

# MINUTE RECORD

NO. 729--REDFIELD & COMPANY, INC., OMAHA

## LA VISTA CITY COUNCIL MEETING November 1, 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 November 1, 2011. Present were Councilmembers: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, City Clerk Buehe, Library Director Barcal, Police Chief Lausten, Fire Captain Troy Little, Finance Director Lindberg, Community Development Director Birch, Assistant Public Works Director 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 October 20, 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.

### A. CONSENT AGENDA

#### 1. APPROVAL OF THE AGENDA AS PRESENTED

#### 2. APPROVAL OF CITY COUNCIL MINUTES FROM OCTOBER 18, 2011

#### 3. PAY REQUEST - CHAS. VRANA & SON CONSTRUCTION CO. - HARRISON STREET BRIDGE JOIN REPAIR - \$83,962.25

#### 4. PAY REQUEST - AQS ENVIRONMENTAL - INSPECTION SERVICES - THOMPSON CREEK - \$450.00

#### 5. PAY REQUEST - HANNA: KELLAN ASSOCIATES, P.C. - PROFESSIONAL SERVICES - 84<sup>TH</sup> STREET REDEVELOPMENT - \$6,000.00

#### 6. APPROVAL OF CLAIMS

A C NELSEN RV WORLD, maint.	52.80
AA WHEEL & TRUCK SUPPLY, maint.	81.79
ACTION BATTERIES UNLTD, maint.	18.95
ALAMAR, apparel	42.48
AMERICAN PLANNING, dues	460.00
ARAMARK, services	371.49
ASPHALT & CONCRETE MATERIALS, maint.	150.47
BADGER BODY, maint.	312.77
BAKER & TAYLOR, books	209.09
BERRY DUNN, services	15972.75
BETTER BUSINESS EQUIPMENT, rentals	53.19
BIG RIG TRUCK, maint.	475.00
BIRCH, A., training	81.60
BKD LLP, services	8450.00
BLACK HILLS ENERGY, utilities	19.53
BUETHE, P., petty cash	183.08
BUILDERADIUS, services	2000.00
BUILDERS SUPPLY, bld&grnds	95.90
CENTURY LINK BUSN SVCS, phone	25.20
CENTURY LINK, phone	1067.22
CITY OF OMAHA, services	72287.51
CLARK, W., services	18.00
COLOMBO/PHELPS, supplies	198.21
COMP CHOICE, services	451.00
CONRECO, maint.	10.00
CORNHUSKER INTL TRUCKS, maint.	489.59
COX, services	212.24

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CPESC-CERTIFIED PROFESSIONAL, dues	100.00
CUMMINS CENTRAL POWER, services	657.82
D & B SALVAGE, bld&grnds	396.00
D & D COMMUNICATIONS, maint.	49.50
DIAMOND VOGEL PAINTS, maint.	312.20
DULTMEIER, maint.	7.79
EDGEWEAR SCREEN PRINTING, metals	107.25
FASTENAL, supplies	67.68
FIREGUARD, maint.	139.00
FOCUS PRINTING, printing	4435.22
GALE, books	401.52
GLOCK PROFESSIONAL, training	195.00
GREAT PLAINS ONE-CALL, services	296.79
GREAT PLAINS UNIFORMS, apparel	408.00
HANEY SHOE STORE, apparel	120.00
HEARTLAND AWARDS, services	15.00
HELGET GAS PRODUCTS, supplies	153.00
HONEYMAN RENT-ALL #2, printing	54.50
HOST COFFEE SERVICE, supplies	23.90
INDUSTRIAL SALES COMPANY, bld&grnds	94.04
INTERNATIONAL CODE COUNCIL, supplies	60.00
J Q OFFICE EQUIP., supplies	485.99
KAR SIM KENNEL, services	16.00
KARLSON, D., training	90.00
KISSEL/E & S, services	8989.64
KRIHA FLUID POWER, maint.	136.72
KUSSMAUL ELECTRONICS, maint.	251.58
LA VISTA CHAMBER OF COMMERCE, training	12.00
LANDS' END, apparel	268.60
LARSEN SUPPLY, supplies	132.50
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LEAGUE ASSN OF RISK MGMT, services	430293.00
LIBRARY STORE, supplies	311.95
LOGAN CONTRACTORS SUPPLY, maint.	51.34
LOGO LOGIX, apparel	264.00
LUKASIEWICZ, B., supplies	150.00
MAPA, dues	90.00
MAPA, services	110362.00
MATHESON TRI-GAS, maint.	302.63
MCC, utilities	39740.84
MENARDS, supplies	109.00
MID AMERICA PAY PHONES, phone	50.00
MIDLANDS BUSINESS JOURNAL, dues	70.00
MIDLANDS LIGHTING, bld&grnds	366.92
MID-STATES UTILITY, supplies	913.50
MIDWEST RIGHT OF WAY, services	2348.00
MOORE, W., services	18.00
MUD, utilities	8413.71
NATIONAL SAFETY COUNCIL, dues	399.00
NE DEPT MOTOR VEHICLE, supplies	6.60
NE DEPT OF LABOR, ins&bnds	11518.98
NEBRASKA NATIONAL BANK, lease	1163.43
NEXTEL SPRINT, phone	322.87
NEXTEL SPRINT, phone	204.67
NUTS AND BOLTS, maint.	141.25
OFFICE DEPOT, supplies	821.68
OFFUTT YOUTH CENTER, soccer	825.00
OMB EXPRESS POLICE SUPPLY, apparel	50.64
OMNIGRAPHICS, books	81.85
OPPD, utilities	28570.77



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PARAMOUNT LINEN & UNIFORM, services	644.32
PARTSMaster, supplies	169.59
PITNEY BOWES, supplies	204.00
PRINCIPAL LIFE-FLEX SPENDING	216.00
QUICK, T., travel	298.00
QUILL CORP., supplies	160.07
RAMIREZ, J., services	36.00
READY MIXED, bld&grnds	776.63
REPCO MARKETING, supplies	39.75
RETRIEVEX, services	100.20
RUSTY ECK FORD, maint.	54.25
SARPY COUNTY TREASURER, services	16307.04
SCHOLASTIC LIBRARY, books	152.10
SIRCHIE FINGER PRINT LABS, supplies	127.92
SMOOTHER CUT ENTERPRISES, services	1320.00
SOLBERG, C., travel	59.39
SOUTHEAST LIBRARY SYSTEM, training	80.00
SPRINT, phone	62.08
STERIL MANUFACTURING, maint.	75.00
SUBURBAN NEWSPAPERS, dues	231.50
SUN COUNTRY DISTRIBUTING, maint.	59.47
SURPLUS PROPERTY-DEPT CORR, equip.	1500.00
TED'S MOWER SALES & SERVICE, equip.	25.11
THOMAS E STEVENS, services	900.00
THOMPSON DREESSEN & DORNER, services	6334.30
THORNBURG, J., travel	233.00
UNIVERSITY OF VIRGINIA, training	6000.00
VERIZON WIRELESS, phone	445.53
VIERREGGER ELECTRIC, maint.	1468.60
WAL-MART, supplies	760.82
WATKINS CONCRETE BLOCK, bld&grnds	322.36

Councilmember Carlisle made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Crawford reviewed the claims for this period and reported that she found everything to be in order. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain from voting on approval of October 18 City Council Minutes: Quick. Absent: None. Motion carried.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported that he is working with Humane Society and will have an item on an upcoming agenda in regards to dangerous dogs. Lausten also reported that the DUI checkpoint on Friday the 28<sup>th</sup> was successful, and that the Citizens Academy has been rescheduled to begin February 2, 2012. Lausten also reported that in a recent police call, three officers received minor injuries in an altercation and four suspects were arrested.

Assistant Public Works Director Kottmann reported that Public Works Director Soucie and Street Superintendent Goldman were attending the APWA Fall Conference in Kearney. Members of the Sewer Division were also attending a conference in Kearney. Kottmann reported that all the Thompson Creek houses have been taken down, they are currently down to concrete and curb work as well and seeding so grass will grow in the spring. The Public Works Department is also using one of the sheds they were able to salvage from this project.

Community Development Director Birch reported that Committee Members have been determined to work on Master Park Plan.

Library Director Barcal reported that Lindsey Tomsu, Teen Coordinator, has been appointed as the Publications Editor for the Practitioners Journal for the NE Library Association. Barcal also reported that 140 people attended Halloween fun day at the Library.

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## **B. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – 911 SERVICES**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-120; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF THE SARPY COUNTY COMMUNICATIONS SYSTEMS INTERLOCAL AGREEMENT.

WHEREAS, on April 19, 1994 the City of La Vista and other municipalities in Sarpy county entered into a 15-year interlocal agreement with Sarpy County to provide 911 services; and

WHEREAS, in accordance with language in the current agreement, parties have continued under the terms of the 1994 Agreement as a contract for operational cost sharing until a new agreement could be negotiated.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Sarpy County Communications Systems Interlocal Agreement is hereby approved effective July 1, 2011 pursuant to paragraph 10 thereof and the Mayor and City Clerk are hereby authorized to execute said agreement on behalf of the City of La Vista.

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. CLASS C LIQUOR LICENSE APPLICATION – HUTONG FUSION SUSHI GRILL LLC DBA HUTONG FUSION SUSHI GRILL – 7202 GILES ROAD #1**

### **1. PUBLIC HEARING**

At 07:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class C Liquor License Application – Hutong Fusion Sushi Grill LLC dba Hutong Fusion Sushi Grill at 7202 Giles Road #1.

At 07:12 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-121; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION FOR HUTONG FUSION SUSHI GRILL LLC DBA HUTONG FUSION SUSHI GRILL, 7202 GILES ROAD #1, LA VISTA, SARPY COUNTY, NEBRASKA.

WHEREAS, Hutong Fusion Sushi Grill LLC dba Hutong Fusion Sushi Grill, 7202 Giles Road #1, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by Hutong Fusion Sushi Grill LLC dba Hutong Fusion Sushi Grill, 7202 Giles Road #1, La Vista, Sarpy County, Nebraska.

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



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## **D. DISCUSSION – CONSENT AGENDA**

City Clerk Buethe presented the Council with information regarding additional agenda items that could be placed on the Consent Agenda that would provide an opportunity to increase the efficiency of City Council meetings.

The consensus of the Council was to move forward with changing the agenda format to include additional Consent Agenda items.

## **E. DISCUSSION – REDISTRICTING – ESTABLISHMENT OF NEW WARD BOUNDARIES**

City Clerk Buethe presented the Council with information for discussion regarding redistricting and the creation of new City Council ward boundaries. The growth of the City and the results of the 2010 U.S. Census show that a change must be made to the boundaries of the City Council wards to ensure that the range of deviation between ward populations does not exceed 10%. The redistricting must be completed by November 30, 2011. City Planner Chris Solberg presented several maps which showed where we see ward boundaries moving to by 2020 and some scenarios from MAPA of possible changes to the current ward boundaries now along with a scenario put together by city staff. Council members discussed the various options and the consensus of council was to place the staff scenario on the November 15, 2011 Council Agenda for approval.

## **F. SPECIAL ASSESSMENTS**

### **1. PUBLIC HEARING**

At 07:42 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 07:43 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. 11-122; 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  
12830 Emiline Street, Lot 498, Millard Highlands South Replat, \$317.44;  
were notified to clean up their property as they were in violation of the City  
Municipal Code, Section 133.01 and 50.03, 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.

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## G. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-123; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) MONROE NJW-8 MID MOUNT WING PLOW FROM HAWKEYE TRUCK EQUIPMENT, DES MOINES IA, IN AN AMOUNT NOT TO EXCEED \$6,260.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of mid mount wing plow is necessary; and

WHEREAS, the purchase has been included in the FY 2011/12 General Fund Budget; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of one (1) Monroe NJW-8 mid mount wing plow from Hawkeye Truck Equipment, Des Moines IA, in an amount not to exceed \$6,260.00.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell updated the Council on the Civic Park Master Plan Stakeholder Meeting.

Councilmember Crawford updated the Council on the Emergency Management Team Committee. He stated he has attended two meetings and they are planning a mock disaster for next year. There is training regarding disasters that is required of elected officials.

The Mayor thanked The Recreation Department and The Halloween Safe Night Committee for a great job putting on Halloween Safe Night.

At 07:51 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF NOVEMBER, 2011

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk