

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING June 1, 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 June 1, 2010. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, City Engineer Kottmann, Fire Chief Uhl, Recreation Director Stopak, Finance Director Lindberg, Public Works Director Soucie, Community Development Director Birch, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on May 20, 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.

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

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

### **SERVICE AWARDS – MICHAEL CZARNICK – 15 YEARS; ROBERT GEORGE – 5 YEARS**

Mayor Kindig recognized Michael Czarnick for 15 years of service to the City and Robert George for 5 years of service to the City.

### **APPOINTMENT OF FIRE DEPARTMENT RECRUITS – ANDY BIERBRAUER, BOB BIERMAN, AUSTIN BRAKE, JOHN CAPPELLANO, LINDA CASEY, ED CEBALLO, DANI DEVOLL, AUSTIN GARNER, STEPHANIE GRADOVILLE, KEVIN JONES, MATT RAPPLEY, BOBBY WALZ**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruits: Andy Bierbrauer, Bob Bierman, Austin Brake, Linda Casey, Ed Ceballo, Dani Devoll, Austin Garner, Stephanie Gradoville, Kevin Jones, Matt Rapple, and Bobby Walz. Fire Chief Uhl introduced the new recruits to the Council. Councilmember Crawford motioned the approval, seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

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

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 18, 2010**
- 3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM MAY 13, 2010**
- 4. APPROVAL OF CLAIMS**

Councilmember Carlisle made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Crawford 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. Abstain: None. Absent: None. Motion carried.

ABE'S PORTABLES, Vehicle Maint.	86.00
AA WHEEL & TRUCK SUPPLY, Vehicle Maint.	111.81
ABANE MARKETING, Wearing Apparel	1,123.80
ACTION BATTERIES, Supplies	28.26
AGRIUM ADVANCED TECH, Supplies	3,712.50
AIR POWER, Equip. Repair	13.71
ALAMAR UNIFORMS, Wearing Apparel	65.00
ALL MAKES OFFICE EQUIPMENT, Equip. Repair	101.00
AMERA-CHEM, Books	76.90
AMERICAN FENCE, Refund	28.00
AMERICAN LIBRARY ASSN, Supplies	72.50

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ANN TROE, Printing	760.00
AOI CORPORATION, Office Furniture	1,571.18
APWA-AMER PUBLIC WORKS ASSN, Dues	141.00
ARAMARK UNIFORM, Contract Services	287.22
ASPHALT & CONCRETE MATERIALS, Street Maint.	341.34
AUSTIN PETERS GROUP, Training	3,000.00
BAKER & TAYLOR BOOKS, Books	1,696.88
BARCAL, ROSE, Travel	100.00
BARONE SECURITY, Contract Services	648.00
BARTON SOLVENTS, Bldg & Grnds	480.45
BCDM, Professional Services	2,025.00
BCR-BIBLIOGRAPHICAL, Contract Services	23.97
BEACON BUILDING SERVICES, Contract Services	6,712.00
BEAUMONT, MITCH, Travel	79.00
BENNINGTON EQUIPMENT, Vehicle Maint.	2,104.72
BEST CARE EMPLOYEE ASST PROGRM, Contract Services	2,175.00
BETTER BUSINESS EQUIPMENT, Rental	52.65
BLACK HILLS ENERGY, Utilities	1,316.82
BLUE CROSS BLUE SHIELD, Rescue Revenue	363.36
BRENTWOOD AUTO WASH, Vehicle Maint.	42.00
BROWN, RON, La Vista Daze	500.00
BUETHE, PAMELA, La Vista Daze/Vehicle Maint/Travel/Postage	2,226.10
BUILDERS SUPPLY, LV50 Float	20.16
CALENTINE, JEFFREY, Phone	30.00
CENTER POINT PUBLISHING, Books	248.04
CITY OF BELLEVUE, Training	900.00
CITY OF OMAHA SHOW MOBILE, La Vista Daze	1,180.00
COMP CHOICE, Professional Services	140.00
CONTROL MASTERS, Bldg & Grnds	525.00
CORNHUSKER INTL, Vehicle Maint.	8.07
CREIGHTON EMS EDUCATION, Training	1,870.00
D & D COMMUNICATIONS, Repair	55.26
D & J BEVERAGE SERVICE, Bldg & Grnds	280.00
DEETER FOUNDRY, Sewer Maint.	586.00
DIAMOND VOGEL PAINTS, Bldg & Grnds	41.95
EDGEWEAR SCREEN PRINTING, La Vista Daze/Wearing Apparel	813.75
EPPERSON, NICK, Contract Services	20.00
FARQUHAR, MIKE, Auto Allowance	100.00
FEDEX KINKO'S, Printing	1,860.25
FEDEX, Postage	24.96
FILTER CARE, Vehicle Maint.	31.50
FLORATINE CENTRAL TURF PRODS, Supplies	270.00
FREEDOM FIGHTERS, La Vista Daze	250.00
FROEHLICH, RORY, Auto Allowance	100.00
GALE, Books	97.19
GIFF PROPERTY SERVICES, Professional Services	3,000.00
GOLDMAN, JOHN, Phone	85.00
GRAYBAR ELECTRIC, Bldg & Grnds	388.99
GREAT AMERICAN LEASING, Contract Services	527.76
GREAT PLAINS ONE-CALL SVC, Contract Services	365.02
GREAT PLAINS UNIFORMS, Wearing Apparel	41.00
GREENKEEPER COMPANY, Supplies	353.80
GUNN, BRENDA, Phone	45.00
HARM'S CONCRETE, Bldg & Grnds	137.25
HARTS AUTO SUPPLY, Vehicle Maint.	540.00
HEARTLAND AQUA-TECH, Bldg & Grnds	441.90
HEARTLAND PAPER, Bldg & Grnds	143.00
HELGET GAS, Squad Supplies	108.00
HEWLETT PACKARD, Contract Services	733.00
INFO USA MARKETING, CD Rom	1,250.00
INTERSTATE ALL BATTERY, Vehicle Supplies	226.98
IVERSON, DENNIS, Wearing Apparel	120.00
J Q OFFICE EQUIPMENT, Contract Services	438.15
JOHN DEERE LANDSCAPES/LESCO, Supplies	95.95
JONES AUTOMOTIVE, Vehicle Maint.	40.00
KINDIG, DOUGLAS, Phone	80.00
KLINKER, MARK, Professional Services	200.00

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KOTTMANN, JOHN, Phone/Travel	256.00
KRIHA FLUID POWER, Vehicle Maint.	626.48
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	50.00
LANGLEY ANIMAL HOSPITAL, Contract Services	117.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	809.00
LINCOLN TENT, La Vista Daze	500.00
LINDBERG, SHEILA, Travel	103.00
LUKASIEWICZ, BRIAN, Phone	50.00
LUPOMECH, CATHY, Travel	221.00
MAPA, Travel/ Contract Services	5,100.00
METRO AREA TRANSIT, April Fees	545.00
METRO COMMUNITY COLLEGE, Phone/Utilities/Contract Services	6,202.89
METRO LANDSCAPE MATERIALS, Bldg & Grnds/Supplies	2,170.00
MICHAEL TODD AND COMPANY, La Vista Daze/Vehicle Maint.	249.63
MID AMERICA PAY PHONES, Phone	150.00
MIDLANDS CARRIER TRANSICOLD, Vehicle Maint.	113.87
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	189.15
MID-STATES UTILITY TRAILER, Vehicle Maint.	12.44
MIDWEST PLASTICS, LV50 Float	67.39
MIDWEST TAPE, Media	172.92
MIDWEST TURF & IRRIGATION, Equip. Repair	46.57
MIERS, RAYMOND, Rescue Revenue	457.69
MILLER BRANDS, Concessions	237.90
MUD, Utilities	1,312.98
NE DEPT OF LABOR, Contract Services	100.00
NE DEPT OF LABOR, Insurance	29.65
NEBRASKA TURF PRODUCTS, Supplies	113.75
NEBRASKA WELDING, La Vista Daze	43.99
NELSON & SONS GLASS, Equip. Maint.	133.44
NEXTEL, Phone	675.99
NMC EXCHANGE, Contract Services	182.00
NOBBIES, LV50 Float	116.87
NUTS AND BOLTS, LV50 Float	23.65
OABR PRINT SHOP, La Vista Daze/Printing	5,252.94
OFFICE DEPOT, Supplies	532.20
OMAHA WORLD HERALD, Advertising	308.00
PAPILLION LA VISTA SCHL, Advertising	50.00
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	549.02
PAYLESS, Supplies	449.92
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	84.05
PHYSICIANS MUTUAL, La Vista Daze/Printing	942.90
PITNEY BOWES, Supplies	221.00
PRECISION INDUSTRIES, Vehicle Maint.	175.92
PREMIER-MIDWEST BEVERAGE, Concessions	189.10
PRESTIGE FLAG, Bldg & Grnds	304.32
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	235.50
QUALITY BRANDS, Concessions	6,760.45
QWEST, Phone	1,148.04
RAINBOW GLASS & SUPPLY, Bldg & Grnds	346.12
RAMIREZ, RITA, Phone	43.00
RON'S CUSTOM LETTERING, Bldg & Grnds	250.00
ROSE EQUIPMENT, Vehicle Maint.	454.34
SAM'S CLUB, Dues	35.00
SARPY COUNTY COURTHOUSE, Contract Services	3,495.03
SCHOLASTIC BOOK FAIRS, Summer Reading Program/Media	103.06
SCHOLASTIC LIBRARY PUBLISHING, CD Rom	481.00
SENTRY ARMOR SYSTEMS, Forfeiture Funds	1,507.96
SHEPPARD'S BUSINESS INTERIORS, Chairs	4,071.80
SIGN IT, La Vista Daze	723.75
SIOUXLAND LIBRARIES, Supplies	16.99
SMOOTHER CUT ENTERPRISES, Contract Services	990.00
SOUCIE, JOSEPH, Phone	60.00
SPRINT, Phone	120.08
SQUAD-FITTERS, Wearing Apparel	344.90
STERIL MANUFACTURING, Bldg & Grnds	4,355.00
STOPAK, SCOTT, Phone	50.00
SUBURBAN NEWSPAPERS, LV50 Marketing	499.20

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SUPERIOR VISION, Employee Benefits	367.60
TAB HOLDING COMPANY, Cart Path Construction	19,964.25
TARGET BANK, Wearing Apparel	219.86
TEE'S PLUS, D.A.R.E. Reserve	538.92
TIEHEN, JAMES, Auto Allowance	100.00
TITAN MACHINERY, Vehicle Maint.	242.81
T-SHIRT ENGINEERS, Wearing Apparel	107.23
TURF CARS LTD, Electric Cart	620.00
UNITED RENTALS, Vehicle Maint.	860.18
VAIL, ADAM, Auto Allowance	100.00
VERIZON, Phone	197.16
WAL-MART, Supplies/Wearing Apparel/Squad Supplies	859.24
WASTE MANAGEMENT, Contract Services	4,040.14
WICK'S STERLING TRUCKS, Vehicle Maint.	451.35
ZOO BOOKS MAGAZINE, Books	25.95

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn stated the City wrapped up a successful La Vista Daze weekend.

Assistant City Administrator Ramirez echoed Gunn's statement, and informed Council that the event was very well marketed this year.

Finance Director Lindberg informed Council she chaired the "beer garden" committee and heard a lot of positive comments on the location of this year's beer garden.

Police Chief Lausten informed Council the shutting down of 84<sup>th</sup> street went well. There was one arrest at Central Park on Friday night.

Fire Chief Uhl informed Council he chaired the "parade" committee, and he felt the parade went well.

Public Works Director Soucie informed Council that a storm damage assessment will be completed. Soucie informed Council the filter at the pool was repaired in time for opening day. Soucie stated the 2010 La Vista Daze event went much smoother for public works than in recent years. Soucie informed Council that Long's was cleaned out on May 21<sup>st</sup>. He praised the Public Works crew for their work with La Vista Daze and the Long's clean up.

Community Development Director Birch introduced Brad Baber, the new Building Inspector for the City, to Council.

Building and Grounds Director Archibald informed Council he was on the "breakfast" committee. Archibald stated he felt the parade went well. There were a few issues with power but these were solved quite easily. Archibald also stated that he met the family of Mayor Davies, the first Mayor of La Vista.

Assistant Recreation Director Karlson informed Council he was the chair for the "cookout and fireworks" committee. Karlson gave an overview of the events of the evening.

Library Director Barcal informed Council the library will hold an Amnesty Week from July 6<sup>th</sup> through July 12<sup>th</sup>. Individuals will have fines waived when a donation is given for the food pantry.

## **B. ORDINANCE – AMEND MUNICIPAL CODE – SECTION 114.46**

Councilmember Gowan introduced Ordinance No. 1123 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.46; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan 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, Crawford, 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.

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Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question was, "Shall Ordinance No. 1123 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, 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 – AMEND LOTTERY OPERATOR AGREEMENT – HOURS OF OPERATION**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-061: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE LOTTERY OPERATOR AGREEMENT.

WHEREAS, the Nebraska State Legislature has recently passed legislation allowing the hours of sale for serving alcohol for consumption on the premises of a licensed establishment from 1:00 a.m. to 2:00 a.m.; and

WHEREAS, an amendment to the Lottery Operator Agreement has been prepared to allow the Contractor to extend hours of operation on any day beyond 1:00 a.m. to any time between 1:00 a.m. and 2:00 a.m. subject to prior approval of the City Administrator

WHEREAS, the City of La Vista has amended City Code Section 114.46 to change the permitted hours of sale of liquor for consumption on the premises of a licensed establishment.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the amendment to the Lottery Operator Agreement dated August 8, 2008, as presented at this meeting, is hereby approved and the Mayor and City Clerk are hereby authorized to execute said amendment on behalf of the City of La Vista.

BE IT FURTHER RESOLVED, by the Mayor and City Council of the City of La Vista Nebraska that this amendment will go into effect on the same date as the ordinance allowing extended bar hours which will be July 15, 2010 or 15 days after passage of the ordinance whichever is last.

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

## **D. RESOLUTION – PAPIO-MISSOURI RIVER NRD HAZARD MITIGATION PLAN**

Councilmember Quick introduced and moved for the adoption of Resolution No. 10-062: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT MULTI-HAZARD MITIGATION PLAN.

WHEREAS, a Multi-Hazard Mitigation Plan identifies the vulnerability of public bodies to natural hazards and the projects that can be implemented to reduce or eliminate vulnerability exposure, and

WHEREAS, FEMA now requires that a public entity must have a current Multi-Hazard Mitigation Plan in place before they are eligible for Federal funding for hazard mitigation projects and mitigation efforts resulting from natural disasters, and

WHEREAS, the Papio-Missouri River Natural Resource District is proposing to serve as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan for a six-county area including all of Sarpy, Douglas, Washington, and Dakota Counties as well as parts of Burt and Thurston Counties and all associated local governmental entities,

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approves participation in the proposed Multi-Hazard Mitigation Planning process described above, and pledges to attend required meetings and

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participate in those activities necessary to complete an effective plan for the public we serve.

Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, 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 stated that anyone having comments should limit them to three minutes. There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Quick asked about getting a new phone list. City Administrator Gunn stated would get her an updated list.

Councilmember Sheehan stated that moving the parade west of 84<sup>th</sup> was great. He gave kudos to Tim Schram for announcing the parade entries.

Mayor Kindig thanked Council for their assistance in filling in for him at events during the past five weeks. Kindig thanked staff for working around his schedule in recent weeks. Mayor Kindig said he was able to attend a round table session with Senator Johanns. He thanked council for allowing him and members of staff to attend ICSC as there were some good contacts made. Mayor Kindig stated he has no update on the 911 or Sewer Contracts.

At 7:38 p.m. Councilmember Sell 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 15TH DAY OF JUNE 2010

CITY OF LA VISTA

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

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk