

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING September 21, 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, City Clerk Buethe Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Recreation Director Stopak, Public Works Director Soucie, Building and Grounds Director Archibald, and City Planner Christopher Solberg,

A notice of the meeting was given in advance thereof by publication in the Times on September 9, 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 – SHARON PAULSEN – 20 YEARS

Mayor Kindig recognized Sharon Paulsen for 20 years of service to the City.

APPOINTMENT – COREY JEFFUS AND SHANNON WIIG – PARKS AND RECREATION

ADVISORY BOARD – FILL VACANCIES

Mayor Kindig stated that with the approval of Council he would like to appoint Corey Jeffus and Shannon Wiig to the Parks and Recreation Advisory Board to fill vacancies. Councilmember Carlisle motioned the approval, seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED

2. APPROVAL OF CITY COUNCIL MINUTES FROM SEPTEMBER 7, 2010

3. MONTHLY FINANCIAL REPORT – AUGUST 2010

4. APPROVAL OF CLAIMS

Councilmember Gowan made a motion to approve the consent agenda. Seconded by Councilmember Carlisle Councilmember Sheehan reviewed the claims for this period and reported that he 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.

EASYWAY INTN'L, Grant	117,592.00
HERITAGE CRYSTAL CLEAN LLC, Cleaning	8,500.00
VOGEL TRAFFIC SERV., Supplies	6,212.50
BEAM-CLARKE, CHERRIE, Speaker	157.00
LAUGHLIN, KATHLEEN	648.00
84TH STREET CAFÉ, event	544.00
A & C TREE SERV., bldg & grnds	1,200.00
AA WHEEL & TRUCK SUPPLY, vehicle maint.	62.42
AKSARBEN HEATING, bldg & grnds.	12,596.75
ALAMAR UNIFORMS, wearing apparel	166.98
ANN TROE, printing	735.00
AOI CORP., office supplies	1,096.14
ARAMARK UNIFORM, contractual services	276.98
ASPHALT & CONCRETE MTRL. street maint.	147.10

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BCDM, professional services	707.50
BEAUMONT, MITCH, mileage	80.50
BENNETT REFRIGERATION, bldg & grnds	948.00
BENNINGTON EQUIP, vehicle maint	873.34
BENSON RECORDS MGMT, contract service	57.44
BETTER BUSINESS EQUIP, rentals	49.17
BLACK HILLS ENERGY, utilities	21.11
BOB'S RADIATOR REPAIR, vehicle maint	220.00
BOBCAT, vehicle maint	33.82
BRENTWOOD AUTO WASH, vehicle maint	84.00
ELAN, training, travel	10,218.85
CHEMSEARCH, vehicle maint	102.88
CJ'S HOME CENTER, supplies	879.03
CORNHUSKER INTL TRUCKS, vehicle maint	511.57
COX COMMUNICATIONS, contract services	224.25
D & D COMMUNICATIONS vehicle maint	185.50
DELL MARKETING, contract services	10,297.12
DULTMEIER SALES & SERVICE, street maint	2.66
EDGEWEAR SCRIN PRINT, wearing apparel	280.80
EMERGENCY SERVICES MKTING, phone	45.08
FEDEX, postage	16.95
FILTER CARE, vehicle maint	27.40
FORT DEARBORN LIFE INS,	1,328.50
FOSTER, JASON, refund	41.49
FUTUREWARE, contract services	95.00
GCR OMAHA TRUCK TIRE, vehicle maint	207.00
GENUINE PARTS COMPANY, vehicle maint	994.11
GRAYBAR ELECTRIC, bldg & grnds	276.09
GREAT PLAINS ONE-CALL, contract services	366.04
GREENKEEPER COMPANY, bldg & grnds	206.20
FRED PETERSON, vehicle maint	50.00
GROSSENBACHER BROTHERS, supplies	217.50
HEIMES CORP, street maint	220.50
HELGET GAS PRODUCTS, supplies	10.00
HOBBY LOBBY STORES, supplies	26.00
HOME DEPOT, supplies	299.00
HUNTEL, contract services	201.00
INTERNATIONAL CODE COUNCIL, books	852.00
J Q OFFICE EQUIPMENT, contract services	368.28
JOHN DEERE LANDSCAPES, supplies	455.98
JOHNSTONE SUPPLY, bldg & grnds	37.11
KOTTMANN, JOHN, mileage, phone	346.50
LARM, ins & bnnds	6.00
LINCOLN NATIONAL LIFE INS	7,958.74
LINWELD, supplies	125.00
LOGAN CONTRACTORS, street maint	2,824.10
LOU'S SPORTING GOODS, equip.	853.40
LOYA, GABINO, refimd	39.93
MARTIN MARIETTA, street maint	143.21
METRO LANDSCAPE, bldg & grnds	210.00
MUD, utilities	1,207.98
MIDWEST DIST, bldg & grnds	71.30
MIDWEST TURF, equip. repair	3.60
NEBRASKA IOWA SUPPLY, supplies	12,267.95
NEBRASKA MOSQUITO/VECTOR, training	50.00
NEFF TOWING, vehicle maint	225.00
NEWTON VALVE, bldg & grnds.	62.00

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O'DONNELL FICENEC, professional services	4,353.22
O'REILLY AUTOMOTIVE, vehicle maint	23.76
OFFICE DEPOT, supplies	1,407.57
OMAHA COMPOUND CO, supplies	140.61
OPPD, utilities	3,041.85
OMAHA SLINGS, vehicle maint.	170.67
OMAHA WORLD HERALD, advertising	4,357.43
OMAHA WORLD HERALD, advertising	794.13
PALFLEET TRUCK EQUIP, vehicle maint	154.47
PARAMOUNT LINEN cleaning service	165.74
PAYLESS OFFICE PRODUCTS, supplies	683.58
PAM BUETHE, vehicle maint, supplies, travel	74.68
READY MIXED CONCRETE, street maint	3,978.72
SAFETY VISION, vehicle maint	73.92
SAM'S CLUB, supplies	2,421.14
SARPY COUNTY LANDFILL, bld & grnds	7.51
SCHAEFER, ROBERT, refund	44.35
SCHUMACHER, CLARE, refund	40.07
SEI, equip. repair	130.00
SHAMROCK CONCRETE, street maint	354.96
SIEVERS, ALICE, refund	80.50
SMOOTHER CUT ENT, contract services	1,650.00
STEVEN D JOHNSON, Professional services	2,003.12
STOLTENBERG NURSERIES, bldg & grnds	2,325.00
SUPERIOR VISION	367.60
TED'S MOWER, equip., supplies	1,684.50
TD2, contract services	317.35
TURFWERKS, equip rep	121.27
U S ASPHALT CO, street maint	501.85
UNIVERSAL STEERING, vehicle maint	262.00
V & V MANUFACTURING, wearing apparel	48.44
WITMER PUBLIC SAFETY , vehicle maint	1,329.68

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez reminded Council of the joint meeting with the Parks and Recreation Advisory Board on Tuesday September 28, 2010 at 6:30 at the La Vista Library.

Finance Director Lindberg informed Council that the budget book for FY11 will go to print this week and will be in their mailboxes on October 1, 2010

Police Chief Lausten informed Council that there were vehicle break ins in the Harrison Heights area and the 3 suspects have been apprehended. Lausten encouraged everyone to keep their vehicles locked at all times when they are not in them.

Fire Chief Uhl informed Council that a home had been struck by lightning which blew a hole in the roof but did not cause a fire. Uhl also reminded 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.

Public Works Director Soucie that Jim Ruffner from the public works department works with scouts on projects and is working with an eagle scout and Parkview Heights Elementary to create an interactive playground area on the hard surface. Last Friday Jeff Calentine and Donal Fischer from the golf course maintenance department to carts to school for their annual vehicle day.

Library Director Barcal informed Council of the summer reading program numbers. For the children's program there were 523 children registered, 45 schools represented, and 5,630 hours spent reading. There were 154 sessions with 3,650 attendees which was 400 more than last year. For the teen's program there were 35 sessions with 492 attendees which was 400 more than last year. Matthew Sitting Bear Jones will be at the library on September 25th, Darrel Draper

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will be there on October 3rd, and the teen author will be at the library on October 9th, Barcal informed council that the Library has received a grant for 12 computers.

B. AMENDMENT TO CITY OF LA VISTA ZONING ORDINANCE – SECTION 2.02

DEFINITIONS

1. PUBLIC HEARING

At 7:19 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the amendment of the City of La Vista Zoning Ordinance Section 2.02 Definitions.

City Planner Solberg gave an overview of the amendments. Councilmember Sheehan stated that there need to be some changes for signs for small businesses. City Administrator Gunn stated that staff is working on a signage ordinance and that is one of the areas they are looking at.

At 7:21 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. ORDINANCE

Councilmember Gowan introduced Ordinance No. 1130 entitled: AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

Councilmember Sheehan 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 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Gowan. The Mayor then stated the question was, "Shall Ordinance No.1130 be passed and adopted?" Upon roll call vote 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 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.

C. BROOK VALLEY BUSINESS PARK REPLAT 4

1. PUBLIC HEARING

At 7:22 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Brook Valley Business Park Replat 4

City Planner Solberg gave an overview of the Replat 4. Solberg asked that the resolution be tabled until conditions stated in the blue letter have been completed.

