

MINUTE RECORD

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

March 2, 2009

LA VISTA CITY COUNCIL MEETING March 2, 2010

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 2, 2010. 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 Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buehe, Assistant Library Director Linhart, Police Chief Lausten, Fire Chief Uhl, Assistant Recreation Director Karlson, Building and Grounds Director Archibald, and Public Works Director Soucie.

A notice of the meeting was given in advance thereof by publication in the Times on February 18, 2010. 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.

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

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

PROCLAMATION – GAMBLING AWARENESS WEEK

President Gowan read a proclamation declaring March 7th through March 13th as Gambling Awareness Week in La Vista

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM FEBRUARY 16, 2010
3. APPROVAL OF PLANNING COMMISSION MINUTES FROM
FEBRUARY 18, 2010
4. APPROVAL OF CLAIMS

Councilmember Crawford 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, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

84TH STREET CAFÉ, Supplies	79.82
ALAMAR UNIFORMS, Wearing Apparel	1,597.93
ALL STAR PRO GOLF, Golf Shop Supplies	546.26
ALL STAR TRUCK TOPPERS, Equipment	1,233.70
ALPHA SOURCE, Repair	50.50
ANDERSON, TERRY, Contract Services/Utilities	115.16
ARAMARK UNIFORM, Contract Services	264.53
ASPEN EQUIPMENT, Winter Maint.	614.94
ASPHALT & CONCRETE MATERIALS, Street Maint.	128.10
AUSTIN PETERS GROUP, Training	4,100.00
B G PETERSON, Bldg & Grnds	400.00
BADGER BODY, Winter Maint.	137.02
BAKER & TAYLOR BOOKS, Books	472.76
BCDM-BERINGER CIACCIO DENNELL, Professional Services	575.00
BCR-BIBLIOGRAPHICAL, InterLibrary Loan	29.73
BEACON BUILDING SERVICES, Contract Services	6,437.00
BENNINGTON EQUIPMENT, Vehicle Maint.	1,055.54
BLACK HILLS ENERGY, Utilities	2,597.66
BOB'S RADIATOR REPAIR, Vehicle Maint.	797.00
BUETHE, PAM, Petty Cash/Travel/Phone/Postage/Printing/Supplies	411.50
BUILDERS SUPPLY, Bldg & Grnds	576.90
CALENTINE, JEFFREY, Travel/Phone	732.92
CENTER FOR PROFESSIONAL DVLPMNT, Training	13,900.00
CENTER POINT PUBLISHING, Books	248.04
CITY OF OMAHA, Contract Services	80,590.74

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CONTROL MASTERS, Bldg & Grnds	2,624.05
CORNHUSKER INTL TRUCKS, Vehicle Maint.	52.88
COX COMMUNICATIONS, Contract Services	174.20
CREIGHTON EMS EDUCATION, Training	1,532.00
D & D COMMUNICATIONS, Repair	755.75
DARE CATALOG, Equipment	1,372.80
DELL MARKETING, Contract Services	2,656.88
DEMCO, Supplies	89.09
DON'S PIONEER UNIFORMS, Wearing Apparel	141.60
DOUGLAS COUNTY SHERIFF, Contract Services	50.00
EASTERN LIBRARY SYSTEM, Training	30.00
EMBASSY SUITES HOTEL, Fire Dept Banquet	3,243.60
EMERGENCY SERVICES MARKETING, Phone	48.60
FARQUHAR, MIKE, Auto Allowance	100.00
FEDEX, Postage	27.02
FILTER CARE, Vehicle Maint.	68.30
FIREGUARD, Repair	391.75
FORT DEARBORN LIFE INSURANCE, Employee Benefits	2,483.50
FRED PETERSON, Vehicle Maint.	600.00
FROEHLICH, RORY, Auto Allowance	100.00
FUTUREWARE DISTRIBUTING, Contract Services	22.00
GALE, Books	95.19
GCR OMAHA TRUCK TIRE CENTER, Supplies	361.40
GOLDMAN, JOHN, Phone	222.06
GREAT PLAINS UNIFORMS, Wearing Apparel	60.50
GUNN, BRENDA, Phone	45.00
HAMILTON COLOR LAB, Banner Stand	850.00
HARBOR FREIGHT TOOLS, Vehicle Maint.	79.92
HARTS AUTO SUPPLY, Vehicle Maint.	543.00
HEARTLAND AWARDS, Wearing Apparel	24.95
HELGET GAS, Squad Supplies	73.00
HY-VEE, Supplies	71.71
ICMA-INTL CITY/COUNTY MANAGE, Training/Travel	3,555.00
ICSC-INTL COUNCIL OF SHPG CTRS, Travel	100.00
INLAND TRUCK PARTS, Vehicle Maint.	172.29
INTERSTATE ALL BATTERY CENTER, Squad Supplies	171.60
INTERSTATE SUPPLY, Wearing Apparel	60.31
J Q OFFICE EQUIPMENT, Supplies/Contract Services	474.41
JONES AUTOMOTIVE, Vehicle Maint.	1,450.00
KELLY'S AWARDS, Medallions	604.00
KIMBALL MIDWEST, Vehicle Maint.	147.99
KINDIG, DOUGLAS, Phone	80.00
KLINKER, MARK, Professional Services	200.00
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	70.00
LANGLEY ANIMAL HOSPITAL, Contract Services	42.00
LAUGHLIN, KATHLEEN, Payroll Withholding	809.00
LEAGUE ASSN OF RISK MGMT, Insurance	650.00
LEXIS NEXIS MATTHEW BENDER, Books	287.94
LIBRARY ADVANTAGE, Supplies	140.00
LIEN TERMITE & PEST CONTROL, Contract Services	230.00
LIFE ASSIST, Squad Supplies	497.64
LINCOLN FINANCIAL, Payroll Withholding	1,115.49
LINWELD, Supplies	143.26
LUKASIEWICZ, BRIAN, Phone	50.00
LUPOMECH, CATHY, Travel	101.67
MANGELSEN'S, Supplies	46.98
MARK HYDRAULIC COMPANY, Vehicle Maint.	808.31
MES-MIDAM, Wearing Apparel	154.88
METRO COMMUNITY COLLEGE, Utilities/Phone/Contract Services	11,338.25
MID AMERICA PAY PHONES, Phone	50.00
MID CON SYSTEMS, Vehicle Maint.	60.60
MID-STATES UTILITY TRAILER, Vehicle Supplies	537.00
MOTOROLA, Data Computers	14,176.00
MUD, Utilities	1,294.17
NEBRASKA CHAPTER APWA, Training	500.00
NEBRASKA FIRE ADMIN ASSISTANTS, Dues	15.00
NEBRASKA GOLF COURSE, Dues	100.00
NEBRASKA IOWA SUPPLY, Vehicle Supplies	24,282.44
NEBRASKA LIBRARY COMMISSION, CD Rom	1,974.00
NEUMAN EQUIPMENT, Vehicle Supplies	90.00

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NEXTEL, Phone	97.13
NMC EXCHANGE, Vehicle Maint.	255.64
NUTS AND BOLTS, Winter Maint.	291.16
OABR PRINT SHOP, Printing	4,060.15
OFFICE DEPOT, Supplies	1,087.83
OMAHA COMPOUND COMPANY, Supplies	166.91
OMB EXPRESS POLICE SUPPLY, Supplies	32.98
PALTEC TRUCK EQUIPMENT, Vehicle Maint.	105.88
PAPILLION TIRE, Vehicle Maint.	60.85
PARAMOUNT LINEN & UNIFORM, Wearing Apparel/Uniform Cleaning	390.96
PAYLESS, Supplies	236.35
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	700.21
PITNEY BOWES, Supplies	221.00
PRECISION INDUSTRIES, Vehicle Maint.	1,056.76
PUSH PEDAL PULL, Equipment	589.00
QUALITY IRRIGATION, Contract Services	1,037.00
QWEST, Phone	1,193.58
RAINBOW GLASS & SUPPLY, Vehicle Maint.	19.95
RAMIREZ, RITA, Phone	43.00
RUSTY ECK FORD, Vehicle Maint.	170.78
SAPP BROS, Vehicle Supplies	1,735.50
SARPY COUNTY CHAMBER, Dues	150.00
SARPY COUNTY COURTHOUSE, Contract Services	3,495.03
SARPY COUNTY FIRE CHIEFS ASSN, Dues	150.00
SECURITY EQUIPMENT, Bldg & Grnds	149.00
SMITH, MELANIE, Training	49.95
SOUCIE, JOSEPH, Travel/Phone	165.00
SPRINT, Phone	119.28
STERIL MANUFACTURING, Repair	50.00
STOPAK, SCOTT, Phone	50.00
SUSPENSION SHOP, Vehicle Maint.	555.23
TIEHEN, JAMES, Auto Allowance	100.00
TY'S OUTDOOR POWER & SVC, Winter Maint.	20.95
UNIVERSAL STEERING HYDRAULIC, Vehicle Maint.	155.00
UNIVERSITY OF VIRGINIA, Training	3,000.00
UPS, Postage	9.56
USI EDUCATION/GOVT SALES, Supplies	71.81
VAIL, ADAM, Auto Allowance	100.00
VANDER HAAG'S, Vehicle Maint.	1,688.50
VERIZON, Phone	202.65
WICK'S STERLING TRUCKS, Vehicle Maint.	431.68
WITKOVSK, BARB, Training	31.75

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council of the Strategic Planning meeting which will be held on Tuesday, March 23rd. Gunn stated she would be in Lincoln on Wednesday to attend the session on LB1018, which begins at 10:00 a.m.

City Clerk Buethe informed Council the 2010 census forms will be arriving in mailboxes soon, most by the 17th of March. Elected Officials and City Staff are asked to encourage citizens to return their census questionnaire.

Assistant City Administrator Ramirez informed Council that the City has received several nice comments, notes, etc. about the La Vista Founders Day lunch. She stated the 50th Anniversary street banners are currently going up around the City. Ramirez stated the LV50 banner will be put up on the side of the Divine Truth store this week. The next LV50 event will be held on March 20th at the La Vista Public Library from 10:00 a.m. to 1:00 p.m.

Fire Chief Uhl informed Council that CPR classes are currently being made available for the La Vista Police Department and other city employees.

Public Works Director Soucie informed Council that street sweeping has started. The park crew is replacing dugout roofs at the Sports Complex. Soucie informed Council he will be attending LEAD training from March 6th through March 12th.

Assistant Recreation Director Karlson informed Council the Easter Egg hunt will be held rain or shine, or snow, on April 3rd, at the Sports Complex, the new site for the event. Councilmember Quick asked about the travel club. Karlson stated the club was going well

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Assistant Library Director Linhart informed Council she received an invitation from Fazoli's on March 23rd to celebrate the City's birthday. She stated that 15% of the proceeds will go to the Library.

At 7:10 p.m. Mayor Kindig arrived.

B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN

1. PUBLIC HEARING

At 7:13 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 gave a presentation on completed projects; projects scheduled for 2010 – 2011, and projected repairs for 2011 – 2012.

Resident Marshall Noker addressed Council to comment on the 2011 project for the intersection of 66th Street and Giles Road. He asked if the entrance to Wal-Mart would be changed. Public Works Director Soucie stated the entry will not change. Noker also commented on how much better road repair has been in La Vista, as compared to Omaha.

At 7:36 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Quick introduced and moved for the adoption of Resolution No. 10-020: 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 Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. RESOLUTION – APPROVE APPRAISAL SERVICES - THOMPSON CREEK

Councilmember Gowan introduced and moved for the adoption of Resolution No. 10-021: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPRAISAL SERVICES OF THOMAS E. STEVENS & ASSOCIATES FOR THE THOMPSON CREEK GRANT PROJECT IN AN AMOUNT NOT TO EXCEED \$12,300.00

WHEREAS, the City Council of the City of La Vista has determined that said appraisal services are necessary as part of the FEMA requirements for the acquisition of 24 homes along Thompson Creek; and

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WHEREAS, the FY 2009/10 Budget includes funding for this project; and

WHEREAS, the City council accepted a FEMA grant award of \$2,040,930.00 to facilitate the acquisition of 24 homes along Thompson Creek; and

WHEREAS, the City received proposals from three separate appraisal services; and

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, to authorize the appraisal services of Thomas E. Stevens & Associates for the Thompson Creek Grant Project in an amount not to exceed \$12,300.00.

Seconded by Councilmember Carlisle. Councilmember Crawford asked why the cheapest bid was not accepted. City Engineer Kottmann stated the appraiser in this case needs to have prior experience providing appraisals when federal funds are involved to ensure the appraisal complies with applicable regulatory requirements; and that the Company in question does not have any experience in this type of project. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – BID AWARD – BUILDING DEMOLITION – 7121 HARRISON STREET

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-022: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO FAGER EXCAVATION COMPANY, OMAHA, NEBRASKA, FOR DEMOLITION OF THE BUILDING LOCATED AT 7121 HARRISON STREET IN AN AMOUNT NOT TO EXCEED \$13,310.00.

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

WHEREAS, the FY 2009/10 Community Development budget provides funding for the proposed project.

WHEREAS, the Community Development Department and City Engineer solicited bids and recommends that a contract be awarded to Fager Excavation 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 Fager Excavation Company, Omaha, Nebraska, for demolition of the building located at 7121 Harrison Street in an amount not to exceed \$13,310.00, 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 Gowan. Councilmember Sheehan asked if the demolition would result in flat land at completion. City Administrator Gunn stated he was correct. Councilmember Sheehan asked if the pumps and underground tanks would remain on the property. City Engineer Kottmann stated the tanks would not be removed with this demolition. Only above ground structures and debris would be removed and hauled away from the site. In response to a question from Councilmember Crawford, City Administrator Gunn stated that the owner would be given 72 hours notice and opportunity to remove personal property prior to demolition. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

E. RESOLUTION – BASEBALL BACKSTOP REPLACEMENT – SPORTS COMPLEX

Councilmember Crawford introduced and moved for the adoption of Resolution No. 10-023: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) BASEBALL BACKSTOP FOR THE SPORTS COMPLEX FROM AMERICAN FENCE COMPANY, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$5,821.87.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one baseball backstop is necessary; and

WHEREAS, the FY 2009/10 General Operating Sports Complex Budget did include funds for the purchase of said baseball backstop; and

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WHEREAS, American Fence Company, Omaha, NE, is the most responsible 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 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 baseball backstop from American Fence Company, Omaha, Nebraska, in an amount not to exceed \$5,821.87.

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

F. POSITION DESCRIPTIONS

Assistant City Administrator Ramirez reviewed the position descriptions of the Public Works Director and the Assistant Public Works Director/City Engineer. Councilmember Sheehan asked why a position description for the Public Works Director was needed. Ramirez stated the position description has been updated.

Councilmember Carlisle made a motion to approve the position descriptions. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

G. EXECUTIVE SESSION – PERSONNEL

The Executive Session was canceled.

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and stated that anyone having comments should limit them to three minutes. There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig thanked Councilmember Sell for attending the D.A.R.E. graduation.

Mayor Kindig reminded Council that LB1018 would be voted on Wednesday morning at 10:00 a.m.

Mayor Kindig stated he presented the City of Papillion with the 50th Anniversary history book.

Mayor Kindig thanked the committee that put together the kickoff event this past Tuesday.

Councilmember Quick stated that the event was very good.

At 7:50 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF MARCH 2010

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk