

LA VISTA CITY COUNCIL  
MEETING  
October 2, 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 October 2, 2012. 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, Library Director Barcal, Police Captain Barcal, Fire Chief Uhl, Finance Director Lindberg, Public Works Director Soucie, Recreation Director Stopak, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on September 19, 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.

**PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH**

Mayor Kindig proclaimed October to be Domestic Violence Awareness Month.

A. **CONSENT AGENDA**

1. **APPROVAL OF THE AGENDA AS PRESENTED**

2. **APPROVAL OF CITY COUNCIL MINUTES FROM SEPTEMBER 18, 2012**

3. **APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM SEPTEMBER 13, 2012**

4. **REQUEST FOR PAYMENT – SCHEMMER – PROFESSIONAL SERVICES – LA VISTA LINK – KEYSTONE TRAIL - \$177.74**

5. **REQUEST FOR PAYMENT – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES ROAD SIGNAL COORDINATION - \$2944.10**

6. **APPROVAL OF CLAIMS**

7. **RESOLUTION 12-098 – DEPARTMENT OF ROADS MAINTENANCE AGREEMENT – 84<sup>TH</sup> STREET**

AAT, supplies	2,262.00
ACCO UNLIMITED CORP, supplies	73.2
ACTION BATTERIES, equip.	22
ALAMAR, apparel	591.96
ALERT-ALL CORP, printing	2,038.60
ALL STAR PRO GOLF, supplies	689.71
ARAMARK, services	156.57
A-RELIEF, services	180
ASSOCIATED FIRE PROTECTION, services	190
BAKER & TAYLOR, books	6,530.79
BANKERS TRUST, bonds	275
BARCAL, R., travel	194.25
BARONE SECURITY SYSTEMS, services	120
BATTERIES PLUS, services	179.94
BBE-TECH, bld&grnds	35
BCDM, services	1,260.00
BEACON BUILDING, services	6,712.00
BEAUMONT, M., travel	192.5
BLACK HILLS ENERGY, utilities	22.04
BCBS, refund	597.02
BOUND TREE MEDICAL, supplies	238.1

BUILDERS SUPPLY, maint.	79.86
CENTER POINT PUBLISHING, books	214.5
CENTURY LINK, phone	1,044.81
CIACCIO ROOFING, bld&grnds	210
CITY OF OMAHA, sewer	104,458.48
COMP CHOICE, services	508
CORNHUSKER INTL, vehicles	208,800.00
COX, utilities	63.65
D & D COMM., services	6,420.85
DANKO EMERGENCY EQUIP., maint.	252.34
DECOSTA SPORTING GOODS, apparel	258.5
DEIML, K., training	3,575.00
DIXON, S., refund	95
DOWNS ELECTRIC, bld&grnds	227.88
EAGLE ENGRAVING, apparel	106.36
EDGEWEAR SCREEN PRINTING, apparel	240
EPPERSON, N., apparel	116.63
FELD FIRE, apparel	2,570.00
FILTER CARE, maint.	56.4
FIRE DEPARTMENT CLOTHING, apparel	2,597.30
FLORATINE CENTRAL TURF PRODS, bld&grnds	407.5
GALE, books	402.58
GCR TIRE CENTERS, supplies	285.26
GODFATHER'S PIZZA, supplies	102.38
GOLDMAN, J., travel	41
GOLEY, C., training	120
GRAYBAR ELECTRIC, bld&grnds	57.6
GREAT PLAINS GFOA, training	300
GREAT PLAINS UNIFORMS, apparel	276.5
GREENKEEPER COMPANY, supplies	2,144.38
H & H CHEV., maint.	905.98
HEARTLAND PAPER, supplies	276
HEIMES CORPORATION, maint.	67.75
HELGET GAS, supplies	89
HOBBY LOBBY, supplies	262.7
INDUSTRIAL SALES, bld&grnds	104
J Q OFFICE EQUIPMENT, supplies	1,104.88
JNFS ENGINEERING, equip.	1,147.13
JOHN DEERE, bld&grnds	2,513.00
JONES AUTO., radios	4,843.00
LA VISTA COMMUNITY FOUNDATION	50
LAUGHLIN, KATHLEEN A, TRUSTEE	474
LEAGUE ASSN OF RISK MGMT, ins	91
LOGAN CONTRACTORS SUPPLY, maint.	5,304.94
LOU'S SPORTING GOODS, bld&grnds	55.65
MASA, bld&grnds	2,175.95
MATHESON TRI-GAS, apparel	62.67
MECHANICAL SALES, supplies	12,636.00
MUD, utilities	183.78
MICHAEL TODD & COMP., maint.	7,633.74
MID AMERICA PAY PHONES, phone	100
MIDWEST TAPE, media	759.41
MIDWEST TURF & IRRIGATION, maint.	553.19
MIRACLE RECREATION EQUIP., maint.	3,695.14
MONARCH OIL, maint.	493.5
MONROE TRUCK EQUIP., maint.	799.81
NEBRASKA SALT & GRAIN COMP., maint.	22,622.06
NEWMAN TRAFFIC SIGNS, supplies	117.15
NEXTEL SPRINT COMM., phone	210.73
NIKE, supplies	225
NORM'S DOOR SERVICE, maint.	408

NOVA HEALTH EQUIP., supplies	11,885.50
NUTS AND BOLTS INC., maint.	2.97
OCLC, books	30.97
OFFICE DEPOT, supplies	1,488.17
O'KEEFE ELEVATOR COMP., services	168
OPPD, utilities	2,838.68
OMAHA WORLD HERALD, ads	664.47
OMNIGRAPHICS, books	59.7
ORIZON CPAS, services	1,150.00
PAPILLION LA VISTA SCHL DISTR	6,500.00
PAPILLION TIRE INC., maint.	146.6
PARAMOUNT LINEN, services	294.91
PAYFLEX SYSTEMS	250
PAYROLL MAXX	2,650.00
PERFORMANCE CHRYSLER JEEP, maint.	5,662.81
PETTY CASH	298.99
PETTY CASH	71.08
PLAINS EQUIPMENT GROUP, maint.	406.32
PPE INC., training	1,075.00
PRO-PAPILLION RECREATION ORG	300
PRO-SIGN & SCREEN PRINTING, services	500
QUALITY BRANDS OF OMAHA, supplies	542.15
RAPPLEY, M., training	25
READY MIXED CONCRETE, maint.	5,054.07
RETRIEVEX, services	85.02
REXWINKLE, C., refund	100
SCHMADER ELECTRIC, supplies	8,250.00
SMITH, K., services	175
SOCCER INTERNATIONALE, apparel	330
SPRINT, phones	62.11
SPRINT, phones	119.97
STOLTENBERG NURSERIES, supplies	2,605.00
TED'S MOWER SALES & SERVICE, equip.	48
THOMPSON DREESSEN & DORNER, services	262.05
THOMPSON DREESSEN & DORNER, services	255
TODD VALLEY FARMS, bld&grnds	1,338.00
TORNADO WASH, maint.	120
UPS, postage	6.25
V & V MANUFACTURING, apparel	114.95
WASTE MANAGEMENT NE., services	239.97
WICK'S STERLING TRUCKS, maint.	176.24
ZIMCO SUPPLY, services	480
ZULKOSKI, C., refund	85

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

#### REPORTS – RENTAL INSPECTION PROGRAM

Community Development Director Birch, Community Development Secretary Michelle Alfaro, and Building Inspectors Don Simon and Brad Baber gave an overview of the Permits and Inspections for 2011, and the Rental Inspection Program for 2011.

Mayor Kindig asked that the numbers for the CVS and Divine Truth be rechecked and the information be provided about landscaping around the splash pad. Community Director Birch stated she will follow up.

Councilmember Crawford asked how long the names listed in white on the report had not been in compliance. Alfaro responded that those in white had not complied this year, and those in red have not complied since the beginning of the program. Councilmember

Sheehan asked if we inspect Apartment units that tenants have moved out of. Alfaro stated that yes, those are inspected. Councilmember Ronan asked if an inspector goes into a unit or rental alone. Alfaro explained that a staff member is always accompanied by the tenant or the property owners or the property owner's representative.

Building Inspector Baber reported that of the number of inspections completed 28% pass the initial inspection and over 80% pass on re-inspection. Councilmember Gowan stated that the Council took a lot of heat on this program 3 years ago, but the program has proven to do a good job to create safety for the La Vista residents. Councilmember Quick agreed.

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

City Administrator Gunn reported that the parties attending the 911 shared services meeting are moving forward and have agreed to a single call center.

City Clerk Buethe reminded everyone they needed to complete the NIMS 100 and 700 courses by the end of the year if possible.

Fire Chief Uhl reported that the 6<sup>th</sup> Annual Citizen's Fire Academy was held and Austin Brake gave a report on the program. Uhl reported that the Fire Department was working with Grades K-3 during National Fire Prevention Week. Uhl continued that the Fire Department will also hold its open house on October 14, 2012 from 1-4.

Public Works Director Soucie reported that the East Port Parkway project was completed, and that the 96<sup>th</sup> Street Project was transitioning to Phase 2. Soucie continued that nine trees were replaced at the city parking lot and more roses were planted. Soucie stated that the streets division is repairing a section of street at 74<sup>th</sup> and Gertrude. Soucie also reported that staff will be going through snowplow training on October 15<sup>th</sup>.

Community Development Director Birch reported that an order to demolish was filed on a house on Park View Heights. They are working with the people who own the home on Park View Blvd which had a car hit it, to determine what needs done and what the time frame is.

Library Director Barcal reported that on October 6, 2012 from 2:00-3:00 Darrel Draper will be portraying Theodore Roosevelt at the library. The library has received accreditation again. The job seekers workshops will be at the library October 4<sup>th</sup>, 9<sup>th</sup>, and 11<sup>th</sup> and this is free to the public and staff.

#### **B. ORDINANCE AMEND THE COMPENSATION ORDINANCE**

Councilmember Carlisle introduced Ordinance No. 1186 entitled; AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and 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 Quick. The Mayor then stated the question, "Shall Ordinance No. 1186 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. SPECIAL DESIGNATED LICENSE – ZEHRRER, INC. DBA MORNING NOON AND NIGHT – JB'S SALON**

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-099; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,

NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT A SAMPLING/TASTING EVENT AT 9637 GILES ROAD ON OCTOBER 13, 2012.

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

WHEREAS, Zehrer, Inc. has requested approval of a Special Designated License to serve alcohol sampling/tasting event at 9637 Giles Road on October 13, 2012 from 5:30 p.m. to 9:00 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 alcohol at 9637 Giles Road, at a sampling/tasting event on October 13, 2012.

Seconded by Councilmember Carlisle. 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 D 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.

#### D. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION, PERSONNEL

At 7:54 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and negotiating guidance regarding land acquisition and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 10:15 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, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

#### COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that Senator Flood would be visiting the City.

At 10:16 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 16TH DAY OF OCTOBER, 2012

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

