

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING JUNE 19, 2012

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on June 19, 2012. Present were Councilmembers: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, City Clerk Buethe, Police Chief Lausten, Fire Public Information Officer Brake, Public Works Director Soucie, Community Development Director Birch, Finance Director Lindberg, Assistant Recreation Director Karlson, Public Building and Grounds Director Archibald, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on June 6, 2012. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

Mayor Kindig announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

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

### **PRESENTATION - WINNERS OF ESSAY CONTEST - "I CAN MAKE A DIFFERENCE WHEN I RIDE MY BIKE" - ARTHUR COLLINS; EMILY HOCHESTEIN**

Mayor Kindig and Assistant Recreation Director Karlson presented Essay Contest Winners Arthur Collins and Emily Hochestein with bicycles that had been donated for two La Vista children. Hochestein in turn gifted her bike to her friend Kaitlin as she had stated in her essay.

### **SERVICE AWARD - RAY CRANE- 15 YEARS**

Mayor Kindig recognized Ray Crane for 15 years of service to the City.

### **APPOINTMENT OF FIRE DEPARTMENT RECRUIT - KEN PATON**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruit: Ken Paton. Fire Public Information Officer Brake introduced the new recruit to the Council. Councilmember Sheehan motioned the approval, seconded by Councilmember Carlisle. 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 JUNE 5, 2012**

##### **3. MONTHLY FINANCIAL REPORT - MAY 2012**

##### **4. PAY REQUEST - THOMPSON, DREESSEN & DORNER, INC. - PROFESSIONAL SERVICES - APPLEWOOD CREEK IMPROVEMENTS PROJECT - \$3800.05**

##### **5. APPROVAL OF CLAIMS**

A-1 UNITED HEATING & AIR, refund	124.09
AA WHEEL & TRUCK SUPPLY, maint.	70.96
AAT, maint.	4586.75
ABE'S PORTABLES, services	172.56
ACCO UNLIMITED, bld&grnds	1347.45
ACCURATE TESTING, utilities	70.00
ACTION BATTERIES, supplies	201.68
ALAMAR, apparel	3998.99

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AMERICAN BOTTLING COMPANY, conc.	461.02
ARAMARK, services	451.26
A-RELIEF SERVICES, services	1454.50
AVI SYSTEMS, equip.	924.00
BAKER & TAYLOR, books	65.04
BATTERIES PLUS, equip.	299.90
BCDM, services	1942.50
BLACK HILLS ENERGY, utilities	19.53
BRENTWOOD AUTO WASH, maint.	140.00
BUILDERS SUPPLY, maint.	36.41
CARDMEMBER SERVICE	6675.43
CENTURY LINK, phone	37.66
CITY OF OMAHA, services	83783.89
CIVIC PLUS, services	12810.00
COSGRAVE COMPANY, equip.	94.00
COX, utilities	192.85
CUMMINS CENTRAL POWER, services	547.89
D & D COMMUNICATIONS, supplies	1177.83
DECOSTA SPORTING GOODS, services	68.00
DEIML, K., services	120.00
DIAMOND VOGEL, bld&grnds	518.67
DOUGLAS COUNTY SHERIFF'S OFC, services	50.00
DULTMEIER SALES & SERVICE, bld&grnds	76.83
DXP ENTERPRISES, maint.	10.88
EDGEWEAR SCREEN PRINTING, apparel	1250.25
ELLIOTT EQUIPMENT, maint.	416.04
FAGIN, K., training	211.95
FARQUHAR, M., training	550.00
FILTER CARE, maint.	100.80
FLORATINE CENTRAL TURF PRODS, supply	461.00
FOCUS PRINTING, printing	75.00
FUTUREWARE DISTRIBUTING, supplies	275.00
GALE, books	72.72
GCR TIRE CENTERS, supplies	753.97
GODFATHER'S PIZZA, supplies	105.08
GRAINGER, supplies	124.00
GRAYBAR ELECTRIC, bld&grnds	594.68
GREAT PLAINS ONE, services	361.48
GROSSENBACHER BROTHERS, supplies	225.00
HEARTLAND AWARDS, apparel	69.25
HEARTLAND PAPER, supplies	642.00
HOBBY LOBBY, supplies	52.67
HOME DEPOT, bld&grnds	355.82
HOOK-FAST SPECIALTIES, apparel	236.57
HUSKER MIDWEST PRINTING, printing	129.24
ICMA, dues	1029.68
INDUSTRIAL SALES, bld&grnds	157.88
J Q OFFICE EQUIP., supplies	1362.78
KRIHA FLUID POWER, maint.	77.22
LARSEN SUPPLY, supplies	34.66
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LIBRA INDUSTRIES, maint.	56.64
LIBRARY STORE, supplies	759.60
LOGAN CONTRACTORS SUPPLY, maint.	255.67
LOU'S SPORTING GOODS, equip.	102.46
LOWE'S, bld&grnds	119.21
MAPA, CDBG	134024.00
MARTIN MARIETTA AGGREGATES, maint.	140.06
MATHESON TRI-GAS, maint.	117.69
MELVIN SUDBECK HOMES, services	97269.00

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MICHAEL TODD, services	29.80
MIDLANDS LIGHTING & ELECTRIC, bld&grnds	164.52
MIDWEST TAPE, media	478.11
NATIONAL SIGN AND SIGNAL, supplies	181.23
NE DEPT OF MOTOR VEHICLE	11.60
NE IA SUPPLY, supplies	18432.10
NEBRASKA LIBRARY COMMISSION, training	100.00
NMC EXCHANGE, maint.	62.90
NOBBIES, supplies	274.12
NUTS AND BOLTS INC., maint.	403.76
OFFICE DEPOT, supplies	544.71
OPPD, utilities	46706.58
OMAHA WORLD HERALD, adv.	8263.00
OMNI, maint.	809.91
OMNIGRAPHICS, books	81.85
O'REILLY AUTO., maint.	832.12
ORIENTAL TRADING, supplies	141.93
PAPILLION SANITATION, services	304.11
PAPILLION TIRE, maint.	268.98
PARAMOUNT, apparel	329.16
PAUL CONWAY SHIELDS, apparel	489.46
PAYLESS OFFICE, supplies	57.29
PAYROLL MAXX, services	2550.00
PEPSI COLA, conc.	669.60
PERFORMANCE FORD, maint.	5.24
PETTY CASH	167.63
PIGMAN, M., services	500.00
PLAINS EQUIP., equip.	190.86
POC FUND, training	150.00
QUALITY BRANDS, conc.	569.20
REGAL AWARDS, services	330.66
RENO A & E, supplies	204.50
REPUBLIC NATIONAL DISTR, conc.	171.93
RETRIEVEX, services	85.11
RON TURLEY, services	950.00
ROTELLA'S, supplies	94.32
SAM'S CLUB, conc.	1614.85
SAPP BROS, supplies	441.00
SIGN IT, services	76.00
SLIDE CARE, bld&grnds	216.73
SOCCER, apparel	20.00
STATE STEEL, supplies	294.91
STATE TROOPERS NE, training	150.00
STERIL MANUFACTURING, maint.	100.00
STERLING DISTRIBUTING, conc.	134.20
STETSON BUILDING, bld&grnds	255.00
STOLTENBERG NURSERIES, bld&grnds	715.00
STOVER, B., services	910.00
SUN COUNTRY DISTRIBUTING, bld&grnds	22.55
UPBEAT, bld&grnds	174.84
VERIZON, phone	438.88
VERNON, services	984.61
VIERREGGER ELECTRIC, supplies	450.00
WASTE MANAGEMENT NE., bld&grnds	1963.51
WICHITA HEATING & COOLING, refund	46.35
WICK'S STERLING TRUCKS, maint.	246.19
WOWT, ads	1800.00

## **6. APPROVAL OF MANAGER APPLICATION – CLASS C LIQUOR LICENSE – CHILI'S BAR & GRILL – CHARLES LAYNE**

## **7. APPROVE CHANGE IN START TIME OF CITY COUNCIL MEETINGS ON AUGUST 7, 2012**

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**AND NOVEMBER 6, 2012 TO 6:00 P.M.**

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

City Clerk Buethe requested that all White Budget Book binders be returned to be used again. Buethe also reported that the La Vista Youth Baseball Fireworks tent would be located at the same site they occupied last year at 96th and Giles.

Police Chief Lausten reported that James Thompson's last day would be June 22, 2012, and Stacy Corbit's last day was June 16, 2012. The position as Code Enforcement officer has been filled by Collin "Lucky" Rupert.

Fire Public Information Officer Brake reported that a fire extinguisher trainer had been purchased and a demonstration was scheduled for July 3, 2012.

Public Works Director Soucie stated that 9 trees were across roadways in the City in the last storm. 8 of those trees were cut and removed from across the roadways by Citizens by the time crews were dispatched. Soucie also reported that staff was working the Slumpbuster Tournament that continues through June 28, 2012.

Mayor Kindig thanked Soucie for making the decision to send crews out to assist Citizens in tree removal during the storm and thanked the Public Works Staff for their hard work in clean up.

Community Development Director Birch reported that EDAW submitted 84<sup>th</sup> Street Forward and received a planning award.

Public Buildings and Grounds Director Archibald reported that the Wireless Upgrade will involve FAA approval and once that approval is received the FCC will issue the license.

Assistant Recreation Director Karlson reported that 23 Chefs attended the Little Chefs program that was put on in combination by the Library and Recreation Department. Karlson also reported that 13 Children attended another dual program by the Library and Recreation Department called Summer Escapes where children played with bubbles, games and enjoyed popsicles. Karlson reminded the Mayor and Council that the first Movie and Concert night was being held on June 22, 2012 at 7p.m. at the Library. Karlson reported that Bike Safety Day will be held June 26, 2012. A Bike Rodeo and Family Bike Ride would continue at the La Vista Sports Complex.

## **B. APPLICATION FOR REPLAT AND SUBDIVISION AGREEMENT APPROVAL – LOTS 1-3, MAYFAIR 2<sup>ND</sup> ADDITION, REPLAT FIVE (NW OF 96<sup>TH</sup> AND GILES)**

Councilmember Carlisle made a motion to continue the public hearing opened May 15, 2012 and continued until June 19, 2012 until the July 3, 2012 meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Absent: Quick. Motion carried.

## **C. ORDINANCE – RIGHT OF WAY VACATION AND CONVEYANCE – SOUTH SIDE OF HARRISON EAST OF 83<sup>RD</sup> STREET**

Councilmember Carlisle introduced and moved for adoption of Ordinance 1176 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1170 VACATING, AND RESERVING AND RETAINING TITLE IN THE CITY TO, AND DIRECTING THE SALE AND CONVEYANCE OF, A PART OF HARRISON STREET RIGHT-OF-WAY LOCATED IN THE NW ¼ OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; TO REPEAL ORDINANCE NO. 1170 AS ORIGINALLY ADOPTED; AND TO PROVIDE AN EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Quick. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

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Said ordinance was then read by title and thereafter Councilmember Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1176 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following abstained: None. The following were absent: Quick. 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. ORDINANCE - AMEND MUNICIPAL CODE 72 - PARKING REGULATIONS**

Councilmember Gowan introduced and moved for adoption of Ordinance 1177 entitled: AN ORDINANCE TO AMEND CHAPTER 72 OF THE LA VISTA MUNICIPAL CODE REGARDING PARKING REGULATIONS BY AMENDING SECTIONS 72.16 REGARDING MANNER OF PARKING AND 72.24 REGARDING CURRENT LICENSE AND ADDING TWO NEW SECTIONS: 72.26(A) and (B) REGARDING ARTERIAL STREETS AND 72.27 REGARDING CUL DE SACS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle 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, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Quick. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Gowan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1177 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following abstained: None. The following were absent: Quick. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **E. ORDINANCE - AMEND POLICE RETIREMENT PLAN**

Councilmember Crawford introduced and moved for adoption of Ordinance 1178 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AMEND THE CITY OF LA VISTA POLICE OFFICERS RETIREMENT PLAN AND TRUST, FOR CHANGES IN APPLICABLE STATE LAWS; TO AUTHORIZE THE MAYOR TO EXECUTE DOCUMENTS AND FURTHER ACTIONS; AND TO PROVIDE FOR REPEAL OF CONFLICTING ORDINANCES, SEVERABILITY AND THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle 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, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were absent: Quick. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance. Councilmember Sheehan commented that this change was required by State Law.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. The Mayor then stated the question, "Shall Ordinance No. 1178 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following abstained: None. The following were absent: Quick. 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.

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## **F. RESOLUTION – COUNCIL POLICY STATEMENT – MARKING HIKING/BIKING TRAIL CROSSINGS ON PUBLIC STREETS**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-069; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO MARKING HIKING/BIKING TRAIL CROSSINGS ON PUBLIC STREETS; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a recommendation by the Public Works Director, the Recreation Director, and the Police Chief, in consultation with staff, has been made regarding procedures pertaining to the marking of hiking/biking trail crossings on public streets;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the marking of hiking/biking trail crossings on public streets and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked if the signs were following a pattern, and were there signs reminding bikers to walk bikes when needed? City Engineer Kottmann replied that the signs were following a pattern and he would need to check into bike walking signs. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Quick. Motion carried.

## **G. RESOLUTION – STRATEGIC PLAN 2012-2014**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 12-070; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT STRATEGIC PLAN 2012-2014.

WHEREAS, the Mayor and City Council recognize the importance and value of having a deliberate planning process to help guide all facets of city government; and

WHEREAS, the Mayor and City Council believe that it is essential to set goals and review them periodically to ensure progress; and

WHEREAS, the Mayor and City Council discussed the strategic plan at a work session held during their regularly scheduled meeting on Tuesday, March 20, 2012 to:

1. Ensure that the city's priorities are aligned with changing conditions and new opportunities.
2. Create shared commitments among council members and city staff concerning short-term and long-term endeavors.
3. Assess the city's present and future strengths, weaknesses, opportunities and threats; and

WHEREAS, the attached Strategic Plan 2012-2014 is developed as a collaborative effort between the Mayor and City Council and the City's management team and establishes the organizational priorities for a two year planning period.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Strategic Plan 2012-2014 as attached and presented at the June 19, 2012 City Council meeting.

Seconded by Councilmember Ellerbeck. Councilmember Crawford stated that he would like to see the Mayor's Leadership Council moved up on the priority list. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Quick. Motion carried.

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## COMMENTS FROM THE FLOOR

Resident Martin Ware approached the Mayor and Council about enforcing the Ordinance's and Law's in regard to properties being kept up.

## COMMENTS FROM MAYOR AND COUNCIL

No Comments from the Mayor or Council.

At 7:40 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Quick. Motion carried.

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

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig  
Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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