

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING September 7, 2010

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 September 7, 2010. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant Library Director Linhart, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Recreation Director Stopak, Public Works Director Soucie, Community Development Director Birch, Building and Grounds Director Archibald, and Human Resource Generalist Karen Fagin.

A notice of the meeting was given in advance thereof by publication in the Times on August 26, 2010. 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 – TOM KACMARYNSKI – 5 YEARS

Mayor Kindig recognized Tom Kacmarynski for 5 years of service to the City

APPOINTMENTS – FIRE DEPARTMENT RECRUITS – CHRIS GOLEY, LEE KORTUS, MIKE WEBSTER

Mayor Kindig stated that with the approval of Council he would like to appoint Chris Goley, Lee Kortus, and Mike Webster to the position of Fire Department Recruit. Councilmember Sheehan motioned the approval, seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

SPECIAL REPORT – BRUCE FOUNTAIN – SARPY COUNTY ECONOMIC DEVELOPMENT CORP.

Bruce Fountain representing the Sarpy County Economic Development Corporation presented the second quarter report to the Mayor and City Council.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM AUGUST 17, 2010
3. APPROVAL OF PARK & RECREATION ADVISORY COMMITTEE MINUTES FROM AUGUST 18, 2010
4. REQUEST FOR PAYMENT – HERITAGE-CRYSTAL CLEAN, LLC – PROFESSIONAL SERVICES - \$8,500.00
5. REQUEST FOR PAYMENT – VOGL TRAFFIC SERVICES – PROFESSIONAL SERVICES - \$6,212.50
6. REQUEST FOR PAYMENT – NEBRASKA DEPT. OF ECONOMIC DEVELOPMENT – CDBG BLOCK GRANT FUNDS - \$117,592.00
7. APPROVAL OF CLAIMS

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

A-RELIEF SERVICES, LV50 Concert	930.00
AA WHEEL & TRUCK SUPPLY, Vehicle Maint.	43.56
ABE'S PORTABLES, Rentals	210.00
ACCO UNLIMITED, Supplies	399.70

