

**LA VISTA CITY COUNCIL  
MEETING  
January 15, 2013**

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 2, 2012. Present were Councilmembers: Gowan, Ronan, Sheehan, Carlisle, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Finance Director Lindberg, Police Captain Pokorny, Fire Chief Uhl, Public Works Director Soucie, City Planner Solberg, Assistant Public Building and Grounds Director Siebels, Recreation Director Stopak, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on January 2, 2013. 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.

**SWEAR IN POLICE OFFICER – STUART NADGWICK**

Mayor Kindig administered the oath to swear in Police Officer Stuart Nadgwick and Captain Pokorny pinned on his badge.

**APPOINTMENTS – PLANNING COMMISSION – RE-APPOINT MICHAEL CIRCO – 3  
YEAR TERM**

Mayor Kindig stated, with the approval of the City Council, he would like to re-appoint Michael Circo to the Planning Commission for a three year term. Councilmember Sell motioned the approval, seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick Hale, Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**A. CONSENT AGENDA**

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

**2. APPROVAL OF CITY COUNCIL MINUTES FROM JANUARY 2, 2013**

**3. APPROVAL OF CLAIMS**

AAT, bld&grnds	980
ACTION BATTERIES, supplies	269.95
APWA-AMER PUBLIC WORKS ASSN, services	624.55
ARPS SALES & SERVICE, maint.	145.88
ASCAP, services	320
AUTO GLASS TINT, maint.	150
BABER, B., travel	396
BAKER & TAYLOR, books	2,032.36
BARCAL, R., travel	284
BARONE SECURITY SYSTEMS, services	120
BCDM, services	1,312.50
BLACK HILLS ENERGY, utilities	1,254.21
BOLD OFFICE SOLUTIONS, services	1,740.00
BOUND TREE MEDICAL, supplies	121.06
CAPSTONE, books	20.49

CARDMEMBER SERVICE, supplies	7,570.53
CENTER POINT PUBLISHING, books	257.04
CENTURY LINK BUSN SVCS, phone	57.15
CENTURY LINK, phone	48.86
CHILD'S WORLD INC., books	746.1
CITY OF OMAHA, services	672.24
CITY OF OTTAWA, senior donation	175
CJ'S HOME CENTER, maint.	601.83
COLIBRI SYSTEMS, books	2,069.00
COMP CHOICE, services	1,050.00
CONSTRUCTION EXAM CENTER, training	750
CONTINENTAL RESEARCH, maint.	199.54
COX, utilities	317.83
CRANE, R., training	126
CREW OMAHA METRO, dues	285
DANIELSON/TECH SUPPLY, bld&grnds	352.7
DARE CATALOG, supplies	941.15
DITCH WITCH, maint.	306.69
DON'S PIONEER UNIFORMS, apparel	119.95
DOUGLAS COUNTY SHERIFF, services	205
EASTERN NE SOCCER ASSN, registrations	350
EBSCO SUBSCRIPTION SERVICES, books	6,300.65
EDGEWEAR SCREEN PRINTING, apparel	94.25
FELD FIRE, apparel	123
FERRELLGAS, utilities	202.48
FILTER CARE, maint.	16.3
FIREGUARD, maint.	447.29
GALE, books	303.91
GENERAL FIRE & SAFETY, services	2,726.00
GLENDALE PARADE STORE, supplies	180
GRAINGER, supplies	498.75
GREAT PLAINS UNIFORMS, apparel	41.5
HANEY SHOE STORE, apparel	347.95
HARM'S CONCRETE, maint.	660
HARTS AUTO SUPPLY, maint.	564.5
HEARTLAND AWARDS, apparel	33.75
HEARTLAND TIRES AND TREADS, supplies	522.16
HEIMES CORP., maint.	40.69
HELGET GAS, supplies	94
HOTSY EQUIP., bld&grnds	1,817.88
HUNTEL, phone	154.47
ICSC, dues	50
IIMC, dues	145
JOE'S TOWING & REPAIR, maint.	81
KIMBALL MIDWEST, maint.	288.49
LAUGHLIN, KATHLEEN A, TRUSTEE	474
LEARNER PUBLISHING GROUP, books	104.88
LIBRARY ADVANTAGE, supplies	345
LIBRARY IDEAS, media	8
LIFE ASSIST, supplies	368.9
LOGAN CONTRACTORS SUPPLY, maint.	5,843.89
LOWE'S CREDIT SERVICES, bld&grnds	161.61
MAPA, services	18,186.00
MATHESON TRI-GAS, equip.	750
MERRYMAKERS, services	1,125.00
MID AMERICA PAY PHONES, phones	50
MID CON SYSTEMS, maint.	285.37
MID-IOWA SOLID WASTE EQUIP, sewer	1,828.60
MIDWEST SERVICE AND SALES, supplies	1,674.18
MIDWEST TAPE, media	1,270.74
MOORE, D., refund	60

MOTOROLA SOLUTIONS, equip.	28,259.00
NATIONAL SIGN AND SIGNAL, supplies	112.94
NE IA INDL FASTENERS, maint.	1.22
NEGOLF COURSE SUPER., dues	125
NEX TRAQ, services	2,133.20
NLA LEGISLATIVE DAY, training	30
NMC EXCHANGE, maint.	23.32
OCLC, books	32.3
OFFICE DEPOT, supplies	333.19
O'KEEFE ELEVATOR COMPANY, services	1,009.22
OLD NEWS, books	17
OMAHA AEYC, training	55
OMAHA PUBLIC LIBRARY, books	17.95
OMNIGRAPHICS, books	81.85
OPPD, utilities	43,553.33
OVERHEAD DOOR, supplies	56
PAPILLION SANITATION, services	304.11
PERFORMANCE FORD, maint.	39.99
PLAINS EQUIPMENT GROUP, maint.	638.52
PPE INC., training	200
PUBLIC AGENCY TRAINING COUNCIL, training	550
QUALITY AUTO REPAIR & TOWING, maint.	245
QUILL CORP., supplies	228.2
RALSTON COSTUME, events	45
RECLAIM YOUR SPACE, programming	75
RECORDED BOOKS, media	1,085.10
REGAL AWARDS OF DISTINCTION, awards	356.9
REILING, S., refund	22.79
ROURKE PUBLISHING, books	268.9
SALEM PRESS, books	501.5
SAM'S CLUB, supplies	577.11
SAPP BROS, supplies	28,188.24
SCHOLASTIC LIBRARY, books	364
SEAT COVER CENTER, maint.	325
SHERWIN-WILLIAMS, bld&grnds	471.84
SMOOTHER CUT, services	990
STATE STEEL OF OMAHA, maint.	352.03
SUBURBAN NEWSPAPERS, books	40
TED'S MOWER SALES & SERVICE, maint.	698.78
TEUSCHER, C., services	250
ULTRAMAX, supplies	687
USI EDUCATION/GOVT SALES, supplies	286.19
VERIZON, phone	411.96
VIERREGGER ELECTRIC, bld&grnds	1,190.20
WAL-MART, supplies	1,227.09
WASTE MANAGEMENT NE., bld&grnds	256.59
WORLD BOOK, books	819
ZOLL MEDICAL, supplies	359.24

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

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

City Administrator Gunn reported that funding was in the budget for the upgrade of the audio and visual in the Council Chambers and a committee has been created to work on this.

City Clerk Buethe stated that 8 applications were received to host stands for fireworks sales in July 2013.

Police Captain Pokorny reported that Officer Danderand, as part of a Sarpy County Contingency, would be marching in the President's Inaugural Procession.

Library Director Barcal reported that the Teen Program was currently writing reviews on books to determine a list of Top Ten books to read.

## **B. ORDINANCES – AMEND MUNICIPAL CODE**

### **1. ORDINANCE – AMEND SECTION 113.01 AND 113.02 – OCCUPATION TAX – PURPOSE AND AMOUNTS**

Councilmember Gowan introduced Ordinance No. 1187 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 113.01 AND 113.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale and Sell. 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, "Shall Ordinance No. 1187 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale and Sell. 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.

### **2. ORDINANCE – AMEND SECTION 132.02 – INTERFERING WITH OFFICER/CITY OFFICIAL**

Councilmember Sell introduced Ordinance No. 1188 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 132.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale and Sell. 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, "Shall Ordinance No. 1188 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale and Sell. 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. RESOLUTION – AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT –  
WESTERN STATES CONTRACTING ALLIANCE, CDW-G & DELL**

Councilmember Quick introduced and moved for the adoption of Resolution No. 13-002; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TECHNOLOGY RELATED ITEMS FROM WESTERN STATES CONTRACTING ALLIANCE (WSCA), CDW-G AND DELL IN AN AMOUNT NOT TO EXCEED \$34,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of technology related items is necessary; and

WHEREAS, the FY 2012/13 Computer budget provides funding for the proposed Information Technology purchases; 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 technology related items, from Western States Contracting Alliance (WSCA), CDW-G and Dell in an amount not to exceed \$34,000.

Seconded by Councilmember Sell. Councilmember Sheehan asked how many computers were being replaced. Finance Director Lindberg stated that the computers that were being replaced were purchased between 2005 and 2007 and would be sold on a surplus sale. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**D. RESOLUTION – PURCHASE OF A 4X4 PICKUP TRUCK**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 13-003; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2013 4X4 CHEVROLET SILVERADO 2500HD PICKUP TRUCK FROM HUSKER AUTO GROUP, LINCOLN, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$47,984.

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

WHEREAS, the FY 12/13 General Fund budget does include funds for the purchase of said vehicle, and

WHEREAS, the truck is being purchase off the State of Nebraska Contract #13401 OC, and

WHEREAS, Husker Auto Group, Lincoln Nebraska, was awarded the state bid for Nebraska for the 2013 4X4 Chevrolet Silverado 2500HD pickup 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 authorize the purchase of one (1) 2013 4X4 Chevrolet Silverado 2500HD pickup truck from Husker Auto Group, Lincoln, Nebraska in an amount not to exceed \$47,984.

Seconded by Councilmember Sell. Councilmember Crawford asked if the warranty was 5 years or 100,000 miles on the power train and 3 years or 36,000 miles on everything else. Public Works Director Soucie responded that was correct. Councilmember Sheehan asked if this would include the toolbox and Soucie responded No. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**E. RESOLUTION – RECEIVE AND FILE NOTICE AND DECLARE A VACANCY –  
CITY COUNCILMEMBER – WARD 1**

Councilmember Sell made a motion to receive and file the notice and declare a vacancy for a City Councilmember in Ward 1. Seconded by Councilmember Quick. Mayor Kindig informed the Council that he has been doing interviews and that he hopes to have a candidate by the next meeting. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**F. STRATEGIC PLAN UPDATE**

City Administrator Gunn presented updates on the Strategic Plan. Gunn pointed out that discussions are continuing on the redevelopment plan for Vision 84, and that in March a joint meeting will be held to continue discussing the Park Plan. Gunn continued that the Thompson Creek Project was awarded \$150,000 by the DEQ with an additional \$100,000.00 match by the NRD Urban Drainageway Fund Grant. Gunn pointed out that the Social Media policy had been adopted and Social Media sites were launched. Gunn continued that progress was being made in planning updates to the audio and visual in the Council Chambers. Gunn stated that the new Holiday Lights were showing some water damage issues and that she would keep the Council apprised of any repairs or warranty replacements to the lights. Gunn pointed out that the Employee Focus group preformed a benefits survey with City Employees and used that information to determine the changes in benefits in 2013 and still stayed within the budget. Gunn continued by stating that meetings had been held to receive feedback about the pay for performance program and that the program was still in progress to make improvements from that feedback. Gunn also stated that a 360 degree evaluation would be piloted on the City Administrator and then determined how to use throughout the organization. Gunn also pointed out that the Department Heads were working on a Leadership Philosophy to be presented in the near future.

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

**COMMENTS FROM THE FLOOR**

There were no comments from the floor.

**G. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LITIGATION**

At 7:24 p.m. Councilmember Crawford made a motion to go into executive session for protection of the public interest for contract negotiations and litigation. Seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale, and Sell. 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 8:25 p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

**COMMENTS FROM MAYOR AND COUNCIL**

Councilmember Sheehan stated he would like to see comments on the swimming pool stay out of the media. The Mayor stated he had made comments.

Councilmember Sell thanked Public Works Director Soucie and staff for removing the holiday lighting and banners in a timely manner.

Mayor Kindig gave an update on the current legislative session, noting that Senator Kist was presenting a bill on Occupation Taxes, Senator Adam was elected Speaker of the House and that the Incentive Bill presented by Senator Harr may be combined with the Crossroads bill.

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At 8:32 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Gowan, Ronan, Sheehan, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY, 2013

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Pamela A. Bueth, CMC  
City Clerk

**MEETING OF THE LIBRARY ADVISORY BOARD  
CITY OF LA VISTA**

**MINUTES OF MEETING  
January 10, 2013**

Members Present:      Rose Barcal                      Huyen-Yen Hoang                      Valerie Russell  
                                 Kim Schmit-Pokorny                      Carol Westlund

Members Absent:      Jill Frederick

Guest:                      Lindsey Tomsu

Agenda Item #1: Call to Order

The meeting was called to order at 5:32 p.m.

Agenda Item #2: Announcement of Location of Posted Open Meetings Act

An announcement was made of the location of the posted copy of the Open Meetings Act for public reference.

Agenda Item #3: Introductions

Introductions were made. Guest Tomsu, Teen Coordinator, joined new Member Hoang at the Board meeting. Hoang is currently the Vice President of the Teen Advisory Board and greatly assists with technology. The Members welcomed Hoang to the Board.

Agenda Item #4: Approval of Minutes of November 8, 2012 Meeting

Library Director Barcal relayed the message from Frederick with the following correction: Under item 8b, Secretary for 2012 should be listed as Frederick. It was moved by Schmit-Pokorny and seconded by Westlund that the minutes be accepted with the amendment. Ayes: all. Nays: none. Motion carried.

Agenda Item #5: Library Director's Report

- a. Programs: an overview of various programs was given including Holiday Open House held on December 8<sup>th</sup>. Over 270 attended the Open House and Gingerbread House making children's program.
- b. Employee updates were given. Employee Noker who is responsible for processing, will be leaving next month. The process for replacement has begun.
- c. Library Meetings were reviewed including the Director's Meeting held in Oakland and a city web re-design meeting held November 29<sup>th</sup>.
- d. General Library Information included the closings due to snow on December 19<sup>th</sup> and 20<sup>th</sup>. The MCC email has been discontinued. All library staff now has the @cityoflavista.org email accounts.

Agenda Item #6: Circulation Report

Library Director Barcal apologized for not distributing the circulation report but noted that for October and December, foot traffic was at a 3-year high. Schmit-Pokorny requested the report be distributed for the next meeting.

Agenda Item #7: Old Business

- a. Current and future grants were reviewed.
  - i. Youth Excellence Grant 2012. This grant was awarded by the Nebraska Library Commission and was submitted by Tomsu. The grant was for a Teen Media Club. Funds will be used for a



DVR, laptop and bag, flash card, and a wireless mouse. Hoang will be a member and keep the Board posted. The first meeting of the Teen Media Club was slated for 6:00 p.m. after the Board Meeting.

- ii. Civil War 150: There will be a 3 week exhibit at the Library in October of 2014. The grant included \$1,000 for programming. There is no new news in regards to this grant.
- iii. American Recovery and Reinvestment Act for the Nebraska Library Commission Broadband Technology Opportunities Program continue with monthly statistical and computer reports and partnered programs including NEWorks programs through the Nebraska Department of Labor. The ADA computer has not arrived but the station and chair have.
- b. IDEAL Project. The reception took place on December 5th at 6:30pm. Library Director Barcal thanked Russell and her husband for attending. Russell complimented the Teen Advisory Board for their large presence at the celebration. Continued "Thanks" goes to the artists: Clair LaCosse and Nicole Enos for their dedication, hard work, and accomplishment in this beautiful mural.

#### Agenda Item #8: New Business

- a. State Report: FY2011-12. This report is currently underway. A condensed version will be distributed next meeting.
- b. Amnesty Days. Amnesty Days for the calendar year 2013 were discussed.

#### Agenda Item #9: Comments from the Floor

There were no comments from the floor.

#### Agenda Item #10: Comments from the Board

Board Members extended a warm welcome to Hoang.

There was a motion by Russell and seconded by Schmit-Pokorny to adjourn the meeting at 5:47 p.m.

The next meeting is scheduled for March 14, 2013 at 5:30 p.m. at the La Vista Public Library, Conference Room #142.

**CITY OF LAVISTA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-PROPRIETARY FUNDS**  
**BUDGET AND ACTUAL**  
For the three months ended December 31, 2012  
25% of the Fiscal Year

	Sewer Fund					Golf Course Fund				
	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over (Under) Budget</u>	<u>% of Budget Used</u>	<u>Budget</u>	<u>MTD Actual</u>	<u>YTD Actual</u>	<u>Over (Under) Budget</u>	<u>% of Budget Used</u>
<b>REVENUES</b>										
User fees	\$ 2,395,988	\$ 197,587	\$ 628,255	\$ (1,767,733)	26%	\$ 183,000	\$ 2,193	\$ 19,112	\$ (163,888)	10%
Service charge and hook-up fees	125,000	3,300	33,122	(91,878)	26%	-	-	-	-	-
Merchandise sales	-	-	-	-	-	34,400	332	3,331	(31,069)	10%
Grant	-	24,082	24,082	24,082	n/a	-	-	-	-	-
Miscellaneous	200	25	84	(116)	42%	300	10	84	-	28%
<b>Total Revenues</b>	<u>2,521,188</u>	<u>224,995</u>	<u>685,544</u>	<u>(1,835,644)</u>	<u>27%</u>	<u>217,700</u>	<u>2,535</u>	<u>22,527</u>	<u>(194,957)</u>	<u>10%</u>
<b>EXPENDITURES</b>										
General Administrative	489,982	35,939	92,586	(397,396)	19%	-	-	-	-	-
Cost of merchandise sold	-	-	-	-	-	29,704	1,373	2,823	(26,881)	10%
Maintenance	2,088,906	161,217	261,583	(1,827,323)	13%	163,461	6,128	33,860	(129,601)	21%
Production and distribution	-	-	-	-	-	148,840	6,881	27,601	(121,239)	19%
Capital Outlay	40,000	-	-	(40,000)	0%	14,000	-	-	(14,000)	0%
Debt Service:										
Principal	-	-	-	-	-	120,000	120,000	120,000	-	100%
Interest	-	-	-	-	-	10,083	6,676	6,676	(3,407)	66%
<b>Total Expenditures</b>	<u>2,618,888</u>	<u>197,155</u>	<u>354,168</u>	<u>(2,264,720)</u>	<u>14%</u>	<u>486,088</u>	<u>141,058</u>	<u>190,960</u>	<u>(295,128)</u>	<u>39%</u>
<b>OPERATING INCOME (LOSS)</b>	(97,700)	27,839	331,375	(429,075)	-	(268,388)	(138,523)	(168,432)	100,171	-
<b>NON-OPERATING REVENUE (EXPENSE)</b>										
Interest income	5,000	433	655	(4,345)	13%	25	3	62	37	246%
	<u>5,000</u>	<u>433</u>	<u>655</u>	<u>(4,345)</u>	<u>13%</u>	<u>25</u>	<u>3</u>	<u>62</u>	<u>37</u>	<u>246%</u>
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	(92,700)	28,272	332,030	(424,730)	-	(268,363)	(138,520)	(168,371)	99,992	-
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating transfers in (out)	-	-	-	-	-	265,000	-	-	(265,000)	0%
<b>NET INCOME (LOSS)</b>	<u>\$ (92,700)</u>	<u>\$ 28,272</u>	<u>\$ 332,030</u>	<u>\$ (424,730)</u>	<u>-</u>	<u>\$ (3,363)</u>	<u>\$ (138,520)</u>	<u>\$ (168,371)</u>	<u>\$ 165,008</u>	<u>-</u>
<b>NET ASSETS, Beginning of the year **</b>			<u>5,765,432</u>					<u>311,078</u>		
<b>NET ASSETS, End of the year</b>			<u>\$ 6,097,462</u>					<u>\$ 142,707</u>		

\*\*Preliminary due to accruals and audit adjustments

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the three months ended December 31, 2012  
25% of the Fiscal Year

	General Fund					Debt Service Fund				Capital Fund			
	<u>Budget</u> <u>(12 month)</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>% of budget</u> <u>Used</u>	<u>Budget</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>	<u>Budget</u>	<u>MTD</u> <u>Actual</u>	<u>YTD</u> <u>Actual</u>	<u>Over(under)</u> <u>Budget</u>
<b>REVENUES</b>													
Property Taxes	\$ 5,595,836	\$ 30,864	\$ 131,277	\$ (5,464,569)	2%	\$ 637,325	\$ 410	\$ 4,936	\$ (632,388)	\$ -	\$ -	\$ -	\$ -
Sales and use taxes	2,033,982	244,864	738,729	(1,295,253)	36%	1,016,991	122,432	369,364	(647,627)	-	-	-	-
Payments in Lieu of taxes	185,000	-	0	(185,000)	0%	-	-	-	-	-	-	-	-
State revenue	1,073,300	95,681	322,130	(751,170)	30%	-	-	-	-	-	-	-	-
Occupation and franchise taxes	750,000	13,216	167,765	(582,235)	22%	-	-	-	-	-	-	-	-
Hotel Occupation Tax	684,682	45,510	183,966	(500,716)	27%	-	-	-	-	-	-	-	-
Licenses and permits	418,750	51,324	117,089	(301,661)	28%	-	-	-	-	-	-	-	-
Interest income	10,000	1,083	3,094	(6,906)	31%	20,000	406	1,548	(18,452)	-	-	-	-
Recreation fees	124,000	12,848	29,048	(94,953)	23%	-	-	-	-	-	-	-	-
Special Services	24,590	2,014	4,801	(19,789)	20%	-	-	-	-	-	-	-	-
Grant Income	179,665	8,015	36,093	(143,572)	20%	-	-	-	-	547,860	-	-	(547,860)
Other	801,348	9,351	25,466	(775,882)	3%	993,450	-	23,876	(969,574)	170,807	231,338	458,951	288,144
<b>Total Revenues</b>	<b>11,881,153</b>	<b>515,269</b>	<b>1,759,457</b>	<b>(10,121,696)</b>	<b>15%</b>	<b>2,667,766</b>	<b>123,249</b>	<b>399,725</b>	<b>(2,268,041)</b>	<b>718,667</b>	<b>231,338</b>	<b>458,951</b>	<b>(259,716)</b>
<b>EXPENDITURES</b>													
Current:													
Mayor and Council	176,706	6,709	17,082	(159,624)	10%	-	-	-	-	-	-	-	-
Boards & Commissions	12,350	764	1,617	(10,733)	13%	-	-	-	-	-	-	-	-
Public Buildings & Grounds	562,487	39,003	83,678	(478,809)	15%	-	-	-	-	-	-	-	-
Administration	836,777	53,444	139,973	(696,804)	17%	90,000	4	405	(89,595)	-	-	-	-
Police and Animal Control	3,989,138	259,574	822,103	(3,167,035)	21%	-	-	-	-	-	-	-	-
Fire	567,219	37,800	97,802	(469,417)	17%	-	-	-	-	-	-	-	-
Community Development	673,722	49,291	110,653	(563,069)	16%	-	-	-	-	-	-	-	-
Public Works	3,204,843	183,916	563,901	(2,640,942)	18%	-	-	-	-	-	-	-	-
Recreation	659,488	32,444	103,362	(556,126)	16%	-	-	-	-	-	-	-	-
Library	679,093	42,658	118,933	(560,160)	18%	-	-	-	-	-	-	-	-
Human Resources	454,611	17,672	341,532	(113,079)	75%	-	-	-	-	-	-	-	-
Special Services & Tri-City Bus	93,684	3,868	13,694	(79,990)	15%	-	-	-	-	-	-	-	-
Capital outlay	215,500	-	0	(215,500)	0%	-	-	-	-	1,981,084	231,338	458,951	(1,522,133)
Debt service: (Warrants)	-	-	-	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	2,565,000	815,174	2,325,174	(239,826)	-	-	-	-
Interest	-	-	-	-	-	803,307	199,532	374,077	(429,230)	-	-	-	-
<b>Total Expenditures</b>	<b>12,125,618</b>	<b>727,142</b>	<b>2,414,329</b>	<b>(9,711,289)</b>	<b>20%</b>	<b>3,458,307</b>	<b>1,014,710</b>	<b>2,699,656</b>	<b>(758,651)</b>	<b>1,981,084</b>	<b>231,338</b>	<b>458,951</b>	<b>(1,522,133)</b>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>(244,465)</b>	<b>(211,873)</b>	<b>(654,872)</b>	<b>410,407</b>	<b>268%</b>	<b>(790,541)</b>	<b>(891,462)</b>	<b>(2,299,932)</b>	<b>1,509,391</b>	<b>(1,262,417)</b>	<b>-</b>	<b>-</b>	<b>(1,262,417)</b>
<b>OTHER FINANCING SOURCES (USES)</b>													
Operating transfers in (out)	(1,237,630)	-	-	1,237,630	-	(109,369)	-	-	109,369	1,262,417	-	-	(1,262,417)
Bond/registered warrant proceeds	-	-	-	-	-	-	-	-	-	-	-	-	-
<b>Total other Financing Sources (Uses)</b>	<b>(1,237,630)</b>	<b>-</b>	<b>-</b>	<b>1,237,630</b>	<b>-</b>	<b>(109,369)</b>	<b>-</b>	<b>-</b>	<b>109,369</b>	<b>1,262,417</b>	<b>-</b>	<b>-</b>	<b>(1,262,417)</b>
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>\$ (1,482,095)</b>	<b>\$ (211,873)</b>	<b>\$ (654,872)</b>	<b>\$ (827,223)</b>	<b>-</b>	<b>\$ (899,910)</b>	<b>\$ (891,462)</b>	<b>\$ (2,299,932)</b>	<b>\$ 1,400,022</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>	<b>\$ -</b>
<b>FUND BALANCE, beginning of the year **</b>			<b>6,347,272</b>					<b>6,515,352</b>				<b>371,268</b>	
<b>FUND BALANCES, END OF PERIOD</b>			<b>\$ 5,692,400</b>					<b>\$ 4,215,420</b>				<b>\$ 371,268</b>	

\*\*Preliminary due to accruals and audit adjustments

**Invoice****FELSBURG  
HOLT &  
ULLEVIG***connecting and enhancing communities*Mail Payments to:  
PO Box 911704  
Denver, CO 80291-1704  
303.721.1440 • 303.721.0832 fax

January 16, 2013

Project No: 112094-01

Invoice No: 8740

Mr. John Kottmann, PE  
City Engineer  
City of La Vista  
8116 Park View Blvd  
La Vista, NE 68128Project 112094-01 Giles Road Signal Coordination  
Project Number MAPA 5129(1)  
Control Number 22485  
Maximum Fixed Fee \$1,168.97**Professional Services for the Period: November 01, 2012 to December 31, 2012**

Phase 04 Final Design

**Professional Personnel**

	Hours	Rate	Amount	
Engineer III				
Meisinger, Mark	4.75	36.30	172.43	✓
Labor	4.75		172.43	
<b>Total Labor</b>	<b>2.5521 times</b>		<b>172.43</b>	<b>440.06</b> ✓

**Fixed Fee**

13% Fixed Fee	13.00 % of 440.06	57.21	✓
<b>Total Fixed Fee</b>		<b>57.21</b>	<b>57.21</b>

**Phase Sub-Total \$497.27** ✓

Phase 05 PM &amp; QC

**Professional Personnel**

	Hours	Rate	Amount	
Engineer III				
Meisinger, Mark	1.00	36.30	36.30	✓
Administrative				
Strub, Mary	.25	19.50	4.88	✓
Labor	1.25		41.18	✓
<b>Total Labor</b>	<b>2.5521 times</b>		<b>41.18</b>	<b>105.10</b>

**Fixed Fee**

13% Fixed Fee	13.00 % of 105.10	13.66	
<b>Total Fixed Fee</b>		<b>13.66</b>	<b>13.66</b>

**Phase Sub-Total \$118.76**

Phase ODC Other Direct Costs

**In-House Units**

B&W Printing	121.0 B&W Prints @ 0.08	9.68	✓
Color Printing	1.0 Print @ 0.19	.19	✓
<b>Total In-House</b>		<b>9.87</b>	<b>9.87</b> ✓

**Phase Sub-Total \$9.87**

Project	112094-01	Giles Road Signal Coordination	Invoice	8740
TOTAL AMOUNT DUE			\$625.90 ✓	

**Billed-To-Date Summary**

	Current	Prior	Total
Labor	545.16	6,303.51	6,848.67
Expense	0.00	19.43	19.43
In-House	9.87	36.96	46.83
Fixed Fee	70.87	819.44	890.31
<b>Totals</b>	<b>625.90</b>	<b>7,179.34</b>	<b>7,805.24 ✓</b>

Invoice is due upon receipt.

Project Manager Mark Meisinger

O.K. to pay  
05.71.0856.02  
locally funded,  
no Federal aid  
for PE services  
JMK  
1/23/2013

Consent Agenda 2/5/13

Invoice is due upon receipt.

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 5, 2013 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ADVERTISEMENT OF BIDS – QUIET ZONE CROSSING IMPROVEMENTS LA VISTA QUIET ZONE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the advertisement of bids for the construction of Quiet Zone Crossing Improvements at three BNSF roadway crossing locations. The locations include 126<sup>th</sup> Street, West Giles Road, and 132<sup>nd</sup> Street. This work is pursuant to an interlocal agreement between Sarpy County and the City of La Vista originally entered into in 2008. This work is Phase I of that agreement.

**FISCAL IMPACT**

The FY13 Capital Fund Budget provides funding for the proposed project.

**RECOMMENDATION**

Approval

**BACKGROUND**

The City Engineer in conjunction with Felsburg, Holt and Ullevig has prepared plans and specifications for the Quiet Zone Crossing Improvements, La Vista Quiet Zone. The work will occur in County right-of-way and will require one temporary construction easement. All costs will be a 50/50 split between Sarpy County and the City of La Vista. The Engineer's Estimate, prepared by Felsburg, Holt and Ullevig is \$66,985.79 for the proposed construction work. The following schedule is suggested:

Publish Notice to Contractors	February 14, 2013 and February 21, 2013
Open Bids	March 4, 2013
City Council Award Contract	March 19, 2013

The specifications allow 20 working days to complete all work after the effective date of the Notice to Proceed.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT OF BIDS FOR CONSTRUCTION OF THE QUIET ZONE CROSSING IMPROVEMENTS AT THREE (3) BURLINGTON NORTHERN SANTA FE (BNSF) ROADWAY CROSSING LOCATIONS.

WHEREAS, the City Council has determined that the construction of the Quiet Zone Crossing Improvements at three (3) Burlington Northern Santa Fe (BNSF) Roadway Crossing locations is necessary, and

WHEREAS, the FY13 Capital Fund Budget provides funding for the proposed project, and

WHEREAS, all costs will be a 50/50 split between Sarpy County and the City of La Vista pursuant to the Interlocal agreement, and

WHEREAS, the City Engineer in conjunction with Felsburg, Holt and Ullevig, has prepared plans and specifications for said improvements.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids construction of the Quiet Zone Crossing Improvements at Three Burlington Northern Santa Fe (BNSF) Roadway Crossing Locations in accordance with plans and specifications prepared by the City Engineer in conjunction with Felsburg, Holt and Ullevig. Said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on March 4, 2013.

Publish Notice to Contractors	February 14, 2013 and February 21, 2013
Open Bids	March 4, 2013
City Council Award Contract	March 19, 2013

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY 2013

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

## NOTICE TO CONTRACTORS

City of La Vista  
La Vista, Nebraska

### QUIET ZONE CROSSING IMPROVEMENTS LA VISTA QUIET ZONE

Sealed proposals will be received by Pamela Bueth, Clerk of said City, at the City of La Vista, City Hall, 8116 Parkview Boulevard, La Vista, NE 68128, until 10:00 AM on the 4th day of March, 2013, for the furnishing of all labor, materials, use of Contractor's equipment, plant and all else necessary to construct properly all of the improvements for QUIET ZONE CROSSING IMPROVEMENTS.

At such hour, or as soon as practicable thereafter, the City of La Vista will proceed to publicly open in the presence of all bidders and consider the bids received for the furnishing of such labor, materials, and equipment necessary for the proper construction of such improvements.

The extent of the work consists of the construction or other effectuation of the items listed below and other related preparatory and subsidiary work from issuance of the Notice to Proceed:

Item	Description	Estimated Quantities	
1	Remove Asphalt Pavement	11	S.Y.
2	Remove Concrete Pavement	17	S.Y.
3	Construct Tacked-On Concrete Median	2188	S.F.
4	Construct 9" Concrete Pavement – Type L85	387	S.Y.
5	Construct 9" Concrete Driveway – Type L85	26	S.Y.
6	Construct Asphalt Pavement – (9") PG 64-22	9	S.Y.
7	Remove Curb & Gutter	123	L.F.
8	Aggregate Surface Course	13	S.Y.
9	Earthwork (Embankment), Established Qty.	55	C.Y.
10	Earthwork (Excavation), Established Qty.	88	C.Y.
11	Seeding – Type "A"	295	S.Y.
12	Remove Pavement Markings	2537	L.F.
13	Permanent Painted Pavement Markings – 4" White	2537	L.F.
14	Permanent Painted Pavement Markings – 24" White	48	L.F.
15	Permanent Painted Pavement Markings – Railroad Symbol	5	EA.
16	Install Traffic Signs & Posts, Signs Provided by Contractor	1	L.S.
17	Install Tubular Markers, Materials Provided by Contractor	108	EA.
18	Mobilization	1	L.S.



All work called for in the Contract Documents shall be furnished in strict accordance with the Plans and Specifications prepared by Felsburg, Holt & Ullevig, Project Engineers for the City of La Vista, and now on file with the City Clerk. **All bidders must obtain a set of plans from the City Public Works Department and submit their bid on the Proposal Form included with the contract documents. Only those bids received from registered plan holders, as recorded at the office of the La Vista Public Works Department, will be considered for award.**

Each bid shall be accompanied in a SEPARATE SEALED ENVELOPE by a certified check or bid bond in an amount of not less than five percent of the amount bid and such certified check or bid bond shall be payable to the Treasurer of the City of La Vista, Nebraska as security that the bidder to whom the contract may be awarded will enter into a contract to build the improvement in accordance with this Notice to Contractors and will give a contract and maintenance bond in the amount of 100% of the contract price. No bidder may withdraw his proposal for a period of sixty (60) days after the date set for the opening of bids.

Plans, Specifications and Contract Documents may be examined and procured at the office of the La Vista Public Works Department, 9900 Portal Road, La Vista, Nebraska 68128.

The City reserves the right to waive informalities and to reject all or any bids.

CITY OF LA VISTA, NEBRASKA

Pamela A. Buethe, City Clerk

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
-----									
1 Bank of Nebraska (600-873)									
46219					Payroll Check				
46220					Gap in Checks				
Thru	109834								
109835	1/18/2013	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	474.00				**MANUAL**	
109836	1/25/2013	480	UNITED STATES POSTAL SERVICE	1,593.40				**MANUAL**	
109837	1/25/2013	944	NE DEPT OF REVENUE-LOTT/51	91,167.79				**MANUAL**	
109838	1/25/2013	1840	NE DEPT OF MOTOR VEHICLE-94789	6.60				**MANUAL**	
109839	1/30/2013	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	474.00				**MANUAL**	
109840	1/29/2013	544	MAPA-METRO AREA PLANNING AGENCY	5,000.00				**MANUAL**	
109841	2/05/2013	3983	ABE'S PORTABLES INC	96.28					
109842	2/05/2013	4638	ACCURATE TOOL & DIE	257.00					
109843	2/05/2013	762	ACTION BATTERIES UNLTD INC	1,091.15					
109844	2/05/2013	4725	ACUFF CONSULTING	225.00					
109845	2/05/2013	571	ALAMAR UNIFORMS	.00		**CLEARED**	**VOIDED**		
109846	2/05/2013	571	ALAMAR UNIFORMS	1,860.79					
109847	2/05/2013	536	ARAMARK UNIFORM SERVICES INC	1,406.39					
109848	2/05/2013	188	ASPHALT & CONCRETE MATERIALS	59.78					
109849	2/05/2013	2634	ATLAS AWNING CO INC	740.36					
109850	2/05/2013	4395	BABER, BRAD	300.00					
109851	2/05/2013	201	BAKER & TAYLOR BOOKS	1,720.04					
109852	2/05/2013	1839	BCDM-BERINGER CIACCIO DENNELL	1,233.75					
109853	2/05/2013	1597	BERNAN	41.00					
109854	2/05/2013	634	BEST ACCESS SYSTEMS DIVISION	23.93					
109855	2/05/2013	4781	BISHOP BUSINESS EQUIPMENT	935.12					
109856	2/05/2013	249	BKD LLP	2,500.00					
109857	2/05/2013	196	BLACK HILLS ENERGY	9,364.53					
109858	2/05/2013	56	BOB'S RADIATOR REPAIR CO INC	220.00					
109859	2/05/2013	2757	BOBCAT OF OMAHA	982.31					
109860	2/05/2013	2546	BOLER WOOD & ASSOCIATES	4,954.35					
109861	2/05/2013	3613	BRADLEY, KIRSTEN	36.00					
109862	2/05/2013	1143	BRAND, STEVEN	46.00					
109863	2/05/2013	1242	BRENTWOOD AUTO WASH	35.00					
109864	2/05/2013	117	BRODART COMPANY	32.40					
109865	2/05/2013	76	BUILDERS SUPPLY CO INC	56.00					
109866	2/05/2013	2285	CENTER POINT PUBLISHING	257.04					
109867	2/05/2013	219	CENTURY LINK	1,135.84					
109868	2/05/2013	2540	CENTURY LINK BUSN SVCS	49.61					
109869	2/05/2013	152	CITY OF OMAHA	200,775.26					
109870	2/05/2013	301	CITY OF PAPIILLION	500.00					
109871	2/05/2013	468	CONTROL MASTERS INCORPORATED	1,791.64					
109872	2/05/2013	836	CORNHUSKER INTL TRUCKS INC	642.60					
109873	2/05/2013	2158	COX COMMUNICATIONS	20.52					
109874	2/05/2013	2102	CREIGHTON EMS EDUCATION	1,950.00					
109875	2/05/2013	4117	DATASPAN INC	.00		**CLEARED**	**VOIDED**		
109876	2/05/2013	4117	DATASPAN INC	694.50					
109877	2/05/2013	619	DELL MARKETING L.P.	52.49					
109878	2/05/2013	111	DEMCO INCORPORATED	192.66					

## ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
109879	2/05/2013	77	DIAMOND VOGEL PAINTS		231.20				
109880	2/05/2013	4802	DICE, DAVID J		1,912.50				
109881	2/05/2013	2149	DOUGLAS COUNTY SHERIFF'S OFC		25.00				
109882	2/05/2013	159	DXP ENTERPRISES INC		82.11				
109883	2/05/2013	3334	EDGEWEAR SCREEN PRINTING		214.25				
109884	2/05/2013	4663	EN POINTE TECHNOLOGIES		.00	**CLEARED**	**VOIDED**		
109885	2/05/2013	4663	EN POINTE TECHNOLOGIES		.00	**CLEARED**	**VOIDED**		
109886	2/05/2013	4663	EN POINTE TECHNOLOGIES		277.07				
109887	2/05/2013	1245	FILTER CARE		14.90				
109888	2/05/2013	142	FITZGERALD SCHORR BARMETTLER		.00	**CLEARED**	**VOIDED**		
109889	2/05/2013	142	FITZGERALD SCHORR BARMETTLER		.00	**CLEARED**	**VOIDED**		
109890	2/05/2013	142	FITZGERALD SCHORR BARMETTLER		53,792.00				
109891	2/05/2013	4690	FLATWATER FOOLS		340.00				
109892	2/05/2013	1254	FLEETPRIDE		371.04				
109893	2/05/2013	4645	FOOD BANK FOR THE HEARTLAND		712.89				
109894	2/05/2013	3132	FORT DEARBORN LIFE INS COMPANY		288.00				
109895	2/05/2013	3132	FORT DEARBORN LIFE INS COMPANY		1,023.00				
109896	2/05/2013	3673	FOSTER, TERRY		46.00				
109897	2/05/2013	1344	GALE		401.97				
109898	2/05/2013	1697	GAYLORD BROS		71.59				
109899	2/05/2013	53	GCR TIRE CENTERS		1,258.63				
109900	2/05/2013	3656	GENERAL FIRE & SAFETY EQUIP CO		830.00				
109901	2/05/2013	966	GENUINE PARTS COMPANY-OMAHA		.00	**CLEARED**	**VOIDED**		
109902	2/05/2013	966	GENUINE PARTS COMPANY-OMAHA		.00	**CLEARED**	**VOIDED**		
109903	2/05/2013	966	GENUINE PARTS COMPANY-OMAHA		1,112.61				
109904	2/05/2013	1660	GODFATHER'S PIZZA		59.92				
109905	2/05/2013	4819	GOMEZ, JOHNNY RAY		150.00				
109906	2/05/2013	285	GRAYBAR ELECTRIC COMPANY INC		77.27				
109907	2/05/2013	4086	GREAT PLAINS UNIFORMS		389.50				
109908	2/05/2013	1044	H & H CHEVROLET LLC		300.00				
109909	2/05/2013	4820	HAMPTON INN & SUITES-LA VISTA		910.00				
109910	2/05/2013	426	HANEY SHOE STORE		235.95				
109911	2/05/2013	387	HARM'S CONCRETE INC		379.25				
109912	2/05/2013	1744	HEARTLAND AWARDS		562.75				
109913	2/05/2013	3657	HEARTLAND PAPER		170.00				
109914	2/05/2013	3681	HEARTLAND TIRES AND TREADS		1,197.56				
109915	2/05/2013	2407	HEIMES CORPORATION		34.95				
109916	2/05/2013	4178	HERITAGE CRYSTAL CLEAN LLC		334.97				
109917	2/05/2013	797	HOBBY LOBBY STORES INC		173.82				
109918	2/05/2013	630	HOCKENBERGS		172.04				
109919	2/05/2013	898	HOOK-FAST SPECIALTIES INC		118.77				
109920	2/05/2013	1498	INDUSTRIAL SALES COMPANY INC		35.72				
109921	2/05/2013	162	INLAND TRUCK PARTS		300.48				
109922	2/05/2013	3646	INTERNATIONAL CODE COUNCIL INC		225.75				
109923	2/05/2013	675	INTERSTATE POWER SYSTEMS INC		1,199.71				
109924	2/05/2013	1896	J Q OFFICE EQUIPMENT INC		126.57				
109925	2/05/2013	4821	KAMMERER, MICHAEL F		80.00				
109926	2/05/2013	3047	KEY MASTERS OF GREATER OMAHA		25.00				
109927	2/05/2013	2394	KRIHA FLUID POWER CO INC		50.52				
109928	2/05/2013	1241	LEAGUE ASSN OF RISK MGMT		154.00				
109929	2/05/2013	4784	LIBRARY IDEAS LLC		3.00				
109930	2/05/2013	2327	LIEN TERMITE & PEST CONTROL		1,378.00				
109931	2/05/2013	1288	LIFE ASSIST		144.72				

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
109932	2/05/2013	4254	LINCOLN NATIONAL LIFE INS CO	.00	**CLEARED**	**VOIDED**			
109933	2/05/2013	4254	LINCOLN NATIONAL LIFE INS CO	.00	**CLEARED**	**VOIDED**			
109934	2/05/2013	4254	LINCOLN NATIONAL LIFE INS CO	20,072.72					
109935	2/05/2013	1573	LOGAN CONTRACTORS SUPPLY	289.03					
109936	2/05/2013	2664	LOU'S SPORTING GOODS	364.75					
109937	2/05/2013	4138	MARTIN, ALEX	80.00					
109938	2/05/2013	877	MATHESON TRI-GAS INC	260.65					
109939	2/05/2013	588	MENARDS-BELLEVUE	20.57					
109940	2/05/2013	153	METRO AREA TRANSIT	565.00					
109941	2/05/2013	872	METROPOLITAN COMMUNITY COLLEGE	10,670.52					
109942	2/05/2013	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**			
109943	2/05/2013	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**			
109944	2/05/2013	553	METROPOLITAN UTILITIES DIST.	2,047.35					
109945	2/05/2013	2497	MID AMERICA PAY PHONES	50.00					
109946	2/05/2013	3921	MID-STATES UTILITY TRAILER	59.94					
109947	2/05/2013	2299	MIDWEST TAPE	187.94					
109948	2/05/2013	1046	MIDWEST TURF & IRRIGATION	78.39					
109949	2/05/2013	1050	MILLER PRESS	535.00					
109950	2/05/2013	3286	MINUTE MAN PRINTING	187.09					
109951	2/05/2013	995	MOCIC MID-STATES ORGANIZED	200.00					
109952	2/05/2013	918	MPH INDUSTRIES INCORPORATED	86.84					
109953	2/05/2013	1028	NATIONAL EVERYTHING WHOLESALE	1,068.08					
109954	2/05/2013	1830	NE DEPT OF LABOR-WORKFORCE DEV	27.71					
109955	2/05/2013	1805	NEBRASKA CONCRETE & AGGREGATES	180.00					
109956	2/05/2013	21	NEBRASKA HUMANITIES COUNCIL	75.00					
109957	2/05/2013	1290	NEBRASKA NOTARY ASSOCIATION	98.25					
109958	2/05/2013	3303	NEBRASKA WELDING LTD	65.44					
109959	2/05/2013	3294	NEFSMA-NE FLOODPLAIN/STORMWTR	100.00					
109960	2/05/2013	808	NEWMAN TRAFFIC SIGNS INC	2,816.41					
109961	2/05/2013	1152	NLA-NEBRASKA LIBRARY ASSN	415.00					
109962	2/05/2013	440	NMC EXCHANGE LLC	713.14					
109963	2/05/2013	179	NUTS AND BOLTS INCORPORATED	75.61					
109964	2/05/2013	1831	O'REILLY AUTOMOTIVE STORES INC	204.72					
109965	2/05/2013	1808	OCLC INC	34.95					
109966	2/05/2013	1014	OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**			
109967	2/05/2013	1014	OFFICE DEPOT INC	1,547.84					
109968	2/05/2013	4349	OMAHA TACTICAL LLC	371.00					
109969	2/05/2013	46	OMAHA WORLD HERALD COMPANY	250.02					
109970	2/05/2013	167	OMNI	227.81					
109971	2/05/2013	109	OMNIGRAPHICS INC	163.70					
109972	2/05/2013	4815	ONE CALL CONCEPTS INC	302.50					
109973	2/05/2013	1178	OVERHEAD DOOR COMPANY OF OMAHA	73.50					
109974	2/05/2013	3039	PAPILLION SANITATION	642.20					
109975	2/05/2013	976	PAPILLION TIRE INCORPORATED	71.35					
109976	2/05/2013	2686	PARAMOUNT LINEN & UNIFORM	.00	**CLEARED**	**VOIDED**			
109977	2/05/2013	2686	PARAMOUNT LINEN & UNIFORM	.00	**CLEARED**	**VOIDED**			
109978	2/05/2013	2686	PARAMOUNT LINEN & UNIFORM	927.18					
109979	2/05/2013	569	PAUL CONWAY SHIELDS	185.94					
109980	2/05/2013	4654	PAYFLEX SYSTEMS USA INC	500.00					
109981	2/05/2013	3058	PERFORMANCE CHRYSLER JEEP	1,298.78					
109982	2/05/2013	4338	PETH, AARON	36.00					
109983	2/05/2013	1784	PLAINS EQUIPMENT GROUP	824.86					
109984	2/05/2013	2552	PLUTA, DON	46.00					

## ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
109985	2/05/2013	3446	PRO-PAPILLION RECREATION ORG	2,175.00					
109986	2/05/2013	3362	PUBLIC AGENCY TRAINING COUNCIL	295.00					
109987	2/05/2013	58	RAINBOW GLASS & SUPPLY	226.20					
109988	2/05/2013	2553	RALSTON AUTOMOTIVE SERVICE INC	85.50					
109989	2/05/2013	4542	RAPPLEY, MATT	36.00					
109990	2/05/2013	191	READY MIXED CONCRETE COMPANY	1,081.11					
109991	2/05/2013	3139	RECORDED BOOKS, LLC	3,869.38					
109992	2/05/2013	3774	RETRIEVEX	.00	**CLEARED**	**VOIDED**			
109993	2/05/2013	3774	RETRIEVEX	84.72					
109994	2/05/2013	617	ROAD BUILDERS MACHINERY CO INC	52.20					
109995	2/05/2013	41	SALEM PRESS	295.00					
109996	2/05/2013	487	SAPP BROS PETROLEUM INC	.00	**CLEARED**	**VOIDED**			
109997	2/05/2013	487	SAPP BROS PETROLEUM INC	.00	**CLEARED**	**VOIDED**			
109998	2/05/2013	487	SAPP BROS PETROLEUM INC	15,279.74					
109999	2/05/2013	532	SARPY COUNTY ECONOMIC DEV.CORP	10,000.00					
110000	2/05/2013	3457	SCARPA, DAN	46.00					
110001	2/05/2013	4030	SCHLEGEL, JEREMY	46.00					
110002	2/05/2013	4733	SESAC LLC	197.42					
110003	2/05/2013	1985	SHANK, CHRISTINE	20.00					
110004	2/05/2013	4040	SHERRY, PAUL	46.00					
110005	2/05/2013	1864	SINNETT, JEFF	300.00					
110006	2/05/2013	3514	SMITH, MELANIE	80.00					
110007	2/05/2013	4816	SOTAK, MIKE	50.00					
110008	2/05/2013	3838	SPRINT	62.11					
110009	2/05/2013	3838	SPRINT	119.97					
110010	2/05/2013	3069	STATE STEEL OF OMAHA	30.04					
110011	2/05/2013	910	STEVENS, MARK	80.00					
110012	2/05/2013	47	SUBURBAN NEWSPAPERS INC	40.00					
110013	2/05/2013	4276	SUPERIOR VISION SVCS INC	326.32					
110014	2/05/2013	4798	SYMBOL ARTS LLC	125.00					
110015	2/05/2013	264	TED'S MOWER SALES & SERVICE	291.74					
110016	2/05/2013	143	THOMPSON DREESSEN & DORNER	3,037.06					
110017	2/05/2013	4231	TORNADO WASH LLC	250.00					
110018	2/05/2013	3735	TY'S OUTDOOR POWER & SVC INC	31.22					
110019	2/05/2013	765	TYCO INTEGRATED SECURITY LLC	289.74					
110020	2/05/2013	2426	UNITED PARCEL SERVICE	28.45					
110021	2/05/2013	2455	UNITED RENT-ALL	132.29					
110022	2/05/2013	809	VERIZON WIRELESS	96.57					
110023	2/05/2013	1174	WAL-MART COMMUNITY BRC	.00	**CLEARED**	**VOIDED**			
110024	2/05/2013	1174	WAL-MART COMMUNITY BRC	760.92					
110025	2/05/2013	968	WICK'S STERLING TRUCKS INC	226.63					
110026	2/05/2013	1475	WOODHAVEN COUNSELING ASSOCS	225.00					
110027	2/05/2013	4623	WORLD TRADE PRESS	642.60					
BANK TOTAL						497,149.82			
OUTSTANDING						497,149.82			
CLEARED						.00			
VOIDED						.00			
FUND		TOTAL		OUTSTANDING		CLEARED		VOIDED	
01	GENERAL FUND	163,750.32		163,750.32		.00		.00	
02	SEWER FUND	219,541.97		219,541.97		.00		.00	
03	ECONOMIC DEVELOPMENT B.G.	5,000.00		5,000.00		.00		.00	

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO BANK NAME

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

04	BOND(S) DEBT SERVICE FUND	2,500.00	2,500.00	.00	.00
05	CONSTRUCTION	9,690.72	9,690.72	.00	.00
08	LOTTERY FUND	93,410.00	93,410.00	.00	.00
09	GOLF COURSE FUND	3,004.65	3,004.65	.00	.00
15	OFF-STREET PARKING	252.16	252.16	.00	.00

REPORT TOTAL 497,149.82

OUTSTANDING 497,149.82

CLEARED .00

VOIDED .00

+ Gross Payroll 1/18/13 239,990.62

+ Gross Payroll 2/01/13 238,487.97

GRAND TOTAL \$975,628.41

APPROVED BY COUNCIL MEMBERS 2/5/13

\_\_\_\_\_  
COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

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COUNCIL MEMBER

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COUNCIL MEMBER

\_\_\_\_\_  
COUNCIL MEMBER

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 5, 2013 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND SECTION 114.46 OF THE MUNICIPAL CODE	RESOLUTION ◆ ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

An ordinance have been prepared to amend Section 114.46 of the La Vista Municipal Code.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

This change is a result of American Legal Publishing Corporation incorporating the legislative changes from the previous legislative session into our Code. This change has been reviewed by the City Attorney and City Clerk.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.46; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 114.46 of the La Vista Municipal Code is amended to read as follows:

**§ 114.46 HOURS OF SALE.**

(A) For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**OFF SALE.** Alcoholic beverages sold at retail in the original container for consumption off the premises of the licensed establishment.

**ON SALE.** Alcoholic beverages sold at retail by the drink for consumption on the premises of the licensed establishment.

(B) It shall be unlawful for any licensed person or persons or their agents to sell any alcoholic beverages within the city except during the hours provided herein.

**HOURS OF SALE**

**Alcoholic Liquors (except beer and wine)**

**Secular Days**

Off Sale	6:00 a.m. to 1:00 a.m.
On Sale	6:00 a.m. to 2:00 a.m.

**Sundays**

Off Sale	<del>12:00 noon</del> 6:00 a.m. to 1:00 a.m.
On Sale	<del>12:00 noon</del> 6:00 a.m. to 2:00 a.m.

**Beer and Wine**

**Secular Days**

Off Sale	6:00 a.m. to 1:00 a.m.
On Sale	6:00 a.m. to 2:00 a.m.

**Sundays**

Off Sale	6:00 a.m. to 1:00 a.m.
On Sale	6:00 a.m. to 2:00 a.m.

(C) It shall be unlawful on premises licensed to sell alcoholic liquor at retail to allow alcoholic liquor in open containers to remain or be in the possession or control of any person for purposes of consumption for a period of time longer than 15 minutes after the time fixed herein for stopping the sale of alcoholic beverages on the said premises.

(D) Nothing in this section shall be construed to prohibit licensed premises from being open for other business on days and hours during which the sale or dispensing of alcoholic beverages is prohibited by this section.  
(79 Code, § 10-123) (Ord. 212, passed - -; Am. Ord. 259, passed 12-4-79; Am. Ord. 306, passed 5-482; Am. Ord. 536, passed 9-3-91; Am. Ord. 1123, passed 6-1-10) Penalty, see § 114.99 Statutory reference: Authority to alter statutory hours, see Neb. RS 53-179

SECTION 2. **Repeal of Conflicting Ordinances.** All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.



Ordinance No.

**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION 4. Effective Date.** This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY, 2013.

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Pamela A. Bueth, CMC  
City Clerk

K:\APPS\City Hall\ORDINANCES\Amend City Code 114.46 Hours Of Sale.Doc

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
FEBRUARY 5, 2013 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
GOLF CAR LEASE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SCOTT STOPAK RECREATION DIRECTOR

**SYNOPSIS**

A resolution has been prepared to approve a lease-to-own agreement between the City of La Vista and Exchange Bank for two (2) 2013 Club Car Electric Golf Cars in an amount not to exceed \$9,370.00 over 5 years.

**FISCAL IMPACT**

The FY 13 Golf Fund budget includes \$1,874.00 for the proposed lease agreement.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The new cars are an addition to the fleet. This will increase our fleet to twenty one (21) cars.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE LEASE-TO-OWN OF TWO (2) ELECTRIC CLUB CAR GOLF CARS FOR LA VISTA FALLS GOLF COURSE FROM EXCHANGE BANK, KEARNEY, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$9,370.00 OVER 5 YEARS.

WHEREAS, the City Council has deemed that a need exists to purchase additional golf cars for La Vista Falls Golf Course; and

WHEREAS, the City did appropriate funds in the FY 13 Golf Fund budget for said lease-to-own; and

WHEREAS, the Finance Director and Golf Course Manager have obtained suitable financing for this lease through Exchange Bank, Kearney, Nebraska; 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 lease-to-own agreement for two Electric Club Car Golf Cars for La Vista Falls Golf Course from Exchange Bank, Kearney, Nebraska, in an amount not to exceed \$9,370.00 and in form and content satisfactory to the City Administrator.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY, 2013.

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

# Nebraska Golf & Turf

1440 Yolande Ave.  
Lincoln, Nebraska

Phone: 402-466-6222, 1-800-535-2885

Fax: 402-466-8283

Email: bru1955@prodigy.net

**Club Car**®

## Quotation

**To: LaVista Falls Golf Course**  
**8305 Park View Blvd.**  
**LaVista, NE 68128**

**Quotation #: CLL-2-13-DSIQ**

**Date: January 7, 2013**

<b>Salesman: Don Brudny</b>		<b>Terms: Lease</b>		<b>Delivery Date: Spring 2013</b>	
<b>Quantity</b>	<b>Description</b>			<b>Unit Price</b>	<b>Price</b>
2	2013 Club Car Electric Golf Cars 48v including: Beige Color Sun Top Bagwell Mat Number Decals Premium Tires 4 Drink Cup Holders Armor Flex Bodies Sweater Basket Trojan Batteries			\$4,250.00	\$8,500.00
<b>Quantity</b>	<b>Description of Trade-ins</b>			<b>Trade-in Allowance</b>	
<p align="center"><b>*** 4 YEAR LEASE TO OWN ***</b></p> <p align="center">6 on / 6 off payments of \$191.26 per/car per/month or \$1147.56 per/car per/year.</p> <p align="center"><b>*** 5 YEAR LEASE TO OWN ***</b></p> <p align="center">6 on / 6 off payments of \$156.18 per/car per/month or \$937.08 per/car per/year.</p> <p align="center">All leases are subject to approval. Quotes do not include any applicable taxes.</p>					
<p align="center"><b>Warranty Information</b></p> <p align="center">Four (4) year parts and labor warranty on drive train on golf cars. Four (4) year warranty on the batteries on golf cars.</p>					
<p><b>Bid Quotation good for 30 days.</b></p>					
<p><b>To accept quotation please sign here:</b></p>					

D

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT AN EASTER SEALS SOCIETY OF NEBRASKA INC FUNDRAISING EVENT AT THE LA VISTA CONFERENCE CENTER ON FEBRUARY 23, 2013.

WHEREAS, the La Vista Conference Center is located within the City of La Vista; and

WHEREAS, Easter Seals Society of Nebraska has requested approval of a Special Designated Permit to serve alcohol at a fundraising event at the Conference Center on February 23, 2013 from 5:00 p.m. to 10:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Easter Seals Society of Nebraska to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell serve alcohol at the La Vista Conference Center, in conjunction with a fundraising event.

PASSED AND APPROVED THIS 5TH DAY OF FEBRUARY 2013.

CITY OF LA VISTA

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

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

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**LA VISTA POLICE DEPARTMENT INTEROFFICE MEMORANDUM**

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**TO:** PAM BUETHE, CITY CLERK  
**FROM:** KEVIN POKORNY, POLICE CAPTAIN  
**SUBJECT:** SDL- LIQUOR LICENSE – EASTER SEALS SOCIETY OF NEBRASKA  
**DATE:** 1/15/2013  
**CC:**

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The police department conducted a review for the SDL liquor license application by Easter Seals Society of Nebraska to be held at Embassy Suites/Conference Center, La Vista, NE on February 23, 2013. The police department has no issues with approval of the application.



*Creating solutions, changing lives*

*Helping Nebraskans with disabilities  
gain greater independence*

## **Easter Seals Nebraska**

A Subsidiary of Visiting Nurse Association  
12565 West Center Road / Suite 100  
Omaha, NE 68144-3810  
402.345.2200 phone  
800.650.9880 toll free  
[www.ne.easterseals.com](http://www.ne.easterseals.com)

January 7, 2013

Pam Beuthe, Mayor Douglas Kindig &  
Members of the City Council  
City of La Vista  
8116 Parkview Blvd.  
La Vista, NE 68128

Dear Ms. Beuthe, Mayor Kindig & Council Members

Attached please find a completed application for Easter Seals Nebraska to please be provided a Special Designated License for Easter Seals Nebraska's Wine Event coming February 23, 2013 to Embassy Suites – La Vista as well as a check for the \$40 fee. Michelle Porter at the Nebraska Liquor Control Commission has been contacted as well regarding this piece and can process once she receives your approval:

Nebraska Liquor Control Commission  
ATTN: Michelle Porter  
301 Centennial Mall South  
P.O. Box 95046  
Lincoln, NE 68509-5046

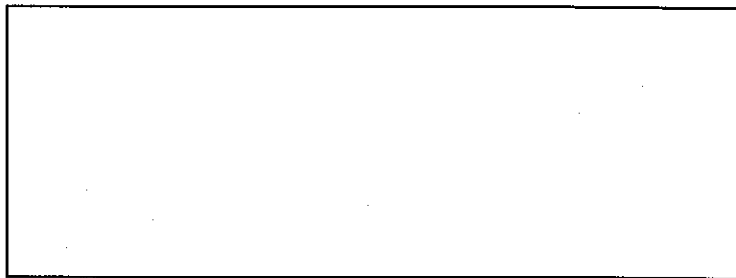
We appreciate all your efforts to help us maintain our good standing with the City of La Vista regarding this event. Please let me know if there are any questions or concerns relating to this document. I plan to attend the February 5<sup>th</sup> City Council meeting in case needed, and look forward to seeing you all then.

Sincerely,

Ingra Winkler Anderson  
Marketing, Public Relations &  
Resource Development Director  
Easter Seals Nebraska  
A Subsidiary of Visiting Nurse Association

## APPLICATION FOR SPECIAL DESIGNATED LICENSE

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: [www.lcc.ne.gov/](http://www.lcc.ne.gov/)



### Special Designated License (SDL) Application Quick Checklist

#### Requirements:

- ✓ Application must be received in Nebraska Liquor Control Commission (NLCC) office a **MINIMUM** of ten (10) working days prior to the date of event (when counting days exclude weekends and holidays) **NO EXCEPTIONS**
- ✓ Application **MUST** include approval from the local governing body (city, village or county clerk of where the event is to be held)
- ✓ When requesting an exemption from NLCC rules, i.e. waiver of double fencing, request must be received in (NLCC) office a **MINIMUM** of 30 days prior to the date of the event
- ✓ All questions on application must be completed legibly
- ✓ Include \$40 fee, for each day/area applying for, checks made payable to Nebraska Liquor Control Commission (NLCC), if liquor caterer no fees required
- ✓ When requesting alternate date(s) or location(s), approval from local governing body must include approval for these alternate date(s) or locations(s)
- ✓ When requesting an outdoor area you must include a sketch of area to be licensed

#### Non Profit Application **MUST**:

- ✓ Include page five (5) of application showing federal ID number

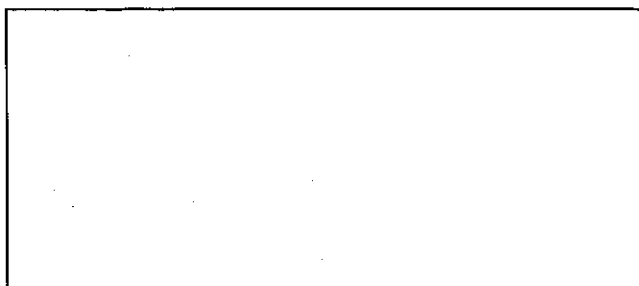
#### Information:

- ✓ Non caterer applicants are only allowed six (6) SDLs per calendar year, this includes consecutive days used on one application (i.e. July 4 – 9 = 6 days)
- ✓ Applications may be submitted via e-mail to [michelle.porter@nebraska.gov](mailto:michelle.porter@nebraska.gov) or faxed to (402) 471-2814
- ✓ Must use the most current form 108. Forms are available on our web site at [www.lcc.ne.gov/formsdiv.html](http://www.lcc.ne.gov/formsdiv.html), or by calling our main number (402) 471-2571
- ✓ Reference statutes: §53-124.11, rules 2-013.01 and 6-019.01W 1,2,3
- ✓ Only twelve (12) SDLs will be issued at any specific location that could otherwise hold a liquor license



**APPLICATION FOR SPECIAL  
DESIGNATED LICENSE**

NEBRASKA LIQUOR CONTROL COMMISSION  
301 CENTENNIAL MALL SOUTH  
PO BOX 95046  
LINCOLN, NE 68509-5046  
PHONE: (402) 471-2571  
FAX: (402) 471-2814  
Website: www.lcc.ne.gov/



DO YOU NEED POSTERS? YES ☐ NO ☒

RETAIL LICENSE HOLDERS ☐

NON PROFIT APPLICANTS ☒

Non Profit Status (check one that best applies)

Municipal ☐ Political ☐ Fine Arts ☐ Fraternal ☐ Religious ☐ Charitable ☒ Public Service ☐

**COMPLETE ALL QUESTIONS**

1. Type of alcohol to be served and/or consumed: Beer ☒ Wine ☒ Distilled Spirits ☒

2. Liquor license number and class (i.e. C-55441)  
(If you're a nonprofit organization leave blank)

3. Licensee name (last, first,), corporate name or limited liability company (LLC) name  
(As it reads on your liquor license)

NAME: Easter Seals Society of Nebraska dba Easter Seals Nebraska

ADDRESS: 12565 West Center Road / Suite 100

CITY Omaha, NE ZIP 68144-3810

4. Location where event will be held; name, address, city, county, zip code

BUILDING NAME Embassy Suites - La Vista

ADDRESS: 12520 West Parkway CITY La Vista, NE

ZIP 68128 COUNTY and COUNTY # Sarpy (#59)

a. Is this location within the city/village limits?

YES ☒ NO ☐

b. Is this location within the 150' of church, school, hospital or home  
for aged/indigent or for veterans and/or wives?

YES ☐ NO ☒

c. Is this location within 300' of any university or college campus?

YES ☐ NO ☒

5. Date(s) and Time(s) of event (no more than six (6) consecutive days on one application)

Date 2/23/2013	Date	Date	Date	Date	Date
<u>Hours</u> From 5 PM	<u>Hours</u> From	<u>Hours</u> From	<u>Hours</u> From	<u>Hours</u> From	<u>Hours</u> From
To 10 PM	To	To	To	To	To

a. Alternate date: n/a

b. Alternate location: n/a  
(Alternate date or location must be specified in local approval)

6. Indicate type of activity to be carried on during event:

☐ Dance   ☐ Reception   ☒ Fund Raiser   ☐ Beer Garden   ☒ Sampling/Tasting  
☐ Other \_\_\_\_\_

7. Description of area to be licensed

Inside building, dimensions of area to be covered IN FEET 280' x 196'  
(not square feet or acres)

\*Outdoor area dimensions of area to be covered IN FEET \_\_\_\_\_ x \_\_\_\_\_

\***SKETCH OF OUTDOOR AREA (or attach copy of sketch)**

If outdoor area, how will premises be enclosed?

☐ Fence; snow fence ☐ chain link ☐ cattle panel ☐ other \_\_\_\_\_  
☐ Tent

8. How many attendees do you expect at event? 400

9. If over 150 attendees. Indicate the steps that will be taken to prevent underage persons from obtaining alcohol beverages. (Attach separate sheet if needed)

Tables are mainly corporately sponsored and single reservation printwork includes "no one under 21", but we also have an organized check-in process which ensures no one under 21 is allowed into the event.

10. Will premises to be covered by license comply with all Nebraska sanitation laws? YES ☒ NO ☐

a. Are there separate toilets for both men and women? YES ☒ NO ☐

11. **Retailer:** Will you be purchasing your alcohol from a wholesaler? YES ☒ NO ☐  
**Non-Profit:** Where will you be purchasing your alcohol?

Wholesaler ☐ Retailer ☐ Both ☒ BYO ☐  
(includes wineries)

12. Will there be any games of chance operating during the event? YES ☒ NO ☐

If so, describe activity A raffle for which we are also obtaining licensing

**NOTE:** Only games of chance approved by the Department of Revenue, Charitable Gaming Division are permitted. All other forms of gambling are prohibited by State Law. There are no exceptions for Non Profit Organizations or any events raising funds for a charity. This is only an application for a Special Designated License under the Liquor Control Act and is not a gambling permit application.

13. Any other information or requests for exemptions: No

14. Name and **telephone number/cell phone number** of immediate supervisor. This person will be at the location of the event when it occurs, able to answer any questions from Commission and/or law enforcement before and during the event, and who will be responsible for ensuring that any applicable laws, ordinances, rules and regulations are adhered to. **PLEASE PRINT LEGIBLY**

Print name of Event Supervisor Ingra Winkler Anderson

Signature of Event Supervisor *Ingra Winkler Anderson*

Phone of Event Supervisor: Before 402.592.3272 During 402.250.6866

Consent of Authorized Representative/Applicant

15. I declare that I am the authorized representative of the above named license applicant and that the statements made on this application are true to the best of my knowledge and belief. I also consent to an investigation of my background including all records of every kind including police records. I agree to waive any rights or causes of action against the Nebraska Liquor Control Commission, the Nebraska State Patrol or any other individual releasing said information to the Liquor Control Commission or the Nebraska State Patrol. I further declare that the license applied for will not be used by any other person, group, organization or corporation for profit or not for profit and that the event will be supervised by persons directly responsible to the holder of this Special Designated License.

sign  
here

*Jamie Summerfelt*

Authorized Representative/Applicant

Pre. & CEO

Title

12.18.12

Date

James C. aka  
**Jamie Summerfelt**

Print Name

This individual must be listed on the application as an officer or stockholder unless a letter has been filed appointing an individual as the catering manager allowing them to sign all SDL applications.

The law requires that no special designated license provided for by this section shall be issued by the Commission without the approval of the local governing body. For the purposes of this section, the local governing body shall be the city or village within which the particular place for which the special designated license is requested is located, or if such place is not within the corporate limits of a city or village, then the local governing body shall be the county within which the place for which the special designated license is requested is located.

**This page is required to be completed by Non Profit applicants only.**

**Application for Special Designated License  
Under Nebraska Liquor Control Act  
Affidavit of Non-Profit Status**

I HEREBY DECLARE THAT THE CORPORATION MAKING APPLICATION FOR A SPECIAL DESIGNATED LICENSE UNDER THE NEBRASKA LIQUOR CONTROL ACT IS EITHER A MUNICIPAL CORPORATION, A FINE ARTS MUSEUM INCORPORATED AS A NONPROFIT CORPORATION, A RELIGIOUS NONPROFIT CORPORATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, A POLITICAL ORGANIZATION WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES, OR ANY OTHER NONPROFIT CORPORATION, THE PURPOSE OF WHICH IS FRATERNAL, CHARITABLE, OR PUBLIC SERVICE AND WHICH HAS BEEN EXEMPTED FROM THE PAYMENT OF FEDERAL INCOME TAXES AS PER §53-124.11(1).

AS SIGNATORY I CONSENT TO THE RELEASE OF ANY DOCUMENTS SUPPORTING THIS DECLARATION AND ANY DOCUMENTS SUPPORTING THIS DECLARATION WILL BE PROVIDED TO THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY AGENT OF THE LIQUOR CONTROL COMMISSION IMMEDIATELY UPON DEMAND. I ALSO CONSENT TO THE INVESTIGATION OF THIS CORPORATE ENTITY TO DETERMINE IT'S NONPROFIT STATUS.

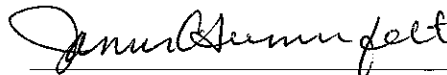
I AGREE TO WAIVE ANY RIGHTS OR CAUSES OF ACTION AGAINST THE NEBRASKA LIQUOR CONTROL COMMISSION, THE NEBRASKA STATE PATROL OR ANY PARTY RELEASING INFORMATION TO THE AFOREMENTIONED PARTIES.

Easter Seals Society of Nebraska, Inc. dba Easter Seals Nebraska

NAME OF CORPORATION

47-0457872

FEDERAL ID NUMBER



SIGNATURE OF TITLE OF CORPORATE OFFICERS

THE ABOVE INDIVIDUAL STATES THAT THE STATEMENT ABOVE IS TRUE AND CORRECT: IF ANY FALSE STATEMENT IS MADE ON THIS APPLICATION, THE APPLICANT SHALL BE DEEMED GUILTY OF PERJURY AND SUBJECT TO PENALTIES PROVIDED BY LAW. (SEC. §53-131.01) NEBRASKA LIQUOR CONTROL ACT

SUBSCRIBED IN MY PRESENCE AND SWORN TO BEFORE ME THIS 19<sup>th</sup> DAY OF

December, 2012.



NOTARY PUBLIC SIGNATURE & SEAL

