LA VISTA CITY COUNCIL
MEETING
March 20, 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 March 20, 2012. Present were Councilmembers: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Absent: Councilmember Sheehan. 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 Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on March 7, 2012. 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 – RAY HARROD AND HARALD RAPPOLD - 15 YEARS

Mayor Kindig recognized Ray Harrod and Harald Rappold for 15 years of service to the City.

APPOINTMENT OF FIRE DEPARTMENT RECRUIT – KENN THOMPSON

Mayor Kindig stated, with the approval of the City Council, he would like to appoint Fire Department recruit: Kenn Thompson. Fire ChiefUni introduced the new recruit to the Council. Councilmember Sell motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Absent: Sheehan. Motion carried.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED

2. APPROVAL OF CITY COUNCIL MINUTES FROM MARCH 6, 2012

3. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. FROM FEBRUARY 21, 2012

4. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM MARCH 8, 2012

5. MONTHLY FINANCIAL REPORT – FEBRUARY 2012

6. PAY REQUEST – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – APPLEWOOD CREEK IMPROVEMENTS PROJECT - $638.49

AA WHEEL & TRUCK SUPPLY, maint. 325.08
ACI, dues 60.00
ACTION BATTERIES, supplies 116.90
ALAMAR, apparel 181.48
ALEX, M., mileage 159.51
ALFARO, M., travel 254.39
ART FAC GRAPHICS, maint. 96.00
AUSTIN PETERS GROUP, services 1100.00
BAKER & TAYLOR, books 384.38
BCDM, maint. 525.00
BIG RIG TRUCK, maint. 29.00
BKD, services 10300.00
BLACK HILLS ENERGY, utilities 190.24
BOBCAT, supplies 6200.00
BRENTWOOD AUTO WASH, maint. 77.00
BRIDGESTONE GOLF, supplies 813.00
BUILDERS SUPPLY, bld&gmds 12.29
CALIENTE, J., travel 593.68
CARDMEMBER SERVICE, training&supplies 8080.01
CAVLOVIC, P., apparel 120.00
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<td>C J'S HOME CENTER, maint.</td>
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<td>COMP CHOICE, srvs</td>
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<td>EMBASSY SUITES, srvs</td>
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<td>NIKE, supplies</td>
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NMC, maint. 36.80
NUTS AND BOLTS, maint. 458.05
OFFICE DEPOT, supplies 859.82
OMAHA COMPOUND, supplies 56.25
OMAHA ELECTRIC, supplies 12779.82
OPPD, utilities 44361.84
OMAHA WORLD HERALD, adv 420.79
OMAHA WORLD HERALD, adv 213.20
OMNIGRAPHICS, books 163.70
OREILLY AUTO., maint. 965.24
ORIZON, srvs 15000.00
PAPILLION SANITATION, srvs 304.11
PARAMOUNT, apparel 190.68
PAYLESS OFFICE PRODUCTS, supplies 452.83
PERFORMANCE CHRYSLER JEEP, maint. 784.68
PETTY CASH 64.18
PLAINS EQUIP., maint. 654.00
PLUMBING TODAY, permits 70.00
POSITIVE PROMOTIONS, supplies 58.35
PREMIER-MIDWEST BEV., concessions 123.00
PROJECT HARMONY, srvs 150.00
QUALITY BRANDS, supplies 247.40
QUALITY CONTAINERS, equip. 1300.00
RADIO SHACK, bld&grmds 37.98
RAPPLEY, M., mileage 264.00
RAY ALLEN, equip. 925.00
RETRIEVEX, srvs 84.33
ROY SR, R., mileage 61.00
SAM'S CLUB, supplies 521.38
SARPY COUNTY, bld&grmds 120.00
SARPY COUNTY TREAS., srvs 26974.61
SCHLEGEL, J., mileage 64.00
SIMPLEX GRINNELL, bld&grmds 1318.00
STATE STEEL, maint. 204.58
SUPER SEER CORP., equip. 1788.80
THOMPSON DREESSEN & DORNER, srvs 781.38
TORNADO WASH, srvs 125.00
U S ASPHALT, supplies 171.39
ULTIMATE TRAINING MUNITIONS, equip. 915.00
UPS, postage 10.20
V & V MANUFACTURING, apparel 118.70
WASTE MANAGEMENT NE., bld&grmds 11024.3
WHITE CAP Constr, supply 124.98

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe reported that the new consent agenda format would begin at the next meeting.