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ADDLEMAN, RUSSELL Contract Services	31.00
AFTERNOOENER'S Meals	22.54
ALAMAR UNIFORMS Wearing Apparel	221.49
AMSAN, Supplies	156.64
ANDERSON ELECTRIC, Building Maint	204.00
AOI CORPORATION, Office Supplies	517.06
ARAMARK UNIFORM, Contract Services	478.22
ASPHALT & CONCRETE MATERIALS, Street Maint.	462.70
BABER, BRAD ,Training	330.00
BAKER & TAYLOR BOOKS, Books	3290.09
BANKERS TRUST, Bond	500.00
BARCAL, ROSE, Mileage	80.30
BCDM,Professional Services	52.50
BEACON BUILDING SERVICES, Contract Services	6712.00
BENNETT REFRIGERATION, Building Maint.	226.00
BENNINGTON EQUIPMENT, Equip Maint	537.61
BENSON RECORDS MANAGEMENT, Contract Services	57.44
BEST ACCESS SYSTEMS DIVISION, Supplies	17.80
BIG RIG TRUCK ACCESSORIES, Vehicle Maint	255.00
BLACK HILLS ENERGY, Utilities	2031.43
BLUE CROSS BLUE SHIELD, Insurance	63.27
BOOKPAGE, Subscription	432.00
BRADFORD, CARLOS, Contract Services	18.00
BUETHE, PAM, Phone	20.00
BUILDERS SUPPLY, Street Maint.	71.01
BURT, STACIA, Training	236.00
CABELA'S, Wearing Apparel	268.67
CALENTINE, JEFFREY, Phone	30.00
CITY OF OMAHA, Contract Services	44028.57
COLOMBO/PHELPS, Concessions	573.32
CONSTRUCTION EXAM CENTER,Training	1390.00
CORNHUSKER INTL, Vehicle Maint.	2846.51
COX, Phone/Contract Services	237.80
CREIGHTON EMS ED,Training	1985.00
CROSS DILLON TIRE, Vehicle Maint.	29.90
D & D COMMUNICATIONS, Radio repair	1836.00
DECOSTA SPORTING GOODS,Supplies	10.50
DINAN, DENNY, League supplies	55.47
DRUMMOND, SONNY, Contract Services	18.00
DULTMEIER SALES & SERVICE, Vehicle Maint.	133.37
EASTERN LIBRARY SYSTEM, Meals/Mileage	125.00
ENTERPRISE LOCKSMITHS, Building Maint.	49.00
FAIRWAY GOLF, Contract Services	90.00
FARQUHAR, MIKE, Auto allowance	100.00
FEDEX, shipping	27.43
FILTER CARE, Vehicle Maint.	118.20
FIREGUARD, Contract Serv./equipment	1660.60
FIRMATURE, STEVE, Contract Services	18.00
FITZGERALD SCHORR BARMETTLER, Professional Services	15336.85
FLOHR ELECTRIC SERVICE, Building Maint.	48.33
FROELICH, RORYAuto allowance	100.00
GALE, Books/periodical	150.96
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	336.45
GOLDMAN, JOHN G, Phone	85.00
GREAT PLAINS UNIFORMS, Wearing Apparel	24.75
GREAT WESTERN BANK, Financial	250.00
GREENKEEPER CO, Grounds Maint.	954.00
GUNN, BRENDA, Phone	45.00
H & H CHEVROLET, Vehicle Maint.	121.86
HANEY SHOE STORE, Wearing Apparel	120.00
HARRISON HYDRA-GEN, Vehicle Maint	106.86
HEARTLAND PAPER, Supplies	166.00
HEARTLAND SERVICES, Equip Repair	371.66
HEIMES CORP, Street Maint	207.72
HELGET GAS PRODUCTS, Supplies	115.50
HOBBY LOBBY STORES, Supplies	56.42

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HY-VEE, Supplies	9.17
INDUSTRIAL SALES CO, Building Maint.	1171.66
J Q OFFICE EQUIP, Contract Services	1456.17
JINECO EQUIP CO, Equip.	58.95
KAUFMAN TRAILERS, Equip.	3930.00
KINDIG, DOUGLAS, Phone	80.00
KLINKER, MARK A, Professional Services	200.00
KOTTMANN, JOHN, Phone/Mileage	190.00
KRIHA FLUID POWER CO, Vehicle Maint.	70.90
KUSTOM SIGNALS , Equip Repair	229.00
LA VISTA COMMUNITY FOUND, LV50	50.00
LANGLEY ANIMAL HOSPITAL, Contract Services	19.00
LARSEN SUPPLY CO, Supplies	161.00
LEAGUE OF NEB MUN, Dues	1124.00
LEAGUE OF NEB MUN, Dues	25867.00
LEXIS NEXIS, Books/periodical	1098.45
LIFE ASSIST, Supplies	3132.66
LINWELD, Street Maint/Supplies	114.92
LOGAN CONTRACTORS SUPPLY, Vehicle Maint.	246.59
LOU'S SPORTING GOODS, Supplies	19.98
LUKASIEWICZ, BRIAN, Phone	50.00
MALLARD SAND & GRAVEL CO, Grounds Maint.	25.00
MARTIN MARIETTA, Street Maint.	707.29
MCNAMARA, CASSLYN, Contract Services	60.00
MCNAMARA, VICTORIA, Contract Services	130.00
METHODIST HOSPITAL, Contract Services	350.00
MAT, Contract Services	614.00
METROPOLITAN COMMUNITY COLLEGE, Utilities	8765.53
MUD, Utilities	5471.92
MICHAEL TODD, Street Supplies	59.28
MID AMERICA PAY PHONES, Phone	100.00
MID CON SYSTEMS, Vehicle/Building Maint.	333.27
MIDLANDS LIGHTING & ELECTRIC, Building Maint.	64.47
MIDWEST DISTRIBUTING, Building Maint.	468.33
MIDWEST RIGHT OF WAY, Contract Services	3016.00
MONARCH OIL, Street Maint.	949.00
MOORE WALLACE, Printing/Postage	478.50
MOORE, WAYNE, Contract Services	18.00
MSC INDUSTRIAL SUPPLY, Supplies	62.25
NEBRASKA LAW ENFORCEMENT, Training	186.00
NEBRASKA NATIONAL BANK, Lease	1163.43
NEFF TOWING, Vehicle Maint.	280.00
NEXTEL, Phone	440.21
NEXTEL, Phone	201.13
NMC EXCHANGE, Street Maint.	400.00
OABR PRINT SHOP, Printing	4060.15

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council the promotional process has begun to fill a sergeant vacancy and his hope is to complete this by the end of the month.

Fire Chief Uhl had firefighter T.J. Markowsky inform Council of the upcoming fundraising events for Mark Strong which will be a pancake breakfast on September 25, 2010 from 8-11 and a spaghetti feed on September 26, 2010 from 1-5. Free will donations will be accepted.

Buildings and Grounds Director Archibald informed Council that the new heating and air conditioning unit is at the District 1 Fire Station.

Library Director Barcal informed Council that their next 50th Anniversary event will be a guest speaker from Ireland at the Library on Saturday at 1:00 to help teach people how to write personal history and about genealogy. Also, September 21, 2010 is the day that Runza in La Vista will donate a portion of their proceeds to help the library buy books for kids and all are encouraged to dine there on that day to help the cause.

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B. FISCAL YEAR 10/11 MUNICIPAL BUDGET

1. APPROPRIATIONS ORDINANCE – FINAL READING

Human Resource Generalist Fagin on behalf of the City Clerk read Ordinance No. 1126 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2010 AND ENDING ON SEPTEMBER 30, 2011; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Sell made a motion to approve final reading and adopt Ordinance No. 1126. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: Sheehan. Absent: None. Motion carried.

2. MASTER FEE ORDINANCE – FINAL READING

Human Resource Generalist Fagin on behalf of the City Clerk read Ordinance No. 1127 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1109, 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.

Councilmember Crawford made a motion to approve final reading and adopt Ordinance No. 1127. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

3. INCREASE BASE OF RESTRICTED FUNDS AUTHORITY

a. PUBLIC HEARING

At 7:17 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the increase base of restricted funds authority

At 7:17 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

b. RESOLUTION – APPROVE BASE INCREASE

Councilmember Quick introduced and moved for the adoption of Resolution No. 10-097 entitled; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE 2010-11 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the 2010-11 municipal budget on September 7, 2010; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the 2010-11 municipal budget is allowed following the approval of at least 75% of the governing body.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the 2010-11 municipal budget by an additional one percent.

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

4. SETTING THE PROPERTY TAX LEVY

a. PUBLIC HEARING

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on setting the property tax levy.

At 7:18 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. Absent: None. Motion carried.

b. RESOLUTION – APPROVE PROPERTY TAX LEVY

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 10-098 A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR FY 10/11.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Mayor and City Council of the City of La Vista passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of La Vista that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, by a majority vote, hereby resolve that:

The FY 10/11 property tax request be set at \$5,496,449.32 which would require a mill levy of \$0.5235.

A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2010.

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

C. AMEND COMPENSATION ORDINANCE AND SET RATES OF AUTO AND PHONE ALLOWANCE

1. RESOLUTION

Councilmember Gowan introduced and moved for the adoption of Resolution No. 10-099: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MONTHLY VEHICLE AND MOBILE PHONE ALLOWANCES FOR SPECIFIC OFFICERS AND EMPLOYEES OF THE CITY.

WHEREAS, the Mayor and City Council establish by ordinance the compensation for officers and employees of the City of La Vista and said ordinance establishes that the Mayor and Council may additionally fix by resolution such vehicle and other allowances as may from time to time be fixed in the municipal budget; and

WHEREAS, the FY11 municipal budget establishes funds for vehicle and mobile phone allowances for various officers and employees of the City and are recommended by the Finance Director and City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the following vehicle and mobile phone allowances:

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Position	Monthly Vehicle Allowance	Position	Monthly Vehicle Allowance
Mayor	\$150	City Clerk	\$100
City Administrator	\$300	Assistant City Administrator	\$75
1st Asst. Fire Chief	\$100	2nd Asst. Fire Chief	\$100
District Fire Chief	\$100	Public Information Officer – Fire	\$100
Community Development		City Planner	\$50
Director	\$50	Community Relations Coord.	\$55
Library Director	\$59	Asst. Library Director	\$43
Park Superintendent	\$40	Recreation Director	\$75

NOW THEREFORE BE IT FURTHER RESOLVED, that the Finance Director may establish monthly mobile phone allowances as follows: mobile phone service for the Recreation Director, Park Superintendent and Golf Course Superintendent in an amount not to exceed \$65; mobile phone data package charges for the City Administrator, Assistant City Administrator, and City Clerk in an amount not to exceed \$45; and mobile phone service and data package charges for the Mayor, Public Works Director, Street Superintendent, and City Engineer in an amount not to exceed \$85.

Seconded by Councilmember Ellerbeck. City Administrator Gunn informed Council that staff will be looking for a more uniform way to decide allowances for next year. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. ORDINANCE

Councilmember Crawford introduced Ordinance No. 1129 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

Councilmember Gowan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. 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 Gowan moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. Councilmember Carlisle inquired as to why longevity was in the ordinance. Assistant City Administrator Ramirez stated that there is still longevity for those under contract. The Mayor then stated the question was, "Shall Ordinance No.1129 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: Sheehan. The following were absent: None. 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. 2011-2015 CAPITAL IMPROVEMENT PROGRAM

1. PUBLIC HEARING

At 7:25 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the 2011-2015 Capital Improvement Program

At 7:25 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. Absent: None. Motion carried.

2. RESOLUTION – ADOPTION OF 2011-2015 CAPITAL IMPROVEMENT PROGRAM

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-100 A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE 2011-2015 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR INFRASTRUCTURE AND OTHER CAPITAL IMPROVEMENTS FOR THE CITY OF LA VISTA.

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WHEREAS, the City of La Vista's Capital Improvement Program (CIP) document has been prepared and presented to Council; and

WHEREAS, the La Vista Planning Commission has reviewed the 2011-2015 Capital Improvement Program (CIP) for the City of La Vista and recommends to Council approval of the Plan, and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's 2011-2015 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the 2011-2015 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the La Vista City Council.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the 2011-2015 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

E. RESOLUTION – AUTHORIZATION TO PURCHASE – PIPELINE TELEVISION INSPECTION SYSTEM (TABLED FROM 8/17/10 MEETING)

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-101; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2010 CUES MULTI CONDUCTOR PIPELINE TELEVISION INSPECTION SYSTEM FROM WOODHOUSE FORD, BLAIR, NE IN AN AMOUNT NOT TO EXCEED \$159,466.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of said pipeline television inspection system for the Public Works Department is necessary; and

WHEREAS, the FY 2010/11 Sewer Fund includes funds for the purchase of said pipeline television inspection system; and

WHEREAS, Woodhouse Ford has submitted the lowest most responsible bid for a pipeline television inspection system; 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 purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) 2010 Cues Multi Conductor Pipeline Television Inspection System in an amount not to exceed \$159,466.00.

Seconded by Councilmember Sell. Public Works Director Soucie informed Council that his questions and concerns have been resolved and he is ready to move forward with this purchase. Councilmember Quick asked if Papillion would get the old camera and Soucie stated that they would. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

F. RESOLUTION - INTERLOCAL AGREEMENT METRO AREA DRUG TASK FORCE

Councilmember Sell introduced and moved for the adoption of Resolution No. 10-102; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE "PARTICIPATING AGENCIES" OF THE METRO AREA DRUG TASK FORCE (UNITED STATES DEPARTMENT

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OF JUSTICE-FBI & DEA, UNITED STATES DEPARTMENT OF TREASURY-IRS, CITY OF OMAHA, CITY OF BELLEVUE, CITY OF PAPILLION, SARPY COUNTY SHERIFF, DOUGLAS COUNTY SHERIFF, AND THE NEBRASKA STATE PATROL).

WHEREAS, it is the belief of informed law enforcement administrators that the most effective enforcement effort against drug trafficking and related crime in the Omaha/East Central Nebraska Metropolitan area can best be achieved through the cooperative efforts of multi-agency enforcement; and

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, Douglas County, Sarpy County, City of Bellevue, City of Papillion, City of Omaha, Nebraska State Patrol, United States Department of Treasury-Internal Revenue Service, and the United States Department of Justice-FBI & DEA are desirous of and agreeable to an extension of an Interlocal Cooperation Agreement forming a Metropolitan area drug task force;

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with Douglas County, Sarpy County, City of Bellevue, City of Papillion, City of Omaha, Nebraska State Patrol, United States Department of Treasury-Internal Revenue Service, and the United States Department of Justice-FBI & DEA.

Seconded by Councilmember Quick. Councilmember Carlisle asked Police Chief Lausten if he sits on the board and he stated that he does. Lausten informed Council that with this new agreement La Vista will be eligible for grant money. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

G. RESOLUTION – SPECIAL DESIGNATED LIQUOR LICENSE APPLICATION – JDJND INC DBA JD'S LIQUOR LOCKER

Councilmember Sell introduced and moved for the adoption of Resolution No. 10-103; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT A BEER TASTING EVENT AT 8052 SOUTH 84TH STREET ON OCTOBER 9, 2010.

WHEREAS, 8052 South 84th Street is located within the City of La Vista; and

WHEREAS, JDJND Inc dba JD's Liquor Locker has requested approval of a Special Designated Permit to serve beer at a tasting/sampling event at 8052 South 84th Street on October 9, 2010 from 1:00 p.m. to 3:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize JDJND Inc dba JD's Liquor Locker to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to serve alcohol at 8052 South 84th Street, in conjunction with a tasting/sampling event.

Seconded by Councilmember Sheehan. J D Dropinski was in attendance to answer questions. Councilmember Carlisle asked if this was for a fundraiser. Dropinski stated that it is not but a sampler for the craft beers. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

H. DISCUSSION – AMEND THE TRAFFIC CODE

Discussion was held regarding proposed changes to the La Vista City Code regarding traffic tickets and the enforcement of. These changes would give a violator an appeal process along with other changes. With the direction of Council, Police Lausten will proceed with the proposed changes for a future meeting and will have the changes reviewed by the City Attorney.

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I. SPECIAL ASSESSMENTS

1. PUBLIC HEARING

At 7:47 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 7:47 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. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 10-104 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 7121 Harrison St/Lot 1C EX PT TO RD/LA Vista Replat \$19,759.08; and were notified to clean up their property as they were in violation of multiple City of La Vista building, mechanical and electrical codes, 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. Absent: None. Motion carried.

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and stated that anyone having comments should limit them to three minutes. Public Works Director Soucie informed Council that the strip mall on 83rd Street will be demolished beginning the end of this week. The tire collection at public works will be held September 24th and 25th. The Golf Course will be closed on September 13th to be aerated. Work will begin on 108th and Chandler beginning October 4th.

J. EXECUTIVE SESSION – PERSONNEL; CONTRACT NEGOTIATIONS

At 7:51 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 Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

MINUTE RECORD

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

September 7, 2010

At 8:45 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: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

None.

At 8:48 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. Absent: None. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF SEPTEMBER 2010

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk