

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING January 18, 2011

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on January 18, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Assistant Library Director Linhart, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Public Works Director Soucie, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on January 6, 2011. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items

SERVICE AWARD – STACIA BURT – 15 YEARS

Mayor Kindig recognized Stacia Burt for 15 years of service to the City.

APPOINTMENT – PARKS AND RECREATION BOARD – RE-APPOINT GEORGE FORST III – 2 YEAR TERM

Mayor Kindig stated that with the approval of Council Mayor Kindig would like to make the following reappointment: Parks and Recreation Board – George Forst III – 2 Year Term Councilmember Carlisle motioned the approval of the Library Advisory Board reappointments, seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM JANUARY 4, 2011
3. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. BOARD OF DIRECTORS MEETING FROM NOVEMBER 8, 2010
4. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. ANNUAL MEETING FROM NOVEMBER 8, 2010
5. MONTHLY FINANCE REPORT – DECEMBER 2010
6. PAY REQUEST – MIDLANDS CONTRACTING INC. – STORM SEWER REHABILITATION - \$31,536.00
7. PAY REQUEST – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL SERVICES - \$4,828.00
8. APPROVAL OF CLAIMS

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

A.S.P. ENTERPRISES, maintenance	61.44
ACI-NE CHAPTER, dues	60.00
ACTION BATTERIES, supplies	344.72
ACTION SIGNS, maintenance	265.00
ADVANCE TEC IND, supplies	410.00
ALAMAR UNIFORMS, wearing apparel	540.48
AMSAN, supplies	162.14

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ARAMARK UNIFORM, services	171.15
AVI SYSTEMS, equipment	879.53
BAKER & TAYLOR BOOKS, books	546.73
BCDM, services	542.00
BENNINGTON EQUIP, maintenance	37.61
BETTER BUSINESS EQUIP, rentals	47.92
BLACK HILLS ENERGY, utilities	12011.33
BLUE CROSS BLUE SHIELD, supplies	50.00
BOB'S RADIATOR REPAIR, maintenance	195.00
BOHLMANN INC, equipment	467.04
BOUND TREE MEDICAL, supplies	997.70
BRAND, S., travel expense	58.00
BUILDERS SUPPLY, bldgs & grnds	116.48
CALENTINE, J., travel expense	244.00
CARROT-TOP IND, supplies	2547.40
CENTER MASS, wearing apparel	55.95
CHAS. VRANA & SON, construction	97065.00
CITY OF OMAHA, sewer billing	45962.82
CJ'S HOME CENTER, maintenance/supplies	692.90
CLARK, R., training	50.00
COMP CHOICE, services	661.25
COX COMMUNICATIONS, services	227.80
D & D COM, maintenance	1260.50
DECOSTA SPORTING GOODS, wearing apparel	68.70
DITCH WITCH OF OMAHA, equip rental	741.56
DULTMEIER SALES & SERVICE, maintenance	6.54
ED M. FELD EQUIP, equipment	3960.00
ED ROEHR SAFETY PROD., equipment	249.68
ELAN,travel/training/lv50	5018.29
FILTER CARE,maintenance	11.85
FIREGUARD, equipment	1125.19
FITZGERALD SCHORR BARMETTLER, services	20176.85
FORT DEARBORN LIFE INSURANCE, insurance	1288.00
FOSTER, T., travel expense	58.00
GENERAL TRAFFIC CONTROLS, supplies	497.66
GENUINE PARTS COMPANY, maintenance	697.82
GORE, JAMES AND ASHLEY, expense	5250.00
GORE, JAMES AND ASHLEY, expense	1260.00
GRAINGER, supplies	37.51
GREAT AMERICAN LEASING CORP, services	640.00
GREAT PLAINS ONE-CALL, services	200.70
H & H CHEVROLET, maintenance	241.76
HANEY SHOE STOREwearing apparel	480.00
HIGHSMITH, supplies	72.74
HOBBY LOBBY, supplies	42.82
HOME DEPOT, supplies	54.73
HUNTEL COMMUNICATIONS, services	47.50
INLAND TRUCK PARTS, maintenance	3.28
J Q OFFICE EQUIP, contract	866.21
JOHNSTON PUBLIC LIBRARY, expense	19.00
JOHNSTONE SUPPLY CO, equipment	166.00
JONES AUTOMOTIVE, maintenance	389.40
KOTTMANN, J., auto allowance	74.50
KRIHA FLUID POWER, maintenance	131.69
LANDPORT SYSTEMS, services	125.00
LANDS' END, wearing apparel	252.15
LAUGHLIN, KATHLEEN A, TRUSTEE, misc	648.00

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LIBERTY FLAG & SPECIALTY CO, supplies	548.70
LIBRA INDUSTRIES, supplies	29.00
LIFE ASSIST, supplies	93.70
LINCOLN NATIONAL LIFE, insurance	7787.13
LOGAN CONTRACTORS SUPPLY, maintenance	2734.65
LOU'S SPORTING GOODS, equipment	563.96
MAPES, H., services	60.00
MAPES, R., services	60.00
MATHESON TRI-GAS, supplies	90.47
MEDICAID, refund	158.21
MES, wearing apparel	870.00
METRO COMMUNITY COLLEGE, expenses	17933.87
METROPOLITAN UTILITIES DIST, utilities	242.55
MIDLANDS LIGHTING & ELECTRIC, supplies	18.82
MNJ TECHNOLOGIES DIRECT, services	430.00
MULLEN & MULLEN, services	34603.00
NATIONAL LEAGUE OF CITIES, dues	1489.00
NATIONAL PAPER COMPANY, supplies	50.16
NEBRASKA CONCRETE, training	350.00
NEBRASKA NOTARY ASSOC, services	98.25
NEBRASKA TURF PRODUCTS, supplies	238.20
NEMSA, dues	680.00
NEWMAN TRAFFIC SIGNS, supplies	1219.50
NMC EXCHANGE, maintenance	131.03
NUTS AND BOLTS, maintenance	3.28
OCLC, expense	26.18
OFFICE DEPOT, supplies	507.76
O'KEEFE ELEVATOR CO, services	946.75
OMAHA WORLD HERALD, advertising/lv50	4637.31
OMB EXPRESS POLICE SUPPLY, wearing apparel	231.91
OPPD, utilities	42002.69
O'REILLY AUTOMOTIVE, supplies	982.99
PAPILLION SANITATION, services	304.11
PAPILLION WELDING, repair	460.47
PARAMOUNT LINEN & UNIFORM, uniform service	360.08
PARKER, SCOTT AND JENON, expense	650.00
PARKER, SCOTT AND JENON, expense	500.00
PAUL CONWAY SHIELDS, wearing apparel	177.30
PAYLESS OFFICE PRODUCTS, supplies	333.90
PLUTA, D., travel expense	58.00
QWEST, phone	138.19
QWEST, phone	65.12
RAY ALLEN MANUFACTURING, misc.	344.95
RECORDED BOOKS, books	23.17
RUSTY ECK FORD, maintenance	49.89
SAM'S CLUB, supplies	149.12
SAPP BROS PETROLEUM, supplies	17920.97
SAPP BROS SERVICE CENTERS, supplies	448.00
SARPY COUNTY ECONOMIC DEV, investment	10000.00
SARPY COUNTY LANDFILL, fee	121.19
SCARPA, D., travel expense	58.00
SUPERIOR VISION, insurance	359.60
TED'S MOWER, equipment repair	165.55
TRACTOR SUPPLY, supplies/equipment	561.96
TRI MUTUAL AID FIREFIGHTER, dues	150.00
TURNER, A., refund	52.85
UNDERWRITERS LABORATORIES, services	117.50

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VIERREGGER ELECTRIC CO, maintenance	2354.11
WASTE MANAGEMENT, services	1331.72
WATERBURY BUTTON CO, wearing apparel	106.70
WICK'S STERLING TRUCKS, maintenance	762.97
ZIMCO SUPPLY CO, supplies	225.00

REPORT – RENTAL INSPECTION PROGRAM

Building Inspector Don Simon presented a report to the Mayor and Council regarding the Rental Inspection Program and its success in the year that it has been in place.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Finance Director Lindberg stated that the auditing firm of BKD has been here and will be finishing up this week.

Police Chief Lausten stated that DARE graduation is at La Vista West Elementary on February 23 at 8:30 a.m. and at Parkview Heights Elementary on February 24 at 8:30 a.m. Lausten also reported that a cruiser was hit at 74th and Harrison and has been totaled by the insurance company for a settlement amount.

Public Works Director Soucie reported that the tree drop-off sites are closed and approximately 1,300 Christmas Trees were dropped off. The light at 108th and Chandler should be working correctly now.

Public Buildings and Grounds Director Archibald reported that the work order system now up and running and being used by departments.

Assistant Library Director Linhart introduced Sharon Bailey who is a member of the library quilters group and she presented quilts to Chief Lausten and Chief Uhl for use by the police and fire departments.

B. ORDINANCE – RENAMING A SECTION OF FREDERICK STREET TO FREDERICK AVENUE

Councilmember Sell introduced Ordinance No. 1135 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO CHANGE THE NAME OF A SECTION OF FREDERICK STREET FROM SOUTH 137TH AVENUE WEST TO ITS TERMINATION AS A CUL-DE-SAC WEST OF SOUTH 139TH AVENUE; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers 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 Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1135 be passed and adopted?" Upon roll call vote the following Councilmember 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. ORDINANCE – APPROVAL OF OMAHA PUBLIC POWER DISTRICT TO CONTINUE A RETAIL ELECTRIC ENERGY SUPPLY BUSINESS IN LA VISTA

Councilmember Crawford introduced Ordinance No. 1136 entitled: AN ORDINANCE ACCEPTING THE PROPOSAL OF THE OMAHA PUBLIC POWER DISTRICT, ITS SUCCESSORS AND ASSIGNS (HEREINAFTER "GRANTEE") TO CONTINUE TO CONDUCT A RETAIL ELECTRIC ENERGY SUPPLY BUSINESS WITHIN THE CITY OF LAVISTA, NEBRASKA (HEREINAFTER "CITY"), AND GRANTING A FRANCHISE TO GRANTEE TO GENERATE, DISTRIBUTE AND DELIVER AN ADEQUATE AND CONTINUOUS SUPPLY OF ELECTRIC ENERGY TO THE CITY, EXCEPT FOR INTERRUPTIONS BEYOND GRANTEE'S CONTROL; TO ERECT POLES AND INSTALL WIRES AND CABLES THEREON; TO

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CONSTRUCT UNDERGROUND CONDUITS AND MANHOLES AND TO INSTALL CABLES IN UNDERGROUND CONDUITS OR BURIED DIRECTLY IN THE GROUND, AND TO INSTALL SUCH FACILITIES ALONG, OVER, UPON, UNDER OR ACROSS PRESENT OR FUTURE STREETS, ALLEYS, AVENUES, HIGHWAYS AND OTHER PUBLIC RIGHTS-OF-WAY OF THE CITY, AND TO CONSTRUCT, OWN, OPERATE AND MAINTAIN ALL OTHER ELECTRIC TRANSMISSION AND DISTRIBUTION SYSTEMS NECESSARY TO SUPPORT AND CONDUCT A RETAIL ELECTRIC ENERGY SUPPLY BUSINESS WITHIN THE CITY.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan 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 Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Crawford. The Mayor then stated the question was, "Shall Ordinance No. 1136 be passed and adopted?" Upon roll call vote the following Councilmember 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.

D. RESOLUTION – ANNEXATIONS - CONSIDERATION

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-003; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA STATING THAT THE CITY OF LA VISTA IS CONSIDERING THE ANNEXATION OF SID NO. 239, GILES CORNER, SID NO. 82, CROSSROADS INDUSTRIAL PARK, SUBDIVISIONS AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA; TAX LOT 10B LOCATED IN SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; TAX LOTS 1B, 1C AND 2 LOCATED IN SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; LOTS 2A, 3 AND 4, PERFORMANCE AUTO PLAZA, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA; PART OF SID NO. 59, BROOK VALLEY II BUSINESS PARK, A SUBDIVISION AS SURVEYED, PLATTED AND RECORDED IN SARPY COUNTY, NEBRASKA, AND TAX LOTS 1A1A1A AND 2B2 LOCATED IN SECTION 17, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA; AND PORTIONS OF ANY ADJOINING STREET RIGHT-OF-WAY; DESCRIBING BOUNDARIES OF THE LAND PROPOSED FOR ANNEXATION; APPROVING AND ADOPTING A PLAN FOR EXTENDING CITY SERVICES TO THE LAND PROPOSED FOR ANNEXATION, AND MAKING THE PLAN AVAILABLE FOR INSPECTION; PROVIDING FOR A PUBLIC HEARING DATE, TIME AND LOCATION ON THE PROPOSED ANNEXATION; PROVIDING FOR PUBLICATION OF NOTICE OF SUCH HEARING AND OF THE MAP DRAWN TO SCALE DELINEATING THE LAND PROPOSED FOR ANNEXATION; AND PROVIDING FOR NOTICE TO UTILITY COMPANIES, SID CLERKS, FIRE DISTRICTS, AND LANDOWNERS OF THE PROPERTY WITHIN THE PROPOSED AREA, AND PROVIDING FOR THE DELIVERY OF A COPY OF THIS RESOLUTION TO ANY SCHOOL DISTRICT WITHIN THE AREA PROPOSED TO BE ANNEXED, AND TO THE PLANNING COMMISSION FOR RECOMMENDATION.

WHEREAS, the City of La Vista desires to annex certain land, and

WHEREAS, the Nebraska Revised Statutes, Section 16-117 requires the City Council to adopt a resolution stating that the City is considering the annexation of land and a plan for extension of City services to said land.

NOW, THEREFORE, BE IT RESOLVED by the Mayor and City Council of La Vista, Nebraska as follows:

1. The City of La Vista is considering the annexation of SID No. 239, Giles Corner, SID No. 82, Crossroads Industrial Park, subdivisions as surveyed, platted and recorded in Sarpy County, Nebraska; Tax Lot 10B located in Section 21, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; Tax Lots 1B, 1C and 2 located in Section 18, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; Lots 2A, 3 and 4, Performance Auto Plaza, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska; part of SID No. 59, Brook Valley II Business Park, a subdivision as surveyed, platted and recorded in Sarpy County,

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Nebraska, and Tax Lots 1A1A1A and 2B2 located in Section 17, T14N, R12E of the 6th P.M., Sarpy County, Nebraska; and portions of any adjoining street right-of-way; describing boundaries of the land proposed for annexation, more particularly described as follows:

LOTS 1 THROUGH 79, 80A, 80B, 81 THROUGH 96, 103 THROUGH 115, OUTLOTS A, B, C, D, AND E, GILES CORNER, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, AND ALL PUBLIC STREETS LYING WITHIN SAID GILES CORNER;

TOGETHER WITH LOTS 1 THROUGH 5, GILES CORNER REPLAT 1, A SUBDIVISION IN SAID SARPY COUNTY, NEBRASKA;

TOGETHER WITH LOTS 1A, 1B, 2A, 2B, 3 THROUGH 17, CROSSROADS INDUSTRIAL PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA, AND ALL PUBLIC STREETS LYING WITHIN SAID CROSSROADS INDUSTRIAL PARK;

TOGETHER WITH TAX LOT 10B, LYING WITHIN THE SE $\frac{1}{4}$ OF SECTION 21, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 1B, TAX LOT 1C, TAX LOT 2, LYING WITHIN THE NE $\frac{1}{4}$ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH LOTS 2A, 3 AND 4, PERFORMANCE AUTO PLAZA, A SUBDIVISION IN SAID SARPY COUNTY, NEBRASKA, AND ALL OF 124TH CIRCLE RIGHT-OF-WAY LYING WITHIN SAID PERFORMANCE AUTO PLAZA, PART OF EASTPORT PARKWAY RIGHT-OF-WAY, HARRISON STREET RIGHT-OF-WAY, GILES ROAD RIGHT-OF-WAY, AND NEBRASKA INTERSTATE 80 RIGHT-OF-WAY;

TOGETHER WITH TAX LOT 1A1A1A LYING WITHIN THE SE $\frac{1}{4}$ OF SECTION 17, T14N, R12E, OF THE 6TH P.M., SARPY COUNTY, NEBRASKA;

TOGETHER WITH TAX LOT 2B2 LYING WITHIN THE SW $\frac{1}{4}$ OF SAID SECTION 17;

TOGETHER WITH LOTS 1 THROUGH 7, 9, 10, 11B, 12, 13, LOTS 14A AND 14B, REPLAT OF LOT 14, 15, 16A, 16B, 17A, 17B, 18, 19, 20, 22 THROUGH 37, VACATED VIRGINIA STREET LYING WEST OF 114TH STREET AND EAST OF 117TH STREET, BROOK VALLEY II BUSINESS PARK, A SUBDIVISION IN SARPY COUNTY, NEBRASKA;

TOGETHER WITH LOT 1, BROOK VALLEY II BUSINESS PARK REPLAT ONE, A SUBDIVISION IN SAID SARPY COUNTY, NEBRASKA;

TOGETHER WITH LOTS 1 AND 2, BROOK VALLEY II BUSINESS PARK REPLAT 2, A SUBDIVISION IN SAID SARPY COUNTY, AND ALL PUBLIC STREETS LYING WITHIN SAID BROOK VALLEY II BUSINESS PARK AND SAID BROOK VALLEY BUSINESS PARK REPLATS ONE AND 2,

TOGETHER WITH ALL OF 114TH STREET RIGHT-OF-WAY ADJOINING SAID BROOK VALLEY II BUSINESS PARK.

2. That the plan of the City for the extension of City services to the above land proposed for annexation, as presented at this meeting, and incorporated herein by this reference, be and the same hereby is, adopted and approved, subject to any changes by the City Council after public hearings on the proposed annexation and recommendations from the Planning Commission, and is available for inspection during regular business hours in the office of the City Clerk, located at 8116 Park View Boulevard, La Vista, Nebraska.

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3. That a public hearing on the proposed annexation at which the City Council shall receive testimony from any interested persons shall be held on the 15th day of March, 2011, at the hour of 7:00 p.m. in the Council Chambers of the City of La Vista located at 8116 Park View Boulevard, La Vista, Nebraska.
4. That a copy of this Resolution and a map drawn to scale and delineating the area proposed to be annexed shall be published in the official newspaper of the City at least once not less than ten (10) days preceding the date of the public hearing.
5. That a copy of this Resolution be mailed by first class mail following its passage to the school board of any school district in the land proposed for annexation.
6. That required notices will be provided to utility companies, SID Clerks, fire districts, school districts, and owners of the property as required by applicable statutes.
7. That a copy of this Resolution be forwarded to the Planning Commission for recommendation following its passage.

Seconded by Councilmember Carlisle. Marvin Zuroske representing Giles Corner spoke in favor of the annexation of their SID. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

E. RESOLUTION – PURCHASE OF POLICE CRUISER

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-004; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO GENE STEFFY CHRYSLER-JEEP-DODGE, FREMONT, NEBRASKA FOR THE PURCHASE OF ONE 2011 DODGE CHARGER POLICE PACKAGE CRUISER IN AN AMOUNT NOT TO EXCEED \$33,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a new police cruisers is necessary, and

WHEREAS, the FY 11 General Fund budget does include funds for the purchase of said cruisers, and

WHEREAS, the State of Nebraska did receive bids for 2011 Dodge police cruisers, and

WHEREAS, Gene Steffy Chrysler-Jeep-Dodge, Fremont, Nebraska, was awarded the state bid for Nebraska for the 2011 Dodge Police Package cruiser and will extend that price to the City of La Vista, and

WHEREAS, Subsection (c) 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 accept the Nebraska state bid of Gene Steffy Chrysler-Jeep-Dodge, Fremont, Nebraska and authorize the purchase of one 2011 Dodge Charger Police Package cruisers in an amount not to exceed \$33,000.

Seconded by Councilmember Sell. Councilmember Gowan asked how the Chargers are working. Police Chief Lausten stated that they looked at a few new vehicles coming out but are currently happy with the chargers. Councilmember Crawford asked why this is being purchased in Fremont. Lausten stated that the State Bid gets the cheapest price and this time it was the Fremont dealer. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

F. RESOLUTION – PURCHASE OF DIGITAL IN-CAR CAMERA SYSTEMS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-005; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF TWO IN-CAR DIGITAL CAMERA SYSTEMS FROM DIGITAL ALLY, OVERLAND PARK, KS, IN AN AMOUNT NOT TO EXCEED \$10,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a in-car digital camera systems for the City's marked police cars is necessary, and

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WHEREAS, funding for the purchase was approved and included in the City's FY11 municipal budget, and

WHEREAS, the police department has secured the Nebraska State bid price from Digital Ally, Overland Park, KS for the equipment, and

WHEREAS, Paragraph 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 two in-car digital video systems for the police department from Digital Ally, Overland Park, Kansas, in an amount not to exceed \$10,000.

Seconded by Councilmember Quick. Mayor Kindig thanked the Community Foundation for their contribution. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

G. RESOLUTION – BID AWARD – THOMPSON CREEK PROPERTY ACQUISITIONS PHASE I DEMOLITION

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-006; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO ANDERSON EXCAVATING COMPANY, OMAHA NE FOR DEMOLITION OF SIX (6) HOUSES ACQUIRED AS PART OF THE THOMPSON CREEK HAZARD MITIGATION PROJECT, IN AN AMOUNT NOT TO EXCEED \$49,310.00.

WHEREAS, the City Council of the City of La Vista has determined that the demolition of houses acquired as part of the Thompson Creek Hazard Mitigation Project is necessary; and

WHEREAS, the FY 10/11 Capital Improvement Program contains funds for this expenditure; and

WHEREAS, the City Council authorized the advertisement of bids for demolition and removal of the first group of six houses that have been acquired and vacated in the Thompson Creek Voluntary Property Acquisition project on December 21, 2011, and

WHEREAS Anderson Excavating Company. of Omaha, Nebraska, has submitted the low, qualified bid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska designate Anderson Excavating Company. Omaha Nebraska as the low qualified bid for the demolition of six houses acquired as part of the Thompson Creek Hazard Mitigation Project, in an amount not to exceed \$49,310.00

Seconded by Councilmember Carlisle. Councilmember Sheehan asked what the time frame is for the demolition of these six houses. City Engineer Kottmann stated that they have 30 days to demolish the houses. Mayor Kindig asked if the demolition involved filling in all the holes. Kottmann stated that it did and the property would be left flat to be graded and planted in the spring. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

H. RESOLUTION – SPECIAL DESIGNATED LIQUOR LICENSE – ZEHRER, INC. – WINE TASTING EVENT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-007; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT A WINE TASTING EVENT AT 9637 GILES ROAD ON JANUARY 29, 2011.

WHEREAS, 9637 Giles Road is located within the City of La Vista; and

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

January 18, 2011

WHEREAS, Zehrer, Inc. has requested approval of a Special Designated License to serve wine at a wine tasting event at 9637 Giles Road on January 29, 2011 from 5:30 p.m. to 8:30 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Zehrer, Inc. to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to serve wine at 9637 Giles Road, at a wine tasting event on January 29, 2011.

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

I. STRATEGIC PLAN PROGRESS REPORT

City Administrator Gunn gave an overview of the Strategic Plan and the progress that has been made in areas of the plan. Councilmember Carlisle made a motion to receive and file the Strategic Plan Progress Report. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

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

COMMENTS FROM THE FLOOR

There were no comments from the floor.

J. EXECUTIVE SESSION – LAND ACQUISITION; CONTRACT NEGOTIATIONS

At 8:01 p.m. Councilmember Carlisle made a motion to go into executive session for the protection of the public interest for negotiating guidance on land acquisition and contract negotiations. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:53 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that the United Cities of Sarpy County met recently and he was able to meet and talk with the new Mayors from Bellevue and Springfield.

At 9:55 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 1ST DAY OF FEBRUARY, 2011

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk