



CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO JOSEPH SOUCIE JR, the La Vista Public Works Director, FOR 25 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, Joe Soucie, has served the City of La Vista since October 6, 1986, and

WHEREAS, Joe Soucie's input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED, that this Certificate of Appreciation is hereby presented to Joe Soucie on behalf of the City of La Vista for 25 years of service to the City.

DATED THIS 18TH DAY OF OCTOBER, 2011.



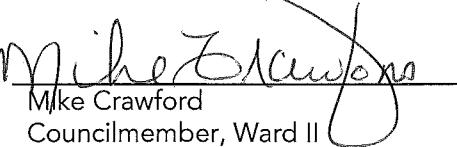
Douglas Kindig, Mayor



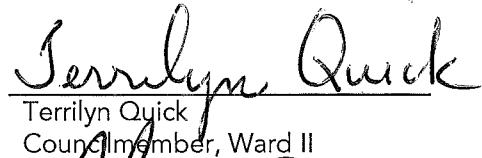
Ronald Sheehan
Councilmember, Ward I



Brenda L. Carlisle
Councilmember, Ward I



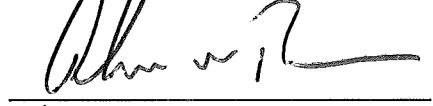
Mike Crawford
Councilmember, Ward II



Terrilyn Quick
Councilmember, Ward II



Mark D. Ellerbeck
Councilmember, Ward III



Alan W. Ronan
Councilmember, Ward III



Kelly R. Sell
Councilmember, Ward IV



Anthony J. Gowan
Councilmember, Ward IV

ATTEST:



Pamela A. Buethe, CMC
City Clerk



MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING October 04, 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 October 04, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Assistant Public Works Director/City Engineer Kottmann, Building and Grounds Director Archibald and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on September 22, 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.

SERVICE AWARD – TERRY FOSTER- 5 YEARS

Mayor Kindig recognized Terry Foster for 5 years of service to the City.

A. CONSENT AGENDA

1.APPROVAL OF THE AGENDA AS PRESENTED

2.APPROVAL OF CITY COUNCIL MINUTES FROM SEPTEMBER 20, 2011

3.APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM SEPTEMBER 8, 2011

4.PAY REQUEST – COMMONWEALTH CENTERS – HPO TRAINING - \$8,625.00

ACTION BATTERIES, bld&grnds	145.08
ALAMAR, apparel	553.98
ALEX, M., mileage	93.16
AQS, services	3036.00
ARAMARK, services	744.02
ASPHALT & CONCRETE MATERIALS, maint.	224.43
AVI SYSTEMS, equip.	129.00
BAKER & TAYLOR, books	3521.14
BEACON BUILDING SERVICES, services	6712.00
BENNINGTON EQUIPMENT, maint.	373.84
BERRY DUNN, services	12238.70
BETTER BUSINESS EQUIP., rentals	53.19
BLACK HILLS ENERGY, utilities	3377.14
BOUNDTREE MEDICAL, supplies	228.80
BUILDERS SUPPLY, bld&grnds	76.47
CBS HOMES, refund	50.00
CENTER POINT PUBLISHING, books	212.10
CENTURY LINK, utilities	1179.60
CENTURY LINK, utilities	237.25
FAULK, C., refund	10.00
CIACCIO ROOFING, bld&grnds	2747.00
CITY OF COUNCIL BLUFFS, training	120.00
CITY OF OMAHA, services	642.66
COLOMBO/PHELPS, supplies	97.33
COMP CHOICE, services	336.00
CONRECO INC., maint.	180.00
CORNHUSKER INTL, maint.	67.55
COX, utilities	78.04

MINUTE RECORD

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

October 04, 2011

D & D COMM., maint.	44.20
DANKO EMERGENCY EQUIP., maint.	327.77
DECOSTA SPORTING GOODS, apparel	136.00
DEMCO INC., supplies	335.72
DIAMOND VOGEL, supplies	554.05
DOUGLAS COUNTY ENGINEER, services	6963.01
DULTMEIER SALES & SERVICE, maint.	16.63
EASTERN LIBRARY, training	125.00
EDGEWEAR SCREEN PRINTING, apparel	504.50
ELECTRONIC ENGINEERING, maint.	440.00
EMBASSY SUITES, training	4406.40
FAC PRINT & PROMO, apparel	804.50
FEDEX KINKO'S, postage	31.99
FELD FIRE, apparel	7085.22
FILTER CARE, maint.	79.40
FIRE-EXTRICATION-HAZMAT, services	53.10
FIREFOX RESCUE EQUIP., supplies	144960.00
FITZGERALD SCHORR BARMETTLER, services	33372.09
FLEET, maint.	91.37
FLORATINE CENTRAL TURF, supplies	414.00
G I CLEANER, services	131.25
GALE, books	284.20
GAYLORD BROS, supplies	392.04
GRAYBAR ELECTRIC, supplies	203.15
GREAT PLAINS, apparel	200.00
GREENKEEPER, supplies	470.50
H & H CHEV., maint.	395.23
HANEY SHOE, apparel	88.95
HEARTLAND PAPER, supplies	142.00
HELGET GAS, supplies	78.00
HIGHSMITH, supplies	321.10
HOOK-FAST, apparel	52.97
HOWARD T DUNCAN, services	3375.00
HUNTEL, services	486.25
INLAND TRUCK, maint.	203.97
GETZFRID, J. refund	75.00
JOHN DEERE, bld&grnds	1160.00
JONES AUTO., maint.	75.57
KAPCO-KENT ADHESIVE, supplies	48.19
KEMP-WAIT, S., refund	23.99
KRIHA FLUID POWER, maint.	157.40
LA VISTA COMMUNITY FOUNDATION	75.00
LANDS' END, apparel	17.55
LARSEN SUPPLY, supplies	26.50
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LEAGUE OF NE MUN., dues	27867.00
LOGAN CONTRACTORS, maint.	614.00
MARSHALL CAVENDISH, books	129.20
MATHESON TRI-GAS, supplies	90.00
MENARDS, supplies	495.11
METHODIST, services	350.00
MAT, services	696.00
MUD, utilities	10124.39
MID AMERICA, phones	100.00
MIDLANDS BUSINESS JOURNAL, books	70.00
MID-STATES UTILITY, supplies	255.86
MIDWEST RIGHT OF WAY, services	2688.00
MIRACLE RECREATION EQUIP., maint.	2734.29
MOTOROLA, services	1331.20
MULLEN & MULLEN, services	25880.00

MINUTE RECORD

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

October 04, 2011

NATIONAL PAPER, supplies	371.30
NE DEPT OF REVENUE-FORM 94	25.00
NEBRASKA SALT & GRAIN, maint.	57447.17
NEBRASKA SOFTBALL ,dues	1488.00
NEW YORK TIMES, books	195.00
NEWMAN TRAFFIC SIGNS, supplies	4727.75
NEXTEL SPRINT, phone	204.49
NEXTEL SPRINT, phone	402.55
NLA-YOUNG ADULT ROUND TABLE, training	10.00
OCLC, books	27.96
OFFICE DEPOT, supplies	813.92
OMAHA DOOR & WINDOW, bld&grnds	2704.68
OMAHA WINNELSON, bld&grnds	164.66
OMNIGRAPHICS, books	139.70
ORIENTAL TRADING, supplies	112.19
PAPILLION LA VISTA SCHL, liquor revenue	7335.00
PAPILLION LA VISTA SCHOOL, parking revenue	60.00
PAPILLION TIRE, maint.	37.56
PARAMOUNT LINEN & UNIFORM, apparel	366.16
PAUL CONWAY SHIELDS, apparel	97.22
PAULSEN, D., refund	75.00
PAYLESS OFFICE, supplies	169.39
PERFORMANCE, maint.	30.79
PETTY CASH	188.50
PETTY CASH	58.89
PITNEY BOWES, supplies	187.00
PRINCIPAL LIFE-FLEX SPENDING	216.00
QUALITY BRANDS, supplies	235.90
READY MIXED, supplies	1083.33
RIDGE, R. & K., grant	5250.00
RIDGE, R. & K., grant	800.00
RIDGE, R. & K., grant	690.00
RUSTY ECK FORD, maint.	329.25
PETERSON, R., refund	35.00
SHAMROCK CONCRETE, maint.	326.56
SMOOTHER CUT, services	1650.00
SOCCER INTRNTLN., apparel	430.00
SPRINT, phone	62.01
SZALEWSKI, S., refund	14.99
THERMO KING, maint.	53.46
TOMSU, L., lib programs	171.75
TORNADO WASH, maint.	90.00
TRACTOR SUPPLY, supplies	355.21
U S ASPHALT, maint.	1268.13
UNDERWRITERS LAB., services	100.00
USPS, postage	1472.11
VAL VERDE APT., refund	25.00
VERIZON, phone	244.37
WAL-MART, supplies	2817.33
WHITE CAP CONSTR, supplies	70.00
WICK'S STERLING TRUCKS, maint.	175.66
WITMER PUBLIC SAFETY, supplies	982.00

Councilmember Carlisle made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Quick reviewed the claims for this period and reported that she 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.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

MINUTE RECORD

Assistant City Administrator Rameriz reported to the Council that the park tour has been rescheduled to spring.

Police Chief Lausten reported that he is working with the NE Human Society on options regarding dangerous breeds of dogs.

Finance Director Lindberg reported that budget books are at the printer and will be delivered next week.

Assistant Public Works Director/City Engineer Kottmann reported that the asbestos removal in the Thompson Creek buyout homes will be completed by the end of the week. The Keystone Trail is almost complete, and the Harrison Street Project will also be done this week. Kottmann also stated that snow districts are being worked on for the upcoming season.

Community Development Director Birch reported that all Inspectors are now certified in IRC and IBC along with other certifications in plumbing and other codes.

B. RESOLUTION – SPECIAL DESIGNATED LIQUOR LICENSE – ZEHRRER, INC. – DBA MORNING, NOON & NIGHT

Councilmember Sell introduced Resolution No. 11-117; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT A WINE TASTING EVENT AT 9637 GILES ROAD ON OCTOBER 15, 2011.

WHEREAS, 9637 Giles Road is located within the City of La Vista; and

WHEREAS, Zehrer, Inc. has requested approval of a Special Designated License to serve wine at a wine tasting event at 9637 Giles Road on October 15, 2011 from 5:00 p.m. to 9:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Zehrer, Inc. to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to serve wine at 9637 Giles Road, at a wine tasting event on October 15, 2011.

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

C. DISCUSSION – TEMPORARY SIGNAGE REGULATIONS

Community Development Director Birch and City Planner Solberg presented the Council with a presentation regarding temporary sign requirements for businesses in regards to the placement of signs, the number of signs, and the size of the sign as well as the length of time a sign should be left up.

Councilmembers Sheehan and Quick stated that they want a time limit on political signs. Councilmember Sheehan stated that he wants to give businesses the same opportunities as other cities give, and that he would be ok with signs being up for 5 days a week. Sheehan would like to look at how long other cities allow temporary signage to remain up. Councilmember Crawford asked if the Chamber could query businesses to see what they are looking for. City Administrator Gunn thought most businesses used temporary signage to advertise specials. She also posed the question if temporary signage requirements should be removed for commercial and industrial properties.

Diane Conneally approached the Council in regards to the discussion and stated that Front Line Businesses or spots are upset when those in the back get sign at front of property.

Councilmember Crawford suggested that the discussion be tabled and that Staff and Council talk to business owners to see what they want, possibly survey them.

The discussion ended and will resume after staff gathers more information from business owners and will present again to the Council.

MINUTE RECORD

D. RESOLUTION – SPECIAL ASSESSMENTS

1. PUBLIC HEARING

At 8:06 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 08:06 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. Abstain: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-118; 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
7354 S 69th Street, Lot 156, La Vista Replat, \$250.47;
7727 Park View Blvd, Lot 888, La Vista, \$250.47;
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 Carlisle. Councilmembers voting aye: Sell, Ronan, Quick,
Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent:
None. Motion carried.

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

COMMENTS FROM THE FLOOR

A citizen, Randy Eshehman appeared before the Council in regards to political signs and the
limits to signs, stating that political signs can have no limit.

Resident Linda Burke appeared before the Council. She is a recent victim of crime on Park View
Blvd, and wondered why the police can't send out letters or a phone notice to residents to be
more aware. Resident Martin Ware also appeared before the Council requesting more police
presence in his neighborhood. Staff stated that they would look into these issues for the
residents and follow up with them.

E. EXECUTIVE SESSION – CONTRACT NEGOTIATION

At 08:17 p.m. Councilmember Carlisle made a motion to go into executive session for contract
negotiation. Seconded by Councilmember Gowan. 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.

MINUTE RECORD

At 08:38 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 Sheehan apologized to Council for voting for ballot language to delay vote until May.

At 08:43 p.m. Councilmember Crawford 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. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 18TH DAY OF OCTOBER, 2011

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

CITY OF LA VISTA
SAFETY COMMITTEE MEETING

MINUTES

July 12, 2011

I. CALL TO ORDER

A meeting of the Safety Committee convened on July 12, 2011 at 9:00 am at the La Vista Police Station, 7701 So. 96th St, La Vista, NE. Called to order at 9:20 am.

Present: Bob Lausten, Rich Uhl, Jeff Sinnett, Jeff Siebels, Mary Alex, Pam Buethe

Absent: Randy Ruhge, Rich Carstensen, Pat Cavlovic

II. APPROVAL OF MINUTES FROM OCTOBER MEETING

Motion by Lausten to approve minutes from May 17, 2011 meeting. Second by Siebels. Minutes were approved.

III Sub-Committee Reports

No information regarding sub-committees at this time.

IV OLD BUSINESS

Buethe reported that the committee members with 3-year terms are up for renewal; Uhl, Buethe, Sinnett. Lausten intends to find a replacement from the FOP for Ruhge's position on the committee. Buethe indicated the new and re-appointments will be on the August 2nd City Council agenda.?????

Report from Buethe regarding the Health & Wellness Committee:

Flu shots will now be accompanied by glucose screening and blood check screenings. An invitation was sent to participate in the Omaha Corporate Cup run and the Race for the Cure. The committee is looking for feedback and participation in these events. Sinnett suggested an employee from Public Works sit on this committee, Buethe will check with Garrod to see if she would also attend those meetings.

Incident reports were distributed for the first 6 months and reviewed by the committee. Lausten noted a numerous amount of incidents that included "backing up" and will notify Lukasiewicz about the number of these instances.

The committee would like to see more documentation. Buethe is working on new ways to sort the reports. There is still confusion as to where employees are supposed to go during a tornado or fire drill. It was suggested that fire drill and evacuation plans be given to all new employees and reviewed. A better clarification is needed as to who will communicate directions to residents in the event an occurrence happens while in a city building.

V NEW BUSINESS

Uhl discussed the upcoming webinar “Managing the Unthinkable”. Department Heads and Mid-Level Managers are encouraged to attend. It is scheduled for July 28th from noon-1:30 at District 2. In the event of a catastrophic occurrence, every employees needs to know what to do and where to go regardless of where they are at on the sheet and Lausten will bring this up for discussion at the next department head meeting on how to communicate this to all employees.

Sinnett brought up the idea of a Safety Award again. Decisions need to be made on how to award, based on what criteria. It was discussed that too many of these awards would de-value the significance. Lausten suggested we wait for Performance Measurements and the idea was tabled for discussion at a later date.

The next Safety Committee meeting is scheduled for October 11, 2011 in which elections and re-elections will be held. Buethe will create a Blue letter for the new committee members to be approved by City Council.

Lausten noted he has been attending the emergency management meetings in Bellevue regarding flooding issues and noted how organized the meetings were. A synopsis is given weekly on the flood issues, interested parties were invited to attend as well.

Fire Dept began a new program in June. They conduct blood pressure screening including pulse, respirations, and pulse oxygen readings on Sundays at District 1 Fire Station on a drop-in basis from 1 to 3 every Sunday except holidays. Uhl reported a low attendance.

III. ADJOURNMENT

Motion to adjourn meeting at 10:10 am by Buethe, Second by Uhl. Meeting adjourned.



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

PLANNING COMMISSION MINUTES
SEPTEMBER 15, 2011

The City of La Vista Planning Commission held a regular meeting on Thursday, September 18, 2011, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Krzywicki, Malmquist, Gahan, Andsager, Nielsen, Miller and Alexander. Members absent were: Kramolisch, Hewitt, and Circo. Also in attendance were Christopher Solberg, City Planner and John Kottmann, Assistant Public Works Director/City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order

- a. The meeting was called to order by Chairman Krzywicki at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – August 18, 2011

- a. Gahan moved, seconded by Malmquist to approve the August 18, 2011 minutes as submitted. **Ayes:** Nielsen, Krzywicki, Malmquist, Gahan, Andsager, Alexander and Miller. **Nays:** None. **Abstain:** None. **Absent:** Circo, Kramolisch and Hewitt
Motion Carried. (7-0)

3. Old Business

A. Continued Public Hearing from August 18, 2011 regarding 2011-CUP-03 for a Conditional Use Permit for a Home Occupation, Gunsmith, located on Lot 24, Millard Highlands South II, Sarpy County, Nebraska

- i. **Staff Report:** Solberg stated the applicant has applied for a Conditional Use Permit to allow the use of the business within his home. The business would include the cleaning of firearms and transfer of sales of firearms out of his home. Based on review comments the specific conditions of the permit related to the proposed use include:

Permitted use will utilize approximately 120 square feet in the basement. Hours of operation will generally be from 8:00 a.m. to 8:00 p.m. Monday through Saturday by appointment only. There will be no employees. Activities will include the cleaning of firearms and the transfer of firearms sales as regulated by the Bureau of Alcohol Tobacco, Firearms and Explosives (ATF). Owner will

maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the ATF. There will be no stocking or sales of ammunition. There will be no stocking of firearms available for sale. There will be no test firing or discharge of firearms on the premises. Only ten firearms, other than those owned by the property owner, will be on site at any one time. All firearms shall be secured in an acceptable gun safe whenever the operator is not actively working with the firearms. Fire escape routes shall be properly designated. There shall be no storage, placement or display of goods or supplies outside described areas relating to the conditional use. Client parking will consist of owner's driveway.

It is staff recommendation pending comments received during the public hearing regarding any further safeguards which may need to be evaluated, to approve of the Condition Use Permit for Home Occupation – Gunsmith.

The public hearing remained open from the August 18, 2011 meeting.

Chairman Krzywicki asked if anyone would like to speak on the item.

The applicant came forward.

Chairman Krzywicki asked if he had read all of the conditions and was okay with them.

Mr. McMurray stated he had read the conditions and approved of them.

Chairman Krzywicki stated the conditions stated no storing or sales of the ammunition. If Mr. McMurray hunts on his own does he keep his own personal ammunition in the home.

Mr. McMurray stated he does keep his own personal firearms and ammunition in his home, but there will not be ammunition for sale. He stated that there will be no ammunition for sale and nothing stocked for sale. Anything that comes through to be sold, will have been purchased from somewhere else and he would be doing the transfer for them.

Chairman Krzywicki questioned the amount of safe storage that was available.

Mr. McMurray stated he has a twenty-eight gun safe that is fire rated.

Chairman Krzywicki questioned, for Commissioner Hewitt, if the process used to clean the guns release any metals into the air, metals left by ammunition such as lead and other environmentally challenging alloys.

Mr. McMurray stated as far as he knows it is totally environmentally friendly as far as after the breakdown. He stated he hasn't gotten into yet but it is supposed to be all safe with no hazards to the environment.

Solberg stated, in response to Commissioner Hewitt's questions, it was based

off of her brothers operation that does not use this sonic cleaning and so he needed to have a hood for air contaminants to insure that there was no contamination into the air.

Chairman Krzywicki, questioned, for Commission Hewitt, if the City does any testing to confirm that there is not contamination and upon the annual inspection does the City inspector check the soil for contamination.

Solberg stated that is not something the City typically does.

Chairman Krzywicki questioned how the contaminants are disposed of.

Mr. McMurray stated he would dispose of it down the drain.

Chairman Krzywicki if the City did any research about disposing these contaminants down the drain.

Solberg stated he has not, but he can and can provide comment to City Council.

Commissioner Miller questioned if it had a filtration device.

Mr. McMurray stated it does.

Commissioner Miller questioned how he will advertise his business.

Mr. McMurray stated there will not be a sign and he will not be open to the public. He will be advertising through word of mouth and probably through gun developer and have his name on there as an FFL.

- ii. **Public Hearing Closed:** Gahan moved, seconded by Malmquist to close the public hearing. **Ayes:** *Nielsen, Krzywicki, Malmquist, Gahan, Andsager, Alexander and Miller.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Kramolisch and Hewitt* **Motion Carried.** (7-0)

- iii. **Recommendation:** Malmquist moved, seconded by Nielsen to recommend to approval of the Conditional Use Permit for Home Occupation – Gunsmith with the conditions outlined in addition of item F that there will be no stocking, or sale of ammunition for sale other than his own. Prior to City Council applicant must ascertain the make-up of what will be disposed of and where and in what manner it will be disposed. **Ayes:** *Nielsen, Krzywicki, Malmquist, Gahan, Andsager, Alexander and Miller.* **Nays:** *None.* **Abstain:** *None.* **Absent:** *Circo, Kramolisch and Hewitt* **Motion Carried.** (7-0)

4. New Business

A. Civic Center Park Plan Update.

- i. **Staff Report:** Solberg stated the Civic Center Park Plan process will begin by meeting with RDG the consultant as well as the sub-consultants out at the site

to do a walk through and look at all the aspects of the current site, as well as, looking at the pool property and all the way down Thompson Creek to 72nd Street.

5. Comments from the Floor

None.

6. Comments from the Planning Commission.

None.

7. Adjournment

Miller moved, seconded by Alexander, to adjourn. **Ayes:** Nielsen, Krzywicki, Malmquist, Gahan, Andsager, Alexander and Miller. **Nays:** None. **Abstain:** None. **Absent:** Circo, Kramolisch and Hewitt **Motion Carried.** (7-0)

Reviewed by Planning Commission:

Recorder

Planning Commission Chair

Approval Date



**CITY OF LA VISTA
BOARD OF ADJUSTMENT
SEPTEMBER 28, 2011
6:30 P.M.**

The City of La Vista Board of Adjustment held a meeting on Wednesday, September 28, 2011, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Vice Chairman Jordan called the meeting to order at 6:30 p.m. with the following members present: Jordan, Malmquist, Brown and Strittmatter. Also in attendance was Christopher Solberg, City Planner.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order

- a. The meeting was called to order by Vice Chairman Jordan at 6:30 p.m. Copies of the agenda and staff reports were made available to the public.

2. Approval of Meeting Minutes – March 24, 2011

- a. Malmquist moved, seconded by Brown to approve the March 24, 2011 minutes adding Jordan seconded on #2, Brown seconded on item #3, #6 the adjournment. **Ayes:** Jordan, Malmquist, Brown and Strittmatter. **Nays:** None. **Abstain:** None. **Absent:** Paulsen. **Motion Carried.** (4-0)

3. Old Business

None.

4. New Business

A. Election of Officers.

- i. **Staff Report:** Solberg stated due to the passing of Ms. McEneaney a new Secretary must be elected.

Commissioner Jordan asked for nominations and then nominated Gayle Malmquist. Brown seconded the nomination.

iii. **Recommendation:** Jordan moved, seconded by Brown to elect Malmquist as Board of Adjustment Secretary. **Ayes:** Jordan, Malmquist, Brown and Strittmatter. **Nays:** *None*. **Abstain:** *None*. **Absent:** Paulsen. **Motion Carried.** (4-0)

B. Variance Request for Reduced Setback for a Single Family Residential House.

i. **Applicant Report:** John Taylor came forward and discussed Habitat for Humanity of Sarpy County. He stated Habitat for Humanity would not be able to build on the property without the setback variance. Mr. Taylor requested approval of the variance.

ii. **Public Hearing Opened:** Malmquist moved, seconded by Strittmatter to open the public hearing. **Ayes:** Jordan, Malmquist, Brown and Strittmatter. **Nays:** *None*. **Abstain:** *None*. **Absent:** Paulsen. **Motion Carried.** (4-0)

Julie Roland came forward and questioned how far are they wanting to go toward Park View Blvd.

Solberg stated that the current zoning allowed for the building to be set back twenty-five feet from Park View Blvd which would match the set-backs for the rest of the houses on Park View Blvd. It is not going to come out toward Park View. It will match the old house that was there, fifteen feet from Lillian Avenue. This house was in non-conformance with the code and was supposed to be setback thirty feet from Lillian. This request is to set it back fifteen feet from Lillian, which would be the only portion that would be in non-conformance with the code.

Ms. Roland stated as long as it was not allowing the building toward Park View Blvd she was okay with the request.

Ms. Roland questioned if the Habitat for Humanity home would be held to the same codes and standards as other homes. She questioned if they would have jobs.

Mr. Taylor came forward and stated that Habitat for Humanity has a family selection committee that goes through the stringent process for example they can't have declared bankruptcy within the past fifteen years; you have to have a job and be able to afford it. The Habitat for Humanity doesn't give the house to the family; they have to pay for it. They are responsible to keep it up and there is a maintenance committee that checks to make sure they are maintained properly.

iv. **Public Hearing Closed:** Malmquist moved, seconded by Strittmatter to close the public hearing. **Ayes:** Jordan, Malmquist, Brown and Strittmatter. **Nays:** *None*. **Abstain:** *None*. **Absent:** Paulsen. **Motion Carried.** (4-0)

v. **Recommendation:** Brown moved, seconded by Strittmatter to grant a variance, as proposed, finding that at least one hardship has been created by the strict

application of the Zoning Ordinance and finding that each specific requirement has been satisfied. **Ayes:** Jordan, Malmquist, Brown and Strittmatter. **Nays:** None. **Abstain:** None. **Absent:** Paulsen. **Motion Carried.** (4-0)

5. **Adjournment**

Malmquist moved, seconded by Strittmatter, to adjourn. **Ayes:** Jordan, Malmquist, Brown and Strittmatter. **Nays:** None. **Abstain:** None. **Absent:** Paulsen. **Motion Carried.** (4-0)

Reviewed by Board of Adjustment:

Recorder

Board of Adjustment Chair

Approval Date

CITY OF LAVISTA, NEBRASKA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE, ALL GOVERNMENTAL FUND TYPES

For the twelve months ended September 30, 2001

100% of the Fiscal Year

THE JOURNAL OF CLIMATE

* FY11 Liability and Workers' Comp Insurance

**Preliminary due to accruals and audit adjustments

CITY OF LAVISTA
COMBINED STATEMENT OF REVENUES, EXPENDITURES
AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS

BUDGET AND ACTUAL

For the twelve months ended September 30, 2011

100% of the Fiscal Year

Sewer Fund										Golf Course Fund										
REVENUES					EXPENDITURES					REVENUES					EXPENDITURES					
<u>Budget</u>	MTD <u>Actual</u>	YTD <u>Actual</u>	Over (Under) <u>Budget</u>	% of Budget <u>Used</u>	<u>Budget</u>	MTD <u>Actual</u>	YTD <u>Actual</u>	Over (Under) <u>Budget</u>	% of Budget <u>Used</u>	<u>Budget</u>	MTD <u>Actual</u>	YTD <u>Actual</u>	Over (Under) <u>Budget</u>	% of Budget <u>Used</u>						
User fees	\$ 1,873,922	\$ 187,505	\$ 1,891,695	\$ 17,773	101 %	\$ 190,000	\$ 21,537	\$ 227,405	\$ 37,405	124%										
Service charge and hook-up fees	125,000	25,192	374,376	249,376	300%	-	-	33,800	4,440	-										
Merchandise sales	-	-	-	-	n/a			38,918	5,118	115%										
Grant	-	-	36,154	36,154	n/a	-	-	-	-	-										
Miscellaneous			68	134%				300	61	150%										
	<u>200</u>	<u>17</u>	<u>2,302,492</u>	<u>303,370</u>	<u>115%</u>	<u>224,100</u>	<u>61</u>	<u>26,038</u>	<u>266,773</u>	<u>42,521</u>	<u>119%</u>									
Total Revenues	<u>1,999,122</u>	<u>212,713</u>																		
EXPENDITURES																				
General Administrative	446,776	47,103	435,958	(10,818)	98%	-	-	26,950	3,375	29,003	2,053	-	103%							
Cost of merchandise sold	-	-	-	-	-	(193,250)	8%	204,953	26,220	204,838	(115)	100%								
Maintenance	1,500,772	156,034	1,307,522	-	-	-	-	141,658	14,535	124,061	(17,596)	88%								
Production and distribution	-	-	-	(2,213)	97%	7,000	-	-	-	5,932	(1,068)	85%								
Capital Outlay	79,250	1,667	77,037	(2,213)	-															
Debt Service:																				
Principal	-	-	-	-	-	110,000	-	110,000	-	-	100%									
Interest						22,533	-	22,533	-	44,129	496,397	(16,726)	-	97%						
	<u>2,026,798</u>	<u>204,804</u>	<u>1,820,517</u>	<u>(206,281)</u>	<u>90%</u>	<u>513,093</u>		<u>44,129</u>	<u>496,397</u>	<u>(16,726)</u>	<u>97%</u>									
Total Expenditures	<u>2,026,798</u>	<u>204,804</u>																		
OPERATING INCOME (LOSS)	(27,676)	7,908	481,974	(509,650)				(288,993)	(18,091)	(229,593)	59,250									
NON-OPERATING REVENUE (EXPENSE)																				
Interest income																				
INCOME (LOSS) BEFORE OPERATING TRANSFERS	<u>10,000</u>	<u>137</u>	<u>5,897</u>	<u>(4,103)</u>	<u>59%</u>	<u>25</u>	<u>10</u>	<u>39</u>	<u>14</u>	<u>152%</u>	<u>152%</u>									
OTHER FINANCING SOURCES (USES)																				
Operating transfers in (out)	(17,676)	8,046	487,872	(505,548)				(288,968)	(18,081)	(229,554)	59,414									
NET INCOME (LOSS)	<u>\$ (17,676)</u>	<u>\$ 8,046</u>	<u>\$ 487,872</u>	<u>\$ (505,548)</u>				<u>270,000</u>	<u>117,467</u>	<u>250,000</u>	<u>(20,000)</u>	<u>93%</u>								
NET ASSETS, Beginning of the year				<u>4,839,878</u>																
NET ASSETS, End of the year				<u>\$ 5,327,750</u>																

**Preliminary due to accruals and audit adjustments



PO Box 1100, 100 Middle Street, Portland, ME 04104-1100

I N V O I C E

09/30/2011

Client #: 110382.00

Invoice #: 327784

City of La Vista
Sheila Lindberg
8116 Park View Boulevard
La Vista, NE 68128

\$ _____
AMOUNT REMITTED

City of La Vista

BerryDunn
Invoice #: 327784

09/30/2011

Professional services rendered by our Government Consulting Group related to the project to assist the City of La Vista with consulting services for development of an Information Technology Strategic Plan.

Deliverable D2: Current Environment Report (90% Complete)	\$2,413.35
Deliverable D3: Preliminary List of Strategic Issues (100% Complete)	\$1,720.50
Deliverable D4: Prioritized List of Strategic Issue (100% Complete)	\$7,486.50
Deliverable D5: Prioritized List of Projects and Initiatives (80% Complete)	\$4,352.40
Current Amount Due	\$ <u>15,972.75</u>

Consent Agenda
10-18-11
05.71.0844.01
eJ

A late charge of 1.5% per month (18% per annum) is added to the balance after 30 days.
For your convenience, we accept VISA and MASTERCARD.

(207)775-2387
www.berrydunn.com

Accrue-FY11

MIDWEST

Right of Way Services, Inc.

October 1, 2011

Ms. Pam Buethe, City Clerk
City of LaVista
8116 Parkview Blvd.
LaVista, Nebraska 68128

Invoice No.: 3008
Midwest Right of WayServices #273

**Right of Way Services in connection with
Thompson Creek/LaVista FEMA Buyout**

For the period of September 1, 2011 through September 30, 2011

Total Contract		\$ 129,800.00
Total Billed through August 31, 2011		\$ 61,138.00

Project Manager	3.00	hours at	\$80	per hour	\$ 240.00
Acquisition Agent	31.00	hours at	\$68	per hour	\$ 2,108.00
Relocation Agent		hours at	\$68	per hour	\$ -

Total Amount Due for this Invoice	\$ 2,348.00
--	--------------------

Total Remaining on Contract (after this invoice)	\$ 66,314.00
--	--------------

Total Amount for Past Due Invoices	\$ -
---	-------------

Total Amount Currently Due	<u>\$ 2,348.00</u>
-----------------------------------	---------------------------

For questions regarding this invoice, please call Jack Borgmeyer at 955-2900.

Consent
Agenda

OK to Pay
P. Bueche
10/6/11
05.71.0645.09



KISSEL / E & S ASSOCIATES, LLC
301 S 13TH STREET
LINCOLN, NE 68506

Invoice

Invoice #: 579
Invoice Date: 10/10/2011
Due Date: 10/10/2011

Bill To:

United Cities of Sarpy County
C/O Brenda Gunn, City Administrator
City of Lavista
8116 Park View Blvd
LaVista, NE 68128

Date	Service	Amount
10/10/2011	Legislative Services: October 2011 - September 2012. Divided between 4 members: \$36,000/4 Credit from interest	\$36,000.00 9,000.00 -10.36

Total \$8,989.64

Payments/Credits \$0.00

Balance Due \$8,989.64

Due upon receipt.

Please send payment to:
Kissel/E&S Associates
Attn: Joseph D. Kohout
301 S 13th St, Ste. 400
Lincoln, NE 68508

OK
PLS

10-18-11
Consent
1-11-0314

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1 Bank of Nebraska (600-873)									
105314	10/05/2011	4618	COMMONWEALTH CENTER FOR HIGH			8,625.50			**MANUAL**
105315	10/11/2011	4620	CERTIFIED PROPERTY MGMT INC &			50.00			**MANUAL**
105316	10/13/2011	3702	LAUGHLIN, KATHLEEN A, TRUSTEE			648.00			**MANUAL**
105317	10/13/2011	4620	CERTIFIED PROPERTY MGMT INC &			1,282.26			**MANUAL**
105318	10/13/2011	195	OMAHA PUBLIC POWER DISTRICT			25.00			**MANUAL**
105319	10/13/2011	553	METROPOLITAN UTILITIES DIST.			200.00			**MANUAL**
105320	10/13/2011	4614	RIDGE, ROGER AND KATHY			740.00			**MANUAL**
105321	10/13/2011	4614	RIDGE, ROGER AND KATHY			700.00			**MANUAL**
105322	10/18/2011	3983	ABE'S PORTABLES INC			158.54			
105323	10/18/2011	762	ACTION BATTERIES UNLTD INC			186.68			
105324	10/18/2011	571	ALAMAR UNIFORMS			14.00			
105325	10/18/2011	3852	ALERT-ALL CORP			3,750.50			
105326	10/18/2011	1973	ANN TROE			680.00			
105327	10/18/2011	536	ARAMARK UNIFORM SERVICES INC			243.12			
105328	10/18/2011	188	ASPHALT & CONCRETE MATERIALS			246.65			
105329	10/18/2011	1839	BCDM-BERINGER CIACCIO DENNELL			517.59			
105330	10/18/2011	1784	BENNINGTON EQUIPMENT INC			545.48			
105331	10/18/2011	4350	BIERBRAUER, ANDREAS			50.00			
105332	10/18/2011	249	BKD LLP			2,250.00			
105333	10/18/2011	196	BLACK HILLS ENERGY			19.53			
105334	10/18/2011	1724	BNA			432.00			
105335	10/18/2011	56	BOB'S RADIATOR REPAIR CO INC			210.00			
105336	10/18/2011	4454	BRAKE, AUSTIN			100.00			
105337	10/18/2011	1242	BRENTWOOD AUTO WASH			126.00			
105338	10/18/2011	76	BUILDERS SUPPLY CO INC			123.00			
105339	10/18/2011	2625	CARDMEMBER SERVICE-ELAN			.00	**CLEARED**	**VOIDED**	
105340	10/18/2011	2625	CARDMEMBER SERVICE-ELAN			.00	**CLEARED**	**VOIDED**	
105341	10/18/2011	2625	CARDMEMBER SERVICE-ELAN			.00	**CLEARED**	**VOIDED**	
105342	10/18/2011	2625	CARDMEMBER SERVICE-ELAN			11,295.23			
105343	10/18/2011	219	CENTURY LINK			37.28			
105344	10/18/2011	83	CJ'S HOME CENTER			.00	**CLEARED**	**VOIDED**	
105345	10/18/2011	83	CJ'S HOME CENTER			.00	**CLEARED**	**VOIDED**	
105346	10/18/2011	83	CJ'S HOME CENTER			.00	**CLEARED**	**VOIDED**	
105347	10/18/2011	83	CJ'S HOME CENTER			723.03			
105348	10/18/2011	836	CORNHUSKER INTL TRUCKS INC			314.38			
105349	10/18/2011	270	DECOSTA SPORTING GOODS			693.55			
105350	10/18/2011	77	DIAMOND VOGEL PAINTS			799.35			
105351	10/18/2011	3334	EDGEWEAR SCREEN PRINTING			256.50			
105352	10/18/2011	1245	FILTER CARE			23.75			
105353	10/18/2011	3132	FORT DEARBORN LIFE INSURANCE			1,351.00			
105354	10/18/2011	4050	FROEHLICH, RORY			100.00			
105355	10/18/2011	3705	FUTUREWARE DISTRIBUTING INC			195.00			
105356	10/18/2011	3984	G I CLEANER & TAILORS			315.85			
105357	10/18/2011	966	GENUINE PARTS COMPANY-OMAHA			.00	**CLEARED**	**VOIDED**	
105358	10/18/2011	966	GENUINE PARTS COMPANY-OMAHA			.00	**CLEARED**	**VOIDED**	
105359	10/18/2011	966	GENUINE PARTS COMPANY-OMAHA			.00	**CLEARED**	**VOIDED**	
105360	10/18/2011	966	GENUINE PARTS COMPANY-OMAHA			1,403.88			
105361	10/18/2011	35	GOLDMAN, JOHN G			46.00			
105362	10/18/2011	285	GRAYBAR ELECTRIC COMPANY INC			121.96			
105363	10/18/2011	426	HANEY SHOE STORE			129.00			
105364	10/18/2011	526	HOST COFFEE SERVICE INC			23.90			

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
105365	3646 INTERNATIONAL CODE COUNCIL INC	10/18/2011				550.00			
105366	1896 J Q OFFICE EQUIPMENT INC	10/18/2011				587.27			
105367	4450 JI SPECIAL RISKS INSURANCE	10/18/2011				708.64			
105368	1054 KLINKER, MARK A	10/18/2011				200.00			
105369	2394 KRIHA FLUID POWER CO INC	10/18/2011				214.85			
105370	4425 LANDPORT SYSTEMS INC	10/18/2011				125.00			
105371	4254 LINCOLN NATIONAL LIFE INS CO	10/18/2011				.00	**CLEARED**	**VOIDED**	
105372	4254 LINCOLN NATIONAL LIFE INS CO	10/18/2011				8,721.68			
105373	2664 LOU'S SPORTING GOODS	10/18/2011				146.04			
105374	263 LOVELAND GRASS PAD	10/18/2011				44.64			
105375	4560 LOWE'S CREDIT SERVICES	10/18/2011				393.89			
105376	2124 LUKASIEWICZ, BRIAN	10/18/2011				46.00			
105377	4456 MARKOWSKY, T J	10/18/2011				100.00			
105378	877 MATHESON TRI-GAS INC	10/18/2011				130.33			
105379	4619 MERTING, JORDAN	10/18/2011				36.00			
105380	1526 MIDLANDS LIGHTING & ELECTRIC	10/18/2011				246.73			
105381	3904 MIDWEST BREATHING AIR LLC	10/18/2011				289.42			
105382	2382 MONARCH OIL INC	10/18/2011				462.00			
105383	680 NATIONAL ARBOR DAY FOUNDATION	10/18/2011				15.00			
105384	2388 NEBRASKA NATIONAL BANK	10/18/2011				1,163.43			
105385	2530 NOVA HEALTH EQUIPMENT	10/18/2011				2,921.44			
105386	491 NSAWWA	10/18/2011				160.00			
105387	179 NUTS AND BOLTS INCORPORATED	10/18/2011				14.58			
105388	1831 O'REILLY AUTOMOTIVE STORES INC	10/18/2011				570.62			
105389	1014 OFFICE DEPOT INC	10/18/2011				47.66			
105390	79 OMAHA COMPOUND COMPANY	10/18/2011				149.68			
105391	195 OMAHA PUBLIC POWER DISTRICT	10/18/2011				.00	**CLEARED**	**VOIDED**	
105392	195 OMAHA PUBLIC POWER DISTRICT	10/18/2011				20,079.38			
105393	46 OMAHA WORLD HERALD COMPANY	10/18/2011				382.59			
105394	3039 PAPILLION SANITATION	10/18/2011				304.11			
105395	2686 PARAMOUNT LINEN & UNIFORM	10/18/2011				213.08			
105396	3058 PERFORMANCE CHRYSLER JEEP	10/18/2011				579.68			
105397	191 READY MIXED CONCRETE COMPANY	10/18/2011				1,130.29			
105398	1770 RUFFNER, JAMES	10/18/2011				46.00			
105399	292 SAM'S CLUB	10/18/2011				1,324.74			
105400	2240 SARPY COUNTY COURTHOUSE	10/18/2011				3,588.49			
105401	150 SARPY COUNTY TREASURER	10/18/2011				9,646.87			
105402	1864 SINNETT, JEFF	10/18/2011				420.00			
105403	533 SOUCIE, JOSEPH H JR	10/18/2011				425.02			
105404	3893 STRATEGIC INSIGHTS INC	10/18/2011				675.00			
105405	4276 SUPERIOR VISION SVCS INC	10/18/2011				359.60			
105406	143 THOMPSON DREESSEN & DORNER	10/18/2011				19,069.26			
105407	3633 TRICARE	10/18/2011				267.64			
105408	167 U S ASPHALT COMPANY	10/18/2011				623.88			
105409	4223 VAIL, ADAM	10/18/2011				100.00			
105410	78 WASTE MANAGEMENT NEBRASKA	10/18/2011				1,224.56			
105411	2541 ZOLL MEDICAL CORPORATION	10/18/2011				6,151.00			
	BANK TOTAL					124,409.60			
	OUTSTANDING					124,409.60			
	CLEARED					.00			
	VOIDED					.00			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO BANK NAME

CHECK NO DATE VENDOR NO VENDOR NAME CHECK AMOUNT CLEARED VOIDED MANUAL

FUND		TOTAL	OUTSTANDING	CLEARED	VOIDED
01	GENERAL FUND	84,481.52	84,481.52	.00	.00
02	SEWER FUND	13,697.05	13,697.05	.00	.00
05	CONSTRUCTION	20,157.15	20,157.15	.00	.00
08	LOTTERY FUND	788.00	788.00	.00	.00
09	GOLF COURSE FUND	4,368.89	4,368.89	.00	.00
15	OFF-STREET PARKING	916.99	916.99	.00	.00
REPORT TOTAL		124,409.60			
OUTSTANDING		124,409.60			
CLEARED		.00			
VOIDED		.00			
+ Gross Payroll 10/14/11		<u>230,053.91</u>			
GRAND TOTAL		<u>\$354,463.51</u>			

APPROVED BY COUNCIL MEMBERS 10/18/11

COUNCIL MEMBER

LA VISTA CITIZEN ADVISORY REVIEW COMMITTEE

B

To: Mayor and Members of the City Council

Dt: September 8, 2011

Fr: Citizen Advisory Review Committee

Re: Economic Development Program Bi-Annual Report

Pursuant to §117-15 (g) the Citizen Advisory Review Committee shall report to the Mayor and City Council, at least once every six months, regarding the Economic Development Program. The following report generally covers activity for the period of March 2011 to date:

1. One application to the Economic Development Program has been received to date. The application was from John Q. Hammons to construct a full service Embassy Suites Hotel and conference center facility, which opened in July of 2008 and a Marriott Courtyard Hotel, which opened in May of 2009. These facilities are located in the Southport West subdivision.
2. The City has been collecting sales tax revenue for the Economic Development fund since its effective date and the fund had accumulated approximately \$480,000. In FY 11 the fund received \$1,186,573 in loan payments (interest only) from John Q. Hammons. Expenditures in FY 11 were \$1,999,533 for debt service associated with the grant and construction loan.
3. The Economic Development Fund Budget for Fiscal Year 2012 anticipates that \$1,092,152 will be carried forward from FY 11 and the fund will receive \$1,186,573 in revenue from loan payments (interest only) by John Q. Hammons. Expenditures in FY 12 will include debt service payments of \$1,463,172 in interest and \$535,000 in principal.
4. The City's assessed valuation for 2012 is over \$1 billion, up less than 1% from 2011. Over the past 10 years, growth in the City's valuation has averaged about 11%.
5. Net taxable sales decreased by 4.2% from 2009 to 2010, going from \$182,170,349 in 2009 to \$174,451,981 in 2010. The first five months of 2011 seem to have rebounded in terms of net taxable sales with January through May showing an increase of 13.58% over the same period last year. (This is the most recent data available from the State Department of Revenue.) We are hopeful this trend will continue throughout the remainder of 2011.
6. During the 2010 fiscal year (October 1, 2009 through September 30, 2010), the City received \$3,499,189 in local option sales tax revenue. This is an increase of approximately 9.2% as compared to the prior fiscal year. During the first eleven months of the current fiscal year (October, 2010 through August, 2011) sales tax revenue has increased \$235,573 over the same period last year.
7. Building permit totals were \$43,487,781 in 2008, a decrease from the previous year. In 2009 the total building permit valuations were \$27,316,647, making 2009 the lowest year for permit valuations in 10 years. In light of the overall economic conditions and the subsequent slowdown in construction, this was not totally unexpected. 2010 finished strong for building permits bringing the total permit valuations for the year to \$50,312,009, making this the strongest year since 2007. Total building permit valuations since 1997 are over \$865 million. (The last two months of 2010 saw over \$16 million in permit valuations with the Pedcor multi-family project and the senior housing project both taking out permits during this time.) Through July of 2011 building permit valuation totals are \$17,386,397.

The members of the Citizen Advisory Review Committee consider themselves trustees of La Vista's Economic Development Program, based upon the parameters of Ordinance 921. In submitting this bi-annual report, the Committee notes that it has a sincere interest in monitoring and reporting to the Mayor and City Council on the City's economic health and objectively evaluating the City's progress and success in the economic arena. Thank you for this opportunity and we are happy to answer any questions.

Respectfully submitted:

Lynda Shafer, Chair
Doug Kellner, Vice-Chair
Jeff Schovanec, Secretary
Rick Burns
Brenda Carlson

CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 18, 2011 AGENDA

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT — HOME OCCUPATION GUNSMITH LOT 28, MILLARD HIGHLANDS SOUTH	◆RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit to operate a Home Occupation, gunsmith, on Lot 28, Millard Highlands South, located at 7114 S. 137th Avenue.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled for Council to consider an application submitted by Lee A. McMurray for a conditional use permit to operate a Home Occupation as a gunsmith on Lot 28, Millard Highlands South, located at 7114 S. 137th Avenue.

Staff has reviewed the application for the conditional use permit and has the following comments:

1. Permitted use will utilize approximately 120 square feet in the basement.
2. Hours of operation will generally be from 8:00 a.m. to 8:00 p.m. Monday through Saturday, by appointment only.
3. There will be no employees.
4. Activities will include the cleaning of firearms and the transfer of firearms sales as regulated by the Bureau of Alcohol Tobacco, Firearms and Explosives (ATF).
5. Owner will maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the ATF.
6. Waste material from activities shall be properly disposed of as per Nebraska Department of Environmental Quality (NDEQ) guidelines.
7. There will be no stocking or sales of ammunition.
8. There will be no stocking of firearms available for sale.
9. There will be no test firing or discharge of the firearms on the premises.
10. Only ten firearms, other than those owned by the property owner, will be on site at any one time.

All firearms shall be secured in an acceptable gun safe whenever the operator is not actively working with the firearms.

11. Fire escape routes shall be properly designated.
12. There shall be no storage, placement or display of goods or supplies outside described areas relating to the conditional use.
13. Client parking will consist of the owner's driveway.

A detailed staff report is attached.

The Planning Commission held a public hearing on September 15, 2011 and voted unanimously to recommend approval of the Conditional Use Permit with the conditions outlined and in addition that there will be no stocking or sale of ammunition for sale other than the owners. Prior to City Council the applicant must ascertain the make-up of what will be disposed of and where and in what manner it will be disposed.

\Lvdcfp01\Users\Administration\BRENDA\ COUNCIL\11 Memos\ CUP Home Occupation Gunsmith.Doc

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT TO OPERATE A HOME OCCUPATION, GUNSMITH, ON LOT 28, MILLARD HIGHLANDS SOUTH, LOCATED AT 7114 S 137TH AVENUE.

WHEREAS, Lee A. McMurray has applied for a conditional use permit for the purpose of operating a Home Occupation (Gunsmith) at 7114 S 137th Avenue; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes, subject to the conditions identified within Section 6.05 of the Zoning Ordinance.

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 for Lee A. McMurray to operate a Home Occupation (Gunsmith) at 7114 S 137th Avenue.

PASSED AND APPROVED THIS 18TH DAY OF OCTOBER 2011.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER:

FOR HEARING OF: October 18, 2011

Report Prepared on: October 11, 2011

I. GENERAL INFORMATION

A. APPLICANT:

Lee A. McMurray

B. PROPERTY OWNER:

Lee A. McMurray

C. LOCATION:

7114 S. 137th Avenue, located in the City's ETJ.

D. LEGAL DESCRIPTION:

Lot 28 Millard Highlands South II a Subdivision of Sarpy County, Nebraska.

E. REQUESTED ACTION(S):

Approval of Conditional Use Permit to allow Home Occupation - Gunsmith

F. EXISTING ZONING AND LAND USE:

R-1 – Single Family Residential

G. PURPOSE OF REQUEST:

Allow for an in-home business that includes the cleaning of firearms and the transfer of sales of firearms.

H. SIZE OF SITE:

0.18 acres

II. BACKGROUND INFORMATION

A. EXISTING CONDITION OF SITE:

Slowly rolling residential site.

B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:

1. **North:** Single Family Residential – R-1
2. **East:** Single Family Residential – R-1
3. **South:** Park – R-1
4. **West:** Single Family Residential – R-1

C. RELEVANT CASE HISTORY: N/A

D. APPLICABLE REGULATIONS:

1. Section 5.06 – R-1 Single-Family Residential
2. Article 6 – Conditional Use Permits

III. ANALYSIS

A. COMPREHENSIVE PLAN:

The Future Land Use Map designates this property as residential.

B. OTHER PLANS: N/A

C. TRAFFIC AND ACCESS:

1. The property has access to 137th Ave through the southern edge of the property.

D. UTILITIES:

All utilities are available to the site.

IV. REVIEW COMMENTS:

1. In addition to the base conditions within the conditional use permit, the following conditions have been added:
 1. Permitted use will utilize approximately 120 square feet in the basement.
 2. Hours of operation will generally be from 8:00 a.m. to 8:00 p.m. Monday through Saturday, by appointment only.
 3. There will be no employees.
 4. Activities will include the cleaning of firearms and the transfer of firearms sales as regulated by the Bureau of Alcohol Tobacco, Firearms and Explosives (ATF).
 5. Owner will maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the ATF.
 6. Waste material from activities shall be properly disposed of as per Nebraska Department of Environmental Quality (NDEQ) guidelines.
 7. There will be no stocking or sales of ammunition for sale.
 8. There will be no stocking of firearms available for sale.
 9. There will be no test firing or discharge of the firearms on the premises.
 10. Only ten firearms, other than those owned by the property owner, will be on site at any one time. All firearms shall be secured in an acceptable gun safe whenever the operator is not actively working with the firearms.
 11. Fire escape routes shall be properly designated.
 12. There shall be no storage, placement or display of goods or supplies outside described areas relating to the conditional use.
 13. Client parking will consist of owner's driveway.
2. An annual inspection to determine compliance with the conditions of approval will be required. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.

V. STAFF RECOMMENDATION:

Pending comments received during the public hearing regarding any further safeguards which may need to be evaluated, staff recommends approval of the Conditional Use Permit for Home Occupation - Gunsmith.

VI. PLANNING COMMISSION RECOMMENDATION:

During their September 15, 2011 meeting, the Planning Commission voted unanimously to recommend to approval of the Conditional Use Permit for Home Occupation – Gunsmith with the conditions outlined in addition of item F that there will be no stocking, or sale of ammunition for sale other than his own. Prior to City Council applicant must ascertain the make-up of what will be disposed of and where and in what manner it will be disposed.

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Draft Conditional Use Permit
3. Site Plan of where activities will be limited to in the McMurray residence.
4. Letters from Lee A. McMurray describing activities of the Home Occupation.
5. L&R Ultrasonics documentation
6. Planning Commission requested information about disposal.

VII. COPIES OF REPORT SENT TO:

1. Lee A. McMurray
2. Public Upon Request


Prepared by:  10-11-11
Community Development Director Date

Harrison Street



Location Map

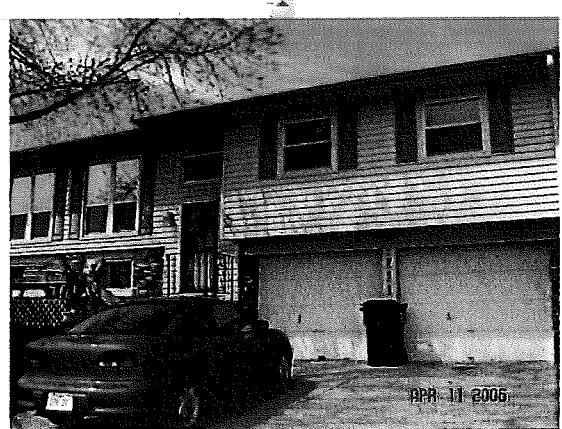
McMurray CUP Application

September 8, 2011
CAS



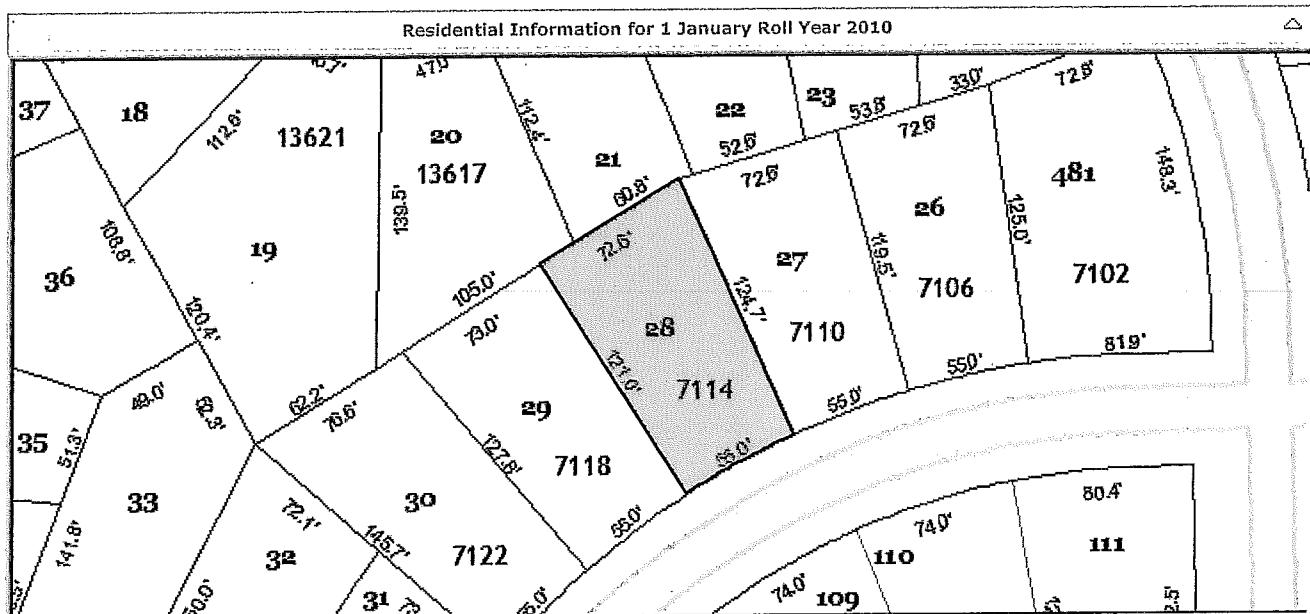
Active

Parcel Number: 010969012
 Location: 07114 S 137TH AVE
 Owner: MCMURRAY III/LEE A
 & MARCIA D
 C/O
 Mail Address: 7114 S 137TH AVE
 OMAHA NE 68138-0000
 Legal: LOT 28 MILLARD HIGHLANDS SOUTH II
 Tax District: 17014
 Map #: 2957-13-1-60265-000-0028



Click Picture/Sketch for Larger View.
 Use arrows to view Picture/Sketch.

THIS IS NOT A PROPERTY RECORD FILE



Style:	Split Entry		
Year Built:	1986	#Bedrooms above Grade	3
#Bathrooms Above Grade	2	Total Sqft	1351
Total Bsmt Finish Sqft	340	Bsmt Total Sqft	1202

**City of La Vista
Conditional Use Permit**

Conditional Use Permit for Home Occupation (Gunsmith)

This Conditional Use Permit issued this ____ day of October, 2011, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Lee A. McMurray ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate a home occupation (Gunsmith) in a single-family dwelling at 7114 S. 137th Avenue upon the following legally described property of land within the City of La Vista zoning jurisdiction:

Lot 28 Millard Highlands South II a Subdivision of Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a home occupation (Gunsmith); and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area of the property described herein for a home occupation (Gunsmith), said use hereinafter being referred to as "Permitted Use or Use".

Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
 - a. Permitted use will utilize approximately 120 square feet in the basement.
 - b. Hours of operation will generally be from 8:00 a.m. to 8:00 p.m. Monday through Saturday, by appointment only.
 - c. There will be no employees.
 - d. Activities will include the cleaning of firearms and the transfer of firearms sales as regulated by the Bureau of Alcohol Tobacco, Firearms and Explosives (ATF).
 - e. Owner will maintain a Federal Firearms License (FFL) at all times and adhere to the rules and regulations of the ATF.
 - f. Waste material from activities shall be properly disposed of as per Nebraska Department of Environmental Quality (NDEQ) guidelines.
 - g. There will be no stocking or sales of ammunition for sale.
 - h. There will be no stocking of firearms available for sale.
 - i. There will be no test firing or discharge of the firearms on the premises.
 - j. Only ten firearms, other than those owned by the property owner, will be on site at any one time. All firearms shall be secured in an acceptable gunsafe whenever the operator is not actively working

with the firearms.

- k. Fire escape routes shall be properly designated.
- l. There shall be no storage, placement or display of goods or supplies outside described areas relating to permitted use.
- m. Client parking will consist of owner's driveway.
- n. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Building Inspector.
- o. Owner shall comply (and shall ensure that all, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
- p. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his/her agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.

3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:

- a. An annual renewal of a home occupation license and annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
- b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
- c. All obsolete or unused structures and accessory facilities or materials specifically pertaining to such permitted use shall be removed at owner's expense within twelve (12) months of cessation of the conditional use, if required by the City.

4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as a permitted use hereunder upon the first of the following to occur:

- a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
- b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
- c. Owner's breach of any other terms hereof and his/her failure to correct such breach within ten (10) days of City's giving notice thereof.

5. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.

6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his/her successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach, and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address: Lee A. McMurray
7114 S. 137th Avenue
Omaha, NE 68138

Effective Date:

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Pam Buethe
City Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: _____

Title: owner/operator _____

Date: _____

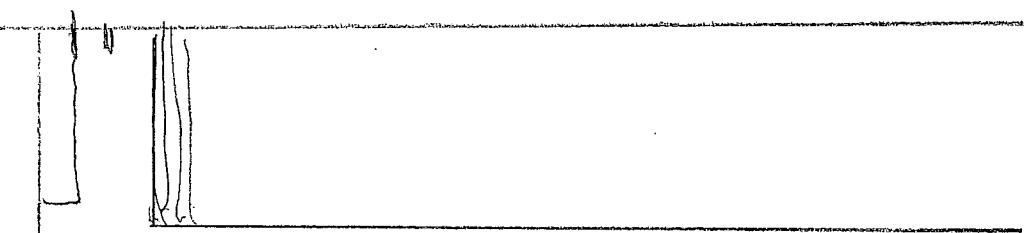
garage

10'

11

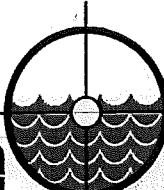
cleaner / sink
cleaning area

12'



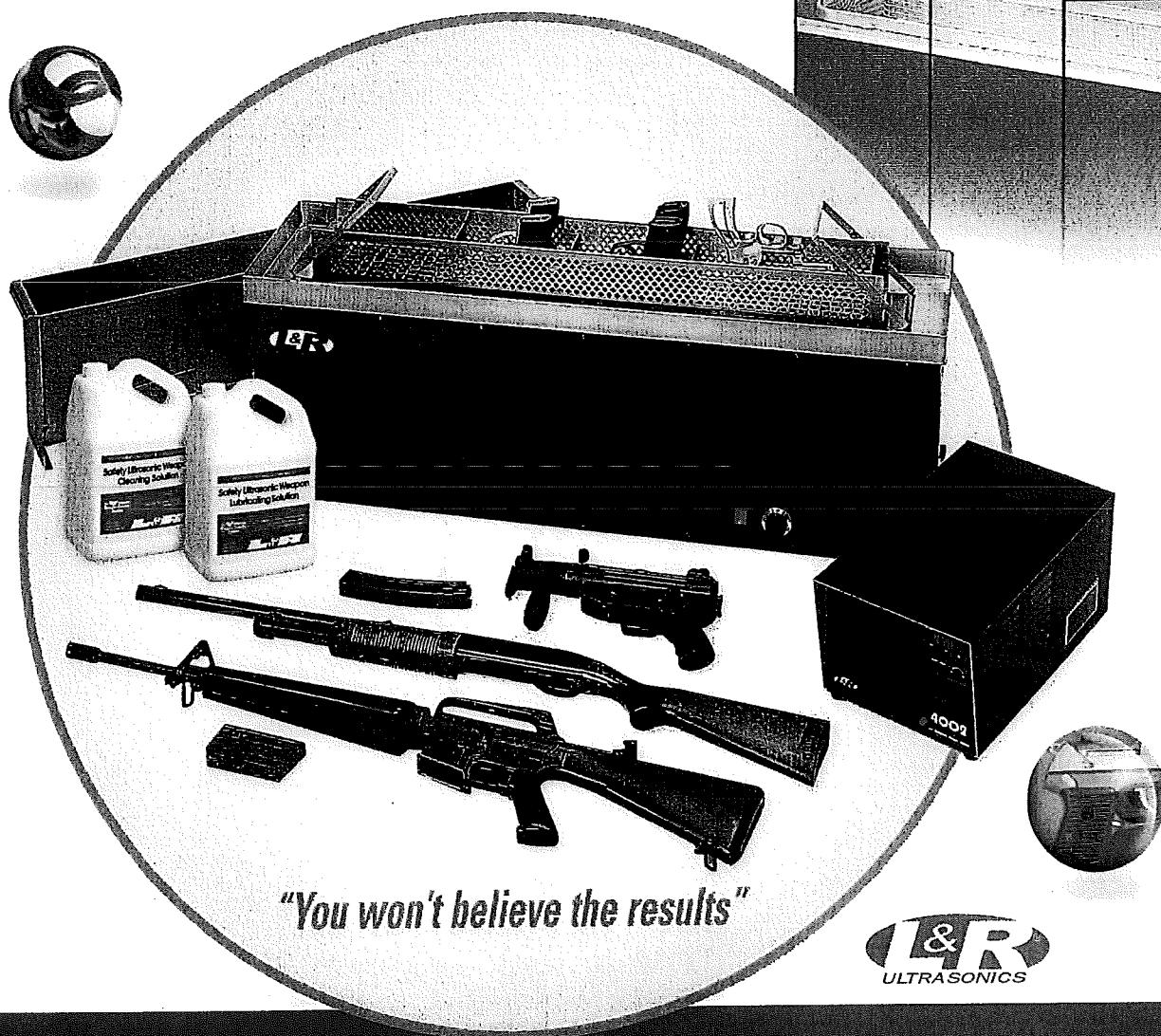
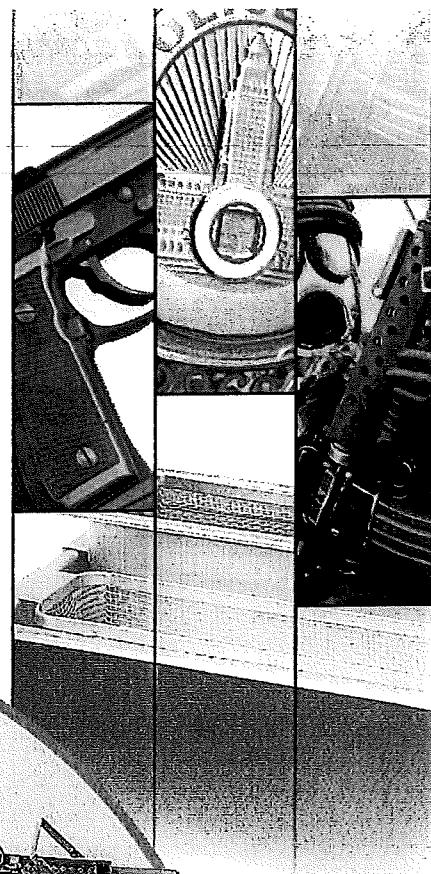
locked

garage



The Ultimate Ultrasonic Gun Cleaning System®

- *Cleans, conditions and lubricates*
- *Provides a uniform standard of cleanliness*
- *Leaves weapons with a "factory new" look*
- *Eliminates manual labor*



"You won't believe the results"

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ULTRASONICS

L&R ULTRASONICS. YOUR GLOBAL SOURCE FOR ULTRASONIC CLEANING SYSTEMS.

CLEANING TACTICAL FIREARMS AND LONG GUNS IS MORE CONVENIENT AND EFFICIENT USING L&R'S LE SERIES ULTRASONIC CLEANING SYSTEMS

L&R's LE Series accommodates long guns as well as handguns. These systems are designed to operate concurrently. While one set of guns is being cleaned, a set of guns already cleaned can be lubricated, streamlining the process. All LE Set-Ups feature:

- Stainless steel chamber construction
- High-reliability composite transducers
- Digital timer with memory cycle
- Thermostatically controlled heater
- CA2 Heat to optimize and accelerate the cleaning process

CPO GENERATOR POWER AND RELIABILITY

All LE Series Systems come with L&R's Model 4002 **Constant Power Output (CPO)** ultrasonic generators. CPO generators maintain a constant power level regardless of solution level, cleaning load or voltage fluctuations, ensuring greater cleaning reliability, consistency and repeatability.



LE 36 Set-Up #18640

- 36" x 6" x 8" Tank size (91.4 x 15.2 x 20.3 cm)
- Digital timer and thermostatically controlled heater
- Weapon/Lubricating Racks (adjustable compartments for accommodating various size weapons)
- Full-size Lubricating Pan
- Drip-proof flanges on tank
- Half-size Weapon Pan, Basket and Cover
- 4 gals. (15.2L) Weapon Cleaning Concentrate (yields 44 gals/166.6L solution)
- 8 gals. (30.4L) Weapon Lubricating Solution

LE 236 Set-Up #18654

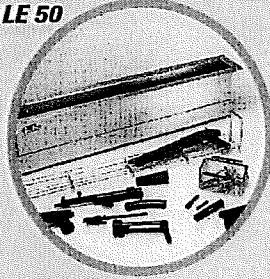
Dual LE 36 tanks

- 36" x 6" x 8" Tank size each (91.4 x 15.2 x 20.3 cm)
- Digital timer and thermostatically controlled heater
- Drip-proof flanges on tank
- Weapon/Lubricating Racks (adjustable compartments for accommodating various size weapons)
- 4 gals. (15.2L) Weapon Cleaning Concentrate (yields 44 gals/166.6L solution)
- 8 gals. (30.4L) Weapon Lubricating Solution
- Mounted on a stainless steel stand

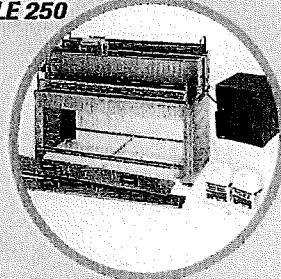
All LE Set-Ups are designed for high-volume usage accommodating handguns, tactical and long guns



LE 50



LE 250



LE 50 Set-Up #18643

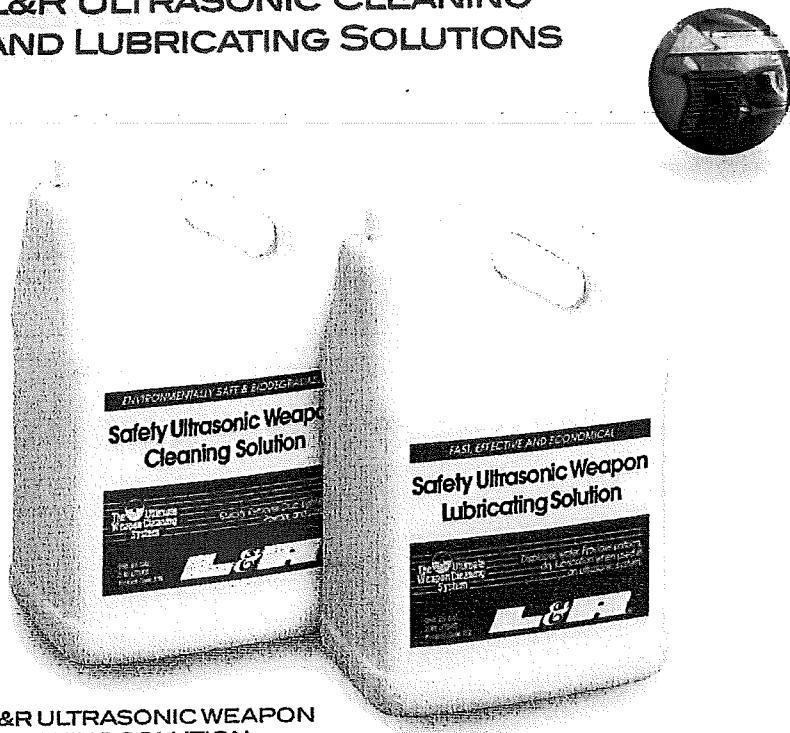
- 52" x 6-1/4" x 7" Tank size (132 x 15.9 x 17.8 cm)
- Digital Timer
- Weapons Rack
- Lubricating Pan
- Lubricating Rack
- 5 Small Weapon Pans, Covers and Baskets
- 8 gals. (30.4L) Weapon Cleaning Concentrate (yields 88 gals/333.1L solution)
- 16 gals. (60.8L) Weapon Lubricating Solution

LE 250 Set-Up #18650

Dual LE 50 Tanks

- 52" x 6-1/4" x 7" Tank size each (132 x 15.9 x 17.8 cm)
- Mounted on stainless steel stand at 36" Working Height
- Digital Timer
- 2 Weapon/Lubricating Racks
- 10 Small Weapon Baskets
- 8 gals. (30.4L) Weapon Cleaning Concentrate (yields 88 gals/333.1L solution)
- 16 gals. (60.8L) Weapon Lubricating Solution

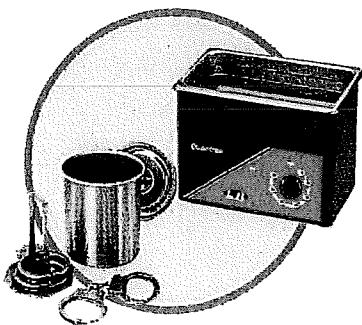
L&R ULTRASONIC CLEANING AND LUBRICATING SOLUTIONS



L&R ULTRASONIC WEAPON CLEANING SOLUTION CONCENTRATE

NON-AMMONIATED

Intensifies the ultrasonic cleaning process. Non-ammoniated to preclude surface damage. Eliminates the use of harmful solvents. A powerful surfactant maximizes cleaning with virtually no odor. Concentrated, biodegradable and environmentally friendly. Economical; 1 gallon yields 11 gallons of solution.



HANDCUFF DISINFECTANT KIT

Many Law Enforcement situations have the potential for exposure to blood or other infectious materials. As a result, OSHA requires compliance with 29CFR1910.1030 for Bloodborne Pathogens. Therefore, thorough cleaning and disinfecting of handcuffs, leg irons, waist chains, gang chains and restraints are a must.



L&R ULTRASONIC WEAPON LUBRICATING SOLUTION

Blended and ready-to-use. Conditions and lubricates firearms after cleaning. All traces of water are displaced, leaving the firearm with a uniform, dry lubrication. In a matter of minutes, your weapon looks and feels "factory new." Economical.



UltraDose® GERMICIDAL HOSPITAL GRADE ULTRASONIC CLEANER CONCENTRATE

This concentrated germicidal solution is formulated to serve both as a presoak prior to ultrasonic cleaning and as an ultrasonic cleaning solution. L&R's unique formulation allows use as a disinfectant for handcuffs, leg irons and other apparatus that become contaminated with blood. UltraDose is a reliable germicidal concentrate that kills a broad spectrum of micro-organisms, including HIV-1, Herpes Simplex 2 and Mycobacterium Bovis (TB). A dual-neck bottle delivers an accurate 1-ounce unit dose.

WHY ALL FIREARMS NEED L&R'S ULTRASONIC CLEANING

Firearms frequently need to be thoroughly cleaned and lubricated to assure continued operational reliability. Residue can accumulate and cause malfunctions. A change in the operating function is a warning sign that may signal impending failure.

L&R's Ultrasonic Cleaning Systems safely clean firearms more effectively than manual cleaning, providing a uniform standard of cleanliness. Even "impossible to reach by hand" areas are cleaned effectively and efficiently with simple field stripping. Ultrasonic lubrication displaces all traces of water in minutes, leaving each firearm with a uniform, dry lubrication.



HOW L&R'S ULTRASONIC CLEANING AND LUBRICATING TECHNOLOGY WORKS

High-frequency sound waves are used to produce more than 40,000 alternating high and low pressure waves per second. As these waves travel through the specially formulated cleaning solution, millions of microscopic vacuum bubbles form and implode. This process, known as cavitation, creates an action capable of cleaning up to 16 times more effectively than hand cleaning. In minutes, all dirt, crud, light rust, loose lead, powder buildup and copper residue are removed from even the tiniest grooves and interior areas of the weapon.



Firearms Cleaning Division

www.LRultrasonics.com

phone: 201-991-5330

fax: 201-991-5870

email: info@LRultrasonics.com

577 Elm Street, PO Box 607
Kearny, New Jersey 07032-0607 USA

Call us today or log onto www.LRultrasonics.com for more information.

BS-20-1102STJ/M

May 18, 2011

City of LaVista
ATTN: Chris Solberg
8116 Park View Blvd
LaVista, NE 68128

Chris,

I would like to operate a business out of my residence at 7114 So.137th ave. 68138
This business will be mainly firearms cleaning, minor gunsmithing with some sales and transfers.

This business will be by appointment only with no store front advertising. I will not be a stocking dealer for any firearms but will have customers firearms on the premises for cleaning.

The method of cleaning will be Ultra Sonic, which is environment friendly with no hazardous waste problems.

The sales and transfers will be by appointment only for those who have made a purchase through an internet web site or auction. I will not be advertising firearms sales or depending on this as my main income.

All cleaning will be done in my basement with a lockable, fireproof gun safe to store the firearms.

I will operate this business in accordance with all applicable laws as defined by the BATFE and the city of La Vista.

Please let me know what procedures to follow to accomplish this venture, and if I will require a Conditional Use Permit.

Sincerely,

Lee McMurray

City of La Vista
Attn: Chris Solberg
8116 Park View Blvd.
La Vista, NE 68128

To Whom It May Concern

This is a follow up letter concerning a gun cleaning business that has already been sent to Chris Solberg for his consideration.

I am Lee McMurray and have lived at 7114 So. 137th Ave for twenty three years. I have raised two children at this address and now enjoy two grandchildren who visit frequently, one living as my next door neighbor. Over the years I have been very active with my children's sporting interests to include coaching football, president of KWAA Football, hunting, fishing, and the shooting sports. As I enter the later years in my life, I'm sixty-four, I am looking to have a small firearms cleaning business to be operated from my home at the above address. Upon looking into starting a small business out of my home, I was informed that I would need a Federal Firearm License to offer this service, which I have applied for this permit. The Bureau of Alcohol, Tobacco, Firearms and Explosive agent had me check into zoning and this is where I come to you, to offer this proposal of my intent.

I will be cleaning firearms with an ultra-sonic cleaning machine that incorporates ultra-sonic waves through a cleaning compound that cleans better and safer than conventional ways. These systems are used in the law enforcement and firearm industry, the medical and dental industry, the computer industry, jewelry cleaning as well as a host of other applications. The cleaning solution is environmentally safe and I will enclose a copy of the system that I will use.

The FFL that will allow me to do my cleaning service will also enable me to do firearm transfers for customers that purchased firearms through internet web sites and auctions. All transactions are recorded and available for inspection by the BATFE at any time. Background checks are mandatory as well as all laws pertaining to firearms use and ownership.

I am not a stocking dealer for any firearms manufacturer nor will I have an advertised storefront. I will be running my business on an appointment only basis, and will not have a large number of customer firearms at my home.

I hope you will consider this request as a way to supplement my income as I retire and still contribute to the community as a responsible citizen of Sarpy County and the city of La Vista, Nebraska.

Enclosed are copies of my legal address as well as copies of the cleaning system I wish to employ in this endeavor.

I thank you for your time and look forward to working with you in any way to make this venture possible.

Sincerely,
Lee McMurray

City of LaVista
ATTN. Chris Solberg

As requested from the City Planning meeting on September 15th I am enclosing my plans for disposal of the filter and or residue from the Ultra Sonic cleaning unit being used in a gun cleaning business at my residence.

This business will be classified as a Conditionally Exempt Small Quantity Generator, as I don't foresee accumulating 220 lbs of hazardous waste in a month.

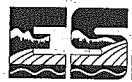
When the time arises that I need to dispose of accumulated hazardous waste, such as lead, copper and powder residue, I will contact Environmental Solutions, located in Omaha, and the waste will be disposed of properly in accordance to Nebraska environmental laws. I have enclosed a copy of the Nebraska guide to hazardous waste as well as a business card from Environmental Solutions.

I will, upon setup of this cleaning unit, supply a proper storage container for the waste material in accordance to Nebraska Environmental Law.

I hope the material provided will show that I have every intention of disposing the waste lawfully and that I have contacted the persons and agencies to carry out my needs for this business.

Thank You.

Lee McMurray



**Environmental
Solutions Inc.**

Jason Abbott

Environmental Project Manager

24 Hour Spill Response Specialist

Emergency Response Number: 402-896-3600

Toll Free: 888-908-5700

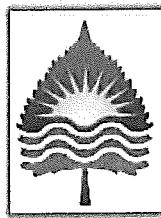
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Nebraska Department of
Environmental
Quality
Guidance Documents

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Conditionally Exempt Small Quantity Generators

This Document is also available
as an Adobe Acrobat (PDF) file.
File size is 37 KB



Title 128, Chapter 8-Nebraska Hazardous Waste Regulations, is Nebraska's hazardous waste regulation for Conditionally Exempt Small Quantity Generators (CESQGs).

Title 128 may be obtained on the web. It is found at www.deq.state.ne.us by clicking on "Laws and Regulations."

If you generate at or less than 220 pounds (to include acute hazardous waste amounts less than 2.2 pounds) of hazardous waste in a calendar month, you're a CESQG for that month. Why do you care? Because CESQGs, in addition to having a lot less hazardous waste, also have very few hazardous waste regulations to deal with. This document will describe your responsibilities under the regulations and provide best management practices for your CESQG waste.

All waste generators are required to determine if any of their waste streams are hazardous waste. See Title 128, Chapter 4, §002. The NDEQ has developed an Environmental Guidance Document titled Waste Determinations & Hazardous Waste Testing to help you do the waste determination. You can view this document at the above web site: click on "Publications Forms - Grants>Waste Management>Guidance Documents>Waste Determinations and Hazardous Waste Testing."

If you generate or accumulate at or over 2.2 pounds of acute hazardous waste in a calendar month that waste is Large Quantity Generator (LQG) hazardous waste and subject to all LQG regulations.

You count only the hazardous waste you generate in a calendar month to determine your generator status. This document only covers CESQGs. CESQGs generate at or below 220 pounds of hazardous waste in a calendar month.

CESQG Requirements, Exemptions, or Limitations (Title 128, Chapter 8, §002)

CESQGs are required to perform hazardous waste determinations on their wastes.

CESQGs are not required to obtain a DEQ/EPA Identification Number.

CESQGs are not required to submit the Biennial Report.

CESQGs are not required to containerize their CESQG hazardous waste in closed containers nor must the containers be labeled.

CESQGs are not required to ship their hazardous waste using a hazardous waste transporter.

CESQGs are not required to use a Hazardous Waste Manifest to ship their hazardous waste.

The Land Disposal Restrictions (LDR) do not apply in any way to CESQGs (Title 128, Chapter 20, §001.05A).

There are no time limits on how long a CESQG may accumulate CESQG hazardous waste on his/her site.

There is a limit on how much CESQG hazardous waste can be accumulated on site. If a CESQG accumulates 2,200 pounds or more of CESQG hazardous waste, then all that hazardous waste becomes Small Quantity Generator (SQG) hazardous waste and fully subject to all SQG requirements, and SQG time limits start when the accumulated CESQG wastes exceed 2,200 pounds (Title 128, Chapter 8, §006.02).

If the CESQG exceeds 2.2 pounds of acute (P-listed and certain dioxin codes (F020-F023 and F026-F028)) hazardous waste either generated in a calendar month or accumulated at any time the full amount of that waste becomes LQG hazardous waste and fully subject to all LQG requirements.

The time limits for SQGs or LQGs start when the accumulation amount limit is exceeded.

CESQGs are not allowed to treat their own or anybody else's hazardous waste.

CESQGs are allowed to dispose of their own CESQG hazardous waste in used oil only if the used oil will be burned for energy recovery.

CESQGs are allowed to dispose their CESQG hazardous waste to only one of the following (Title 128, Chapter 8, §006.03 et seq.):

A permitted hazardous waste treatment, storage, or disposal facility (TSDF),

A facility that beneficially uses or reuses or legitimately recycles or reclaims the wastes,

A facility that treats the wastes prior to beneficial use or re-use or legitimate recycling or reclamation,

A facility that mixes its CESQG hazardous waste with used oil destined for burning for energy recovery.

CESQGs are allowed to dispose of their own CESQG hazardous waste to permitted municipal solid waste landfills --- if:

The waste can pass the Paint Filter Test (SW-846 Method 9095A). This means the waste has no bulk or free liquids.

They do not send over 43 pounds of CESQG to the landfill per day. Note that putting CESQG waste in your dumpster is not the same as sending your CESQG waste to the landfill - if your dumpster has over 43 pounds of CESQG hazardous waste, the landfill is required to refuse the load.

A CESQG is allowed to take its CESQG waste to another location if the waste is to be disposed at or by one of the five facilities or processes immediately above.

If CESQG hazardous waste is mixed with Small Quantity Generator (SQG) or Large Quantity Generator (LQG) hazardous waste, the mixture becomes SQG or LQG waste subject to full SQG or LQG regulation.

If any condition or conditions specified for CESQGs are not met, the waste becomes subject to SQG requirements.

CESQG Situational Examples and Best Management Practices

If I ship my CESQG hazardous waste to a permitted TSDF must I use a hazardous waste manifest? If I use a manifest must I have a DEQ/EPA ID number?

CESQGs are not required to use a hazardous waste manifest. If you choose to use a manifest you are not required by regulation to have a DEQ/EPA ID number. That said, hazardous waste transporters or contractors often require the customer to use a hazardous waste manifest and obtain an ID number. If that is your situation, it is a matter between you and your contractor; the department has no authority to intervene on your behalf.

May a CESQG obtain a DEQ/EPA ID number for its own purposes?

Even though you don't need it, the department will issue you a DEQ/EPA ID number if you request it.

May I bring CESQG hazardous waste to a household hazardous waste collection event?

If the collection event sponsors are shipping the collected waste to a permitted TSDF or having the waste legitimately recycled, then a CESQG is allowed by Title 128 to bring its CESQG hazardous waste to the collection event. NOTE: Even though the regulations allow it, the sponsors may refuse to accept CESQG hazardous waste. The sponsors are allowed to place whatever restrictions they want or deem necessary on the wastes they accept at a collection. Often the restrictions are budget driven.

You said there are no container requirements for CESQGs. If I want to, can I use containers for my CESQG hazardous waste?

The department recommends CESQGs use the same container requirements that SQGs and LQGs must use. We recommend this as a matter of good hazardous material management. Many hazardous wastes are volatile materials that should, in any event, be controlled for worker health and safety. The department recommends that all containers of CESQG hazardous waste be kept closed unless putting in or removing waste. Labeling the container is also an excellent management practice because it helps prevent mixing incompatible wastes and it provides for easier environmental management. Keep in mind that, regardless of the hazardous waste regulations, you must still comply with OSHA requirements, insurance risk management mandates, and DOT hazardous materials transportation rules where they apply.

You said a CESQG can't treat hazardous waste. What if I have an elementary neutralization unit for my corrosive D002 hazardous waste?

There are some specific treatment permit exclusions in Title 128, Chapter 12 that, if the conditions of the exclusion are met, will allow CESQGs to do those types of "treatment." Elementary neutralization is one of those exclusions.

Can a CESQG recycle its CESQG hazardous waste on site?

Even though recycling is treatment, recycling is one of those disposal options that CESQGs are allowed to do.

As a CESQG can I use the Universal Waste rules?

You may use the Universal Waste rules. Universal Waste has provisions for small and large quantity handlers (SQH & LQH) of Universal Waste. These provisions are in no way connected to CESQG, SQG, or LQG provisions. Do not attempt to tie them together. For example, a CESQG can be a LQH of Universal Waste and this in no way affects the CESQG status. If you reach the LQH threshold then you must, of course, follow the Title 128, Chapter 25 LQH requirements.

You said CESQGs are not required to notify the NDEQ and obtain a DEQ/EPA ID number. What if I was a SQG last month and this month I'm a CESQG?

Title 128, Chapter 4, §003.02 requires you to renotify that you are no longer a SQG and are now a CESQG. The actual citation from the regulation is:

“Not later than thirty days after any change in the information or status of any person ---, such person shall file an amended notification with the department, except that generators voluntarily complying with all hazardous waste management requirements of a higher generator status are not required to renotify when their status drops to a lower level.”

If a CESQG fails to meet the conditions that apply for the conditional exclusion, then that waste no longer can be considered CESQG waste. If the weight of waste generated in the calendar month is less than 2,200 pounds then that generator must follow SQG requirements.

Even though CESQGs are not required to maintain records regarding waste generation, generators must be able to demonstrate they meet the conditions of any exclusion or exemption they claim (Title 128, Chapter 2, §003.06). CESQGS are not required to comply with Chapter 2, but often liability questions involve some type of documentation. The department recommends CESQGs document how they concluded they meet CESQG standards and requirements. This includes recording in some suitable manner where your CESQG hazardous waste went and when. This might be your only protection from a CERCLA potentially responsible party finding.

If I ship 2,100 pounds of CESQG waste on a manifest will I be a SQG because that's over 220 pounds?

No, because the 220 pounds per calendar month is hazardous waste generated in the calendar month. The mere fact you shipped 2,100 pounds of hazardous waste is not proof that any of the waste is not CESQG waste because you can accumulate up to an amount less than 2,200 pounds of CESQG waste and have it still be CESQG hazardous waste.

If I generate 220 pounds of hazardous waste in June, 221 pounds in July, and 150 pounds (of which 2.3 pounds is unused nicotine patches, P075) in August what is my generator status in June, July, and August?

Your generator status is determined each calendar month based on your hazardous waste actually generated. Your generator status is CESQG in June, SQG in July and LQG in August. In July and August you must meet SQG and LQG requirements respectively.

If you plan to send your CESQG hazardous waste to a municipal solid waste landfill, the department recommends you first coordinate with the receiving landfill. Even though the regulations allow it, there might be restrictions set by a local government or the landfill itself. The department also recommends you keep records of when and where that waste was sent for disposal.

HELPFUL WEB SITES:

- NDEQ Home Page: www.deq.state.ne.us

CONTACTS:

- NDEQ Hazardous Waste Compliance Assistance - (402) 471-8308
- NDEQ Waste Management Section - (402) 471-4210

ADDITIONAL INFORMATION: (can be found on NDEQ Home Page)

- Environmental Fact Sheet - “Comparison of Hazardous Waste Generator Requirements”
- Environmental Guidance Document - “Waste Determinations & Hazardous Waste Testing”

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<http://www.deq.state.ne.us/Publica.nsf/0f7156e3c162d76f86256873005953ad/ef174d12bb...> 9/18/2011

(402) 471-4210.

To view this, and other information related to our agency, visit our web site at www.deq.state.ne.us.

This Material is intended for guidance purposes only.

It is not meant to substitute for the regulations found in Title 128 - Nebraska Hazardous Waste Regulations or other applicable Nebraska environmental regulations

www.DEQ.state.NE.US Home Page

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