION INDUSTRIES, Vehicle Maint.                     | 206.20    |
| QUALITY AUTO REPAIR & TOWING, Contract Services          | 83.00     |
| QUALITY BRANDS, Concessions                              | 115.50    |
| QUILL CORPORATION, Supplies                              | 545.98    |
| RAMIREZ, RITA, Travel                                    | 48.00     |
| RIGHT, TREVOR, Contract Services                         | 140.00    |
| ROSE EQUIPMENT, Vehicle Maint.                           | 138.31    |
| RUSTY ECK FORD, Vehicle Maint.                           | 252.46    |
| SAM'S, Dues/Concessions                                  | 235.94    |
| SARPY COUNTY COURTHOUSE, Contract Services               | 3,487.34  |
| SARPY COUNTY TREASURER, Contract Services                | 26,644.25 |
| SCHLEGEL, JEREMY, Contract Services                      | 31.00     |
| SEWER EQUIPMENT, Vehicle Maint.                          | 589.43    |
| SRPSTC-SACRAMENTO REGL PUBLIC, Training                  | 1,115.00  |
| SUBURBAN NEWSPAPERS, Legal Advertising                   | 1,257.30  |
| SUN LIFE & HEALTH INSURANCE, Payroll Withholdings        | 1,724.92  |
| THOMPSON DREESSEN & DORNER, Professional Services/Design | 17,630.30 |
| TRAFFIC SENSOR CORPORATION, Street Maint.                | 198.45    |
| U S ASPHALT, Street Maint.                               | 85.14     |
| U S TOY COMPANY/CONSTRUCTIVE, Supplies                   | 1,045.66  |
| VIERREGGER ELECTRIC, Professional Services               | 281.50    |
| WASTE MANAGEMENT, Contract Services/Bldg & Grnds         | 941.43    |
| WICK'S STERLING TRUCKS, Vehicle Maint.                   | 14.74     |
| WINGATE INNS, Travel                                     | 364.75    |

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Finance Director Lindberg explained the new Keno report, which was handed out to Mayor and Council. The changes on the report come from changes in the new agreement which began October 1, 2008.

Police Chief Lausten informed Council he and Lieutenant Pokorny attended the International Association of Chiefs of Police (IACP) Conference last week. He stated that over 20,000 were in attendance. Lausten informed Council he had a chance to view several in-car camera models, and is still looking at the original vendor they looked at for pricing.

Lausten informed Council the speed on 96th Street has not increased with the change in the speed limit signs.

Lausten introduced Gayle Sweeney, the new Police Records Clerk, to Mayor and Council.

Public Works Director Soucie introduced Paul Sherry and Chris Muessigmann, new Maintenance Worker I employees, to Mayor and Council. Soucie thanked Council for allowing a sign on Giles Road to congratulate the Papillion-La Vista volleyball team for winning the State Class A title this past weekend.

Soucie informed Council of a raptor rescue mission done at the La Vista Falls Golf Course.

Library Director Iwan informed Council the Amnesty Program at the Library, which runs through November 26th, has already brought in 2 boxes of canned food items.

## B. ZONING TEXT AMENDMENT – C-3 DISTRICT, MAXIMUM HEIGHT

### 1. PUBLIC HEARING

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on a Zoning Text Amendment – C-3 District, Maximum Height.

# MINUTE RECORD

November 18, 2008

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

At 7:19 p.m. Councilmember Gowan 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. ORDINANCE**

Councilmember Gowan introduced Ordinance No. 1082 entitled: AN ORDINANCE TO AMEND SECTION 5.12.06.01 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.12.06.01 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Said ordinance was then read by title and thereafter Councilmember Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Gowan. Councilmember Sheehan asked if there were currently any regulations in place to disallow anything that would hinder the view. City Administrator Gunn stated that there was not in this C-3 District. Councilmember Sheehan suggested that the City consider the affect on view of existing buildings when assessing proposed building projects. The Mayor then stated the question was, "Shall Ordinance No.1082 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

### **C. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – 132<sup>ND</sup> & WEST GILES ROAD (TABLED 11/4/08)**

Councilmember Carlisle introduced and motioned to table Resolution No. 08-101 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, NEBRASKA CONCERNING IMPROVEMENTS RELATED TO THE INTERSECTION OF WEST GILES ROAD AND 132<sup>ND</sup> STREET, THE ADJACENT LEGS OF WEST GILES ROAD AND 132<sup>ND</sup> STREET AND ADJACENT RAILROAD CROSSINGS, IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

Seconded by Councilmember Ellerbeck. City Administrator Gunn informed council that Sarpy County had tabled this item as there were still some questions to be answered and she recommended Council table this item until the final agreement is completed. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **D. RESOLUTION – APPROVAL ESTOPPEL AND RELEASE CERTIFICATE – LOTS 34 AND 46, BROOK VALLEY BUSINESS PARK**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-102: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING ESTOPPEL AND RELEASE CERTIFICATE REGARDING LOTS 34 AND 46, BROOK VALLEY BUSINESS PARK.

WHEREAS, the City of La Vista was asked to provide a limited Estoppel and Release Certificate for Lots 34 and 46, Brook Valley Business Park ("Estoppel and Release Certificate") related to the Subdivision Agreement dated September 21, 1994 as recorded in the Register of Deeds of Sarpy County, Nebraska on October 5, 1994 as Instrument No. 94-21638

WHEREAS, it is the desire of the City of La Vista to provide the limited Estoppel and Release Certificate; and

WHEREAS, the limited Estoppel and Release Certificate has been proposed in form and content presented at this meeting.

# MINUTE RECORD

November 18, 2008

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

NOW THEREFORE, BE IT RESOLVED that the Mayor and the City Council hereby approve the proposed Estoppel and Release Certificate in form and content presented at this meeting.

BE IT FURTHER RESOLVED that the Mayor and the City Clerk are hereby authorized to execute and deliver said Estoppel and Release Certificate.

Seconded by Councilmember Sheehan. City Administrator Gunn stated this portion of the SID is in the City limits and the owner of two lots wanted assurance that everything is clean [special assessments and other obligations for which the property owner might be held liable under the subdivision agreement have been satisfied]. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **E. RESOLUTION – AUTHORIZATION – ALLOW POLICE CHIEF TO ENTER INTO PROJECT LIFESAVER AGREEMENTS**

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-103: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CHIEF OF POLICE TO ENTER INTO PROJECT LIFESAVER AGREEMENTS ON BEHALF OF THE CITY OF LA VISTA.

WHEREAS, The La Vista, Bellevue, and Papillion Police Departments, along with the Sarpy County Sheriff's Department and Nebraska State Patrol are cooperative participants in the Project Lifesaver Program; and

WHEREAS, Project Lifesaver International is a non-profit organization that provides training, equipment and policy to law enforcement agencies throughout the United States specifically designed to utilize electronic signaling devices as an aid in searching for lost persons who suffer in one form or another from diminished mental capacity or other disability; and

WHEREAS, The Project Lifesaver program requires execution of an agreement between the La Vista Police Department and the prospective client's responsible caregiver;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby authorize the Chief of Police to execute Project Lifesaver Agreements with the participant's responsible caregiver.

Seconded by Councilmember Quick. Councilmember Carlisle asked if this is like the transmitter for children that you see on TV commercials. Police Chief Lausten stated the equipment is geared toward individuals with Alzheimer disease and the equipment used for tracking can pick up the device within a range of 3-5 miles. Lausten stated the officers meet with those enrolled in the program once a month to change batteries and show a presence. Lieutenant Pokorny explained how the equipment works and searches are handled using a triangulation method. All requests for assistance will be received through Sarpy County. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **F. RESOLUTION – AUTHORIZATION – PURCHASE COMPUTER EQUIPMENT**

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-104: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TECHNOLOGY RELATED ITEMS FROM WESTERN STATES CONTRACTING ALLIANCE (WSCA), AND DELL IN AN AMOUNT NOT TO EXCEED \$19,496.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of fifteen (15) computers with monitors and software; and

WHEREAS, the FY 09 General and Sewer Fund budgets did include funds for the purchase of said technology items; 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.

# MINUTE RECORD

November 18, 2008

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of fifteen (15) computers with monitors and software, from Dell through the Western States Contracting Alliance (WSCA), in an amount not to exceed \$19,496.

Seconded by Councilmember McLaughlin. Councilmember Sheehan stated the price seemed high for 15 computers. Finance Director stated that two of the computers were for special programs and more costly. The other computers include the software and monitors. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **G. RESOLUTION – AUTHORIZATION – PURCHASE VEHICLE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-105: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2009 FORD F-150 ½ TON, REGULAR CAB, 2WD PICKUP FROM AFL, LLC, DBA ANDERSON FORD LINCOLN MERCURY MAZDA, IN LINCOLN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$13,870.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one 2009 Ford F-150 ½ Ton, Regular Cab, 2WD pickup for the Community Development Department is necessary; and

WHEREAS, the FY08/09 General Fund budget does include funds for the purchase of said vehicle; and

WHEREAS, AFL, LLC, DBA Anderson Ford Lincoln Mercury Mazda in Lincoln, Nebraska, was awarded the State Bid for said vehicle being requested; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one 2009 Ford F-150 ½ Ton, Regular Cab, 2WD pickup for the Community Development Department from AFL, LLC, DBA Anderson Ford Lincoln Mercury Mazda in Lincoln, Nebraska, in an amount not to exceed \$13,870.00.

Seconded by Councilmember Quick. Councilmember McLaughlin asked what the City will do with the current vehicle. Recreation Director Stopak stated the vehicle will go to the Recreation Center to replace a vehicle that is no longer in service. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **H. CLASSIFICATION AND COMPENSATION STUDY**

Councilmember Ellerbeck motioned to accept the Compensation study. Seconded by Councilmember Sell. Assistant City Administrator Ramirez addressed council regarding the study process and outcomes and the timeline to implement a new pay plan and performance measurement system. Councilmember Sheehan stated that he does not agree with the study but agrees to the timeline. It was clarified that implementation would require further Council action, including amendment of the City's compensation ordinance. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **I. SPECIAL ASSESSMENTS FOR PROPERTY IMPROVEMENTS**

### **1. PUBLIC HEARING**

At 7:47 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements.

At 7:48 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 Sell introduced and moved for the adoption of Resolution No. 08-106: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA

# MINUTE RECORD

November 18, 2008

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

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  
7121 Harrison Street, Lot 1C EX PT TO RD, La Vista Replat, \$179.24,  
7121 Harrison Street, Lot 1C EX PT TO RD, La Vista Replat, \$124.31  
7121 Harrison Street, Lot 1C EX PT TO RD, La Vista Replat, \$207.66, and  
7121 Harrison Street, Lot 1C EX PT TO RD, La Vista Replat, \$417.75,  
were notified to clean up their property as they were in violation of the City Municipal Code, Sections 133.01, 150.01, or 94.06, 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.

## COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and if so, for each person to limit his or her comments to 3 minutes. There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Gowan informed Council that he and Councilmember Sheehan just attended the National League of Cities conference in Orlando. The major focus of the conference was the push to "go green". Councilmember Sheehan stated his focus was on finance sessions. He stated the City of La Vista budget process is in line with the process discussed at the conference. Councilmember Sheehan participated in project "Ka Boom"- building a park in five (5) hours. Councilmember Gowan stated there was a lot of information on LED lighting.

Mayor Kindig stated that La Vista Conference Center is making its mark. He has heard many compliments about the facility.

At 7:57 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 2ND DAY OF DECEMBER 2008.

CITY OF LA VISTA

ATTEST:

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

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