At 7:23 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 moved to table Resolution No. 10-105 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF A REPLAT OF PART OF LOT 33A, BROOK VALLEY BUSINESS PARK, A SUBDIVISION LOCATED IN THE NE ¼ AND IN THE SE ¼ OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., AND ALSO LOT 55, BROOK VALLEY BUSINESS PARK, A SUBDIVISION LOCATED IN THE NE ¼, SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6TH P.M., SARPY COUNTY, NEBRASKA. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. CONDITIONAL USE PERMIT – LOT 5, HARRISON HEIGHTS

1. PUBLIC HEARING

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At 7:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the conditional use permit for Lot 5, Harrison Heights.

City Planner Solberg gave an overview of the CUP for Lot 5, Harrison Heights. Councilmember Sheehan asked if there are any amenities for the Seniors. Solberg stated there was the community room. Councilmember Ronan asked what the age requirement is. Solberg stated it is 55. Councilmember Sheehan asked why there are no garages. Solberg stated that they are not required in this PUD. Morgan Sykes of E & A Consulting Group addressed the council stating that when the PUD was approved there were no garages on Lot 5, but there are on Lot 4. Mayor Kindig inquired as to how many units are in the building on Lot 5. Sykes stated 45. Mayor Kindig asked how many garages are planned for the apartments on Lot 4 and how many separate apartments. Sykes stated 40 or 45 garages and approximately 154 apartments.

At 7:30 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Gowan introduced Resolution 10-106 with amendments: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR MULTIPLE FAMILY DWELLINGS FOR SENIORS ON PROPOSED LOT 5, HARRISON HEIGHTS

WHEREAS, Chris Collett, on behalf of The Orchards at Wildwood, has applied for a conditional use permit for the purpose of having multiple family dwellings for seniors on proposed Lot 5, Harrison Heights; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes;

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit at this meeting for The Orchards at Wildwood, represented by Chris Collett, for the purpose of having multiple family dwellings for seniors on proposed Lot 5, Harrison Heights, in form and content submitted with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

Seconded by Councilmember Sell. Councilmember Sell stated that this will provide affordable housing to the elderly. Councilmember Ellerbeck stated that this gives people an option to rent an apartment here without a garage or to rent in another part of the City with a garage. Councilmember Crawford stated he cannot support a project that is a step backward with regard to garages. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Ellerbeck, and Gowan. Nays: Sheehan and Crawford. Absent: None. Motion carried.

E. CONDITIONAL USE PERMIT – HOME OCCUPATION – PERSONAL FITNESS SERVICES **1. PUBLIC HEARING**

At 7:37 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the conditional use permit for a Home Occupation – Personal Fitness Services.

City Planner Solberg gave an overview of the Conditional Use Permit for a home occupation – personal fitness services. Councilmember Crawford asked if the neighbors were surveyed regarding this occupation. Solberg stated they were all good with this and a few were in attendance for support.

At 7:39 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Sheehan introduced and moved for adoption of Resolution 10-107: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR A HOME

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OCCUPATION TO OPERATE A FITNESS STUDIO AT 7226 PETERS STREET ON LOT 3, GILES CORNER REPLAT ONE, LA VISTA NEBRASKA.

WHEREAS, Min Yu the property owner has applied for a conditional use permit for a home occupation to operate a fitness studio on Lot 3, Giles Corner Replat One, 7226 Peters Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes, subject to the following conditions:

1. The fitness studio will utilize the basement, approximately 1,000 s.f.
2. The hours of operation will generally be from 7:00 a.m. to 8:00 p.m. Monday through Saturday, by appointment only.
3. Client parking will consist of the owner's driveway.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Min Yu to operate a home occupation fitness studio on Lot 3 in Giles Corner Replat One, 7226 Peters Street, subject to the conditions listed in the last recital above.

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

F. AMENDMENT TO THE CITY OF LA VISTA COMPREHENSIVE PLAN – ANNEXATION PLAN

1. PUBLIC HEARING

At 7:39 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the amendment to the City of La Vista Comprehensive Plan – Annexation Plan.

City Planner Solberg gave an overview of the Annexation Plan. Marvin Zuroski of 7924 S 74th Avenue stated that he lives in Giles Corner and wondered when they would be considered for annexation. City Administrator Gunn stated that Giles Corner is coming up in the near future for consideration for annexation.

At 7:41 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-108; 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.

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

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G. THOMPSON CREEK HAZARD MITIGATION PROJECT – PURCHASE OF REAL PROPERTY

1. PUBLIC HEARING

At 7:42 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Thompson Creek hazard mitigation project – purchase of real property.

At 7:43 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-109; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF THREE HOMES FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THESE SITES

WHEREAS, the owners of the homes located at 7548 Valley Road, 7602 Valley Road, and 7601 South 73rd Avenue (together the homes are referred to herein as "Sites"), desire to sell the Sites to the City, and the City desires to purchase the Sites from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Sites; and
- (iii) Proposed purchase agreements for the Sites have been presented to the City Administrator by the owners of the Sites in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price equal to the appraised value, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Sites or is otherwise acceptable, in addition to other terms and conditions; and
- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Sites, to be held during the regular City Council meeting on September 21, 2010; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Sites from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Sites as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

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

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H. RESOLUTION – ADVERTISEMENT FOR BIDS – STORM SEWER REHABILITATION – HARRISON STREET AND PARK CREST DRIVE

Councilmember Crawford introduced and moved for the adoption of Resolution No. 10-110: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE STORM SEWER REHABILITATION HARRISON STREET AND PARK CREST DRIVE.

WHEREAS, the City Council has determined that the rehabilitation of the storm sewer at Harrison Street and Park Crest Drive is necessary, and

WHEREAS, the FY 2010/11 Capital Improvement Program provides funding for the proposed improvements, and

WHEREAS, the City Engineer has prepared specifications for the rehabilitation of the Storm Sewer at Harrison Street and Park Crest Drive.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the rehabilitation of the Storm Sewer at Harrison Street and Park Crest Drive in accordance with specifications prepared by the City Engineer. and said bids are to be opened and publicly read aloud at 10:00 a.m. at the office of the City Clerk 8116 Park View Boulevard, La Vista NE on October 12, 2010.

Publish Notice to Contractors September 30 and October 7, 2010

Open Bids October 12, 2010

Award Contract October 19, 2010

Seconded by Councilmember Quick. Councilmember Sheehan asked if the project would be done this year. City Engineer Kottmann stated that it should be as long as good bids are received. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

I. RESOLUTION – ADVERTISEMENT FOR BIDS – BRIDGE JOINT REPAIRS – HARRISON STREET BRIDGE

Councilmember Sell introduced and moved for adoption of Resolution 10-111: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE BRIDGE JOINT REPAIRS ON THE HARRISON STREET BRIDGE OVER EASTPORT PARKWAY.

WHEREAS, the City Council has determined that the bridge joint repairs on the Harrison Street Bridge over Eastport Parkway are necessary, and

WHEREAS, the FY 2010/11 Capital Improvement Program provides funding for the proposed improvements, and

WHEREAS, the City Engineer, in conjunction with Thompson, Dreessen and Dorner, Inc., has prepared specifications for the bridge joint repairs on the Harrison Street Bridge.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the bridge joint repairs on the Harrison Street Bridge over Eastport Parkway in accordance with specifications prepared by the City Engineer, in conjunction with Thompson, Dreessen and Dorner and said bids are to be opened and publicly read aloud at 10:00 a.m. at the office of the City Clerk 8116 Park View Boulevard, La Vista NE on October 12, 2010.

Publish Notice to Contractors September 30 and October 7, 2010

Open Bids October 12, 2010

Award Contract October 19, 2010

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

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J. RESOLUTION – AUTHORIZATION TO PURCHASE – SINGLE AXLE DUMP TRUCK

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-112; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A 2011 INTERNATIONAL 7300 SFA 4X2 DUMP TRUCK FROM CORNHUSKER INTERNATIONAL TRUCKS, INC., OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$134,100.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of said dump truck is necessary; and

WHEREAS, the FY 2010/11 General Fund Street Operating Budget provides funding for said purchase; and

WHEREAS, the purchase will be from the State of Nebraska Contract #12720(OC) and City of Omaha contract #527388; 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, that the Mayor and City Council of the City of La Vista, do hereby award the purchase of a 2011 International 7300 SFA 4x2 Dump Truck from Cornhusker International Trucks, Inc., Omaha, Nebraska, in an amount not to exceed \$134,100.00.

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

K. RESOLUTION – AUTHORIZATION TO PURCHASE – ARC TRAINER

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 10-11; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) CYBEX 750AT TOTAL BODY ARC TRAINER FOR THE LA VISTA COMMUNITY CENTER FROM NOVA HEALTH EQUIPMENT, OMAHA, NE, IN AN AMOUNT NOT TO EXCEED \$5,995.00.

WHEREAS, the mayor and City Council have determined that the purchase of a arc trainer for the Community Center is necessary; and

WHEREAS, the FY 2009/10 Recreation budget did include funds for the purchase of said arc trainer, 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, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) Cybex 750AT Total Body Arc Trainer for the La Vista Community Center from Nova Health Equipment, Omaha, NE, in an amount not to exceed \$5,995.00.

Seconded by Councilmember Sell. Councilmember Quick asked if this was like a treadmill. Recreation Director Stopak said that is a combination of a treadmill, elliptical, and stair climber. Stopak stated that it generates its own battery charge. Stopak said that it is also good for cardio and upper body training. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

L. STRATEGIC PLAN UPDATE – PROGRESS REPORT

City Administrator Gunn gave an update on the progress of the strategic plan.

Motion by Crawford to receive and file the progress report for the Strategic Plan. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

Councilmember Sell 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

MINUTE RECORD

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

September 21, 2010

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.

M. EXECUTIVE SESSION –CONTRACT NEGOTIATIONS; LITIGATION

At 7:55 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations, and litigation. Seconded by Councilmember Crawford. 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.

At 8:13 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Quick stated she enjoyed the Corporate Cup race. Councilmember Sell appreciated the memo on the wheel tax issue.

At 8:24 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. Absent: None. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER 2010

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**LA VISTA CIVIL SERVICE COMMISSION
MEETING MINUTES
August 12, 2010**

A meeting of the Civil Service Commission of the City of La Vista, Nebraska was convened at 4:30 p.m. on August 12, 2010 at the Harold "Andy" Anderson Council Chambers at La Vista City Hall, 8116 Park View Blvd. Present were Chairman Filbrandt, and Commissioners Birkey, Christensen, Lewis, and Vendetti. Also in attendance were: City Administrator Gunn, Police Chief Lausten, and Civil Service Secretary Pam Buethe.

A notice of the meeting was given in advance by advertising in the Times Newspaper on August 5, 2010. Notice was simultaneously given to the Chairman and all members of the Civil Service Commission and a copy of the acknowledgement of the receipt of notice was attached to the minutes. Availability of the agenda was communicated to the Civil Service Commission members 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 within 10 days after said meeting and prior to the next convened meeting of said body.

I. CALL TO ORDER

Chairman Filbrandt called the meeting to order at 4:30 p.m.

II. APPROVAL OF MINUTES OF MARCH 11, 2010 MEETING

Commissioner Birkey made a motion to approve the minutes of the March 11, 2010 Civil Service Commission meeting. Seconded by Commissioner Vendetti. Ayes: Birkey, Christensen, Filbrandt, Lewis, and Vendetti. Nays: None. Absent: None. Motion carried.

III. POLICE CHIEF'S REPORT

Police Chief Lausten reported that two officers were hired after the last meeting and August 1, 2010 were assigned independently. Police Officer Rothe will be taking a test and the training center since he came in from another state. Chairman Filbrandt asked if Rothe would be able to serve until he has his Nebraska certification. Lausten stated that he has a year to certify.

IV. TESTING PROCESS

a. Discussion

Police Chief Lausten reported that a position opened for Sergeant following a demotion. He anticipates 8 candidates. Sergeants need to be commanders and critical thinkers. The questions have been changed since there was just a testing in 2008.

b. Request Eligibility List for Police Sergeant

Commissioner Christensen made a motion to request an eligibility list for police sergeant. Commissioner Birkey seconded the motion. There being no discussion Chairman Filbrandt

called for a vote. Ayes: Birkey, Christensen, Filbrandt, Lewis, and Vendetti. Nays: None. Absent: None. Motion carried.

V. APPROVAL OF TESTS FOR POLICE SERGEANT

Commissioner Christensen made a motion to accept the questions for testing. Seconded by Commissioner Birkey. Ayes: Birkey, Christensen, Filbrandt, Lewis, and Vendetti. Nays: None. Absent: None. Motion carried

VI. APPROVAL OF PANEL AND WRITTEN QUESTIONS FOR POLICE SERGEANT

Commissioner Christensen made a motion to accept the questions for testing. Seconded by Commissioner Birkey. Ayes: Birkey, Christensen, Filbrandt, Lewis, and Vendetti. Nays: None. Absent: None. Motion carried

VII. CITY ADMINISTRATOR'S REPORT

City Administrator Gunn updated the Commission on the 50th Anniversary celebration events. Discussion was held regarding qualifications for Sergeants.

VIII. COMMENTS FROM THE FLOOR

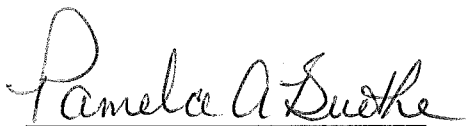
There were no comments from the floor.

IX. COMMENTS FROM THE COMMISSION

Commissioner Birkey was wished a happy birthday by the commission and it was determined that he has given 25 years of service to the Civil Service Commission.

XI. ADJOURNMENT

At 4:30 p.m. Commissioner Birkey made a motion to adjourn the meeting. Seconded by Commissioner Christensen. Ayes: Birkey, Christensen, Filbrandt, Vendetti, and Lewis. Nays: None. Motion carried.



Pamela A. Buehe, CMC
Civil Service Secretary

**LA VISTA CIVIL SERVICE COMMISSION
MEETING MINUTES
September 23, 2010**

A meeting of the Civil Service Commission of the City of La Vista, Nebraska was convened at 4:00 p.m. on September 23, 2010. Present were Chairman Filbrandt, and Commissioners Birkey, Christensen, Lewis and Vendetti. Also in attendance were: City Administrator Gunn, Police Chief Lausten, Cpt. Pokorny, Cpt. Barcal and Civil Service Secretary Pam Buethe.

A notice of the meeting was given in advance by advertising in the Times Newspaper on September 16 2010. Notice was simultaneously given to the Chairman and all members of the Civil Service Commission and a copy of the acknowledgement of the receipt of notice was attached to the minutes. Availability of the agenda was communicated to the Civil Service Commission members 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 within 10 days after said meeting and prior to the next convened meeting of said body.

I. CALL TO ORDER

Chairman Filbrandt called the meeting to order at 4:00 p.m.

II. APPROVAL OF AUGUST 12, 2010 CIVIL SERVICE COMMISSION MEETING

Commissioner Christensen made a motion to approve the minutes of the August 12, 2010 Civil Service Commission meeting. Seconded by Commissioner Birkey. Ayes: Birkey, Christensen, Filbrandt, and Vendetti. Nays: None. Absent: Lewis. Motion carried.

III. STRATEGIC PLAN UPDATE – CITY ADMINISTRATOR

City Administrator Gunn gave an overview of the Strategic Plan to the Commissioners.

At 4:15 Commissioner Lewis arrived to take her seat on the Commission.

IV. INTERVIEW CANDIDATES FOR POLICE SERGEANT

The following candidates were interviewed for Police Sergeant: Pablo Jimenez, Randy Ruhge, Brian Stolley, Scott Collett, Brad Wood, James Thompson, John York, and Mark Flash.

V. CERTIFY ELIGIBILITY LIST FOR POLICE SERGEANT

The Civil Service Secretary compiled the scores and presented them to the Commission. Commissioner Vendetti made a motion to certify a list of three eligible candidates—John York, James Thompson, and Brian Sotlley. Seconded by Commissioner Christensen. Ayes: Birkey, Christensen, Filbrandt, Lewis and Vendetti. Nays: None. Absent: None. Motion carried.

VI. COMMENTS FROM THE FLOOR

There were no comments from the floor.

VII. COMMENTS FROM THE COMMISSION

There were no comments from the Commission.

VIII. ADJOURNMENT

At 8:14 p.m. Commissioner Birkey made a motion to adjourn the meeting. Seconded by Commissioner Christensen. Ayes: Birkey, Christensen, Filbrandt, Lewis and Vendetti. Nays: None. Absent: None. Motion carried.

Pamela A. Buethe, CMC
Civil Service Secretary

City of La Vista
Park & Recreation Advisory Committee Minutes
September 15, 2010

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on Wednesday, September 15, 2010. Present were Recreation Director Scott Stopak, and Advisory Board Members [Vice-Chairperson] Pat Lodes, Jeff Kupfer and George Forst III. Recreation staff members present were Assistant Recreation Director David Karlson and Recreation Program Coordinator Rich Carstensen. Recreation Program Coordinator Eddie Burns was absent.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on September 9, 2010. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Recreation Director Stopak called the meeting to order.

Recreation Director Stopak led the audience in the Pledge of Allegiance.

Director Stopak made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Director Stopak made the motion to approve the consent agenda. Seconded by Committee Member Kupfer. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Director Stopak reported that the La Vista City Council and Park and Rec. Advisory Board Workshop would be held on Tuesday, September 28, 2010 at 6:30 p.m. at the La Vista Public Library Meeting Room.

Stopak also reported that the winter hours for the Community Center started in September and are as follows.

Mon – Fri	8 a.m. – 10 p.m.
Saturday	8 a.m. – 6 p.m.
Sunday	1 p.m. – 10 p.m.

Program Coordinator Rich Carstensen provided an update of the September activities for the Senior Program.

Carstensen also reported that the Fall Kite Festival would be held on Sunday, October 10 at the Soccer Complex.

Assistant Recreation Director David Karlson provided an update of the classes, special events and the new computer program the Recreation Department is using called Team Sidelines, which assists in schedules and standings for youth and adult sport leagues.

COMMENTS FROM THE FLOOR

None.

COMMENTS FROM COMMITTEE MEMBERS

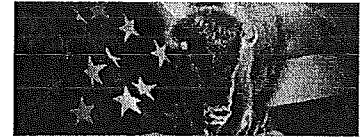
None.

Member Forst made a motion to adjourn. Seconded by Vice-Chairman Lodes. Motion carried.

Meeting adjourned at 7:31 p.m.

Invoice

Invoice Number:	2011FY-2ndQtr
Date:	9/1/2010



Company:	City of LaVista, 2010 Data Processing
Address:	8116 Park View Blvd
State/Province:	La Vista, NE
Zip/Postal code:	68128
Phone:	
Fax:	
Contact Name:	Pam Buethe

Sarpy County
1210 Golden Gate Drive
Papillion, NE
USA
68046
Phone: 402-593-4164
Fax: 402-593-4304
www.sarpy.com

[illegible]

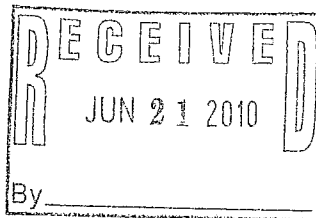
Thank You.
We appreciate your business.

Internal Use Only

Amount Paid:	
Date:	

Held för FY2011
Claim 10-19-10

Date: June 16, 2010



Sarpy County
1210 Golden Gate Drive
Papillion, NE
USA
68046
Phone: 402-593-4164
Fax: 402-593-4304
www.sarpy.com

LaVista

8116 Park View Blvd

LaVista, NE

68046

Pam Buethe

Item	Description	Quantity	Unit Price	Amount
	Yearly GIS Billing	1	\$11,693.00	\$11,693.00
			OK top 01.18.0314 Consent Agency	
			Sub-total	\$11,693.00
Comments:			Grand Total	\$11,693.00
Please remit to: Lisa Timby Sarpy County Fiscal Administration 1210 Golden Gate Dr. Papillion, NE 68046				

Thank You.
We appreciate your business.

Internal Use Only

Amount Paid:	
Date:	

Memorandum



To: Mayor & City Council
CC: Finance Director
From: Brenda S. Gunn, City Administrator
Date: 9/24/2010
Re: E-911 Communications Billing

Attached you will find a copy of the most recent E-911 billing we received from Sarpy County. As you will see from Brian Hanson's cover memo, the County did not bill us in accordance with the current agreement we are operating under, rather they have changed the County's participation from 82.1% to 77.5%. This results in the City of La Vista's annual share going from 2.2% (\$64,668) to 3.8% (\$111,701) or on a quarterly basis from \$16,167.18 to \$27,925.15, respectively.

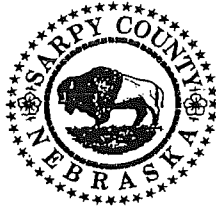
Because there has not been agreement on a new contract it is my recommendation that the City remit payment in accordance with our existing agreement which is \$16,167.18. Please feel free to contact me if you have any questions.

attachment

Sarpy County Board of Commissioners

1210 GOLDEN GATE DRIVE
PAPILLION, NE
593-4155
www.sarpy.com

ADMINISTRATOR Mark Wayne
DEPUTY ADMINISTRATOR Scott Bovick
FISCAL ADMIN./PURCHASING AGT. Brian Hanson



COMMISSIONERS

Rusty Hike District 1
Joni Albrecht District 2
Tom Richards District 3
Pat Thomas District 4
Rich Jansen District 5

Memo

To: Sarpy Cities

From: Brian Hanson

Re: E-911 Communications Billing

The final agreement for E-911 communications services has not yet been approved, but I have received a request for the billing for the quarter ending 9-30-10 so that this quarter's billing may be paid from appropriations in the Cities' 2010 fiscal year budget.

The attached billing is based on:

1. The E-911 Communications proposed budget for the 2011 fiscal year;
2. The County's share is set at 77.5%;
3. The Cities' share is based on the 7-1-09 Bureau of Census population numbers for the remaining 22.5%.

Please let me know if you have any questions.

September 9, 2010

Brian Hanson
Brian E. Hanson

BH/lt

cc: Mark Wayne
Scott Bovick
Larry LaVelle

Sarpy County Communications
Contributions
2011 Fiscal Year
1st Quarter Billing (July 1 - September 30, 2010)

Total Communications Budget

Proposed

Less: Cash on Hand 7-1-10

3,580,297

Projected E911 Surcharge Fees

10,688

Other Revenues

624,000

6,120

Total to be allocated

640808

2,939,489

	<u>Population</u>	<u>%</u>	
Sarpy		77.5%	2,278,104
Bellevue	51,044	11.4%	335,102
Papillion	24,280	5.4%	158,732
LaVista	16,887	3.8%	111,701
Gretna	6,736	1.5%	44,092
Springfield	1,579	.4%	<u>11,758</u>
TOTAL			<u>2,939,489</u>

Quarterly Payment
Due

Bellevue	\$83,775.50
Papillion	\$39,683.00
LaVista	\$27,925.25
Gretna	\$11,023.00
Springfield	\$ 2,939.50

Please remit to:

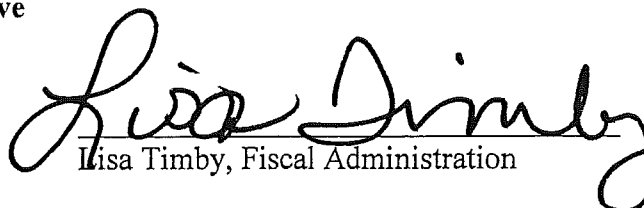
Lisa Timby

Sarpy County Courthouse, Suite 1129

1210 Golden Gate Drive

Papillion, NE 68046

September 9, 2010


Lisa Timby, Fiscal Administration

MIDWEST

Right of Way Services, Inc.

September 1, 2010

Ms. Pam Buethe, City Clerk
City of LaVista
8116 Parkview Blvd.
LaVista, Nebraska 68128

Invoice No.: 2670

Midwest Right of Way Services #273

**Right of Way Services in connection with
Thompson Creek/LaVista FEMA Buyout**

For the period of August 1, 2010 through August 31, 2010

Project Manager	2.00 hours at	\$80 per hour	\$ 160.00
Acquisition Agent	86.00 hours at	\$68 per hour	\$ 5,848.00
Relocation Agent	hours at	\$68 per hour	\$ -

Nebraska Title Company (File #c-omaha) \$ 3,300.00

Total Amount Due for this Invoice \$ 9,308.00

Past Due Invoices:

MROW Invoice #2638 (August 1, 2010) *pd 9/7/10* \$ 3,016.00

Total Amount for Past Due Invoices

Total Amount Currently Due

~~\$ 3,016.00~~
9308.00
~~\$ 12,324.00~~

For questions regarding this invoice, please call Jack Borgmeyer at 955-2900.

*Consent
agenda*

*OK to
pay
05.71.0645.09
Buethe
9/17/10*

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
1	Bank of Nebraska (600-873)								
		10145	9/22/2010	1270	PREMIER-MIDWEST BEVERAGE CO	73.80			**MANUAL**
		10146			Gap in Checks				
Thru		101405							
		101406	9/22/2010	1194	QUALITY BRANDS OF OMAHA	249.70			**MANUAL**
		101407	9/22/2010	4409	JONES, MATTHEW "SITTING BEAR"	192.00			**MANUAL**
		101408			Gap in Checks				
					****Manual check voided. Replaced with checks 101409, 101410 & 101411				
		101409	9/22/2010	4212	NEBRASKA TITLE COMPANY	92,208.79			**MANUAL**
		101410	9/22/2010	4212	NEBRASKA TITLE COMPANY	88,172.79			**MANUAL**
		101411	9/22/2010	4212	NEBRASKA TITLE COMPANY	78,216.23			**MANUAL**
		101412	9/30/2010	3983	ABE'S PORTABLES INC	125.00			
		101413	9/30/2010	4332	ACCO UNLIMITED CORP	159.30			
		101414	9/30/2010	762	ACTION BATTERIES UNLTD INC	260.60			
		101415	9/30/2010	571	ALAMAR UNIFORMS	68.25			
		101416	9/30/2010	3730	ALEX, MARY	54.85			
		101417	9/30/2010	3158	AMERICAN RED CROSS	100.00			
		101418	9/30/2010	1302	AOI CORPORATION	2,013.54			
		101419	9/30/2010	536	ARAMARK UNIFORM SERVICES INC	116.03			
		101420	9/30/2010	188	ASPHALT & CONCRETE MATERIALS	117.12			
		101421	9/30/2010	4400	AUSTAD'S GOLF	367.60			
		101422	9/30/2010	3754	AUSTIN PETERS GROUP INC	1,920.00			
		101423	9/30/2010	201	BAKER & TAYLOR BOOKS	799.87			
		101424	9/30/2010	1839	BCDM-BERINGER CIACCIO DENNELL	3,525.00			
		101425	9/30/2010	929	BEACON BUILDING SERVICES	6,712.00			
		101426	9/30/2010	3965	BEAUMONT, MITCH	9.50			
		101427	9/30/2010	793	BENNETT REFRIGERATION	865.84			
		101428	9/30/2010	1784	BENNINGTON EQUIPMENT INC	46.77			
		101429	9/30/2010	410	BETTER BUSINESS EQUIPMENT	47.92			
		101430	9/30/2010	196	BLACK HILLS ENERGY	24.42			
		101431	9/30/2010	2209	BOUND TREE MEDICAL LLC	1,008.96			
		101432	9/30/2010	117	BRODART	42.28			
		101433	9/30/2010	76	BUILDERS SUPPLY CO INC	151.50			
		101434	9/30/2010	2285	CENTER POINT PUBLISHING	485.28			
		101435	9/30/2010	152	CITY OF OMAHA	629.46			
		101436	9/30/2010	1504	CITY OF PAPILLION PARKS/RECR	36.00			
		101437	9/30/2010	2683	COLOMBO/PHELPS COMPANY	323.31			
		101438	9/30/2010	836	CORNHUSKER INTL TRUCKS INC	821.05			
		101439	9/30/2010	2158	COX COMMUNICATIONS	39.00			
		101440	9/30/2010	2870	CPS HUMAN RESOURCE SERVICES	424.60			
		101441	9/30/2010	3136	D & D COMMUNICATIONS	1,587.50			
		101442	9/30/2010	4119	D & J BEVERAGE SERVICE INC	130.00			
		101443	9/30/2010	111	DEMCO INCORPORATED	674.41			
		101444	9/30/2010	2149	DOUGLAS COUNTY SHERIFF'S OFC	525.00			
		101445	9/30/2010	2778	DOUGLAS PRODUCTS AND PACKAGING	4,200.00			
		101446	9/30/2010	364	DULTMEIER SALES & SERVICE	2,623.20			
		101447	9/30/2010	3334	EDGEWEAR SCREEN PRINTING	652.50			
		101448	9/30/2010	804	ELECTRIC FIXTURE & SUPPLY CO	72.77			
		101449	9/30/2010	475	ELLIOTT EQUIPMENT COMPANY	419.27			

BANK NO	BANK NAME						
CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
101450	9/30/2010	439	FIREGUARD INC	5,425.79			
101451	9/30/2010	3705	FUTUREWARE DISTRIBUTING INC	350.00			
101452	9/30/2010	3984	G I CLEANER & TAILORS	203.00			
101453	9/30/2010	1344	GALE	505.72			
101454	9/30/2010	1161	GALLS, AN ARAMARK COMPANY	192.99			
101455	9/30/2010	1248	GASSERT, MIKE	1,086.00			
101456	9/30/2010	1697	GAYLORD BROS	212.13			
101457	9/30/2010	53	GCR OMAHA TRUCK TIRE CENTER	.00	**CLEARED**	**VOIDED**	
101458	9/30/2010	53	GCR OMAHA TRUCK TIRE CENTER	4,446.95			
101459	9/30/2010	1660	GODFATHER'S PIZZA	160.77			
101460	9/30/2010	71	GREENKEEPER COMPANY INC	945.00			
101461	9/30/2010	2407	HEIMES CORPORATION	56.16			
101462	9/30/2010	1403	HELGET GAS PRODUCTS INC	78.00			
101463	9/30/2010	4178	HERITAGE CRYSTAL CLEAN LLC	185.50			
101464	9/30/2010	433	HIGHSMITH	54.42			
101465	9/30/2010	3549	HOLSTEIN'S HARLEY DAVIDSON	21.60			
101466	9/30/2010	526	HOT COFFEE SERVICE INC	21.50			
101467	9/30/2010	136	HUNTEL COMMUNICATIONS, INC	783.50			
101468	9/30/2010	1498	INDUSTRIAL SALES COMPANY INC	462.00			
101469	9/30/2010	1896	J Q OFFICE EQUIPMENT INC	813.82			
101470	9/30/2010	3561	JNFS ENGINEERING COMPANY	634.38			
101471	9/30/2010	2653	JONES AUTOMOTIVE INC	4,596.42			
101472	9/30/2010	2057	LA VISTA COMMUNITY FOUNDATION	50.00			
101473	9/30/2010	381	LANDS' END BUSINESS OUTFITTERS	179.20			
101474	9/30/2010	84	LARRY'S BOILER SERVICE INC	92.00			
101475	9/30/2010	3909	LEO A DALY COMPANY	545.18			
101476	9/30/2010	877	LINWELD	98.67			
101477	9/30/2010	263	LOVELAND LAWNS	56.90			
101478	9/30/2010	919	MARTIN MARIETTA AGGREGATES	148.28			
101479	9/30/2010	3884	METRO LANDSCAPE MATERIALS &	840.00			
101480	9/30/2010	872	METROPOLITAN COMMUNITY COLLEGE	23,696.64			
101481	9/30/2010	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
101482	9/30/2010	553	METROPOLITAN UTILITIES DIST.	6,090.29			
101483	9/30/2010	2497	MID AMERICA PAY PHONES	100.00			
101484	9/30/2010	184	MID CON SYSTEMS INCORPORATED	197.47			
101485	9/30/2010	3475	MIDLANDS BUSINESS JOURNAL	140.00			
101486	9/30/2010	1526	MIDLANDS LIGHTING & ELECTRIC	109.64			
101487	9/30/2010	1046	MIDWEST TURF & IRRIGATION	240.01			
101488	9/30/2010	64	MINITEX - CPP	142.00			
101489	9/30/2010	288	MOTOROLA INC	5,295.50			
101490	9/30/2010	2550	MSC INDUSTRIAL SUPPLY CO	704.95			
101491	9/30/2010	3472	MYERS TIRE-KANSAS CITY #16	1,235.35			
101492	9/30/2010	1028	NATIONAL PAPER COMPANY INC	265.90			
101493	9/30/2010	2897	NEBRASKA GOLF COURSE SUPERIN-	35.00			
101494	9/30/2010	370	NEBRASKA LAW ENFORCEMENT	200.00			
101495	9/30/2010	479	NEBRASKA LIBRARY COMMISSION	23.74			
101496	9/30/2010	2529	NEBRASKA SOFTBALL ASSN DIST#10	1,619.00			
101497	9/30/2010	2685	NEBRASKA TURF PRODUCTS	443.55			
101498	9/30/2010	4390	NEBRASKA WILDLIFE REHAB INC	50.00			
101499	9/30/2010	3924	NEW YORK TIMES	195.00			
101500	9/30/2010	2631	NEXTEL COMMUNICATIONS	204.31			
101501	9/30/2010	2631	NEXTEL COMMUNICATIONS	526.39			
101502	9/30/2010	3973	NIKE USA INC	873.20			

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
101503	9/30/2010	26 NLA/NEMA CONFERENCE	189.00			
101504	9/30/2010	440 NMC EXCHANGE LLC	26.58			
101505	9/30/2010	1808 OCLC INC	31.94			
101506	9/30/2010	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
101507	9/30/2010	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
101508	9/30/2010	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
101509	9/30/2010	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	
101510	9/30/2010	1014 OFFICE DEPOT INC-CINCINNATI	3,335.97			
101511	9/30/2010	2799 OFFUTT YOUTH CENTER	864.00			
101512	9/30/2010	46 OMAHA WORLD HERALD COMPANY	43.75			
101513	9/30/2010	401 PAPILLION LA VISTA SCHL DISTR	6,825.00			
101514	9/30/2010	2686 PARAMOUNT LINEN & UNIFORM	.00	**CLEARED**	**VOIDED**	
101515	9/30/2010	2686 PARAMOUNT LINEN & UNIFORM	548.62			
101516	9/30/2010	3058 PERFORMANCE CHRYSLER JEEP	429.14			
101517	9/30/2010	1821 PETTY CASH-PAM BUETHE	145.80			
101518	9/30/2010	1821 PETTY CASH-PAM BUETHE	127.56			
101519	9/30/2010	74 PITNEY BOWES INC-PA	.00	**CLEARED**	**VOIDED**	
101520	9/30/2010	74 PITNEY BOWES INC-PA	.00	**CLEARED**	**VOIDED**	
101521	9/30/2010	74 PITNEY BOWES INC-PA	500.46			
101522	9/30/2010	1921 PRINCIPAL LIFE-FLEX SPENDING	236.25			
101523	9/30/2010	605 PROTEX CENTRAL INCORPORATED	85.00			
101524	9/30/2010	3814 PSI PLASTIC GRAPHICS	452.79			
101525	9/30/2010	219 QWEST	1,090.74			
101526	9/30/2010	2540 QWEST	110.93			
101527	9/30/2010	3469 RAMIREZ, JOHN	18.00			
101528	9/30/2010	191 READY MIXED CONCRETE COMPANY	644.89			
101529	9/30/2010	3090 REGAL AWARDS OF DISTINCTION	869.00			
101530	9/30/2010	4406 RIOS, SUZANNE	15.00			
101531	9/30/2010	487 SAPP BROS PETROLEUM INC	138.60			
101532	9/30/2010	3457 SCARPA, DAN	31.00			
101533	9/30/2010	395 SHAMROCK CONCRETE COMPANY	1,286.74			
101534	9/30/2010	4081 SMITHERS INCORPORATED	90.00			
101535	9/30/2010	4398 SOCCER INTERNATIONALE	385.00			
101536	9/30/2010	3838 SPRINT	162.67			
101537	9/30/2010	4335 STOLTENBERG NURSERIES	2,348.00			
101538	9/30/2010	3795 SUN COUNTRY DISTRIBUTING LTD	118.94			
101539	9/30/2010	1150 SUTPHEN CORPORATION	2,400.00			
101540	9/30/2010	264 TED'S MOWER SALES & SERVICE	1,890.00			
101541	9/30/2010	822 THERMO KING CHRISTENSEN	111.86			
101542	9/30/2010	143 THOMPSON DREESSEN & DORNER	5,646.44			
101543	9/30/2010	4231 TORNADO WASH LLC	120.00			
101544	9/30/2010	2719 UNDERWRITERS LABORATORIES INC	3,095.00			
101545	9/30/2010	1113 VARSITY TRANSPORTATION INC	212.00			
101546	9/30/2010	809 VERIZON WIRELESS, BELLEVUE	194.88			
101547	9/30/2010	766 VIERREGGER ELECTRIC COMPANY	336.17			
101548	9/30/2010	1174 WAL-MART COMMUNITY BRC	411.48			
101549	9/30/2010	3497 WITMER PUBLIC SAFETY GROUP INC	4,279.00			
101550	9/30/2010	3572 YOST, JOHN	101.24			
101551	9/30/2010	984 ZIMCO SUPPLY COMPANY	250.00			

BANK NO BANK NAME

CHECK NO DATE VENDOR NO VENDOR NAME CHECK AMOUNT CLEARED VOIDED MANUAL

BANK TOTAL	397,126.27
OUTSTANDING	397,126.27
CLEARED	.00
VOIDED	.00

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	111,343.73	111,343.73	.00	.00
02 SEWER FUND	13,635.43	13,635.43	.00	.00
05 CONSTRUCTION	261,859.44	261,859.44	.00	.00
08 LOTTERY FUND	935.67	935.67	.00	.00
09 GOLF COURSE FUND	4,988.07	4,988.07	.00	.00
15 OFF-STREET PARKING	4,363.93	4,363.93	.00	.00

REPORT TOTAL	397,126.27
OUTSTANDING	397,126.27
CLEARED	.00
VOIDED	.00

+ Gross Payroll 10-1-10	<u>223,043.93</u>
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GRAND TOTAL	<u><u>\$620,170.20</u></u>
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APPROVED BY COUNCIL MEMBERS 10-5-10

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

ITEM B

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
CITIZEN ADVISORY REVIEW COMMITTEE — EDP REPORT	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	RITA RAMIREZ ASSISTANT CITY ADMINISTRATOR

SYNOPSIS

A public hearing has been scheduled for the Citizen Advisory Review Committee to submit a written report to the Mayor and City Council regarding the City's Economic Development Program. A copy of the report is attached.

FISCAL IMPACT

N/A.

RECOMMENDATION

Receive/File.

BACKGROUND

Ordinance No. 921 established the City's Economic Development Program and formed the Citizen Advisory Review Committee which is charged with reporting to the Mayor and City Council in a public hearing at least once every six months.

LA VISTA CITIZEN ADVISORY REVIEW COMMITTEE

To: Mayor and Members of the City Council

Dt: September 9, 2010

Fr: Citizen Advisory Review Committee

Re: Economic Development Program Bi-Annual Report

Pursuant to §117-15 (g) the Citizen Advisory Review Committee shall report to the Mayor and City Council, at least once every six months, regarding the Economic Development Program. The following report generally covers activity for the period of March 2010 to date:

1. One application to the Economic Development Program has been received to date. The application was from John Q. Hammons to construct a full service Embassy Suites Hotel and conference center facility, which opened in July of 2008 and a Marriott Courtyard Hotel, which opened in May of 2009. These facilities are located in the Southport West subdivision.
2. The City has been collecting sales tax revenue for the Economic Development fund since its effective date and the fund had accumulated approximately \$480,000. In FY 10 the fund is projected to receive approximately \$8,500 in interest income and \$1,186,573 in loan payments (interest only) from John Q. Hammons. Expenditures in 2010 are projected to be \$1,509,683 for debt service associated with the grant and construction loan.
3. The Economic Development Fund Budget for Fiscal Year 2011 anticipates that \$1,295,579 will be carried forward from FY 10 and the fund will receive \$1,186,573 in revenue from loan payments (interest only) by John Q. Hammons. Expenditures in FY 11 will include debt service payments of \$1,509,683 in interest and \$505,000 in principal.
4. The City's assessed valuation for 2011 is over \$1 billion, up approximately 3% from 2010. Over the past 10 years, growth in the City's valuation has averaged about 11.3%.
5. Net taxable sales remained fairly consistent from 2008 to 2009 - \$180,377,174 to \$180,688,892.
6. During the 2009 fiscal year (October 1, 2008 through September 30, 2009), the City received \$3,203,279 in local option sales tax revenue. This is an increase of approximately 10.5% as compared to the prior fiscal year. Through the first eleven months of the current fiscal year (October 2009-August 2010) sales tax revenue is up approximately 9% over the same period last year.
7. Building permits were down in 2008 (total permit valuation of \$43,487,781), and again in 2009 (total permit valuation of \$27,316,647), making 2009 the lowest year for permit valuations in 10 years. In light of the overall economic conditions and the subsequent slowdown in construction, this was not totally unexpected. Through the first seven months of 2010, building permit valuations are just over \$18 million, bringing the total since 1997 to over \$833 million in valuation.

The members of the Citizen Advisory Review Committee consider themselves trustees of La Vista's Economic Development Program, based upon the parameters of Ordinance 921. In submitting this bi-annual report, the Committee notes that it has a sincere interest in monitoring and reporting to the Mayor

and City Council on the City's economic health and objectively evaluating the City's progress and success in the economic arena. Thank you for this opportunity and we are happy to answer any questions.

Respectfully submitted:

Lynda Shafer, Chair
Doug Kellner, Vice-Chair
Rick Burns, Secretary
Jeff Schovanec
Brenda Carlson

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
LAND ACQUISITION - THOMPSON CREEK GRANT PROJECT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A public hearing has been scheduled to hear comments, support, opposition or criticism with respect to the proposed purchase of properties located at 7201 Park View Blvd., 7205 Park View Blvd., 7233 Park View Blvd., 7309 Park View Blvd., and 7405 Park View Blvd. A resolution has been prepared to approve the purchase of the sites and to authorize and approve the execution of documents for the purchase of these sites located in the Thompson Creek grant project area.

FISCAL IMPACT

The FY 10/11 Budget contains funding for this project. Costs to acquire these three properties will be reimbursed as part of the federal Thompson Creek Hazard Mitigation Grant.

RECOMMENDATION

Approval.

BACKGROUND

At the February 2, 2010 City Council meeting the Council accepted a FEMA grant award of \$2,040,930.00 to facilitate the acquisition of up to 24 homes along Thompson Creek. In March and April agreements were approved for the appraisal, review appraisal, and acquisition services.

Upon completion of the appraisals the City Council designated the City Administrator to negotiate the purchase of the homes in the project area.

Currently there are five property owners that have accepted the offered price and are ready to sell their properties this month.

Pursuant to state statute, before purchasing an interest in real property, the acquisition must be authorized by City Council action at a public meeting after notice and public hearing which requirements will be satisfied at or before the meeting.

Additional offers have been accepted and will come before Council at a future meeting.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF FIVE HOMES FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THESE SITES

WHEREAS, the owners of the homes located at 7201 Park View Blvd., 7205 Park View Blvd., 7233 Park View Blvd., 7309 Park View Blvd., and 7405 Park View Blvd (together the homes are referred to herein as "Sites"), desire to sell the Sites to the City, and the City desires to purchase the Sites from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Sites; and.
- (iii) Proposed purchase agreements for the Sites have been presented to the City Administrator by the owners of the Sites in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price equal to the appraised value, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Sites or is otherwise acceptable, in addition to other terms and conditions; and
- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Sites, to be held during the regular City Council meeting on October 5, 2010; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Sites from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Sites as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER 2010.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE SID 237 TO CONTRACT CONCRETE TRAIL & 99 TH STREET LANE MODIFICATIONS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve the Plans & Specifications and authorize SID 237 (Cimarron Woods) to contract for concrete Trail and 99th Street lane modifications and to pay an administrative fee to the City.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval subject to the following conditions:

1. Providing a corrected bond form naming the City of La Vista as a dual-obligee
2. Providing an acceptable final design of the retaining wall prior to construction of the wall.
3. The final plat of Cimarron Woods Replat Two being recorded to provide the easement for the trail.

BACKGROUND

The proposed improvements consist of extending a raised median nose in Harrison Street, narrowing the island on 99th Street to construct a through/left-turn lane that properly aligns with the through lane on 99th Street north of Harrison, relocating and replacing landscaping from the island to the southwest corner of the intersection, and constructing a trail connection in an easement across Cimarron Woods Replat Two from the park site to the traffic circle in 99th Street.

E & A Consulting Group, Inc. has taken bids for the project on August 4, 2010 and recommended award of contract to Omni Engineering, Inc. as the low compliant bidder in an amount not to exceed \$77,008.80.

The City Engineer has reviewed the plans and specifications, requested certain revisions, and has received revised documents from E&A Consulting, Group, Inc.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF A CONCRETE TRAIL AND 99TH STREET LANE MODIFICATIONS IN SANITARY IMPROVEMENT DISTRICT NO. 237 CIMARRON WOODS, AND AUTHORIZING THE EXECUTION OF CONTRACTS AND CONSTRUCTION.

WHEREAS, Sanitary Improvement District No. 237 of Sarpy County ("District"), Cimarron Woods and the City of La Vista ("City") entered into a Subdivision Agreement concerning the improvements related to the improvements related to the proposed Cimarron Terrace Apartments within the zoning jurisdiction of the City ("Subdivision Agreement"); and

WHEREAS, District has presented to City for approval plans and specifications to construct certain improvements; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group and reviewed by the City Engineer has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose subject to the following conditions;

1. Providing a corrected bond form naming the City of La Vista as a dual-obligee.
2. Providing and acceptable final design of the retaining wall prior to construction of the wall.
3. The final plat of Cimarron Woods Replat Two being recorded to provide the easement for the trail; and

WHEREAS, The La Vista Public Works Department, has been presented the plans for review.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications for construction of a concrete trail and 99th Street lane modifications, copies of which have been filed with the City Clerk, approved by the City Engineer/Assistant Public Works Director.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with Omni Engineering in the amount of \$77,008.80.

BE IT FURTHER RESOLVED, that the approval herein given is conditioned upon District, prior to its granting authorization of commencement of construction, shall meet the conditions stated above.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE SID 237 TO CONTRACT 2010 PARK IMPROVEMENTS-SECTION II	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve plans and specifications and authorize SID 237 to contract 2010 Park Improvements – Section II and to pay an administrative fee to the City.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval subject to the following conditions:

1. Providing acceptable revisions to the plans per the City Engineer's request.
2. Providing copies of recorded major storm drainage easements over portions of Lots 7, 8, 9 and 10 of Cimarron Woods and damage waivers if applicable.
3. Providing revisions to the plans for the proposed restroom building per the Chief Building Official's review.
4. Providing a copy of a valid first right of refusal for SID 237 to purchase Lot 285, Cimarron Woods.

BACKGROUND

The proposed improvements consist of grading for an open play field, a major storm drainage control berm, and a parking lot that is to be constructed under the Phase 1 park contract. Other improvements include a splash park, basketball court, restroom, picnic shelter and related appurtenances.

The conceptual plan for the park was reviewed by Council at the August 3, 2010 City Council meeting. Concerns were expressed about quantity parking available for the splash park. E&A Consulting prepared a drawing of various parking expansion possibilities. Staff reviewed that plan and determined that the best option will be to provide additional parking on Lot 285 if found to be necessary. SID 237 obtained a first right of refusal to acquire Lot 285 to provide for this option.

E & A Consulting Group, Inc. took bids for the project on August 25, 2010 and recommended award of the contract to LawnSmith & Co., Inc. as the low compliant bidder in an amount not to exceed \$454,327.00.

The City Engineer will present an update at the City Council meeting on the status of the revisions that have been requested. This request has been placed on the Council agenda prior to completion of the revisions since there is a need and desire to complete the drainage protection portion of the grading this fall if possible.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF THE 2010 PARK IMPROVEMENTS – SECTION II IN SANITARY DISTRICT NO. 237 CIMARRON WOODS, AND AUTHORIZING THE EXECUTION OF CONTRACTS AND CONSTRUCTION.

WHEREAS, Sanitary Improvement District No. 237 of Sarpy County ("District"), Cimarron Woods and the City of La Vista ("City") entered into a Subdivision Agreement concerning public park improvements within the zoning jurisdiction of the City ("Subdivision Agreement"); and

WHEREAS, District has presented to City for approval plans and specifications to construct certain improvements; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group and reviewed by the City Engineer who has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose subject to the following conditions:

1. Providing acceptable revisions to the plans per the City Engineer's request.
2. Providing copies of recorded major storm drainage easements over portions of Lots 7,8, 9 and 10 of Cimarron Woods and damage waivers if applicable.
3. Providing revisions to the plans for the proposed restroom building per the Chief Building Official's review.
4. Providing a copy of a valid first right of refusal for SID 237 to purchase Lot 285, Cimarron Woods.; and

WHEREAS, The La Vista Public Works Department, has been presented the plans for review.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications for construction of the 2010 Park Improvements – Section II, copies of which have been filed with the City Clerk, approved by the City Engineer/Assistant Public Works Director.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with LawnSmith & Co., Inc in the amount of \$454,327.00.

BE IT FURTHER RESOLVED, that the approval herein given is conditioned upon District, prior to its granting authorization of commencement of construction, shall meet the conditions stated above.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE SID 237 TO CONTRACT TRAFFIC SIGNAL IMPR. 2010 99 TH & HARRISON	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve plans and specifications and authorize SID 237 to contract Traffic Signal improvements at 99th and Harrison and to pay an administrative fee to the City.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

The proposed improvements consist of certain underground conduits, wiring and two traffic signal pole bases and masts to prepare for future traffic signal heads and arms to be installed at such time as traffic signal volume warrants are met at this intersection.

E & A Consulting Group, Inc. has took bids for the project on August 25, 2010 and recommended award of contract to Vierregger Electric Co. as the low compliant bidder in an amount not to exceed \$19,008.82.

The City Engineer has reviewed the plans and specifications, requested certain revisions, and has received revised documents from E&A Consulting, Group, Inc.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE 2010 TRAFFIC SIGNAL IMPROVEMENTS AT 99TH AND HARRISON STREETS IN SANITARY IMPROVEMENT DISTRICT NO. 237 CIMARRON WOODS, AND AUTHORIZING THE EXECUTION OF CONTRACTS AND CONSTRUCTION.

WHEREAS, Sanitary Improvement District No. 237 of Sarpy County ("District"), Cimarron Woods and the City of La Vista ("City") entered into a Subdivision Agreement concerning the improvements related to the improvements related to the proposed Cimarron Terrace Apartments within the zoning jurisdiction of the City ("Subdivision Agreement"); and

WHEREAS, District has presented to City for approval plans and specifications to construct certain improvements; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group and reviewed by the City Engineer has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose.

WHEREAS, The La Vista Public Works Department, has been presented the plans for review.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications the 2010 traffic signal improvements at 99th and Harrison Streets, copies of which have been filed with the City Clerk, approved by the City Engineer/Assistant Public Works Director.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with Vierregger Electric Co. in the amount of \$19,008.82

BE IT FURTHER RESOLVED, that the approval herein given is conditioned upon District, prior to its granting authorization of commencement of construction, shall meet the conditions stated above.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
APPROVE PLANS & SPECIFICATIONS AND AUTHORIZE SID 237 TO CONTRACT STORM SEWER SECTION II	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER

SYNOPSIS

A resolution has been prepared to approve plans and specifications and authorize SID 237 to contract Storm Sewer Section II and to pay an administrative fee to the City.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

The proposed improvements consist of the extensions of public storm sewers through the subdivision to the existing drainageway as necessary to facilitate development of the lots.

E & A Consulting Group, Inc. took bids for the project on August 4, 2010 and recommended award of contract to Jochim Precast Concrete as the low compliant bidder in an amount not to exceed \$39,195.00.

The City Engineer has reviewed the plans and specifications, requested certain revisions, and has received revised documents from E&A Consulting, Group, Inc.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE APPROVAL OF THE PLANS AND SPECIFICATIONS FOR THE CONSTRUCTION OF STORM SEWER SECTION II IN SANITARY IMPROVEMENT DISTRICT NO. 237 CIMARRON WOODS, AND AUTHORIZING THE EXECUTION OF CONTRACTS AND CONSTRUCTION.

WHEREAS, Sanitary Improvement District No. 237 of Sarpy County ("District"), Cimarron Woods and the City of La Vista ("City") entered into a Subdivision Agreement concerning the improvements related to the improvements related to the proposed Cimarron Terrace Apartments within the zoning jurisdiction of the City ("Subdivision Agreement"); and

WHEREAS, District has presented to City for approval plans and specifications to construct certain improvements; and

WHEREAS, said plans and specifications were prepared by E & A Consulting Group and reviewed by the City Engineer has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose.

WHEREAS, The La Vista Public Works Department, has been presented the plans for review.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska does hereby approve the plans and specifications the the construction of storm sewer section II, copies of which have been filed with the City Clerk, approved by the City Engineer/Assistant Public Works Director.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with Jochim Precast Concrete in the amount of \$39,195.00

BE IT FURTHER RESOLVED, that the approval herein given is conditioned upon District, prior to its granting authorization of commencement of construction, shall meet the conditions stated above.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER, 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

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**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE SNOW PLOW BLADES	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the purchase of various snow plow blades from Michael Todd & Company, Inc., Omaha, Nebraska in an amount not to exceed \$11,572.32.

FISCAL IMPACT

The FY 2010/11 General Fund Street Operating budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The proposed purchase of snow plow blades is for a combined total of 25 dump trucks, loaders, backhoes and pickup trucks. Michael Todd remains the most competitive bid since there is no shipping included with the order. One large plow blade order traditionally makes it through the entire winter operations. A copy of the quote has been attached.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF SNOW PLOW BLADES FROM MICHAEL TODD & COMPANY INC., IN AN AMOUNT NOT TO EXCEED \$11,572.32.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of snow plow blades is necessary; and

WHEREAS, the purchase has been included in the FY 2010/11 General Fund; Street Operating 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 snow plow blades in an amount not to exceed \$11,572.32

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



**Michael Todd
& COMPANY, INC.**


Quote Q42940

Date	9/11/2010
Page	1 of 1
Entered By:	pjs
Print Date:	9/11/2010

CITY OF LA VISTA
ACCOUNTING DEPARTMENT
8116 PARK VIEW BLVD
LA VISTA, NE 68128

Customer No.: 1709

Salesperson ID: HAGAN

Quote	Item Number	Description	Unit Price	Ext Price
21	202021SPL	5/8X8X3FT FSE/SHP SNOW PLOW BLADE W/CS HOLES	56.000	1,176.00
16	58X8X4FSE	5/8X8X4FT FSE/SHP SNOW PLOW BLADE W/CS HOLES	74.670	1,194.72
33	58X8X11CS	5/8X8X11FT FSE/SHP SNOW PLOW BLADE W/CS HOLES	205.340	6,776.22
4	58X8X12CS	5/8X8X12FT FSE/SHP SNOW PLOW BLADE W/CS HOLES	224.010	896.04
2	BOSS 10H	5/8"X6"X44" BOSS V-PLOW BLADE	62.260	124.52
2	BOSS 1	5/8"X6"X48" BOSS V-PLOW BLADE	67.900	135.80
2	WEST V50	1/2"X6"X50-3/8" WESTERN V-PLOW BLADE	67.570	135.14
4	WEST 90	1/2"X6"X90" FSE WESTERN PLOW BLADE TOP PUNCH	95.700	382.80
		WEST 90H 5/8X6X90" WESTERN BLADE \$108.29 EACH		
4	BOSS 3	1/2"X6"X96" FSE BOSS PLOW BLADE TOP PUNCH	102.080	408.32
		BOSS 3H 5/8X6X96" BOSS BLADE \$123.20 EACH		
2	WEST 96	1/2"X6"X96" FSE WESTERN PLOW BLADE TOP PUNCH	102.080	204.16
		WEST 96H 5/8X6X96" WESTERN \$123.20 EACH		
1	WEST 108H	5/8"X6"X108" FSE WESTERN PLOW BLADE TOP PUNCH	138.600	138.60
ATTN: RAY CRANE / FAX #331-1051			Subtotal	11,572.32
			Freight	0.00
			Sales Tax	0.00
			Total	11,572.32

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE OF ICE CONTROL SALT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the purchase of 500 tons of Ice Control Salt from Nebraska Salt & Grain Co., Gothenburg, Nebraska, for an amount not to exceed \$27,500.00.

FISCAL IMPACT

The FY 2010/11 General Fund Street Operating Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The ice control salt is used by Public Works for winter operations. Orders are placed off the Purchase Order as needed at different times during the winter season. Normal deliveries are 25 tons at a cost of approximately \$1,375.00. Any remaining balance on the Purchase Order will be voided at the end of budget year.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF 500 TONS OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN, INC., IN AN AMOUNT NOT TO EXCEED \$27,500.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the purchase has been included in the FY 2010/11 General Fund; Street Operating Budget; and

WHEREAS, orders for the ice control salt maybe placed at different times over the fiscal year; 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 ice control salt in an amount not to exceed \$27,500.00.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE OF ICE SLICER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the purchase of 90 tons of Ice Slicer Granular Ice Melt from Nebraska Salt & Grain Co., 115 W. 16th Street, Gothenburg, Nebraska, for an amount not to exceed \$15,000.00.

FISCAL IMPACT

The FY 2010/11 General Fund Street Operating Budget provides funding for proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

Ice Slicer is a mined product that is naturally harder than regular white road salt, yet still softer than sand. Ice Slicer's telltale "reddish" color immediately sets it apart from other "white" salts. Compared to regular road salt, Ice Slicer melts at lower temperatures; is less corrosive; decreases clean-up costs; melts longer on the road; has less environmental impact and lowers operating costs.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF 90 TONS OF ICE SLICER GRANULAR ICE MELT FROM NEBRASKA SALT & GRAIN, INC., IN AN AMOUNT NOT TO EXCEED \$15,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice slicer is necessary; and

WHEREAS, the purchase has been included in the FY 2010/11 General Fund; Street Operating Budget; and

WHEREAS, orders for the ice slicer maybe placed at different times over the fiscal year; 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 ice slicer granular ice melt in an amount not to exceed \$15,000.00.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE OF APEX LIQUID DEICER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared authorizing the purchase of 6,500 gallons of APEX Liquid Deicer from Enviro Tech Services Inc., Greeley, Colorado, for an amount not to exceed \$7,000.00.

FISCAL IMPACT

They FY 2010/11 General Fund Street Operating Budget provides funds for the proposed expenses.

RECOMMENDATION

Approval

BACKGROUND

The liquid deicer is used by the Public Works Department for winter operations. Orders are placed off the purchase order at different times during the winter season as needed. Any remaining balance on the purchase order will be voided out prior to the end of the fiscal year.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF 6,500 GALLONS OF APEX LIQUID DEICER FROM ENVIRO-TECH SERVICES, INC., IN AN AMOUNT NOT TO EXCEED \$7,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of liquid deicer is necessary; and

WHEREAS, the purchase has been included in the FY 2010/11 General Fund; Street Operating Budget; and

WHEREAS, orders for the ice liquid deicer will placed at different times over the fiscal year; 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 APEX Liquid Deicer in an amount not to exceed \$7,000.00.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER 2010.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

L

RESOLUTION NO. _____

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
7109 S 69th St., Lot 120/La Vista Replat/Sarpy County, \$247.29;
7607 Teal St., Lot 489/La Vista, \$232.27;
7708 Briar Court, Lot 167/Granville East, \$476.08;
7002 Michelle Ave., Lot 43/Ardmore, \$469.58;
7421 Ivy Lane Dr., Lot 124/S & S's harvest Hill, \$372.56; and
7780 Greenleaf Dr., Lot 210/Granville, \$470.11
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01 and/or 50.03, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

PASSED AND APPROVED THIS 5TH DAY OF OCTOBER, 2010

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
OCTOBER 5, 2010 AGENDA**

Subject:	Type:	Submitted By:
DISCUSSION - FIREWORKS SALES	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	BRENDA S. GUNN CITY ADMINISTRATOR PAM BUETHE CITY CLERK

SYNOPSIS

A discussion has been scheduled regarding the possibility of Fireworks Sales during an additional time period in December.

FISCAL IMPACT

N/A.

RECOMMENDATION

Discussion only.

Recommendation of staff is not to extend the days of sales and discharge of fireworks at this time and to continue to work through possible solutions to the issues detailed below. Waiting would also give the city an opportunity to see how this has worked for other cities who have decided to extend days of sale and discharge; and to see what the benefits/downfalls were for them.

BACKGROUND

Council discussion was held at the July 10, 2010 meeting regarding LB 880, passed by the Nebraska Legislature in the 2010 session. The law changes the types of fireworks allowed and also allows an additional time period within the year for retailers to sell fireworks. The current period is June 24 to July 5 and the additional time period is December 28 to January 1.

Council directed staff to consider the feasibility of adding another period of sale and bring back a recommendation.

Staff gathered the following information regarding the sale of fireworks during the additional time period in December as allowed by LB 880.

City Clerk

- Same application process as for July permits
 - Currently advertise in November with a January deadline.
 - Applications are then reviewed by City Clerk and departments listed below.
 - Permit applications are taken to City Council for approval
 - Permits issued in June following a meeting with the vendors.
- To add this process again we would need to change city code.
 - We would publish in May with a deadline in July

- After reviewing applications would go to City Council in September/October for approval.
- Permits would be issued in December following a meeting with the vendors.
- Approximate cost for City Clerk's office would be \$300.00.

Community Development

- Not sure of feasibility of tents in December. Challenging to erect a tent, keep the product dry, lack of heat for staff or shoppers, etc.
- Building code would need to be amended if we were to prohibit fireworks sales within buildings.
 - Current regulations would permit it if the following code requirements were met – fire separation areas, sprinkler system, exiting.
- General concerns due to the time of the year – i.e. parties and alcohol consumption.
- Approximate cost for Comm. Dev. to review applications - \$310.00

Fire

- Doesn't recommend allowing fireworks sales and discharge during winter time frame proposed.
- Winter weather pose challenges for response and introducing another source of ignition to combustible structures in weather conditions accompanied by strong winds.
- Concern with alcohol use and fireworks during New Year's activities.
- Staffing is more difficult on New Year's Eve.
- Cold weather contributes to firefighter injuries, apparatus malfunction and difficulties delivering fire and EMS equipment to where it is needed most.
- Approximate cost for Chief to review applications - \$210.00

Police

- Fireworks complaints during 2010
 - Total Complaints – 31(all were related to discharge of fireworks)
 - Complaints prior to legal sales – 3
 - Complaints between 6/25 and 7/4 – 28
- As far as response from police these calls don't typically take away from their normal calls so no issue regarding complaints.
- Approximate cost for Chief to review applications - \$120.00

A City Clerk list serve question elicited 20 responses to the question Is your city planning to amend their code to allow these expanded sales dates. At the time of the inquiry most had not addressed it or had decided to wait until it was requested and/or they could see how it worked for other municipalities throughout the state. Four municipalities have made determinations: Scottsbluff and Hastings decided not to extend the days of sales at this time, Papillion made the change in accordance with the statute and Malcolm made the change with a more limited time frame.