

MINUTE RECORD

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No. 728 — REEDFIELD & COMPANY, INC. OMAHA E1107788LD

LA VISTA CITY COUNCIL MEETING May 7, 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 May 7, 2013. Present were Councilmembers: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Finance Director Lindberg, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Community Development Director Birch, Public Building and Grounds Director Archibald, 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 April 24, 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.

APPOINTMENTS – CITIZEN ADVISORY REVIEW COMMITTEE – ALAN NELSON – FILL VACANCY – 5 YEAR TERM

Mayor Kindig stated, with the approval of the City Council, he would like appoint Alan Nelson to the Citizen Advisory Review Committee for a 5 year term. Councilmember Crawford motioned the approval, seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and 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 APRIL 16, 2013
3. APPROVE PAY REQUEST – THOMPSON, DREESSEN & DORNER, INC. –
PROFESSIONAL SERVICE – 2013 STORM SEWER INLET REPAIR –
\$1,170.00
4. RESOLUTION 13.040 – APPOINTMENT OF SAFETY STEERING
COMMITTEE MEMBERS
5. APPROVAL OF CLAIMS

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| 3E-ELECTRICAL ENGINEERING, bld&grnds | 27.46 |
| ACTION BATTERIES UNLTD, maint. | 464.85 |
| AED ZONE, services | 309 |
| ALAMAR, services | 60.25 |
| APWA, dues | 710 |
| ARAMARK, services | 686.9 |
| ARMBRUST, T., travel | 161 |
| ASPHALT & CONCRETE MATERIALS, maint. | 312 |
| AWE, supplies | 3,243.00 |
| BAKER & TAYLOR, books | 2,163.88 |
| BARONE SECURITY, services | 804 |
| BEACON BUILDING, services | 6,712.00 |
| BIRCH, A., travel | 360 |
| BISHOP BUSINESS, services | 724.04 |
| BKD, services | 10,250.00 |
| BLACK HILLS ENERGY, utilities | 7,106.89 |

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| BOLTE, J., travel | 273.08 |
| BOMA/OMAHA, training | 20 |
| BRENTWOOD AUTO WASH, maint. | 84 |
| BROWN TRAFFIC PRODUCTS, supplies | 2,693.00 |
| BRYAN ROCK, bld&grnds | 2,879.35 |
| BUETHE, P., travel | 237.3 |
| BUILDERS SUPPLY, supplies | 314 |
| CARRICO, G., travel | 161 |
| CENTURY LINK, phone | 1,233.41 |
| CENTURY LINK, phone | 28.38 |
| CITY OF OMAHA, services | 663.86 |
| CITY OF OMAHA-SHOWMOBILE/WALL | 1,871.25 |
| CITY OF PAPILLION PARKS/RECR | 1,025.00 |
| COMP CHOICE, services | 277 |
| CONTROL MASTERS, bld&grnds | 72.5 |
| COX, utilities | 276.36 |
| D & D COMM., services | 653.78 |
| DANDERAND, J., travel | 230 |
| DEIML, K., services | 925 |
| DELL, supplies | 82.49 |
| DESERT SNOW, supplies | 3,134.95 |
| DIAMOND VOGEL PAINTS, bld&grnds | 464.53 |
| DICE, D., services | 825 |
| DIGITAL ALLY, supplies | 30 |
| DOOLING, S., travel | 161 |
| DOUGLAS COUNTY SHERIFF, services | 592.5 |
| DULTMEIER SALES & SERVICE, maint. | 251 |
| DXP, maint. | 52.59 |
| EDGEWEAR SCREEN PRINTING, apparel | 1,420.00 |
| EXCHANGE BANK, lease | 1,425.00 |
| FEDEX KINKO'S, printing | 2,345.07 |
| FELD FIRE, equip. | 303 |
| FELSBURG HOLT & ULLEVIG, services | 1,815.88 |
| FILTER CARE, supplies | 169.45 |
| FLASH, M., travel | 161 |
| FOCUS, printing | 260 |
| FORT DEARBORN LIFE INS COMPANY | 1,417.00 |
| GALE, books | 47.23 |
| GALLS, apparel | 183.12 |
| GARROD, M., travel | 321 |
| GCR TIRE CENTERS, supplies | 733.93 |
| GENERAL FIRE & SAFETY, equip. | 485 |
| GOLEY, C., auto | 100 |
| GRAINGER, bld&grnds | 21.32 |
| GRAYBAR ELECTRIC, maint. | 870.45 |
| GREENKEEPER, bld&grnds | 2,872.13 |
| GT DISTRIBUTORS, supplies | 1,500.00 |
| GUNN, B., travel | 417.06 |
| GUNS UNLIMITED, supplies | 47.48 |
| H & H CHEVY, maint. | 47.64 |
| HANEY SHOE STORE, apparel | 115.95 |
| HAWKEYE TRUCK EQUIP., maint. | 907.43 |
| HEARTLAND TIRES AND TREADS, supplies | 2,653.99 |
| HELGET GAS, supplies | 125 |
| HOBBY LOBBY, supplies | 64.54 |
| HOME DEPOT, maint. | 16.76 |
| HOST COFFEE SERVICE, supplies | 47.8 |
| HUNTEL, phone | 280 |
| HUSKER AUTO GROUP, auto | 20,999.00 |
| J & J SMALL ENGINE SERVICE, service | 9,261.00 |
| J Q OFFICE, services | 70.76 |
| JERNIGAN, J., refund | 54 |
| KINDIG, D., travel | 258 |

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| KLINKER, M., travel | 200 |
| KRIHA FLUID POWER, maint. | 5.61 |
| LA VISTA COMMUNITY FOUNDATION | 50 |
| LA VISTA KENO | 200,000.00 |
| LANDPORT, services | 125 |
| LARSEN SUPPLY, supplies | 323.28 |
| LAUGHLIN, KATHLEEN A, TRUSTEE | 474 |
| LEAGUE ASSN OF RISK MGMT, ins. | 24 |
| LIBRARY HOTLINE, books | 84 |
| LINCOLN NATIONAL LIFE INS CO | 10,379.84 |
| LINDBERG, S., travel | 360 |
| LOGAN CONTRACTORS, supplies | 186.25 |
| LORMAN EDUCATION SERVICES, training | 538 |
| LOVELAND GRASS PAD, bld&grnds | 1,764.00 |
| LOWE'S, supplies | 9.46 |
| LOYD, M., training | 230 |
| MARTIN MARIETTA AGGREGATES, bld&grnds | 178.46 |
| MATHESON TRI-GAS, supplies | 288.95 |
| MAT, services | 602 |
| MCC, utilities | 13,837.87 |
| MUD, utilities | 2,122.89 |
| MICHAEL TODD AND COMPANY, maint. | 825.35 |
| MID AMERICA PAY PHONES, phone | 50 |
| MID CON SYSTEMS INC., maint. | 172.8 |
| MID CONTINENT SAFETY, equip. | 156.05 |
| MIDWEST SERVICE & SALES, bld&grnds | 875.66 |
| MILLARD DRYWALL, bld&grnds | 75.2 |
| MILLER PRESS, printing | 380 |
| MINITEX - CPP, supplies | 190 |
| MLB LOGISTICS, supplies | 163.29 |
| MNJ TECHNOLOGIES, supplies | 2,749.00 |
| NATIONAL RESEARCH CENTER, services | 2,050.00 |
| NE DEPT OF LABOR-WORKFORCE DEV | 3.45 |
| NE DEPT OF REVENUE-LOTT/51, ins. | 89,027.00 |
| NE SOFTBALL ASSN DIST#10, fees | 1,457.00 |
| NE TURF PRODUCTS, supplies | 1,800.85 |
| NEBRASKA.GOV, refund | 1,010.00 |
| NEUMAN EQUIPMENT, bld&grnds | 1,390.00 |
| NUTS AND BOLTS INC., supplies | 45.36 |
| OFFICE DEPOT, bld&grnds | 566.87 |
| OFFUTT YOUTH CENTER, services | 1,008.00 |
| OMAHA COMPOUND COMPANY, supplies | 128.81 |
| OPPD, utilities | 45,092.07 |
| OMAHA SLINGS INC., bld&grnds | 11.9 |
| ONE CALL CONCEPTS, services | 97 |
| OVERHEAD DOOR COMPANY, bld&grnds | 40 |
| PAPILLION SANITATION, services | 941.76 |
| PAPILLION TIRE INC., maint. | 71.35 |
| PARAMOUNT, services | 649.32 |
| PAYFLEX SYSTEMS USA INC | 250 |
| PERFORMANCE, maint. | 44.32 |
| PERFORMANCE FORD, maint. | 31.8 |
| PETTY CASH | 139.74 |
| PFEIFER, V., dues | 100 |
| PITNEY BOWES, services | 204 |
| PLAINS EQUIPMENT GROUP, maint. | 134.78 |
| PREMIER-MIDWEST BEVERAGE, supplies | 539 |
| PROGRESSIVE BUSINESS, supplies | 790 |
| PRO-PAPILLION RECREATION ORG, dues | 1,580.00 |
| PUBLIC AGENCY TRAINING COUNCIL, training | 590 |
| QUALITY BRANDS OF OMAHA, supplies | 942.7 |

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| QUILL CORPORATION, supplies | 161.4 |
| RADIO SHACK CORPORATION, bld&grnds | 47.98 |
| RAMADA INN, travel | .144 |
| RAMIREZ, R., travel | 360 |
| RECORDED BOOKS, media | 590.32 |
| REPUBLIC NATIONAL DISTR CO, supplies | 329.91 |
| RETRIEVEX, services | 40.82 |
| SAFE KIDS CPS CERTIFICATION, training | 75 |
| SAM'S CLUB, supplies | 807.39 |
| SAPP BROS SERVICE CENTERS, supplies | 809.94 |
| SARPY COUNTY CHAMBER, travel | 40 |
| SARPY COUNTY COURTHOUSE, services | 3,629.03 |
| SARPY COUNTY TREASURER, services | 27,827.00 |
| SEFFRON, R., apparel | 120 |
| SHRED-SAFE, services | 30 |
| SIGN IT, banners | 230 |
| SINNETT, J., travel | 39.04 |
| SMITH, M., auto | 100 |
| SOLBERG, C., travel | 585.34 |
| SPRINT, phone | 62.19 |
| SPRINT, phone | 119.97 |
| STERLING DISTRIBUTING, supplies | 60.42 |
| SUBURBAN NEWSPAPERS, ads | 22.5 |
| SUPERIOR VISION SVCS INC | 399.76 |
| SYMBOL ARTS, apparel | 48 |
| TED'S MOWER, equip. | 155.57 |
| THOMPSON DREESSEN & DORNER, services | 2,622.50 |
| THOMPSON, D., refund | 50 |
| TITAN MACHINERY, maint. | 482.15 |
| TURFWERKS, bld&grnds | 429.6 |
| TYCO INTEGRATED SECURITY, services | 289.74 |
| UNITED OF OMAHA LIFE INS CO | 86.12 |
| UPS, postage | 6.28 |
| USPS, postage | 1,599.50 |
| UNIVERSAL STEERING HYDRAULIC, maint. | 180 |
| VAIL, A., auto | 100 |
| VERIZON, phone | 811.1 |
| VIERREGGER ELECTRIC, supplies | 2,108.75 |
| WAL-MART, equip. | 631.28 |
| WAUGH, B., travel | 230 |
| ZIMCO, supplies | 2,724.35 |

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded the Council that several staff members would be absent at the May 21st, 2013 Council Meeting.

City Clerk Buethe stated that National Night Out was August 6, 2013. Buethe stated that an item would be added to the consent agenda on the May 21st, 2013 meeting to change the start time of the August 6th, 2013 meeting to 5:30 p.m.

Public Works Director Soucie stated that at the Annual Clean-Up Days Event seventeen - 40 yard dumpsters were filled, \$2900.00 was collected from recycled materials and \$67.00 was collected from recycled batteries. Soucie also stated that the water feature located in the off street parking lot by Cabela's had been turned on for the season.

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B. FIREWORKS PERMITS

1. RESOLUTION – ESTABLISH NUMBER OF PERMITS

Councilmember Sell introduced and moved for the adoption of Resolution No. 13-041; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2013.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2013 shall not exceed eight.

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

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

2. RESOLUTION – ISSUANCE OF PERMITS

Councilmember Hale introduced and moved for the adoption of Resolution No. 13-042; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF MONARCHS YOUTH WRESTLING CLUB, LA VISTA YOUTH FOOTBALL AND CHEER, LA VISTA COMMUNITY FOUNDATION, LA VISTA YOUTH, LA VISTA LANCER SOCCER CLUB, LA VISTA YOUTH BASEBALL ASSOCIATION, CORNERSTONE CHURCH, AND BEAUTIFUL SAVIOR LUTHERAN CHURCH.

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits, and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, eight (8) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2013 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

Monarchs Youth Wrestling Club, La Vista Youth Football and Cheer, La Vista Community Foundation, La Vista Youth, La Vista Lancer Soccer Club La Vista Youth Baseball Association, Cornerstone Church, and Beautiful Savior Lutheran Church to sell fireworks within the City of La Vista for the

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2013 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit and a representative for their fireworks supplies at a meeting with City staff (date and time to be established).

Seconded by Councilmember Quick. Mayor Kindig noted that the Monarchs Youth Wrestling Club had not donated any funds back to any activity within the city. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

C. RESOLUTION – APPROVAL OF PLANS & SPECIFICATIONS AND AUTHORIZE SID 111 (STONY BROOK SOUTH) TO CONSTRUCT SANITARY SEWER RELOCATION

Councilmember Crawford introduced and moved for the adoption of Resolution No. 13-043; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PLANS AND SPECIFICATIONS; AND AUTHORIZING STONY BROOK SOUTH (SID 111) TO CONSTRUCT A SANITARY SEWER RELOCATION.

WHEREAS, Sanitary & Improvement District No. 111 (Stony Brook South) is planning to construct the relocation of an existing sanitary sewer which has settled and is causing sewer plugging problems resulting in sewer backup damage to an adjacent residence on a recurring basis; and

WHEREAS, approximately 465 feet of new sanitary sewer will be installed; and

WHEREAS, it is necessary to approve the plans and specifications prepared by TD2 Engineering & Surveying, subject to a 2-year performance and maintenance bond being provided which includes the City as an obligee and the submittal of record drawings with a certificate of compliance prepared by TD2; and

WHEREAS, it is necessary to approve SID 111 entering into a contract with K2 Construction Company of Lincoln NE in the amount of \$194,350.56; and

WHEREAS, The City Engineer has reviewed the plans and specifications and found them to be satisfactory; and

WHEREAS, the necessary easements for the relocation route have been obtained;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, does hereby approve the plans and specifications; and authorizes Stony Brook South (SID 111) to construct a sanitary sewer relocation.

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

D. RESOLUTION – AUTHORIZE SELECTION CONCURRENCE AND CONSTRUCTION CONTRACT – GILES ROAD SIGNAL COORDINATION

Councilmember Gowan introduced and moved for the adoption of Resolution No. 13-044; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA HAS BEEN PREPARED IN THE FORM AS REQUIRED BY THE STATE OF NEBRASKA ACCEPTING SADLER ELECTRIC, INC, OMAHA NEBRASKA, AS THE LOW COMPLIANT BIDDER FOR THE GILES ROAD SIGNAL COORDINATION MAPA 5129 (1) IN AND AMOUNT NOT TO EXCEED \$40,177.50.

WHEREAS, there has been signed by the City of La Vista on the 6th Day of September, 2011, and the State on the 31st day of October, 2011, an agreement providing for the construction of a Federal Aid Project along Giles Road from the I-80 interchange to the Giles Road and 108th Street intersection; and

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WHEREAS, in the above agreement, the City has pledged sufficient funds to finance its share of the cost of the construction of this project identified as MAPA-5129(1); and

WHEREAS, the above mentioned agreement provided that the City would pay costs as set forth in the agreement; and

WHEREAS, the State and the City received bids for the construction of this project on April 18, 2013 at which time one bid was received for the construction on the proposed work; and

WHEREAS, the following contractor(s) for the items of work listed has/have been selected as the low bidder to whom the contract should be awarded: Sadler Electric, Inc. Omaha NE, Electrical \$40,177.50 ; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, does hereby take the following official action:

- 1) If for any reason the Federal Highway Administration rescinds, limits its obligations, or defers payment of the Federal share of the cost of the project, the City hereby agrees to provide the necessary funds to pay for all costs incurred until and in the even such Federal funds are allowed and paid.
- 2) The Council hereby concurs in the selection of the above mentioned contractor for the items of work listed, to whom the contract should be awarded.
- 3) The Council hereby authorizes the Mayor to sign the contract with the above mentioned contractor for the above mentioned work on behalf of the City.

Seconded by Councilmember Sell. Councilmember Sheehan asked if there was only one bid. City Engineer Kottmann responded that two companies inquired into the specifications, but they did not feel comfortable enough with the scope of work to bid. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

E. RESOLUTION – AUTHORIZE PRELIMINARY ENGINEERING CONTRACT – HELL CREEK CHANNEL STABILIZATION, PHASE II

Councilmember Quick introduced and moved for the adoption of Resolution No. 13-045; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO FELSBURG, HOLT & ULLEVIG (FHU) TO PROVIDE PRELIMINARY ENGINEERING SERVICES FOR THE HELL CREEK CHANNEL STABILIZATION PHASE II, CIP PROJECT NO. PWST-13-010 IN AN AMOUNT NOT TO EXCEED \$103,351.

WHEREAS, the City Council of the City of La Vista has determined that the Hell Creek Channel Stabilization, Phase II is necessary; and

WHEREAS, the FY 2012/13 Capital Improvement Program provides funding for this phase of the project in the amount of \$100,000 with the additional \$3,351 coming from other sales tax funded CIP projects that are under budget; and

WHEREAS, the preliminary engineering work will allow for preparation and submittal of grant applications to several agencies to seed funding for the construction of the channel stabilization activities; and

WHEREAS, the next deadline for grant applications is the first week of September of 2013; and

WHEREAS, the City of La Vista Nebraska and Felsburg, Holt & Ullevig wish to enter into an Engineering Contract to provide Preliminary Engineering Services for the Hell Creek Channel Stabilization, Phase II project; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby award a contract to Felsburg, Holt & Ullevig (FHU) to provide preliminary engineering services for the Hell Creek Channel

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Stabilization Phase II, CIP project no. PWST-13-010 in an amount not to exceed \$103,351.

NOW, THEREFORE, BE IT FURTHER RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby authorize the Public Works Director and the City Clerk to execute said contract for preliminary engineering services by Felsburg, Holt & Ullevig for the Hell Creek Channel Stabilization Phase II on behalf of the City of La Vista.

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

F. RESOLUTION – APPROVE LETTER OF UNDERSTANDING FOR COMPENSATION AND CLASSIFICATION STUDY

Councilmember Hale introduced and moved for the adoption of Resolution No. 13-046; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF A LETTER OF UNDERSTANDING WITH THE AUSTIN PETERS GROUP, OVERLAND PARK, KANSAS, FOR A CLASSIFICATION AND COMPENSATION STUDY IN AN AMOUNT NOT TO EXCEED \$5,220.00.

WHEREAS, the City Council authorized a classification and compensation study in 2007-08 conducted by The Austin Peters Group; and

WHEREAS, subsequent to that study the City Council approved and implemented a Pay for Performance (PFP) compensation system based on the results; and

WHEREAS, the Council Policy Statement for Employee Compensation – Pay for Performance calls for the City to conduct a market study every three years for all positions covered by the PFP program to ensure market comparability; 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 expenditure over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the execution of a letter of understanding with The Austin Peters Group, Overland Park, Kansas, for a classification and compensation study in an amount not to exceed \$5,220.00.

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

G. RESOLUTION – SPECIAL DESIGNATED LIQUOR LICENSE – SWIZZLE STIX DBA JIMBO'S DINER – LA VISTA DAZE

Councilmember Crawford introduced and moved for the adoption of Resolution No. 13-047; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SALE AND CONSUMPTION OF BEER AND WINE AT A CAR SHOW IN THE PARKING LOT OF SWIZZLE STIX DBA JIMBO'S DINER 7101 S 84TH STREET ON MAY 24, 2013, IN CONJUNCTION WITH THE ANNUAL LA VISTA DAZE CELEBRATION.

WHEREAS, Swizzle Stix dba Jimbo's Diner, 7101 S 84TH Street is located within the City of La Vista; and

WHEREAS, Swizzle Stix dba Jimbo's Diner has requested approval of a Special Designated Permit to sell and serve beer and wine at a car show in the parking lot of on May 24 - 25, 2013, in conjunction with the annual La Vista Daze celebration.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to sell and serve beer and wine in the parking lot of Swizzle Stix dba Jimbo's Diner, 7101 S 84th Street on May 24, 2013, in conjunction with the annual La Vista Daze celebration.

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

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

COMMENTS FROM THE FLOOR

Victor Robb addressed the Council and Mayor about the lawn care on the vacant lot the city purchased from him. Mayor Kindig stated that staff would look into his concerns and get back to him. Robb also asked about the house on Parkview Blvd that had been struck by a car. Mayor Kindig responded that staff continues to work with the owners of the home.

H. EXECUTIVE SESSION – PERSONNEL

At 7:17 p.m. Councilmember Crawford made a motion to go into executive session for the protection of the public interest and personnel.

Seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, 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 8:33p.m. the Council came out of executive session. Councilmember Crawford made a motion to reconvene in open and public session. Seconded by Councilmember Thomas. Councilmembers voting aye: Gowan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Ronan and Hale. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig commented that the legislative season has been fairly quiet.

At 8:37 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Hale. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, Hale, and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF MAY, 2013

CITY OF LA VISTA

Michael Crawford, Acting Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk