

**LA VISTA CITY COUNCIL  
MEETING  
October 16, 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 16, 2012. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Also in attendance were City Attorney McKeon, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Public Works Director Soucie, Recreation Director Stopak, and Assistant Public Works Director/ City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on October 3, 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 OF QUILTS**

The La Vista Public Library Quilt Club presented the La Vista Fire and Rescue Department with quilts.

**A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM OCTOBER 2, 2012**
- 3. MONTHLY FINANCIAL REPORT – SEPTEMBER 2012**
- 4. REQUEST FOR PAYMENT – KISSEL / E&S ASSOCIATES – PROFESSIONAL SERVICES - LEGISLATIVE - \$9,428.13**
- 5. REQUEST FOR PAYMENT – HIGHWAY SIGNING, INC. – EASTPORT PARKWAY PAVEMENT MARKINGS - \$33,989.84**
- 6. APPROVAL OF CLAIMS**
- 7. APPROVE MANAGER APPLICATION – CLASS C LIQUOR LICENSE – HAMPTON INN & SUITES LA VISTA – CORI GRUBER**

A C NELSEN RV WORLD, maint.	300
ABE'S PORTABLES, rentals	137.45
ACTION BATTERIES UNLTD, supplies	658.2
AKSARBEN GARAGE DOOR SVCS, bld&grnds	145
ALS AFFILIATES, training	200
ARAMARK services	760.25

CENTURY LINK, utilities	44.01
CITY OF COUNCIL BLUFFS, services	150
CJ'S HOME CENTER, supplies	620.45
CONSOLIDATED MANAGEMENT, training	19
CORNHUSKER INTL TRUCKS, maint.	436.65
COUNCIL OF STATE GOVERNMENTS, books	112.5
COX, utilities	58.65
DECOSTA SPORTING GOODS, services	80
DXP, maint.	149.3
EXCHANGE BANK, lease	1,163.43
FELSBURG HOLT & ULLEVIG, services	2,944.10
FORT DEARBORN LIFE INS COMPANY	1,160.00
GALE, books	231.04
GCR TIRE CENTERS, maint.	93.04
GENUINE PARTS COMPANY, maint.	1,063.85
GEORGE, R., travel	200
GOLEY, C., auto	100
GRAYBAR ELECTRIC, bld&grnds	52.28
GREENKEEPER, maint.	645
GUNN, B., travel	314
HARM'S CONCRETE, maint.	181
HEIMES CORP., maint.	85.94
HOME DEPOT, maint.	471.26
HOST COFFEE, supplies	26.85
HUNDEN STRATEGIC PARTNERS, services	4,603.75
KAPCO-KENT ADHESIVE, supplies	65.45
KARLSON, D., travel	259
KISSEL/E & S ASSOCIATES, services	9,428.13
KLINKER, M., services	200
KRIHA FLUID POWER, maint.	38.03
LANDPORT SYSTEMS, services	125
LAUGHLIN, KATHLEEN A, TRUSTEE	474
LEAGUE OF NEBRASKA MUNICIPA, dues	33
LIBRARY ADVANTAGE, supplies	350
LINCOLN NATIONAL LIFE INS CO	10,402.59
LOU'S SPORTING GOODS, supplies	250.5
LUKASIEWICZ, B., travel	200
MAT, services	610
MUD, utilities	5,905.93
MIDLANDS BUSINESS JOURNAL, books	70
MIDWEST TAPE, media	260.89
MIDWEST TURF & IRRIGATION, maint.	38.77
MUHS, C., services	40
NATIONAL EVERYTHING WHOLESALE, supplies	218.32
NEBRASKA HUMANITIES COUNCIL, services	200
NEBRASKA NOTARY services	102.5

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READY MIXED CONCRETE, maint.	6,706.78
SARPY COUNTY COURTHOUSE, services	3,479.89
SARPY COUNTY SOCCER ASSN, services	420.5
SARPY COUNTY TREASURER, services	37,955.71
SCHEMMER ASSOCIATES, design	177.74
SCHOLASTIC, books	378.3
SHRED-SAFE, service	30
SMOOTHER CUT, services	660
SOUSA, F., services	20
TRACTOR SUPPLY CREDIT PLAN, maint.	45.97
TRI CARE WEST, refund	342.28
TURF CARS, rental	602.5
UPS, postage	20.27
VAIL, A., auto	100
VIERREGGER ELECTRIC, bld&grnds	104.5
WAL-MART, supplies	965.99
WASTE MANAGEMENT NE., services	1,132.65
WICK'S STERLING TRUCKS, maint.	540.47

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

#### REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe reminded everyone that the November 6, 2012 meeting would begin at 6:00p.m.

Police Chief Lausten reported that an Officer saw a vehicle drive through the barricades on the 96<sup>th</sup> street construction, and that person was arrested for driving while intoxicated. Lausten also reported that in a 30 hour period of deployed resources tracking showed that 57 citations and 63 warnings were issued, along with 114 signs picked up by code enforcement. 229 signs have been picked up for the year. Lausten also reported that the local subway restaurant had been robbed.

Fire Chief Uhl reported that the Fire Department's Open House was a success with the largest turnout ever. A smoke trailer and Husker helicopter were available to view at the Open House.

Public Works Director Soucie and Assistant Public Works Director Kottmann reported that the new sewer jet truck was on display for the evening and this truck was replacing a 1993 vehicle and that there were many improvements including fuel economy on this new truck. Kottmann also presented a hand out on patch repair equipment. Kottmann continued by explaining that the new vapor rooter would arrive after the 1<sup>st</sup> of the year.

Community Development Director Birch reported that Chief Building Inspector Sinnett received a letter from the owners at 7727 Parkview Blvd and that the owners were working with their insurance company on home repairs.

**B. APPLICATION FOR REPLAT –LOTS 1 THRU 4, HARRISON HILLS REPLAT 4 (SE OF 118<sup>TH</sup> & OLIVE STREET)**

**1. PUBLIC HEARING**

At 7:34 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Replat – Lots 1 thru 4, Harrison Hills Replat 4 (SE of 118<sup>th</sup> and Olive) Doug Kellner representing the applicant was available for questions.

At 7:35 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, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

**2. RESOLUTION – APPROVAL OF REPLAT**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 12-100; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 12, HARRISON HILLS, TO BE REPLATTED AS LOTS 1, 2, 3 AND 4, HARRISON HILLS REPLAT 4, A SUBDIVISION LOCATED IN THE NORTHEAST QUARTER OF SECTION 17, TOWNSHIP 14 NORTH, RANGE 12 EAST OF THE 6<sup>TH</sup> P.M., IN SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for Lot 12, Harrison Hills, to be replatted as Lots 1, 2, 3 and 4, Harrison Hills Replat 4; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on September 20, 2012, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to resolution of items identified by the city engineer and staff; and

WHEREAS, the items identified by the city engineer and staff have been resolved.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 12, Harrison Hills, to be replatted as Lots 1, 2, 3 and 4, Harrison Hills Replat 4, a subdivision located in the Northeast ¼ of Section 17, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southeast of 118<sup>th</sup> Street and Olive Street, be, and hereby is, approved.

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

**C. APPLICATION FOR REPLAT LOTS 1 & 2, MAYFAIR 2<sup>ND</sup> ADDITION REPLAT SIX (NW OF 96<sup>TH</sup> & GILES)**

**1. PUBLIC HEARING**

At 7:36 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Replat – Lots 1 & 2, Mayfair 2<sup>nd</sup> Addition Replat Six (NW of 96<sup>th</sup> & Giles) Doug Kellner representing the applicant was available for questions

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WHEREAS, the owners of the above described piece of property have made application for approval of a Replat for Lot 8A, Mayfair 2<sup>nd</sup> Addition Replat Two, and Lot 7B, Mayfair 2<sup>nd</sup> Addition Replat One, to be replatted as Lots 1 and 2, Mayfair 2<sup>nd</sup> Addition, Replat Six; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on September 20, 2012, the La Vista Planning Commission held a public hearing and reviewed the replat and recommended approval subject to resolution of items identified by the city engineer and staff; and

WHEREAS, Items remaining to be resolved include the following:

1. An easement document for the pedestrian sidewalk along 96<sup>th</sup> Street needs to be recorded prior to releasing the final plat for recording.
2. An easement for public usage of the sidewalks to be constructed along the private roadways must be recorded prior to releasing the final plat for recording.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 8A, Mayfair 2<sup>nd</sup> Addition Replat Two, and Lot 7B, Mayfair 2<sup>nd</sup> Addition Replat One, to be replatted as Lots 1 and 2, Mayfair 2<sup>nd</sup> Addition, Replat Six, a subdivision located in the Southeast ¼ of Section 16, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of 96<sup>th</sup> Street and Giles Road, be, and hereby is, approved subject to the conditions contained in the last two recitals above and review and approval by the City Engineer and the City Attorney.

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

**D. APPLICATION FOR REPLAT – LOTS 1&2 GILES CORNER REPLAT 2 (NW OF 72<sup>ND</sup> & GILES)**

**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 Application for Replat – Lots 1&2 Giles Corner Replat 2 (NW of 72<sup>nd</sup> and Giles).

Councilmember Sheehan why the business was being built on Lot 1. John Meng-Frecker representing the developer responded that the back lot was larger for visibility.

At 7:42 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, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

**2. RESOLUTION – APPROVAL OF REPLAT**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 12-102; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, FOR APPROVAL OF THE REPLAT FOR LOT 80A, GILES CORNER, TO BE REPLATTED AS LOTS 1 AND 2, GILES CORNER REPLAT 2, A SUBDIVISION LOCATED IN THE SOUTHEAST QUARTER OF SECTION 14, TOWNSHIP 14 NORTH, RANGE 12 EAST

1. A finalized common area maintenance agreement must be recorded prior to releasing the final plat for recording.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the plat for Lot 80A, Giles Corner, to be replatted as Lots 1 and 2, Giles Corner Replat 2, a subdivision located in the Southeast 1/4 of Section 14, Township 14 North, Range 12 East of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located northwest of 72<sup>nd</sup> Street and Giles Road, be, and hereby is, approved subject to the conditions contained in the last two recitals above and review and approval by the City Engineer and the City Attorney.

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

**E. RESOLUTION – AUTHORIZE – NATIONAL CITIZEN SURVEY**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 12-103; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE NATIONAL CITIZEN SURVEY™, BOULDER, COLORADO TO ADMINISTER, ANALYZE AND REPORT RESULTS FROM A CUSTOMIZABLE CITIZEN SURVEY IN AN AMOUNT NOT TO EXCEED \$11,800.

WHEREAS, the Mayor and City Council have identified the need to create strategies for accomplishing high priority quality of life amenities identified by residents through a citizen survey; and

WHEREAS, the City Council of the City of La Vista has also determined that a random sample citizen survey is useful for the following:

- a. to measure service performance;
- b. to benchmark service quality rationings;
- c. to assess community needs;
- d. to facilitate long-range, short-term and strategic plans;
- e. to evaluate potential policies; and

WHEREAS, the FY13 budget includes funding for a citizen survey; 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 National Citizen Survey™, Boulder, Colorado to administer, analyze and report results from a customizable citizen survey in an amount not to exceed \$11,800.

Seconded by Councilmember Carlisle. Councilmember Carlisle asked who developed the questions. Police Chief Lausten responded that the City is only allowed one opened ended question. Councilmember Sheehan suggested putting a cost to items. Lausten reported that the survey will possibly go out in January and be completed in February. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

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WHEREAS, the City Council of the City of La Vista has determined that the pavement repairs around three OPPD manholes on Harrison Street between 84<sup>th</sup> Street and 96<sup>th</sup> Street are necessary; and

WHEREAS, the FY 12/13 General Fund Budget will provide funds for this project; and

WHEREAS, OPPD has agreed to reimburse the cost of removing and replacing the pavement panels over the top of these manhole vaults; 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 award the contract to TAB Construction Company, Omaha, Nebraska for pavement repairs around OPPD manholes on Harrison Street between 84<sup>th</sup> Street and 96<sup>th</sup> Street in an amount not to exceed \$20,425.72

Seconded by Councilmember Ellerbeck. Councilmember Carlisle asked where these manholes were located at. Assistant Public Works Director Kottmann gave the specific locations. Councilmember Carlisle asked if there were any issues with the construction on 96<sup>th</sup> Street. Kottmann responded that when the head to head traffic was finished on 96<sup>th</sup> Street the manhole project would be completed. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

#### **G. RESOLUTION – APPROVE PURCHASE – AUTOMATIC VEHICLE LOCATING SYSTEM**

Councilmember Quick introduced and moved for the adoption of Resolution No. 12-105; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TEN (10) AUTOMATIC VEHICLE LOCATING SYSTEMS FROM NEXTRAQ, INC., ATLANTA, GEORGIA, IN AN AMOUNT NOT TO EXCEED \$10,612.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ten (10) Automatic Vehicle Locating Systems (AVL) is necessary; and

WHEREAS, the purchase is being funded by a Storm Water Grant; 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 ten (10) Automatic Vehicle Locating Systems (AVL) from NexTraq, Inc. Atlanta, Georgia, in an amount not to exceed \$10,612.00.

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

#### **H. RESOLUTION – APPROVE CONTRACT – WEB REDESIGN**

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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 award the contract to CivicPlus in an amount not to exceed \$10,000.00

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

#### COMMENTS FROM THE FLOOR

There were no comments from the floor.

#### COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan shared with the Council that Papillion had talked to its residents about insurance for pipes from the home to the street.

Mayor Kindig stated that the legislative session is starting, and that he has a meeting with Mayor Suttle and Senator Price this week regarding the Crossroads incentive bill.

At 7:51 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Gowan. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF NOVEMBER, 2012

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk