

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING August 16, 2011

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 August 16, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Assistant Library Director Linhart, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Public Works Director Soucie, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on August 4, 2011. 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.

APPOINTMENT TO BOARD OF ADJUSTMENT – BRAD STRITTMATTER

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Brad Strittmatter to the Board of Adjustments. Councilmember Sell motioned the approval, seconded by Councilmember Sheehan. 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 AUGUST 2, 2011

3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM JULY 14, 2011

4. MONTHLY FINANCIAL REPORT – JULY 2011

5. PAY REQUEST – MIDWEST RIGHT OF WAY – PROFESSIONAL SERVICES -

\$1384.00

6. PAY REQUEST – BERRY DUNN – PROFESSIONAL SERVICES - \$6378.90

7. APPROVAL OF CLAIMS

AA WHEEL TRUCK SUPPLY, maint.	13.11
ABE'S PORTABLES, rentals	170.00
ACTION BATTERIES, supplies	37.90
ADT SECURITY, services	267.91
AETNA, refund	150.75
ALAMAR, apparel	870.91
AMERICAN MARKING, supplies	53.25
AMSAN, supplies	117.84
ARAMARK, services	371.49
ASSOCIATED FIRE PROTECTION, services	95.00
BAKER & TAYLOR BOOKS, books	2,260.50
BANKERS TRUST, lending	500.00
BCDM, services	1,327.26
BEAUMONT, M., travel	411.00
BENNETT REFRIGERATION, bld&grnds	707.15
BENNINGTON EQUIPMENT, maint.	430.41
BETTER BUSINESS EQUIPMENT, rentals	53.19
BLACK HILLS ENERGY, utilities	355.67
BRENTWOOD AUTO, maint.	112.00
BUILDERS SUPPLY, maint.	117.45
CARDMEMBER SERVICE, misc.	5,379.06
CJ'S HOME CENTER, maint.	1,129.05

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COUNCIL OF STATE GOV., books	112.50
COX, utilities	192.85
DANKO EMERGENCY EQUIP., maint.	261.82
DREWEL, RANDY, services	350.00
DULTMEIER, maint.	271.04
DXP, maint.	276.21
EASYWAY INTERNATIONAL LLC	76,429.00
EDGEWEAR SCREEN PRINTING, metals	198.90
EMBLEMS INC, apparel	357.00
FEDEX KINKO'S, printing	27.75
FELD FIRE, maint.	67.00
FLEETPRIDE, maint.	68.86
FLORATINE CENTRAL TURF PRODS, bld&grnds	420.00
FORT DEARBORN LIFE INSURANCE	1,369.00
FREMONT NATIONAL BANK & TRUST, lending	243.75
GALE, books	258.01
GENUINE PARTS, maint.	1,545.71
GRAINGER, bld&grnds	23.74
GREAT PLAINS ONE-CALL SVC, services	402.08
GREENKEEPER, bld&grnds	653.00
HARM'S CONCRETE, maint.	86.00
HEIMES CORP., maint.	115.34
HOBBY LOBBY, supplies	57.30
HOLSTEIN'S HARLEY DAVIDSON, maint.	172.60
HOST COFFEE, concessions	22.80
HUMANA, refund	262.47
HUNTEL COMM., phone	207.73
INDUSTRIAL SALES, bld&grnds	395.20
INTERSTATE POWER SYSTEMS, maint.	1,559.38
J A HEIM FARMS, services	288.40
J Q OFFICE EQUIPMENT, supplies	966.57
JONES AUTO., services	3,324.50
KLINKER, M., services	17.00
KRIHA FLUID POWER, maint.	97.70
KULUS, H., refund	50.00
LA VISTA CHAMBER OF COMMERCE, training	12.00
LANDS' END BUSINESS OUTFITTERS, apparel	25.45
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LINCOLN NATIONAL LIFE INS CO	8,716.37
LOGAN CONTRACTORS, maint.	220.50
LOGO LOGIX, apparel	172.00
LOWE'S, supplies	1,354.70
MAPA	219,372.00
MASSMAN NELSON REINIG, services	800.00
MASTER MECHANICAL, bld&grnds	949.00
MATHESON TRI-GAS, supplies	37.46
MAT, services	34.00
MCC, services	14,792.68
MID CON SYSTEMS, bld&grnds	398.31
MIDLANDS LIGHTING, bld&grnds	493.57
MIDWEST TAPE, media	240.96
MONARCH OIL, maint.	521.50
NEBRASKA CODE OFFICIALS ASSN, training	435.00
NEBRASKA IOWA SUPPLY, supplies	8,390.24
NEBRASKA LIBRARY COMM., supplies	466.00
NEWMAN TRAFFIC SIGNS, bld&grnds	31.70
NOBBIES, supplies	109.45
OFFICE DEPOT, supplies	555.38
OMAHA CHILDREN'S MUSEUM, services	195.00
OMAHA COMPOUND, bld&grnds	57.25

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OPPD, utilities	51,179.46
OMAHA SLINGS INC., bld&grnds	32.08
OMAHA WINNELSON, equip.	101.03
OMAHA WORLD HERALD, advertising	346.65
OMAHA WORLD HERALD, advertising	72.38
ON YOUR MARKS, services	1,158.28
O'REILLY AUTO., maint.	201.86
PAPILLION SANITATION, services	304.11
PARAMOUNT LINEN & UNIFORM, services	828.57
PATRICIA CATERING, services	1,222.75
PAYLESS OFFICE PRODUCTS, supplies	243.56
PEPSI COLA, concessions	501.00
PERFORMANCE CHRYSLER JEEP, maint.	427.07
PETTY CASH	417.24
PRIME COMM., bld&grnds	298.87
PROGRESSIVE BUSINESS, supplies	295.00
QUALITY AUTO REPAIR & TOWING, services	81.00
QWEST, phone	290.15
RAINBOW GLASS & SUPPLY, bld&grnds	236.00
READY MIXED CONCRETE, maint.	1,145.80
RECORDED BOOKS, books	71.54
REDFIELD & COMPANY, supplies	1,102.00
REGAL AWARDS, services	20.03
RETRIEVEX, services	84.72
SAM'S CLUB, supplies	2,016.26
SARPY COUNTY LANDFILL, maint.	375.87
SCHOLASTIC BOOK FAIRS, books	576.01
SELDERS, J., refund	108.00
SIRCHIE FINGER PRINT LABS, supplies	87.94
STATE STEEL OF OMAHA, maint.	34.66
STERIL MANUFACTURING, maint.	50.00
SUPERIOR VISION SVCS INC	424.88
SWANK MOTION PICTURES, movie nights	396.00
TED'S MOWER, equip.	227.64
TITAN MACHINERY, maint.	221.10
TRACTOR SUPPLY, supplies	29.99
UPS, postage	9.07
VIERREGGER ELECTRIC, bld&grnds	474.93
VOGEL TRAFFIC SERVICES, streets	7,152.10
WASTE MANAGEMENT NEBRASKA, bld&grnds	1,231.80
WATKINS CONCRETE BLOCK, maint.	327.75
WICK'S STERLING TRUCKS, maint.	8.19
WU, G., refund	90.00
ZOO BOOKS MAGAZINE, books	29.95

Councilmember Carlisle made a motion to approve the consent agenda. Seconded by Councilmember Quick. Councilmember Sell 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.

SPECIAL REPORT – SEDC – TOBY CHURCHILL – SECOND QUARTER REPORT

Toby Churchill with Sarpy County Economic Development Corporation presented the Second Quarter Report to the Mayor and Council. Churchill reported that Net Taxable Sales, Building Permit Valuations and Single Family Housing Permits Issued were all up for the quarter. He also stated that unemployment had lowered and there has been an increase of inquires to bring new business opportunities to Sarpy County.

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REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Public Works Director Soucie reported Elliott Knoell completed his Eagle Scout project at the Sports Complex, by painting the goal posts. Soucie also reported that the Arboretum was collecting data on types of trees in the public areas to determine future loss due to disease for the communities. Soucie reminded everyone about the upcoming Tire Collection Days on September 9 and 10, 2011, from 8am to 3pm. The collection is paid for by a grant from the Sarpy/Cass County Health Department. Along with tires they will accept batteries, motor oil and antifreeze.

B. CIMARRON TERRACE – PHASE II – CONDITIONAL USE PERMIT – LOT 1 CIMARRON WOODS REPLAT 3

1. PUBLIC HEARING

At 7:10 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Cimarron Terrace – Phase II Conditional Use Permit. Larry Jobeun representing Pedcor addressed the Mayor and Council. Jobeun stated that phase II would include 2 more buildings totaling 48 units, 16 attached garages, and 12 unattached garages. Jobeun also let the Mayor and Council know that Phase I has several cosmetic improvements both inside and outside the units that were above and beyond what the original conditional use permit called for. Mike Smith with Pedcor addressed the Mayor and Council and stated that Phase II would include those additional upgrades as well. Councilmember Sheehan responded that he thought the buildings did look better than anticipated. Sheehan also questioned if there were changes to the storm water run-off, Smith stated that there were no changes to that design, just cosmetic improvements.

At 07:18 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced Resolution No. 11-092 A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR PEDCOR INVESTMENTS-2011-CXXXIII, L.P. FOR THE SECOND PHASE OF A MULTI-FAMILY RESIDENTIAL DEVELOPMENT GENERALLY LOCATED SOUTHWEST OF 96TH AND HARRISON STREET.

WHEREAS, Pedcor Investments-2011-CXXXIII, L.P. and Pedcor Investments, LLC, an affiliated company, applied for a conditional use permit for the purpose of the second phase of the Cimarron Terrace multi-family residential development on Lot 1, Cimarron Woods Replat Three; and

WHEREAS, on July 21, 2011, the Planning Commission held a public hearing and recommended approval of the conditional use permit for this purpose; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting for Lot 1, Cimarron Terrace Replat Three, subject to the satisfactory approval by the City's Design Review Architect, for Pedcor Investments-2011-CXXXIII, L.P. be hereby is approved and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

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

C. FISCAL YEAR 2011/2012 MUNICIPAL BUDGET

1. APPROPRIATIONS ORDINANCE – SECOND READING

City Clerk Buethe read Ordinance No. 1152 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA

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FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2011 AND ENDING ON SEPTEMBER 30, 2012; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Carlisle made a motion to approve Ordinance No. 1152 on its second reading and pass it on to a third reading. Seconded by Councilmember Crawford. Councilmember Sheehan addressed the Council asking them to give feedback before the next meeting as to an idea to cut the proposed tax rate by 1 cent. In order to do this Councilmember Sheehan suggested cutting half of travel and training and eliminate any cost of living raises. Mayor Kindig suggested that if the Council would like to cut the tax rate that they allow staff to determine what should be cut. Councilmembers voting aye: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. MASTER FEE ORDINANCE – SECOND READING

City Clerk Bueth read Ordinance No. 1153 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1127, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle made a motion to approve Ordinance No. 1153 on its first reading and pass it on to a second reading. Seconded by Councilmember Ellerbeck. 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 UPDATE

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-093; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ADOPTING 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 order for the entity to be eligible for Federal funding from FEMA under several of its hazard mitigation grant programs and in order to receive post-disaster public assistance grants from FEMA; and

WHEREAS, the Papio-Missouri River Natural Resource District coordinated and developed its first All-Hazards Mitigation Plan in 2006; and

WHEREAS, the Papio-Missouri River Natural Resource served as the coordinating agency for the development of a multi-jurisdictional Multi-Hazard Mitigation Plan to serve as the update to the 2006 All-Hazards 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; and

WHEREAS, the planning process afforded the local units of government and its citizens the opportunity to comment and provide input in the plan and actions recommended in the plan; and

WHEREAS, FEMA regulations require documentation that the plan has been formally adopted by the governing body of the Papio-Missouri River Natural Resources District in

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the form of this resolution and further requesting approval of the plan at the Federal Level;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby adopts the Papio-Missouri River Natural Resources District Multi-Hazard Mitigation Plan in its entirety, resolves to execute the plan as proposed and requests approval of the plan by the Federal Emergency Management Agency.

