

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING November 15, 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 15, 2011. Present were Councilmembers: Ronan, Sheehan, Quick, 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, City Planner Solberg, Public Works Director Soucie, 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 November 3, 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 NOVEMBER 1, 2011**
- 3. MONTHLY FINANCIAL REPORT – OCTOBER 2011**
- 4. PAY REQUEST – BERRY DUNN – PROFESSIONAL SERVICES - \$7,7160.95**
- 5. PAY REQUEST – MIDWEST RIGHT OF WAY SERVICES, INC. – THOMPSON CREEK - \$4,684.00**
- 6. APPROVAL OF CLAIMS**

AA WHEEL & TRUCK, maint.	43.56
AACE, maint.	75.00
ABE'S PORTABLES, other	85.00
ACTION BATTERIES, other	301.96
ACW MANUFACTURING, maint.	116.00
ADT SECURITY, services	274.63
AED ZONE, supplies	425.00
ALAMAR, apparel	213.47
APPLIED INFORMATION MGMT, services	3,239.00
AQS ENVIRONMENTAL, services	450.00
ARAMARK ,services	340.47
ASPEN EQUIPMENT, maint.	376.63
BADGER BODY, maint.	535.93
BAKER & TAYLOR, books	2,194.50
BARCAL, R., travel	180.06
BCDM, services	1,487.00
BEACON BUILDING, services	6,712.00
BENNINGTON EQUIP., maint.	308.77
BERNAN, books	36.00
BLACK HILLS ENERGY, utilities	2,482.65
BOLTE, J., mileage	54.72
BOUNDTREE MEDICAL, supplies	952.49
BRAKE, A., auto	100.00
BRAND, S., travel	46.00
BRENTWOOD AUTO WASH, maint.	84.00
BROWN TRAFFIC PRODUCTS, training	60.00
BUETHE, P., travel	55.50
BUILDERS SUPPLY, supplies	460.77

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CARDMEMBER SERVICE, travel	11,026.56
CENTER POINT PUBLISHING, book	212.70
CENTURY LINK, phone	139.85
CHAS. VRANA & SON, services	83,962.25
CITY OF OMAHA, services	78,264.90
CJ'S HOME CENTER, maint.	1,521.06
CONTROL MASTERS, bld&grnds	72.50
CONTROL SERVICES, bld&grnds	267.50
CORNHUSKER INTL TRUCKS, maint.	586.93
COX, services	251.50
CREPS, D., refund	125.00
D & D COMM., services	167.00
DATA TECH., services	10,133.28
DATASPACE, services	607.30
DAYSPRING, printing	825.00
DOUGLAS COUNTY SHERIFF, services	437.50
DULTMEIER, services	465.36
DXP, maint.	352.15
EAGLE ENGRAVING, apparel	32.00
EASTERN LIBRARY SYSTEM, training	5.00
EASYWAY, services	96,733.00
EBSCO SUBSCRIPTION, cd rom	915.00
EDGEWEAR SCREEN PRINTING, services	78.00
EMBASSY SUITES HOTEL, services	164.61
EXCHANGE BANK, rentals	1,163.43
FASTENAL, supplies	26.48
FEDEX KINKO'S, services	18.00
FERRELLGAS, maint.	297.17
FIREGUARD, equip.	708.52
FIRST AMERICAN TITLE INS CO, services	446.00
FITZGERALD SCHORR BARMETTLER, services	19,219.30
FLEETPRIDE, maint	125.65
FOSTER, T., travel	46.00
FROEHLICH, R., auto	100.00
FRYE, T., services	31.00
GALE, books	231.71
GASSERT, M., services	468.00
GCR TIRE CENTERS, maint.	1,496.88
GENUINE PARTS COMP., maint.	567.10
GOLDMAN, J., travel	20.00
GRAYBAR ELECTRIC, bld&grnds	668.55
GREENKEEPER COMPANY, supplies	52.50
H & H CHEV., maint.	174.23
HANEY SHOE, apparel	120.00
HANNA:KEELAN, services	6,000.00
HARM'S CONCRETE, maint.	182.25
HAWKEYE TRUCK, maint.	106.55
HOBBY LOBBY, supplies	49.75
HOME DEPOT, bld&grnds	427.00
HOPE HEALTH/IHAC, dues	171.36
INDUSTRIAL SALES, bld&grnds	101.32
INLAND TRUCK PARTS, maint.	548.67
INTERSTATE ALL BATTERY, equip.	149.97
J Q OFFICE, services	729.53
KLINKER, M., services	200.00
KRIHA FLUID POWER, maint.	324.16
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT, services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LAUSTEN, D., services	60.00

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LAUSTEN, R., travel	71.00
LEAGUE OF NEBRASKA MUNICIPA, dues	577.92
LEIGHTON, S., travel	168.00
LIFE ASSIST, supplies	751.49
LINCOLN NATIONAL LIFE INS CO	26,779.02
LINCOLN TENT, maint.	350.00
LINHART, J., supplies	110.09
LOGAN CONTRACTORS, supplies	719.77
MARKOWSKY, T J, auto	100.00
MATHESON TRI-GAS, supplies	135.40
MENARDS-BELLEVUE	465.34
MAT, services	617.00
MICHAEL TODD COMP., maint.	2,897.46
MID CON, maint.	130.30
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	68.35
MIDWEST FENCE, maint.	157.12
MILLER PRESS, printing	410.00
MOORE WALLACE., printing	470.47
MOORE, W., services	18.00
MSC INDUSTRIAL SUPPLY, supply	101.98
NATIONAL PAPER, supplies	421.18
NE DEPT OF REVENUE-LOTT/51	87,491.00
NEBRASKA LAW ENFORCEMENT, training	50.00
NEBRASKA MUNICIPAL CHIEFS ASSN	50.00
NMC EXCHANGE, maint.	61.88
NOBBIES, supplies	77.52
NORTHERN SAFETY, supplies	58.02
NOVA HEALTH EQUIP., maint.	144.85
NSAWWA, training	655.00
NUTS AND BOLTS, maint.	76.95
OFFICE DEPOT, supplies	1,411.32
OMAHA COMPOUND, supplies	114.56
OPPD, utilities	45,580.88
OMAHA SLINGS, supplies	106.67
OMAHA WORLD, adv.	726.18
OMB EXPRESS POLICE, apparel	31.99
O'REILLY AUTOMOTIVE STORES, supplies	271.78
ORIENTAL TRADING, supplies	16.99
PAPILLION SANITATION, services	298.36
PAPIO-MO RIVER NRD STORM WATER	13,224.00
PARAMOUNT, apparel	351.16
PAYLESS OFFICE, supplies	95.91
PENWORTHY, books	1,866.19
PLUTA, D., travel	38.00
READY MIXED CONCRETE, maint.	1,347.76
RETRIEVEX, services	84.33
RUFFNER, J., travel	93.00
S & W HEALTHCARE, supplies	325.00
SAM'S CLUB, supplies	281.66
SARPY COUNTY CHAMBER, travel	450.00
SARPY COUNTY, services	3,479.89
SARPY COUNTY LANDFILL, services	27.34
SARPY COUNTY REGISTER OF DEEDS, services	15.50
SCARPA, D., travel	46.00
SCHLEGEL, J., travel	46.00
SHAMROCK CONCRETE, maint.	612.00
SHERRY, P., apparel	166.00
SID 195 - MAYFAIR	13,626.00
SMALL, B., maint.	93.00
SUPERIOR SIGNALS INC., maint.	152.84

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SUPERIOR VISION SVCS INC	359.60
TAYLOR PLASTICS, maint.	120.00
TED'S MOWER, equip.	109.71
THOMPSON DREESSEN & DORNER, services	3,242.15
THORNBURG, J., travel	71.00
TOMSU, L., travel	140.64
UPS, services	13.60
UTILITY EQUIPMENT COMP., bld&grnds	0.28
VAIL, A., auto	100.00
VAL VERDE ANIMAL HOSPITAL, services	411.93
WASTE MANAGEMENT NE., services	1,081.77
WATKINS CONCRETE, services	32.80

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe introduced the new City Hall Receptionist Heather Petersen to the Mayor and Council.

Police Chief Lausten reported that the Police Department is doing a fundraiser for the Food Bank of the Heartland called Fuzz For Food, and they have raised over \$600.00 to date.

Fire Chief Uhl reported that the Fire Department is in the final stages of recruitment and will be bring on nine new recruits in December.

Public Works Director Soucie introduced new staff member Tony White with the Parks Department. Soucie also stated that staff is working to winterize the Parks, and will continue to work on after Thanksgiving if the weather allows.

Community Development Director Birch presented updates on the Civic Park Master Plan Process. The first Community workshop will be held on November 29, 2011 from 6:30-8:00 pm. Community Relations Coordinator Beaumont also gave an overview of the campaign.

Library Director Barcal stated that the Online Catalog will now allow patrons to post reviews. Barcal also stated that the Library received recognition from the American Red Cross for hosting Blood Drives. The Red Cross has collected 548 Units from donations made at the drives at the Library. Barcal also stated that the Library is a site to bring used CFL bulbs for recycling. The Library has also received a grant for wireless connection for the Library Computers.

## **B. STRATEGIC TECHNOLOGY PLAN**

### **1. PRESENTATION**

Chad Snow with BerryDunn presented the Council with an over view of the project and the plan. City Administrator Gunn thanked the members of the IT Committee for their work.

### **2. RESOLUTION**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 11-124; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT THE STRATEGIC TECHNOLOGY PLAN.

WHEREAS, the Mayor and City Council recognize the importance and value of having a deliberate planning process to help guide all facets of city government; and

WHEREAS, the Mayor and City Council believe that it is essential to have a Strategic Technology Plan; and

WHEREAS, the Mayor and City Council included the creation of a Strategic Technology Plan as a part of their overall Strategic Plan for the City;

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WHEREAS, the attached Strategic Technology Plan is developed as a collaborative effort between BerryDunn Consultants, the IT Committee, consisting of representatives from each department; management staff and all employees.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Strategic Technology Plan as attached and presented at the November 15, 2011 City Council meeting.

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

## **C. ORDINANCE – REDISTRICTING – ESTABLISHMENT OF NEW WARD BOUNDARIES**

### **1. PUBLIC HEARING**

At 07:26 p.m. Councilmember Carlisle made a motion to go into executive session due to recent developments for protection of the public interest for Legal Advice on this agenda item.

Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None Absent: Sell. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 08:02 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Gowan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

### **2. ORDINANCE – AMEND MUNICIPAL CODE 11.05**

Councilmember Ellerbeck introduced and moved for adoption of Ordinance 1157 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 11.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1157 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

### **D. ORDINANCE – AMEND MASTER FEE SCHEDULE**

Councilmember Quick introduced and moved for adoption of Ordinance 1158 entitled: AN ORDINANCE TO AMEND ORDINANCE NO.1153, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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Councilmember Ellerbeck moved that the statutory rule requiring reading on three different days be suspended. Councilmember Carlisle seconded the motion to suspend the rules and upon roll call vote on the motion the following. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1158 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Sell. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## E. RESOLUTION – MEMORANDUM OF UNDERSTANDING – ILLICIT STORM SEWER DISCHARGE – CITY OF LA VISTA AND SARPY COUNTY

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-125; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH SARPY COUNTY CONCERNING THE INSPECTION AND ENFORCEMENT RESPONSIBILITIES RELATED TO ILLICIT STORM SEWER DISCHARGES OCCURRING IN THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA VISTA.

WHEREAS, the City desires to enter into a Memorandum of Understanding with Sarpy County for the concerning the inspection and enforcement responsibilities related to illicit storm sewer discharges occurring in the extraterritorial jurisdiction of the City of La Vista; and

WHEREAS, the Memorandum of Understanding identifies the obligations of the City and County in the event of notification of a discharge from the Nebraska Department of Environmental Quality; and

WHEREAS, the Memorandum of Understanding may be amended or terminated at anytime by any agency alone by giving thirty (30) days written notice to the other agency;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a Memorandum of Understanding with Sarpy County concerning the inspection and enforcement responsibilities related to illicit storm sewer discharges occurring in the extraterritorial jurisdiction of the City of La Vista.

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

## F. RESOLUTION – AMENDMENT TO AGREEMENT - LED TRAFFIC SIGNAL MODULES

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-126; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO AUTHORIZE THE MAYOR TO SIGN AN AMENDMENT TO THE LED TRAFFIC SIGNAL MODULES EECBG AWARD NO. 9/10-E062 AID AGREEMENT TO ALLOW FOR AN INCREASE IN THE QUANTITY OF LED LAMP MODULES FOR TRAFFIC SIGNALS TO BE PURCHASED.

WHEREAS, the City Council of the City of La Vista has determined that the replacement of existing lamps with LED traffic signal modules and replacement of fluorescent lighting at Public Works is necessary; and

WHEREAS, savings from another line item within public works will cover the project; and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorize the Mayor to sign an amendment to the LED traffic signal modules EECBG Award No. 9/10-E062 aid agreement to allow for an increase in the quantity of LED Lamp Modules for Traffic Signals to be purchased and for replacement of fluorescent lighting at Public Works in an amount not to exceed \$18,239.50.

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

## **G. RESOLUTION – DEPARTMENT OF ROADS MAINTENANCE AGREEMENT – 84<sup>TH</sup> STREET**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-127; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AGREEMENT #121 WITH THE NEBRASKA DEPARTMENT OF ROADS FOR THE SURFACE MAINTENANCE OF HIGHWAY N-85 (84<sup>TH</sup> STREET).

WHEREAS, the Nebraska Department of Roads is proposing to renew an agreement whereby the City of La Vista would assume maintenance responsibilities for that portion of Highway N-85 (84<sup>th</sup> Street) which lies within the City of La Vista's corporate boundaries; and

WHEREAS, it is the determination of the City Council of the City of La Vista that it is in the best interest of our citizenry and the traveling public to assume official maintenance responsibilities.

NOW, THEREFORE BE IT RESOLVED, that the Mayor of the City of La Vista be, and hereby is, authorized to renew an agreement with the Nebraska Department of Roads for maintenance of that portion of Highway N-85 (84<sup>th</sup> Street) which lies within the corporate limits of the City of La Vista for the period of January 1, 2012 to December 31, 2012.

Seconded by Councilmember Quick. Councilmember Carlisle asked where we were at regarding taking over 84<sup>th</sup> Street from the state. Public Works Director Soucie stated that it is still an on-going discussion with the state and the cities involved. We need to find out how to take it out of the National Highway System or we still have very limited control. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## **H. RESOLUTION INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY – ANIMAL CONTROL SERVICES**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-128; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN ADDENDUM TO INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR ANIMAL CONTROL SERVICES.

WHEREAS, pursuant to the authority granted under Neb. Rev. Statute 13-801, et. Seq. Reissue 1997, the Mayor and City Council determine that it is in the best interest of the City to enter into an Interlocal cooperation agreement for the purpose of providing animal control services in an efficient and effective manner; and

WHEREAS, the City of La Vista is desirous of coordinating animal control services within the City and County;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorizing the Mayor to execute an Addendum Interlocal Cooperation Agreement with Sarpy County for animal control services subject to modifications as the City Administrator deems necessary to maintain the existing level of service in the City and further direct the City Clerk to attest the same.

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

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## I. RESOLUTION – ADVERTISEMENT FOR BIDS – HARLEY DAVIDSON POLICE MOTORCYCLE

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-129; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF A HARLEY DAVIDSON POLICE MOTORCYCLE FOR THE POLICE DEPARTMENT.

WHEREAS, the City Council has determined that the purchase of a motorcycle to assist with the Police Department's speed enforcement efforts is desirable; and

WHEREAS, the Nebraska Office of Highway Safety has awarded the Police Department funding assistance that provides for the acquisition of this equipment; and

WHEREAS, the Police Chief has prepared specifications for said motorcycle.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the purchase of a Harley Davidson police motorcycle for the Police Department in accordance with specifications prepared by the Police Chief, and said bids are to be opened and publicly read aloud on December 7, 2011 at 11:00 a.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska.

Advertise for Bids – November 16, 2011

Open Bids – December 7, 2011

Award Bid – December 20, 2011

Seconded by Councilmember Ellerbeck. Councilmember Quick asked how many motorcycles are in the fleet now and Police Chief Lausten answered that this will be the fourth and final. Council Member Crawford asked if a state bid was available and Police Chief Lausten replied that no, so we must go out for bids. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## J. RESOLUTION – AGREEMENT TO PARTICIPATE IN THE ICMA PERFORMANCE MEASUREMENT PROGRAM

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-130; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING PARTICIPATION IN THE ICMA PERFORMANCE MEASUREMENT PROGRAM IN AN AMOUNT NOT TO EXCEED \$10,000.

WHEREAS, the City Council of the City of La Vista recognizes the value in examining the performance of city departments, and

WHEREAS, the International City Manager's Association has resources via the ICMA Center for Performance Measurements program to compile and compare data, and

WHEREAS, The FY12 General Fund budget contains funding for this program, and

WHEREAS, Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of an agreement with the International City Manager's Association for participation in the ICMA Performance Measurement Program in an amount not to exceed \$10,000.

Seconded by Councilmember Quick. Councilmember Sheehan asked if this was a onetime expenditure and Police Chief Lausten stated that it would be \$10,000 the first year and \$5,000 a year after. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## K. RESOLUTIONS – UPGRADE CIVIL DEFENSE SIRENS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-131; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE PROPOSAL SUBMITTED BY SCHMADER ELECTRIC CONST.

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CO. INC., WEST POINT, NE FOR UPGRADING AND CONVERTING TO NARROW BANDING THE CIVIL DEFENSE SIRENS IN THE CITY OF LA VISTA IN AN AMOUNT NOT TO EXCEED \$8,250.00.

WHEREAS, the City Council of the City of La Vista has determined that upgrading and converting the civil defense sirens in the City is necessary to comply with a Federal mandate and to ensure continued compatibility; and

WHEREAS, said upgrading and conversion to narrow banding is in the best interest of the citizens of La Vista.

WHEREAS, the FY12 budget contains funding for this project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby accept the proposal submitted by Schmader Electric Const. Co. Inc., West Point, NE for the upgrade and conversion of the civil defense sirens in an amount not to exceed \$8,250.00

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

## L. SPECIAL ASSESSMENTS

### 1. PUBLIC HEARING

At 08:14 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 08:15 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

### 2. RESOLUTION

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-132; 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  
12948 Chandler Street/Lot 49 Millard Highlands South 2<sup>nd</sup> Platting, \$165.09;  
10202 Brentwood Dr/Lot 178 Val Vista, \$198.47;  
10204 Brentwood Dr/Lot 177 Val Vista, \$198.47;  
10208 Brentwood Dr/Lot 176 Val Vista, \$198.47;  
10618 Brentwood Dr/Lot 154 Val Vista, \$198.47;  
10216 Brentwood Dr/Lot 175 Val Vista, \$198.47;  
10619 Hillcrest Drive/Lot 2A Val Vista, \$198.47;  
10615 Hillcrest Drive/Lot 3 Val Vista; \$198.47; and  
10611 Hillcrest Drive/Lot 4 Val Vista; 198.47

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.

# MINUTE RECORD

November 15, 2011

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

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

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## **M. EXECUTIVE SESSION –CONTRACT NEGOTIATIONS; PERSONNEL**

At 8:16 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and for the protection of the reputation of an individual to discuss personnel matters.

Seconded by Councilmember Crawford. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:29 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan suggested that all the Council members attend at least one of the Civic Park Master Plan Meetings. Sheehan thought they had good ideas about water although shy on specifics and encouraged people to talk to their neighbors.

Council Member Quick stated she attended NLC Annual Conference and learned about Green Cities, and involving youth and that Facebook pages were working

Council Member Carlisle reported the Sarpy County Chamber Legislative Committee was organizing

Mayor Kindig stated that he attended the Sarpy County Expo, and a meeting on sales tax issues with the state tax commissioner.

Mayor Kindig, Councilmember Quick and Councilmember Carlisle attend the Veteran's Day Flag Ceremony.

At 08:34 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sell. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF DECEMBER, 2011

CITY OF LA VISTA

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

ATTEST:

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