

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING May 19, 2009

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 May 19, 2009. Present were Councilmembers: Sell, Ronan Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Engineer Kottmann, City Clerk Buethe, 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 May 7, 2009. 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.

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

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

Acting Mayor Gowan made an announcement regarding the new agenda policy statement providing for expanded opportunity for public comment on agenda items.

### **PROCLAMATIONS – EMERGENCY MEDICAL SERVICES WEEK; NATIONAL PUBLIC WORKS WEEK**

Acting Mayor Gowan presented a proclamation for Emergency Medical Services Week to Fire Chief Uhl and a proclamation for National Public Works Week to Public Works Director Soucie.

### **SERVICE AWARDS – DONAL FISCHER, ROB WITT, VICKI WHITTAKER – 5 YEARS**

Acting Mayor Gowan presented service awards to Donal Fischer and Vicki Whittaker for 5 years of service to the City. Rob Witt was unable to attend.

#### **A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 5, 2009**
- 3. APPROVAL OF PLANNING COMMISSION MINUTES FROM APRIL 16, 2009**
- 4. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC FROM MAY 4, 2009**
- 5. APPROVAL OF CIVIL SERVICE COMMISSION MINUTES FROM MAY 12, 2009**
- 6. MONTHLY FINANCIAL REPORT - APRIL 2009**
- 7. PAY REQUEST NO. 1 FROM EDAW – 84<sup>TH</sup> STREET REDEVELOPMENT VISION - \$11,995.20**
- 8. APPROVAL OF CLAIMS**

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

A ADVERTISING & SUPPLY, Equipment	521.00
A C NELSEN RV WORLD, Vehicle Maint.	209.86
ABE'S PORTABLES, Rental	135.00
ACCURATE TESTING, Equipment Repair	401.00
ACTION BATTERIES, Vehicle Supplies	55.05
AI SQUARED, Supplies	114.00
ALAMAR UNIFORMS, Wearing Apparel	48.23
ALLIED ELECTRONICS, Bldg & Grnds	71.84
AMERICAN LEGAL, Contract Services	250.00
ANN TROE, Printing	640.00

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ARAMARK UNIFORM, Contract Services	260.53
ASPHALT & CONCRETE MATERIALS, Street Maint.	104.92
BAKER & TAYLOR BOOKS, Books	1,446.49
BAKER, MARCUS, Travel	422.40
BARONE SECURITY SYSTEMS, Contract Services	648.00
BENNETT REFRIGERATION, Bldg & Grnds	547.16
BENNINGTON EQUIPMENT, Vehicle Maint.	645.40
BENSON RECORDS, Contract Services	53.16
BETTER BUSINESS EQUIPMENT, Rentals	42.72
BLACK HILLS ENERGY, Utilities	989.62
BRENTWOOD AUTO WASH, Vehicle Maint.	132.00
BRODART, Books	11.40
CAMPBELL, KIRK, Refund	120.00
CARDMEMBER SERVICE, Travel/Supplies/Training	6,517.84
CENTER POINT PUBLISHING, Books	122.82
CITY OF OMAHA, Contract Services	75,248.58
CJ'S HOME CENTER, Vehicle Maint/Bldg & Grnds	907.00
COCA-COLA, Concessions	723.70
COMMERCIAL TURF AND TRACTOR, Maintenance	1,015.00
COMP CHOICE, Professional Services	255.50
COX, Contract Services	178.72
D & D COMMUNICATIONS, Repair	393.00
DATASPAN, Contract Services	574.80
DEMCO, Supplies	174.83
DIGITAL INTELLIGENCE, Equipment	1,261.00
DON'S PIONEER UNIFORMS, Wearing Apparel	733.80
DOUGLAS PRODUCTS AND PACKAGING, Supplies	4,200.00
DULTMEIER SALES & SERVICE, Vehicle Maint/Equip.	54.74
ELECTRIC SPECIALTIES, Contract Services	120.00
ELECTRONIC ENGINEERING, Vehicle Maint/Bldg & Grnds	484.41
FASTENAL, Traffic Signs	23.95
FEDEX KINKO'S, Printing	23.88
FOLLETT SOFTWARE, Supplies	164.05
FORT DEARBORN LIFE INSURANCE, Employee Benefits	2,572.50
GALL'S, Wearing Apparel	10.95
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	313.00
GENUINE PARTS COMPANY, Vehicle Maint/Supplies	1,292.13
GIESSINGER, EVA, Refund	40.00
GRAYBAR ELECTRIC, Bldg & Grnds	49.34
GREENKEEPER, Supplies	537.00
H & H CHEVROLET, Vehicle Maint.	105.00
HAMILTON COLOR LAB, Planning	535.00
HIGHSMITH CO, Supplies	166.20
HOST COFFEE SERVICE, Concession	20.00
HUNTER, APRIL, Refund	40.00
HY-VEE, Supplies	135.47
INDUSTRIAL SALES, Bldg & Grnds	298.72
J Q OFFICE EQUIPMENT, Supplies	341.01
JEFFUS, COREY, Refund	40.00
JOHNSON CONTROLS, Bldg & Grnds	1,363.60
JOHNSTONE SUPPLY, Bldg & Grnds	187.76
LANGLEY ANIMAL HOSPITAL, Contract Services	117.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	430.00
LINWELD, Supplies/Bldg & Grnds	456.93
LODES, CHRIS, Contract Services	142.50
LOGAN CONTRACTORS SUPPLY, Street Maint.	3,061.08
LOU'S SPORTING GOODS, Supplies	49.42
MAACO, Vehicle Maint.	419.96
METRO LANDSCAPE MATERIALS, Maintenance	1,400.00
METRO COMM COLLEGE, Utilities/Phone/Contract Services	10,194.79
MICHAEL TODD AND COMPANY, Vehicle Maint.	191.68
MID AMERICA PAY PHONES, Phone	100.00
MID CON SYSTEMS, Vehicle Maint.	145.31
MIDWEST TAPE, Media	41.72
MILLER BRANDS, Concessions	152.50
MILLER PRESS, Printing	62.00