Police Chief Lausten reported that an active traffic signal enforcement has lead to 42 traffic contacts and 21 were red light violations. Lausten stated that Saint Patrick's Day celebrations were quiet and only lead to a few DUI arrests.

Fire Chief Uhl and Police Chief Pokorny reported that a grant was received in the amount of $72,352.00 for assistance from FEMA in replacing radios.
Public Works Director Soucie reported that two sewer employees attended the National Convention and that the Golf Superintendent would also be attending a respective National Convention later this year as well. Soucie also reported that a new snow blower had arrived. Soucie also commented that a local company is selling salt at $20 savings per ton.

Library Director Barcal reported that she attended several great sessions at the National Public Library Association Meeting.

B. CITIZENS ADVISORY REVIEW COMMITTEE – EDP REPORT

1. PUBLIC HEARING

At 07:13 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Citizens Advisory Review Committee.

At 7:14 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

C. ORDIANANCE – RIGHT OF WAY VACATION AND CONVEYANCE- SOUTH SIDE OF HARRISON EAST OF 83RD STREET


D. EXPANSION OF 2-MILE EXTRATERRITORIAL JURISDICTION – WEST OF 144TH STREET

1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Expansion of 2-Mile Extra Territorial Jurisdiction – West of 144th Street.

At 7:15 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE

Councilmember Carlisle introduced and moved for adoption of Ordinance 1171 entitled: AN ORDINANCE TO EXTEND AND REVISE BOUNDARIES OF THE EXTRATERRITORIAL JURISDICTION OF THE CITY OF LA VISTA NEBRASKA; TO REPEAL ALL ORDINANCES IN CONFLICT HEREWITH; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Ellerbeck 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 voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Sheehan. 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 Ellerbeck. The Mayor then stated the question, "Shall Ordinance No. 1171 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Sheehan. 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. AMENDMENTS TO THE COMPREHENSIVE PLAN
1. PUBLIC HEARING

At 7:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Amendments to the Comprehensive Plan.

At 7:16 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. RESOLUTION – AMEND COMPREHENSIVE PLAN – FUTURE LAND USE MAP

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-024; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING THE FUTURE LAND USE MAP PORTION OF THE COMPREHENSIVE PLAN.

WHEREAS, after the expansion of the City of La Vista's 2-mile extraterritorial jurisdiction (ETJ), the official Future Land Use Map is required to be amended to include those area incorporated into the ETJ through the expansion; and

WHEREAS, the Planning Commission has recommended approval of a request for the adoption of the new Future Land Use Map; and

WHEREAS, an amendment to the Future Land Use Map is appropriate and consistent with the land use policies of the Comprehensive Plan; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to prepare the necessary amendment to the Future Land Use Map of the Comprehensive Plan that includes the expansion of the City's 2-mile ETJ as identified in the attached Exhibit A.


3. RESOLUTION – AMEND COMPREHENSIVE PLAN – CHAPTER 9: ANNEXATION PLAN

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-025; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING CHAPTER 9, ANNEXATION PLAN, OF THE COMPREHENSIVE PLAN

WHEREAS, the Comprehensive Plan currently has an Annexation Plan in Chapter 9 which includes a narrative section, a chart and a map; and

WHEREAS, amendments are proposed to update the Plan based on an annual review; and

WHEREAS, the Planning Commission has recommended approval of the amendments to Chapter 9, Annexation Plan; and

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to have prepared the necessary amendment to Chapter 9, Annexation Plan, of the Comprehensive Plan as identified in the attached Exhibit A.


F. ZONING TEXT AMENDMENT – GATEWAY CORRIDOR OVERLAY DISTRICT

1. PUBLIC HEARING
At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Zoning Text Amendment – Gateway Corridor Overlay District.

At 7:18 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE

Councilmember Carlisle introduced and moved for adoption of Ordinance 1172 entitled: AN ORDINANCE TO AMEND SECTION 5.17 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 5.17 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Gowan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Sheehan. 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 Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Gowan. The Mayor then stated the question, "Shall Ordinance No. 1172 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Sheehan. 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.

G. ZONING MAP AMENDMENTS – WEST OF 144TH STREET & GATEWAY CORRIDOR OVERLAY DISTRICT

1. PUBLIC HEARING

At 7:19 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Zoning Map Amendment – West of 144th Street & Gateway Corridor Overlay District

At 7:20 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

2. ORDINANCE

Councilmember Carlisle introduced and moved for adoption of Ordinance 1173 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Sheehan. 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. 1173 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Sheehan. 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.

H. RESOLUTION – APPROVE CHANGE ORDER 1 – APPLEWOOD CREEK IMPROVEMENTS

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-026: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MELVIN SUDBECK HOMES, INC., OMAHA, NEBRASKA, TO REDUCE THE CONTRACT PRICE TO $305,959.68.

WHEREAS, the City has determined it is necessary to reduce the quantity of mitigation trees and to change the species of mitigation trees; and

WHEREAS, this change is necessary to comply with conditions of the Corps of Engineers permit for this project; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Melvin Sudbeck Homes, Inc., Omaha, Nebraska, for reduction of the quantity of mitigation trees and to change the species of mitigation trees for a decrease in the contract price from $311,241.48 to $305,959.68.


I. RESOLUTION – AUTHORIZATION TO PURCHASE – TRUCK MOUNTED SEWER JETTER

Councilmember Crawford introduced and moved for the adoption of Resolution No. 12-027: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2013 INTERNATIONAL MODEL 4300 SBA, 4X2 TRUCK FROM CORNHUSKER INTERNATIONAL TRUCKS, INC., OMAHA NEBRASKA EQUIPPED WITH A FACTORY INSTALLED 2012 SEWER JETTER, MODEL 800H-ECO FROM SEWER EQUIPMENT COMPANY OF AMERICA AND ANCILLARY EQUIPMENT, IN AN AMOUNT NOT TO EXCEED $208,800.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a truck mounted sewer jetter is necessary; and

WHEREAS, the purchase has been included in the FY 2011/12 Sewer 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) 2013 International Model 4300 SBA, 4x2 truck from Cornhusker International Trucks, Inc. Omaha Nebraska equipped with a factory installed 2012 Sewer Jetter, Model 800H-ECO from Sewer Equipment Company of America and ancillary equipment, in an amount not to exceed $208,800.00.

Seconded by Councilmember Carlisle. Councilmember Sell asked why we only received one bid, and questioned if the specifications were too rigid. Public Works Director Soucie stated that there were only two companies in the United States that made the equipment and the more specialized truck must be purchased from a Nebraska dealer, Councilmember Gowan asked the age of the current vehicle and Soucie stated the current vehicle is 25 plus years old. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

J. RESOLUTION - AWARD CONTRACT – BACK STOP REPLACEMENT
Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-028; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO ELKHORN FENCE COMPANY, ELKHORN, NEBRASKA IN AN AMOUNT NOT TO EXCEED $5,296.00

WHEREAS, the City Council of the City of La Vista has determined that the replacement of the backstop on field #3 at the Sports complex is necessary; and

WHEREAS, the FY 2011/12 General Fund Budget will provide funds for this 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.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award the contract to Elkhorn Fence Company, Elkhorn, Nebraska in an amount not to exceed $5,296.00


K. JOB DESCRIPTION UPDATES

Councilmember Carlisle made a motion to receive and file the update job descriptions for Front Office Staff.

Seconded by Councilmember Eillerbeck. Councilmember Sell asked who the main supervisor would be. Assistant City Administrator Ramirez stated that the main supervisor is the Front Office Manager with the Department Head taking care of technical items pertaining directly to their department. Councilmember Sell asked if these changes were enough and Assistant City Administrator Ramirez stated they felt they are and would monitor if any further changes need to be made. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Eillerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.
MINUTE RECORD

March 20, 2012

COMMENTS FROM THE FLOOR

Randy Eschelmann, candidate for Ward 4 approached the Council in regards to the current signage law. Mayor Kindig reported that city staff has been reviewing signage requirements and changes will be presented to the Planning Commission on April 19, 2012.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from the Mayor and Council.

STRATEGIC PLANNING WORKSHOP

The Mayor and Council received updates on opportunities for change and growth in the current strategic plan and discussed changes and opportunities for the strategic plan. City Administrator Gunn will update the Strategic Plan and bring it to Council at a future date for review and approval.

At 9:30 p.m. Councilmember Ellerbeck made a motion to adjourn the meeting. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Sheehan. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF APRIL, 2012.

CITY OF LA VISTA

[Signature]

Mayor

ATTEST:

[Signature]
Pamela A. Buethe, CMC
City Clerk