

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING January 3, 2012

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 January 3, 2012. Present were Councilmembers: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Absent: Mayor Kindig. 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, Public Works Director Soucie, Finance Director Lindberg, Community Development Director Birch, Recreation Director Stopak and City Engineer/Assistant Public Works Director Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on December 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.

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

Acting Mayor Quick 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 DECEMBER 20, 2011
- 3.REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES - \$5,654.60
- 4.REQUEST FOR PAYMENT – BROWN TRAFFIC PRODUCTS, INC. – LED TRAFFIC SIGNAL PROJECT - \$2,108.00
- 5.REQUEST FOR PAYMENT – BROWN TRAFFIC PRODUCTS, INC. – LED TRAFFIC SIGNAL PROJECT - \$3,131.50
- 6.REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – APPLEWOOD CREEK IMPORVEMENTS - \$4783.45
- 7.APPROVAL OF CLAIMS

3E-ELECTRICAL ENG., maint.	469.89
911 CUSTOM, postage	153.39
ALAMAR UNIFORMS, apparel	684.44
APWA, dues	699.00
ARAMARK, services	383.46
ASSOCIATED FIRE PROTECTION, maint.	465.50
AWARDS UNLIMITED, services	31.57
BAKER & TAYLOR BOOKS, books	918.85
BARCAL, R., mileage	54.39
BEACON BLDG. SERV., services	6712.00
BENNETT REFRIGERATION, bld&grnds	308.96
BETTER BUSINESS EQUIP., rentals	53.19
BLACK HILLS ENERGY, utilities	7926.13
BOB'S RADIATOR REPAIR, maint.	148.00
BRAKE, A., auto	100.00
BREWER, W., auto	100.00
BUILDERS SUPPLY, bld&grnds	150.69
CAPSTONE, books	615.51
CENTURY LINK, phone	119.23
COMP CHOICE., services	1201.00
CONSOLIDATED MGMT, training	41.25
CORE PRODUCTS, supplies	556.68
CORNHUSKER INTL TRUCKS, maint.	94.54
COX, utilities	122.24
D & D COMM., maint.	393.00

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DITCH WITCH, bld&grnds	185.00
DON'S PIONEER UNIFORMS, apparel	158.00
DOOR EXPRESS, bld&grnds	67.00
DOUGLAS CNTY SHERIFF, services	37.50
DULTMEIER SALES & SERVICE, maint.	4.76
DXP, bld&grnds	230.96
EASTERN NEBR SOCCER ASSN	515.00
EDGEWEAR, apparel	133.00
EMBASSY SUITES, services	184.61
FELD FIRE, maint.	122.00
FELSBURG HOLT & ULLEVIG, services	1105.51
FILTER CARE, maint.	26.55
FORT DEARBORN LIFE INS.	1373.50
FROEHLICH, R., auto	100.00
G I CLEANER & TAILORS, services	254.45
GALE, books	187.47
GCR TIRE CENTERS, maint.	66.95
GIBSON, J., services	125.00
GIFF PROPERTY SERV., services	1800.00
GRAPHIC SCREEN PRINTING, apparel	68.00
GREAT PLAINS UNIFORMS, apparel	75.50
GREENKEEPER COMP., supplies	490.00
H & H CHEV., maint.	170.12
HANEY SHOE STORE, apparel	120.00
HAWKEYE TRUCK EQUIP., supplies	6060.00
HEARTLAND PAPER, supplies	295.00
HEIMES CORP., bld&grnds	75.00
ICMA, dues	796.06
ICSC, dues	200.00
J Q OFFICE EQUIP., services	498.22
JAPP IND., equip.	30.00
KLINKER, M., services	200.00
KRIHA FLUID POWER, maint.	108.73
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYS., services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LERNER PUBLISHING GROUP, books	13.46
LEXIS NEXIS MATTHEW BENDER, books	132.46
LIBERTY FLAG, supplies	538.70
MARTIN MARIETTA, bld&grnds	454.35
MASON, B., services	40.00
MATHESON TRI-GAS, supplies	543.01
MAT, services	617.00
MCC, utilities	14958.81
MUD, utilities	2082.72
MID AMERICA, phones	50.00
MIDLANDS LIGHTING & ELECTRIC, maint.	71.44
MIDWEST RIGHT OF WAY, services	680.00
MIDWEST TAPE, media	1117.31
MNJ TECHNOLOGIES DIRECT, services	1637.16
MULLEN & MULLEN, services	6662.50
NE CLERK INSTITUTE, dues	393.00
NE LAW ENFORCEMENT, supplies	80.00
NE TURF PROD., bld&grnds	403.76
NE TURFGRASS ASS., dues	250.00
NE WELDING, maint.	466.17
NEXTEL SPRINT, phone	449.08
NEXTEL SPRINT, phone	204.67
NUTS AND BOLTS, maint.	366.53
OCLC, services	26.18

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OFFICE DEPOT, supplies	497.65
OMAHA WORLD HERALD, dues	85.80
OMB EXPRESS POLICE SUP., apparel	170.80
PAPILLION TIRE, maint.	81.15
PARAMOUNT LINEN & UNIFORM, apparel	546.99
PARTSMASTER, supplies	122.24
PERFORMANCE, maint	656.10
PITNEY BOWES, supplies	204.00
PLAINS EQUIP. GROUP, maint.	1266.45
POLICE CHIEF'S ASSN OF NE, dues	50.00
PRINCIPAL LIFE	216.00
PRO-PAPILLION REC., services	3160.00
QUILL, supplies	177.78
RAINBOW GLASS, supplies	37.80
RALSTON ADV., services	35.00
RDG PLANNING & DESIGN, services	12117.00
RUFFNER, J., travel	107.01
SAPP BROS, supplies	18925.94
SARPY COUNTY CRTHSE., services	3479.89
SCHOLASTIC, books	709.80
SEAT COVER CENTER OF NE, maint.	250.00
SHRED-SAFE, services	15.00
SOUCIE, J., travel	44.00
SPRINT, phone	67.98
SPRINT, phone	62.08
STEPANEK, V., services	218.34
SUBURBAN NEWSPAPERS , dues	79.00
SUSPENSION SHOP., maint.	28.17
TARGET, supplies	166.25
TED'S MOWER, maint.	9.15
TENNIS LTD, equip.	157.12
THERMO KING, maint.	136.01
TRACTOR SUPP., maint.	101.90
ULTRAMAX, services	1969.40
UPSTART, services	101.58
USI EDU., sales	104.19
VAIL, A., auto	100.00
VERIZON, phone	191.57
WALMART, supplies	607.74
WHITE CAP CONSTR, supplies	125.00
WICK'S STERLING, maint.	56.60

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

Police Chief Lausten reported that in January Code Enforcement Officers will be running a Clean Sweep Operation. Lausten also reported that the Food for Fuzz program netted \$630.00 for the Food Bank for the Heartland. Lausten also stated that TJ Markowsky started as a new officer today. Councilmember Gowan stated that a lot of drivers are running amber & red lights, especially at 84<sup>th</sup> and Parkview Blvd. Lausten stated he would look into the issue with Sgt. Waugh.

Fire Chief Uhl reported that there is a possibility of a grant through PayPal for \$2500.00 towards fire extinguisher training equipment.

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Public Works Director Soucie informed the council that drop off sites for Christmas trees were open at the sports complex and at 87<sup>th</sup> and Parkview Blvd. The first phase of the LED traffic signal light project is complete, and he estimates a saving of \$13,000 annually from this project. Councilmember Sell asked if OPPD would change their lights and Soucie stated that OPPD will be looking into this in the future.

Library Director Barcal stated that Ryan Nelson will have a lego building display on February 14, 2012. Barcal reported that 4 out of 12 new computers are installed. Barcal stated that the library received a grant for game books. The teen section is finished being reorganized.

## B. RESOLUTION – COMMUNICATIONS CABLE & FACILITIES AGREEMENT – UNITE PRIVATE NETWORKS, LLC

Councilmember Sell introduced and moved for adoption of Resolution 12-001: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH UNITE PRIVATE NETWORKS, LLC FOR USE OF PUBLIC RIGHT-OF-WAY WITHIN THE CITY LIMITS FOR INSTALLATION OF COMMUNICATIONS FACILITIES

WHEREAS, the Mayor and City Council find it necessary to have an agreement setting forth conditions for this proposed installation; and

WHEREAS, Unite Private Networks, LLC (Unite), is registered with the State of Nebraska as a Competitive Local Exchange Carrier; and

WHEREAS, this agreement would entitle Unite to request permission to use public right-of-ways from the City of La Vista; and

WHEREAS, the agreement includes a Statement of Policy and Standard Specifications for Communication Facilities on City Property; and

WHEREAS, the agreement provides for the installation of 12 optical fibers by Unite for use by the City subject to certain terms and conditions as set forth in the agreement;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Mayor and City Clerk are hereby authorized to execute an agreement with Unite Private Networks, LLC for use of public right-of-way within the city limits for installation of communications facilities subject to the final form of agreement being satisfactory to the City Attorney and City Administrator.

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

## COMMENTS FROM THE FLOOR

Resident Terrie Russell approached the Council regarding the winner of the Holiday Decorating Contest. City Administrator Gunn stated that staff would follow up with her.

Resident Sharon Bahnsen approached the Council in regards to a home in her neighborhood that was causing traffic, noise and trash issues due to holiday decorations. Councilmember Gowan asked Bahnsen if she had spoken with the owners of the home in regards to these problems and she said she had not. Councilmember Carlisle suggested that staff look into the situation. City Administrator Gunn stated that she will have staff sit down with the parties involved and try to make the situation better.

Resident Bill Russell appeared before the Council to discuss the Rental Inspection Program and problems a rental property. Community Development Director Birch stated that she will have the City Inspectors follow up on this information.

## C. EXECUTIVE SESSION – LITIGATION

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At 7:31 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a litigation strategy session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried. Acting Mayor Quick stated the executive session would be limited to the subject matter contained in the motion.

At 7:59 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: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

At 08:01 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012

CITY OF LA VISTA

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Douglas Kindig  
Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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