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MOORE WALLACE, Printing	458.60
MULHALL'S, Tree	279.99
NATIONAL NEIGHBORHOOD WATCH, Supplies	46.50
NATIONAL SAFETY COUNCIL, Travel	165.00
NEBRASKA LANDSCAPE SOLUTIONS, Supplies	2,998.16
NEBRASKA LIBRARY COMMISSION, Training	479.23
NEBRASKA NATIONAL BANK, Cart Lease	660.00
NEBRASKA TURF PRODUCTS, Supplies	3,829.00
NEWMAN TRAFFIC SIGNS, Sign	126.43
NLA PUBLIC LIBRARY SECTION, Training	15.00
NORTHERN WATER WORKS SUPPLY, Equipment	504.00
NRPA-VIRGINIA, Dues	370.00
NUTS AND BOLTS, Vehicle Maint.	154.38
OABR PRINT SHOP, Printing	4,695.11
OFFICE DEPOT, Supplies	654.19
OMAHA COMPOUND, Bldg & Grnds	497.10
OMAHA WINNELSON, Bldg & Grnds	257.01
OMAHA WORLD HERALD, Advertising	341.75
OMB EXPRESS POLICE SUPPLY, Wearing Apparel	71.96
ON YOUR MARKS, Professional Services	316.49
OPPD, Utilities	38,337.55
ORIENTAL TRADING, Supplies	90.22
PAPILLION SANITATION, Contract Services	212.11
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	390.21
PAYLESS, Supplies	196.89
BUETHE, PAM, Travel/Pool/Supplies	484.87
POKORNY, KEVIN, Travel	100.00
POWER PLAN, Vehicle Maint.	203.99
PRECISION INDUSTRIES, Vehicle Maint.	63.96
PREMIER-MIDWEST BEVERAGE, Concessions	178.10
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	186.75
QUALITY BRANDS, Concessions	389.30
SAFETY-KLEEN CORPORATION, Contract Services	314.13
SAM'S CLUB, Supplies/Concessions	261.03
SAPP BROS, Vehicle Supplies	6,844.09
SARPY COUNTY LANDFILL, Cleanup	62.10
SMOOTHER CUT ENTERPRISES, Contract Services	600.00
STANDARD HEATING AND AIR, A/C	5,190.00
SUN COUNTRY DISTRIBUTING, Bldg & Grnds	26.89
SUN LIFE & HEALTH INSURANCE, Payroll Withholdings	1,898.38
SUN SOURCE, Vehicle Maint.	635.27
SUPERIOR SIGNALS, Vehicle Maint.	121.00
SUTPHEN CORPORATION, Vehicle Maint.	301.62
THOMPSON DREESSEN & DORNER, Professional Services	19,374.68
TRACTOR SUPPLY CREDIT PLAN, Supplies	189.95
TURF CARS, Electric Cart	419.45
U S ASPHALT COMPANY, Street Maint.	1,530.49
UPS, Postage	10.26
VITALSIGNS, Sign Maint.	1,225.00
WASTE MANAGEMENT, Contract Services	917.46
WATKINS CONCRETE BLOCK, Street Maint.	81.00

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Police Chief Lausten informed Council that the La Vista Police Department participated in the Annual Law Enforcement Torch Run for the Special Olympics last week running 7 miles of the course.

Councilmember Quick inquired about the Kindle book readers and whether that would be something the library would have. Library Director Iwan stated that the readers are costly but she will continue to monitor the price to try to fund some in a future year's budget.

## **B. RESOLUTION – AWARD CONTRACT – GOLF COURSE CART PATHS**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 09-046: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO TAB CONSTRUCTION COMPANY, OMAHA,

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NEBRASKA, FOR INSTALLATION OF CONCRETE CART PATHS AT THE GOLF COURSE IN AN AMOUNT NOT TO EXCEED \$10,588.90.

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

WHEREAS, the FY 2008/09 Capital Improvement budget provides funding for the proposed project.

WHEREAS, the Public Works Department solicited bids and recommends that a contract be awarded to TAB Construction Company, 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 TAB Construction Company, Omaha, Nebraska, for installation of concrete cart paths at the Golf Course in an amount not to exceed \$10,588.90, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

Seconded by Councilmember Sell. Public Works Director Soucie stated that concrete is cheaper than asphalt at this time and more durable. Acting Mayor Gowan asked if there was anyone here to speak on this agenda item. There being no one, Acting Mayor Gowan asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **C. RESOLUTION – AWARD CONTRACT – GOLF COURSE POND WATER TRANSFER SYSTEM**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-047: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MORRELL WATER SERVICES, OMAHA, NE, FOR INSTALLATION OF A POND WATER TRANSFER SYSTEM AT THE GOLF COURSE IN AN AMOUNT NOT TO EXCEED \$6,640.00.

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

WHEREAS, the FY 2008/09 Capital Improvement budget provides funding for the proposed project.

WHEREAS, Morrell Water Services completed Phase I of the irrigation system overhaul and is familiar with the entire operation; 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 Morrell Water Services, Omaha, Nebraska, for installation of a pond water transfer system at the Golf Course in an amount not to exceed \$6,640.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

Seconded by Councilmember Sheehan. Public Works Director Soucie stated that this was scheduled originally in last years construction season but when they picked up the pump they found that it required three phase power instead of a one phase, therefore more money was needed to put in the power. With the cost savings in electricity from having the three phase it will pay for itself in three to four years. Acting Mayor Gowan asked if there was anyone here to speak on this agenda item. There being no one, Acting Mayor Gowan asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

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## **D. RESOLUTION – AUTHORIZATION TO ADVERTISE FOR BIDS – MOWING TRACTORS**

Councilmember Quick introduced and moved for the adoption of Resolution No. 09-048: 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, SNOW BLOWER, WINTER WHEEL PACKAGE, AND LIGHT PACKAGE FOR THE PUBLIC WORKS DEPARTMENT.

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

WHEREAS, the FY 2008/09 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, snow blower, winter wheel package, and light package; in accordance with specifications prepared by the Public Works Park Superintendent and said bids are to be opened and publicly read aloud at 2:00 p.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska, on June 4, 2009.

Seconded by Councilmember Carlisle. Public Works Director stated that the cost of these mowers and attachments has gone up in the last twelve months. The bids will be for the tractors with and without the extra equipment. Acting Mayor Gowan asked if there was anyone here to speak on this agenda item. There being no one, Acting Mayor Gowan asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **E. RESOLUTION – AUTHORIZATION TO LEASE - GOLF CARTS**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 09-049: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LEASE-TO-OWN OF NINE ELECTRIC CLUB CAR GOLF CARS FOR LA VISTA FALLS GOLF COURSE FROM NEBRASKA NATIONAL BANK, KEARNEY, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$27,923.00 OVER 48 MONTHS.

WHEREAS, the City Council has deemed that a need exists to purchase additional golf cars for La Vista Falls Golf Course; and

WHEREAS, the City did appropriate funds in the FY08/09 Golf Fund budget for said lease-to-own; and

WHEREAS the Finance Director and Golf Course Manager have obtained suitable financing for this lease through Nebraska National Bank, Kearney, Nebraska; 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 City Council of La Vista, Nebraska, do hereby authorize the lease-to-own agreement for nine Electric Club Car Golf Cars for La Vista Falls Golf Course from Nebraska National Bank, Kearney, Nebraska, in an amount not to exceed \$27,923.00 and in form and content satisfactory to the City Administrator.

Seconded by Councilmember Quick. Assistant Recreation Director Karlson stated that these will replace 9 of the same type of cars which were purchased in 2002. Acting Mayor Gowan asked if there was anyone here to speak on this agenda item. There being no one, Acting Mayor Gowan asked for the vote. Councilmembers voting aye: Ronan, Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **F. RESOLUTION – APPLICATION FOR ADDITION TO LIQUOR LICENSE – BEYOND GOLF LLC DBA BEYOND GOLF**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 09-050: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA

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RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE APPLICATION FOR ADDITION TO THE CLASS C LIQUOR LICENSE FOR BEYOND GOLF LLC DBA BEYOND GOLF, LA VISTA, NEBRASKA.

WHEREAS, Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plaza, Suite 300, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their Class C Liquor License to add an outdoor area, 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 application for the addition to the Class C Liquor License submitted by Beyond Golf LLC dba Beyond Golf, 12040 McDermott Plaza, Suite 300, La Vista, NE.

Seconded by Councilmember Sell. Councilmember Sheehan asked if there would be problems with alcohol being handed through the fence since it is a more secluded area. Police Chief Lausten stated that it is the responsibility of the owner and employees to monitor the area. Should something happen, the establishment could face penalties and possibility lose its liquor license. Acting Mayor Gowan asked if there was anyone here to speak on this agenda item. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **G. RESOLUTION – STANDARD OPERATION POLICY – POOL HOURS OF OPERATION**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-051: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING CHANGES TO AN EXISTING COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a Council Policy Statement entitled Municipal Pool: Hours of Operation, Opening, Closing and Returns has been reviewed and changes to this Council Policy Statement for Normal Hours of Operation are recommended by the Recreation Director to the City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the changes to Council Policy Statement entitled Municipal Pool: Hours of Operation, Opening, Closing and Returns, and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Assistant Recreation Director Karlson stated that there are 7 guards and 2 managers on duty when the pool is open and with the lower number of patrons between 8:00 p.m. and 9:00 p.m. it would be a cost savings of about \$6,200.00 to close for that last hour. Councilmember Quick asked if it was advertised for the longer hours for the pool passes which have already been sold. Karlson stated he would check on this. Councilmember Crawford stated that we should leave the hours if people were told the longer hours. Councilmember Sheehan stated the pool should be left open in his opinion. Acting Mayor Gowan called for a second to the motion three times. There being no second the motion failed.

## **COMMENTS FROM THE FLOOR**

Acting Mayor Gowan asked if anyone from the audience would like to address the Council. There was no one who wished to address the Council.

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## COMMENTS FROM MAYOR AND COUNCIL

Council discussed the walking tour for the Vision 84 project stating that there was a good turnout both days and they saw 84<sup>th</sup> Street in a completely different way when walking in comparison to driving a vehicle. Many good observations and suggestions were heard from citizens and business owners during these tours.

At 7:28 p.m. Councilmember Sheehan made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 2ND DAY OF JUNE 2009.

CITY OF LA VISTA

ATTEST:

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Anthony Gowan, Acting Mayor

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Pamela A. Buethe, CMC  
City Clerk

K:\APPS\CITYHALL\09 COUNCIL MINUTES\May 19, 2009