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

E. RESOLUTION – NEBRASKA DEPARTMENT OF ROADS AND SUPPLEMENTAL AGREEMENT NO. 5 – LA VISTA LINK – KEYSTONE TRAIL

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-094; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE SUPPLEMENTAL AGREEMENT NO. 5 WITH THE NEBRASKA DEPARTMENT OF ROADS (NDOR) FOR THE LA VISTA LINK – KEYSTONE TRAIL PROJECT.

WHEREAS, the City Council of the City of La Vista and Nebraska Department of Roads (NDOR) have previously executed a Project program Agreement for a transportation project for which the Local Public Agency (LPA) would like to obtain Federal funds; and

WHEREAS, the FY 10/11 Capital Improvement Program contains funding for this project; and

WHEREAS, the City of La Vista understands that it must continue to strictly follow all Federal, State and local laws, rules, regulations, policies and guidelines applicable to the funding of the Federal-aid project; and

WHEREAS, the City of La Vista and NDOR wish to enter into a Supplemental Project Program Agreement No. 5 setting out modifications and/or additional duties and/or funding responsibilities for the Federal-aid project;

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the Mayor and City Clerk are hereby authorized to sign the attached Supplemental Project Program Agreement No. ENH-77(50), Supplement Number 5 between the City of La Vista and the NDOR.

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

F. RESOLUTION – CONTRACT AWARD – BRIDGE JOINT REPAIRS – PHASE 2 HARRISON STREET BRIDGE

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-095; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDED A CONTRACT TO CHAS. VRANA & SON CONSTRUCTION CO., OMAHA NEBRASKA FOR PHASE 2 REPAIR OF BRIDGE DECK JOINTS ON THE HARRISON STREET BRIDGE OVER EASTPORT PARKWAY IN AN AMOUNT NOT TO EXCEED \$89,070.00

WHEREAS, the City Council of the City of La Vista has determined that additional repair of bridge deck joints on the Harrison Street Bridge over Eastport Parkway is necessary; and

WHEREAS, the FY 2010/11 Capital Fund provides funds for the project; and

WHEREAS, Chas. Vrana & Son Construction Co. included this repair work as an alternate with their original low qualified bid in November 2010, 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.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award the contract to Chas. Vrana & Son Construction Co., Omaha Nebraska as the low qualified bid for Phase 2 repair of bridge deck joints on the Harrison Street Bridge over Eastport Parkway in an amount not to exceed \$89,070.00

Seconded by Councilmember Sell. Mayor Kindig asked if this could have been prevented had we done the repairs at a previous time. City Engineer Kottmann explained how the extreme heat this summer affects the expanding of the concrete and this it was determined that this work was not needed at the time of the other repairs. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

G. SPECIAL ASSESSMENTS

1. PUBLIC HEARING

At 7:35 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments.

At 7:35 pm. 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. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-096;
A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA 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
13261 Gertrude Street/Lot 343 Millard Highlands South II, \$472.87;
14207 Greenfield/Lot 121 The Meadows Replat V, \$537.60;
14211 Greenfield Rd/Lot 120 The Meadows Replat V, \$318.28;
7335 James Ave/Lot 486 La Vista Replat, \$158.88;
10204 Brentwood/Lot 177 Val Vista, \$240.65;
10618 Brentwood Dr/Lot 154 Val Vista, \$109.27;
10216 Brentwood Dr/Lot 175 Val Vista, \$109.27;
10208 Brentwood Dr/Lot 176 Val Vista, \$109.27;
10619 Hillcrest Drive/Lot 2A Val Vista, \$109.27;
10615 Hillcrest Drive/Lot 3 Val Vista, \$109.27;
10611 Hillcrest Drive/Lot 4 Val Vista, \$215.65; and
10202 Brentwood Dr/Lot 178 Val Vista, \$109.27
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, 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 Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 7:37 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for Contract Negotiations. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:09 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Carlisle asked why there were no sidewalks at the location of a new business in La Vista. City Administrator Gunn stated that industrial areas do not require sidewalks.

Councilmember Gowan stated that he would be gone for the third reading of the budget. Gowan thought that the City Council and Staff did a great job and that he does not like taking things away from the employees. If he could attend the meeting he would be voting for the current budget as presented.

At 8:12 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF SEPTEMBER, 2011

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk