



CITY OF LA VISTA

CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO **DUTCH SEVENER** OF THE **LA VISTA PUBLIC WORKS DEPARTMENT**, FOR 10 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Dutch Sevenser**, has served the City of La Vista since June 13, 2005 and

WHEREAS, **Dutch Sevenser's** input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED that this Certificate of Appreciation is hereby presented to **Dutch Sevenser** on behalf of the City of La Vista for 10 years of service to the City.

DATED THIS 21ST DAY OF JULY, 2015.

Douglas Kindig, Mayor

Kim J. Thomas
Councilmember, Ward I

Mike Crawford
Councilmember, Ward I

Ronald Sheehan
Councilmember, Ward II

Terrilyn Quick
Councilmember, Ward II

Deb Hale
Councilmember, Ward III

Alan W. Ronan
Councilmember, Ward III

Kelly R. Spill
Councilmember, Ward IV

Jim Frederick
Councilmember, Ward IV

ATTEST:

Pamela A. Bueth, CMC
City Clerk



MINUTE RECORD

A-2

No. 729 -- REFIELD & COMPANY, INC. OMAHA E1310556LD

LA VISTA CITY COUNCIL MEETING July 7, 2015

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 July 7, 2015. Present were Councilmembers: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Also in attendance were City Attorney Cannella, City Administrator Gunn, City Clerk Buethe, Police Chief Lausten, Director of Administrative Services Pokorny, City Planner Solberg, 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 June 17, 2015. 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.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF THE MINUTES OF THE JUNE 16, 2015 CITY COUNCIL MEETING
3. PAY REQUEST FROM THOMPSON, DREESSEN & DORNER, INC. - PROFESSIONAL SERVICES - THOMPSON CREEK - \$6,981.06
4. PAY REQUEST FROM UPSTREAM WEEDS - THOMPSON CREEK RESTORATION PROJECT - \$2,053.32
5. PAY REQUEST FROM FELSBURG HOLT & ULLEVIG - PROFESSIONAL SERVICES - HELL CREEK CHANNEL IMPROVEMENTS - \$352.50
6. PAY REQUEST FROM TIJ CONSTRUCTION LLC - SEWER SHOP REHABILITATION - \$5,030.10
7. PAY REQUEST FROM VIERREGGER ELECTRIC CO. - 124TH CIRCLE AND HARRISON STREET SIGNAL IMPROVEMENTS - \$18,053.25
8. PAY REQUEST FROM ANDERSON EXCAVATING CO. - THOMPSON CREEK CHANNEL REHABILITATION CHANNEL RECONSTRUCTION - \$63,000.00
9. APPROVAL OF CLAIMS

3E-ELECTRICAL ENGINEERING, bld&grnds	\$257.45
529 CSP, payroll	\$100.00
911 CUSTOM LLC, services	\$25,056.46
AA WHEEL & TRUCK SUPPLY INC, maint.	\$90.49
ABE'S PORTABLES INC, services	\$380.00
ACCO UNLIMITED CORP, supplies	\$396.20
ACCURATE TESTING INC, services	\$874.50
ACTION BATTERIES, maint.	\$155.15
ACTION SIGNS INC, services	\$704.00
AFL, LLC, services	\$55,204.00
AKSARBEN HEATING/ARS, bld&grnds	\$175.50
ALAMAR UNIFORMS, apparel	\$2,018.58
ALL FLAGS ETC, services	\$486.57
ANDERSON EXCAVATING COMPANY, services	\$74,336.40
A-RELIEF SERVICES INC, services	\$330.00
ASPEN EQUIPMENT CO., maint.	\$3,354.42
ASPHALT & CONCRETE MATERIALS, services	\$513.12
AUSTIN PETERS GROUP INC, services	\$1,450.00
BAKER & TAYLOR, books	\$64.49
BARONE SECURITY SYSTEMS, services	\$120.00
BEACON BUILDING, services	\$5,812.00
BENNETT REFRIGERATION, bld&grnds	\$388.46
BISHOP BUSINESS EQUIPMENT, supplies	\$54.62
BLAKE PLUMBING INC, bldg&grnds	\$326.99

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BLUE CROSS BLUE SHIELD, services	\$803.02
BLUE KNIGHTS INTL. ,services	\$50.00
BMI, services	\$335.00
BOATMAN MARKING INC, supplies	\$147.92
BOB'S RADIATOR REPAIR, maint.	\$297.00
BROWN, J., travel	\$261.00
BRYAN HILL ENTERTAINMENT, services	\$325.00
CATHERINE DEMES MAYDEW, services	\$2,405.00
CENTER POINT PUBLISHING, books	\$340.32
CITY OF OMAHA, services	\$147,805.80
CITY OF PAPILLION, services	\$195,636.00
CIVICPLUS, services	\$14,123.03
CNA SURETY, bonds	\$1,855.00
COCA-COLA BOTTLING CO., supplies	\$729.56
COMP CHOICE INC, services	\$2,594.90
CONSOLIDATED MANAGEMENT, travel	\$59.25
CORNHUSKER INTL TRUCKS INC, maint.	\$17.87
COX COMMUNICATIONS, services	\$160.00
CUMMINS CENTRAL POWER, services	\$579.13
D & D COMMUNICATIONS, services	\$540.00
D & K PRODUCTS, supplies	\$1,330.05
DATASHIELD CORP., services	\$21.25
DEARBORN NATIONAL LIFE INS CO., services	\$1,085.00
DOUGLAS COUNTY ENGINEER, services	\$65,031.59
DOUGLAS COUNTY SHERIFF'S OFC, services	\$450.00
DULTMEIER SALES & SERVICE, maint.	\$27.48
EDGEWEAR SCREEN PRINTING, supplies	\$253.50
EFTPS, payroll	\$146,700.77
EMBLEMS INC, apparel	\$295.00
ESRI INC, services	\$3,350.00
EXCHANGE BANK, services	\$1,035.79
EXPRESS DISTRIBUTION, supplies	\$240.84
FIRST NATIONAL BANK FREMONT, bonds	\$257,377.50
FITZGERALD SCHORR BARMETTLER, services	\$28,643.50
FOCUS PRINTING, services	\$9,574.90
GALE, books	\$238.40
GCR TIRES & SERVICE, maint.	\$529.56
GENERAL FIRE & SAFETY EQUIP CO, services	\$68.00
GRAINGER, maint.	\$7.63
GRAYBAR ELECTRIC CO., bld&grnds	\$277.56
GT DISTRIBUTORS INC - AUSTIN, services	\$1,362.00
H & H CHEVROLET LLC, maint.	\$157.63
HANEY SHOE STORE, apparel	\$269.98
HEARTLAND TIRES AND TREADS, supplies	\$1,224.00
HEIMES CORPORATION, services	\$574.04
HOBBY LOBBY STORES, supplies	\$14.97
HOLSTEIN'S HARLEY DAVIDSON, maint.	\$525.32
ICMA PAYROLL, payroll	\$68,385.27
INGRAM LIBRARY SERVICES, books	\$235.19
INLAND TRUCK PARTS, maint.	\$64.88
J Q OFFICE EQUIPMENT INC, services	\$95.37
JOE PUTJENTER, services	\$1,500.00
KIMBALL MIDWEST, maint.	\$379.22
KLINKER, MARK A, services	\$200.00
KRIHA FLUID POWER CO INC, maint.	\$479.22
KUSTOM SIGNALS INC, services	\$187.68
LANDPORT SYSTEMS INC, services	\$125.00
LAUGHLIN, KATHLEEN A, TRUSTEE, services	\$232.00
LFOP DUES, payroll	\$2,600.00
LIBRARY IDEAS LLC, media	\$4.50

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LOGAN SIMPSON DESIGN INC, services	\$10,952.99
LOVELAND GRASS PAD, bld&grnds	\$599.20
LUEDERS LOCK & KEY INC, bld&grnds	\$129.00
LV COMM FOUNDATION, payroll	\$50.00
MAGIE MCCOMBS, services	\$600.00
MATHESON TRI-GAS INC, apparel	\$605.96
MCCANN PLUMBING SERVICE, bld&grnds	\$31.00
MENARDS-RALSTON, maint.	\$186.37
METRO AREA TRANSIT, services	\$385.00
MID AMERICA PAY PHONES, services	\$150.00
MILLER PRESS, services	\$80.00
MNJ TECHNOLOGIES, services	\$5,920.00
MONARCH OIL INC, maint.	\$175.00
MPH INDUSTRIES INC, services	\$788.00
NATIONAL EVERYTHING WHOLESALE, supplies	\$529.09
NE CHILD SUPPORT CENTER, payroll	\$1,932.16
NE DEPT OF LABOR-WORKFORCE DEV, bld&grnds	\$140.00
NE LAW ENFORCEMENT, services	\$200.00
NEBRASKA ENVIRONMENTAL PRODS, maint.	\$220.53
NEUMAN EQUIPMENT CO., bld&grnds	\$127.32
NEWCOM WIRELESS SERVICES, maint.	\$213.00
NICHOLAS A JEANETTE JR, services	\$75.00
NO FRILLS/BAG N' SAVE, services	\$56.99
OCLC INC, services	\$117.99
OFFICE DEPOT INC, supplies	\$605.52
OMAHA PUBLIC POWER DISTRICT, services	\$2,640.08
OMAHA WINNELSON, bld&grnds	\$238.92
OMAHA WORLD-HERALD, services	\$5,968.86
ONE CALL CONCEPTS INC, services	\$356.85
PALFLEET TRUCK EQUIPMENT, maint.	\$1,600.82
PAPILLION SANITATION, services	\$170.80
PAPILLION TIRE INC, maint.	\$808.50
PAPIO-MO RIVER NRD STORM WATER, services	\$189,825.48
PARAMOUNT LINEN & UNIFORM, services	\$486.99
PAYFLEX SYSTEMS USA INC, payroll	\$250.00
PEPSI COLA CO., supplies	\$440.20
PERFORMANCE CHRYSLER JEEP, maint.	\$111.32
PERFORMANCE FORD, maint.	\$176.32
PETTY CASH, supplies	\$233.40
PITNEY BOWES INC., services	\$308.53
PLAINS EQUIPMENT GROUP, maint.	\$1,378.03
POLICE INSURANCE, payroll	\$523.78
PREMIER-MIDWEST BEVERAGE CO, supplies	\$203.10
QUALITY BRANDS OF OMAHA, supplies	\$423.35
REGAL AWARDS OF DISTINCTION, services	\$28.00
REPUBLIC NATIONAL DISTRIBUTING, supplies	\$135.00
RETRIEVEX, services	\$117.10
RON TURLEY ASSOCIATES INC, services	\$1,200.00
SAPP BROS PETROLEUM INC, supplies	\$12,625.43
SARPY COUNTY COURTHOUSE, services	\$4,083.17
SARPY COUNTY FISCAL ADMIN, services	\$7,488.00
SARPY COUNTY TREASURER, services	\$9,012.50
SCHOLASTIC BOOK FAIRS, boks	\$544.28
SHRM-SOCIETY FOR HUMAN, services	\$190.00
SIGN IT, services	\$4,460.60
SPRINT, services	\$119.97
STATE STEEL OF OMAHA, services	\$143.33
STATE TAX WITHHOLDING, payroll	\$21,430.16
STOLTENBERG NURSERIES, bld&grnds	\$174.00
SUN COUNTRY DISTRIBUTING LTD, services	\$17.23

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SUPERIOR SPA & POOL, supplies	\$114.45
SUSPENSION SHOP INC., maint.	\$117.72
SWANK MOTION PICTURES INC, services	\$576.00
T J OSBORN CONSTRUCTION, services	\$5,465.00
TED'S MOWER SALES, services	\$3.10
THIELE GEOTECH INC, services	\$100.00
TIELKE'S SANDWICHES, supplies	\$187.25
TODCO BARRICADE CO., services	\$345.00
TRUCK CENTER CO., maint.	\$53.88
TURF CARS LTD, services	\$299.92
TURFWERKS, maint.	\$204.86
UNITED PARCEL, services	\$12.33
VAL VERDE ANIMAL HOSPITAL INC, services	\$32.00
VAN RU CREDIT CORPORATION, services	\$74.55
VIERREGGER ELECTRIC CO., maint.	\$1,010.25
WAL-MART, supplies	\$1,837.83
WATKINS CONCRETE BLOCK, maint.	\$480.00
WHITE CAP CONSTR SUPPLY, services	\$64.31
WICK'S STERLING TRUCKS INC, maint.	\$1,736.76
WINGATE BY WYNDHAM, travel	\$89.95
ZEE MEDICAL SERVICE INC, supplies	\$549.55

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

SPECIAL PRESENTATION - NEBRASKA MULTISPORT COMPLEX

Trisha Hoffman-Ahrens with the Nebraska Multisport Complex Board of Directors along with other members of the board gave a presentation on the Multisport Complex proposed to be built on what is currently the McDermott Sod Farm in La Vista.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn informed Council of the August 3 meeting at 5:30 and stated she would like to set up a tour of the Thompson Creek area immediately following that meeting for the Mayor and Council.

Police Chief Lausten reported that there were 45 fireworks complaints filed and that 73% of these were for shooting after hours.

City Clerk Buethe stated the budget workshop materials for Mayor and Council would be ready this week. Buethe also reminded the Mayor and Council of the dates for the upcoming budget workshops and the change in meeting date and time for the first meeting in August.

Recreation Director Stopak invited everyone to attend the Splash Bash at the pool and anyone that would like to help needs to be there at 12:30 p.m. Stopak also reported that there were 404 rounds of footgolf played in the 13 days it was offered in June which is more than 3 times the number of regular golf rounds reported for those same days/times previously.

Library Director Barcal reported that the library had over 20,000 in usage for the month of June which is the first time to exceed that number in a single month. Barcal stated that the summer reading program had the following attendance: Children portion had 39 sessions with 2,136 in attendance and the teen portion had 22 sessions with 655 in attendance.

Captain Waugh gave a presentation on beginning a La Vista Youth Leadership Council.

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B. AMEND SECTIONS 31.21, 133.01 AND 92.15 OF THE LA VISTA MUNICIPAL CODE

1. ORDINANCE – AMEND SECTION 31.21 CITY TREASURER

Councilmember Quick introduced Ordinance No. 1255 entitled; AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 31.21 REGARDING CITY TREASURER DUTIES; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Hale. The Mayor then stated the question, "Shall Ordinance No. 1255 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 133.01 STAGNANT WATERS, WEEDS, AND LITTER

Councilmember Quick introduced Ordinance No. 1256 entitled; AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 133.01 REGARDING NUISANCES DEFINITIONS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Hale. The Mayor then stated the question, "Shall Ordinance No. 1256 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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.

3. ORDINANCE – AMEND SECTION 92.15 DEFINITIONS

Councilmember Quick introduced Ordinance No. 1257 entitled; AN ORDINANCE OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA TO AMEND MUNICIPAL CODE SECTION 92.15 (B) (14) REGARDING NUISANCES DEFINITIONS; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; AND TO PROVIDE FOR SEVERABILITY AND AN EFFECTIVE DATE HEREOF.

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Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Hale seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 Sell moved for final passage of the ordinance which motion was seconded by Councilmember Hale. The Mayor then stated the question, "Shall Ordinance No. 1257 be passed and adopted?" Upon roll call vote the following Councilmember voted aye Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. 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 – AMEND CITY PERSONNEL POLICY AND PROCEDURES MANUAL

Councilmember Quick introduced and moved for the adoption of Resolution No.15-083; A RESOLUTION OF THE MAYOR AND COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AMENDING SECTION IX OF THE CITY PERSONNEL POLICY AND PROCEDURES MANUAL REGARDING DISCIPLINARY ACTIONS AND PROCEEDINGS.

WHEREAS, the Mayor and Council of the City of La Vista, Nebraska, have determined that a need exists to revise and update Section IX of the City Personnel Policy and Procedures Manual; and

WHEREAS, the needed revisions and updating include updating a job title from "Human Resources Assistant" to "Human Resources Manager," deleting obsolete references to members of the former volunteer fire department, revising and restating certain of the disciplinary offenses listed in section 9.1, and amending Section 9.8 to include in the City's rules and regulations the Nebraska Revised Statute § 13-3005 statutory rights of police officers in disciplinary proceedings; and

WHEREAS, it is the desire of the City Council to amend and so revise and update Section IX of the City Personnel Policy and Procedures Manual.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the existing La Vista Personnel Policy and Procedures Manual adopted on December 20, 2005, is hereby amended to reflect the proposed changes to Section IX as submitted at the City Council meeting.

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

D. RESOLUTION – AUTHORIZATION TO PURCHASE UPDATE FOR LIBRARY MATERIALS DETECTION SYSTEM

Councilmember Thomas introduced and moved for the adoption of Resolution No.15-084; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE AND INSTALLATION OF AN UPDATE TO THE LIBRARY'S DETECTION SYSTEM FROM 3M IN AN AMOUNT NOT TO EXCEED \$34,296.

WHEREAS, the City Council of the City of La Vista has determined that the purchase and installation of an update to the library's detection system is necessary, and

WHEREAS, the FY15 Capital Fund budget provides funding for the purchase of said update, and

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WHEREAS, 3M has expertise in the detection system field nationwide and has been responsive dealing with the aged system's maintenance, and

WHEREAS, the update will work with the existing security tape in all library materials eliminating the need to replace strips in 60,000+ library sources, 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 and installation of an update to the library's detection system from 3M in an amount not to exceed \$34,296.

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

E. RESOLUTION - AUTHORIZE REQUEST FOR PROPOSALS - ENGINEERING SERVICES - CITY PARKING DISTRICT ACCESS IMPROVEMENTS

Councilmember Hale introduced and moved for the adoption of Resolution No.15-085; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE REQUEST FOR PROPOSALS FOR ENGINEERING SERVICES FOR THE CITY PARKING DISTRICT ACCESS IMPROVEMENTS

WHEREAS, the Mayor and Council have determined that requesting proposals for engineering services for the City Parking District access improvements is necessary, and

WHEREAS, the FY 15 Debt Service Fund provides funding for this service; and

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council hereby authorize the request for proposals for engineering services for the City Parking District access improvements.

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

F. RESOLUTION - 66TH STREET REHABILITATION - INTERLOCAL AGREEMENT

Councilmember Thomas introduced and moved for the adoption of Resolution No.15-086; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE PAPIO-MISSOURI RIVER NATURAL RESOURCES DISTRICT AND SARPY COUNTY FOR THE UNDERTAKING OF EFFORTS REQUIRED TO REHABILITATE 66TH STREET FOR AN INTERIM PERIOD.

WHEREAS, the provisions of Nebraska State Statutes Sections 13-801, et. seq., provide authority for the City of La Vista to join with other governmental agencies on a basis of mutual advantage and in a manner that will accord best with geographic, economic, population and other factors by signing an Interlocal Cooperation Agreement; and,

WHEREAS, the City of La Vista desires to rehabilitate 66th Street for an interim period until the permanent reconstruction takes place in the future, and this area is located in the City of La Vista, and;

WHEREAS, the Papio-Missouri River NRD is agreeing to provide \$712,000. Toward the design and construction elements of the Thompson Creek Watershed Restoration project, and;

WHEREAS, the FY 15 and proposed FY 16 Capital Fund Budgets contain yearly allocations for the rehabilitation of 66th Street, and;

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WHEREAS, the participants agree that this Interlocal Cooperation Agreement in no manner expands or restricts the authority otherwise granted to them by law; and

WHEREAS, such an agreement is in the best interests of the citizens of the City of La Vista.

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby approves and authorizes the execution of an Interlocal Cooperation with the Papio-Missouri River Natural Resources District and Sarpy County for the undertaking of efforts required to rehabilitate 66th Street for an interim period in form and content approved by the City Attorney

Seconded by Councilmember Quick. Discussion was held regarding the 50% reimbursement in Section 12 of the agreement. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

G. RESOLUTION – AWARD BID – TENNIS COURT RESURFACING

Councilmember Hale introduced and moved for the adoption of Resolution No.15-087; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT FOR THE CENTRAL PARK TENNIS COURT RESURFACING TO PRO TRACK AND TENNIS INCORPORATED, BENNINGTON NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$14,246.00

WHEREAS, the City Council of the City of La Vista has determined that resurfacing of the Central Park Tennis Courts is necessary; and

WHEREAS, the FY15 Parks Maintenance Budget provides funding for this project; and

WHEREAS, Bids were received from two contractors, and

WHEREAS Pro Track Tennis Inc., Bennington, NE, has submitted the low, qualified bid, and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska award a contract to Pro Track Tennis Inc., Bennington, NE for resurfacing of the Central Park Tennis Courts, in an amount not to exceed \$14,246.00 and authorize the Director of Public Works to execute such contract.

Seconded by Councilmember Thomas. Discussion was held regarding the life of the surface and replacement schedule. Councilmembers voting aye: Frederick, 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 ahead of Item H Executive Session. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

There were no comments from the floor.

H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL

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At 8:22 p.m. Councilmember Crawford made a motion to go into executive for protection of the public interest for contract negotiations and for protection of an individual to discuss personnel. Seconded by Councilmember Hale. Councilmembers voting aye: Frederick, 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 9:17 p.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: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

I. POSSIBLE RESOLUTION – PERSONNEL DECISION

Councilmember Hale introduced and moved for the adoption of Resolution No.15-088; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A PERSONNEL DECISION OF THE CITY ADMINISTRATOR.

WHEREAS, pursuant to §37.13 (C)(5)(c) of the Municipal Code of the City of La Vista and Article V, §5.3 (E)(3) of the Rules and Regulations of the Civil Service Commission of the City of La Vista, the City Council has reviewed and approved the decision of the City Administrator regarding certain personnel matters.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the decision of the City Administrator that Police Officer Geralyn Brandt be suspended without pay for 80 hours and put on a performance improvement program to be designed or approved by the Chief of Police.

Seconded by Councilmember Thomas. Discussion was held regarding the life of the surface and replacement schedule. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig thanked all the Councilmembers for their help filling in for events and meetings for him.

At 9:19 p.m. Councilmember Hale made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Frederick, Ronan, Sheehan, Thomas, Crawford, Quick, Hale and Sell. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF JULY, 2015

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



CITY OF LA VISTA
8116 PARK VIEW BOULEVARD
LA VISTA, NE 68128
P: (402) 331-4343

 COPY

A-3

PLANNING COMMISSION MINUTES
JUNE 18TH, 2015-7:00 P.M.

The City of La Vista Planning Commission held a meeting on Thursday, June 18th, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman John Gahan called the meeting to order at 7:00 p.m. with the following members present: Mike Krzywicki, Gayle Malmquist, John Gahan, Kevin Wetuski, Tom Miller, Jason Dale, Harold Sargus, Kathleen Alexander and Jackie Hill. Members absent were: Mike Circo. Also in attendance were Christopher Solberg, City Planner; Ann Birch, Community Development Director; Meghan Engberg, Permit Technician; Court Barber, Intern; and John Kottmann, City Engineer.

Legal notice of the public meeting and hearing were posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order

The meeting was called to order by Chairman Gahan at 7:00 p.m. Copies of the agenda and staff reports were made available to the public. Gahan mentioned that due to the absence of a regular member, the alternate will be a voting member for the meeting.

2. Approval of Meeting Minutes – May 28, 2015

Malmquist moved, seconded by Hill to approve the May 28 minutes with corrections. **Ayes:** Krzywicki, Malmquist, Gahan, Wetuski, Sargus, Miller, Hill, Dale. **Nays:** None. **Abstain:** Alexander. **Absent:** Circo. **Motion Carried.** (8-1-0)

3. Old Business

A. Public Hearing for Amendment to Section 7.11 of the Zoning Ordinance-Wireless Communication Towers

- i. **Staff Report:** Solberg states that amendments are not ready for review at this time and recommends a continuation of the public hearing to the July 16th meeting.
- ii. **Public Hearing:** Continued from May 28th meeting.
- iii. **Recommendation:** Malmquist moved, seconded by Hill to recommend continue the public hearing to the next meeting. **Ayes:** Krzywicki, Malmquist, Gahan, Wetuski, Sargus, Miller, Hill, Dale, Alexander. **Nays:** None. **Abstain:** None. **Absent:** Circo. **Motion Carried.** (9-0)

4. New Business

A. Public Hearing for Conditional Use Permit – Mobility Motoring

- i. **Staff Report:** Solberg stated that Mobility Motoring is requesting a conditional use to operate a business that makes mobility modifications to vehicles, a use that coincides with the definition of “service station with minor automobile repair services”, a conditional use within the C-2 General Commercial zoning district. Staff recommends approval of the Conditional Use Permit request, contingent on striping of three additional parking spaces on the south side of the building, as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.
- ii. **Public Hearing Opened:** Malmquist moved, seconded by Krzywicki to open the public hearing. **Ayes: Krzywicki, Malmquist, Gahan, Wetuski, Sargus, Miller, Hill, Alexander and Dale. Nays: None. Abstain: None. Absent: Circo. Motion Carried. (9-0)**

Kent Sullivan from Mobility Motoring LLC said that they are asking for the permit so they can not only sell the adaptability equipment, but also to install and do repairs there as well.

Sargus asked if anything has changed since the last meeting when the rezoning was discussed.

Sullivan said no, except for the rezoning being approved by City Council.

Hill asked how many stalls will be inside the building.

Sullivan said that there are currently none, but looking at installing 2.

Krzywicki noted that the conditional use permit states that all vehicles must be stored overnight and asked if that meant they will only have 2 vehicles stored at a time.

Sullivan said that due to the square footage of the building, they will be able to store all vehicles indoors.

Public Hearing Closed: Miller moved, seconded by Hill to close the public hearing. **Ayes: Krzywicki, Malmquist, Gahan, Wetuski, Sargus, Miller, Hill, Alexander, and Dale. Nays: None. Abstain: None. Absent: Circo. Motion Carried. (9-0)**

- iii. **Recommendation:** Krzywicki moved, seconded by Malmquist to recommend approving the Conditional Use Permit contingent on the striping of the parking spaces, as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance. **Ayes: Krzywicki, Malmquist, Gahan, Wetuski, Sargus, Miller, Hill, Alexander, and Dale. Nays: None. Abstain: None. Absent: Circo. Motion Carried. (9-0)**

B. Planning Commission Training

- i. **Presentation- Ann Birch**

Ann Birch gave the Planning Commission a training presentation.

5. Comments from the Floor

None.

6. Comments from Planning Commission

Alexander mentioned that someone mentioned the apartment complex on 96th and Harrison and said that it there was trash all over and car windows were getting smashed out. She wanted to know if that is something that we are supposed to take care of or if it is out of our hands since the buildings are complete.

Solberg said that they do have a conditional use permit that they are supposed to abide by. However, Code Enforcement needs to be contacted first and as a last resort then the conditional use permit can be threatened to be revoked.

Alexander said that the person she spoke to said that the manager doesn't seem to be there a lot.

Solberg said that he was not sure if that was in their CUP or not and would need to be looked into. The City has not received a formal complaint and nothing can be done until that happens.

7. Comments from Staff

Solberg mentioned that he and Ann Birch will not be at the July 16th meeting, but that Chief Building Official Jeff Sinnett will be there in his place.

Solberg mentioned that the Taste of La Vista event is scheduled for the last weekend in June. He said that this a visioning event for the Comprehensive Plan and that there will be beer and pizza vendors as well. He also mentioned that the advisory board would be meeting on June 29th.

8. Adjournment

Reviewed by Planning Commission:

Planning Commission Secretary

Planning Commission Chairperson

Approval Date

\\\\Lvdcfp01\\Users\\Community Development\\Planning Department\\Planning Commission\\Minutes\\2015\\5-28-2015PC Minutes - Draft.Docx

A-4

City of La Vista
Park & Recreation Advisory Committee Minutes
May 20, 2015

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on May 20, 2015. Present was Asst. Recreation Director David Karlson, Program Coordinators Ryan South and Rich Carstensen and Golf Course Services Manager Denny Dinan. Advisory Board Members presents were Chairperson Pat Lodes, Joe Juarez and Greg Johnson. Absent was Member Jeff Kupfer.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on May 13, 2015. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

CALL TO ORDER

Asst. Director Karlson called the meeting to order.

Karlson led the audience in the Pledge of Allegiance.

Karlson made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

A. CONSENT AGENDA

Asst. Director Karlson asked for a motion to approve the Consent Agenda. Motion made by Member Juarez. Seconded by Member Johnson. Motion carried.

REPORTS FROM RECREATION DIRECTOR AND STAFF

Assistant Director David Karlson reported on special events that were held in the month of April. On April 1st, Ms. Jennifer joined me in hosting the first ever Box Car Drive-In Movie. 18 kids ages 4 through 8 decorated cardboard boxes to look like cars, complete with windshields, headlights, spinning wheels and creative paint jobs. We then formed a long line and drove them through the Metro Community College lobby honking and waving at the college students as we went. As we entered the Library, we turned off the motors so we could drive quietly through to the multi-purpose room. We then parked the cars in several lines in front of the movie screen to watch "Cars" of course!

Preschool Play-Time Craft Day was on April 2nd. We had 26 preschoolers and parents dye Easter eggs with Kool-Aid.

Saturday, April 4th was the annual Easter Egg Hunt and Food Drive. The event has steadily grown over the years, and we had many volunteers this year including Werner Enterprises (15), Sam's Club (18), and Cub Scout Troop 485 (16). Martial Arts International donated 5,000 eggs, and La Vista Community Foundation donated \$1,500 plus had several volunteers. La Vista Public Works and La Vista Police Dept. helped get everyone in and out of the parking lot safely. Thank you to all that helped!! Finally, all the egg hunters donated over 2 ½ truckloads of canned goods and \$250 cash to the Tri-City Pantry.

Discover Series Home School program met on April 9th. 22 kids grades kdg. through 4th grade designed, created and ran through an obstacle course they set up in the gym. We also met on April 16th & 23rd for the last science program of the year, Discover Oceans. 18 kids participated and learned about the creation and life around the ocean's coral reefs.

On April 18th, 26 of our Community Gardeners were able to attend a seminar at the La Vista Library where three Master Gardeners from the Nebraska Community Extension Office answered questions on gardening.

La Vista's annual Arbor Day celebration took place on April 23rd. 46 preschoolers along with 34 parents, grandparents, plus City employees listened to La Vista Police Officer Jamie Brown read the book "Maple" followed by the kids taking turns with their new green and pink shovels putting dirt into the new tree on the south lawn of City Hall. Back at the Community Center, the kids participated in a leaf rubbing craft and playtime in the gym. Each were given a colorful bucket with bubbles, cookies, gummy worms and a shovel with a live tree sapling and wild flower seeds for them to plant at home.

Program Coordinator Carstensen reported on activities for the Senior Center. We play Chair Volleyball every Monday, Wednesday and Friday morning at 10:30 a.m. Bingo is every Monday and Friday after lunch. Wednesday mornings we also play Wii bowling, and have drop-in quilting and sewing (for beginners or seasoned sewers!) Bring a project in to work on, or if you need help the girls will show you how! Monday and Thursday we have Tai Chi.

On May 6th Hillbilly Hal from Merry Makers performed for about 35 seniors. May 8th, 14 seniors went to Lauritzen Gardens for Mother's Day. May 14th was supposed to be the Spring Fling Potluck Picnic at Central Park. However, due to the weather, it was moved inside to the Community Center. Mayor Kindig attended along with ten of our La Vista police officers.

May 15th the La Vista Senior Scrappers walking group finished their walking challenge, but sadly lost to the Papillion Strollers. They took the early lead and kept it throughout. The La Vista Scrappers will be treating the Papillion Strollers to a luncheon!

Sadly, the La Vista Kite Fly was cancelled due to the weather. However, there were still some flyers out there that had a great time! The next fly is scheduled on October 11th.

Also, the "Salute to Summer" is coming up, and on Thursday, May 21st Hot Wheels Races will be held, with registrations at 7:00 p.m. and races beginning at 7:15 p.m.

Program Coordinator South reported on current sport activities for adult and youth. Adult Softball teams are in week 7 of a 14 week season. Due to rainouts, the season will be extended slightly.

La Vista 4/5 Youth Soccer Academy and 6/7 Youth Soccer League will end their season on May 19th. Due to rainouts, the season will be extended slightly. 3 Year Old Soccer Clinic ended their season on April 30th. We will offer the soccer clinic again in the fall and as always, and we thank Pat Lodes and his family members for volunteering their time to run the program.

Spring Flag Football League is in week 6 of an 8 week season. They are scheduled to finish up on June 6th.

Youth Baseball started their regular season games on May 2nd. Their season will run through the end of June with tournament play beginning on June 22nd. Youth Softball for ages 7-18 is in week 3 of an 8 week season. Their games are held on Fridays and Saturdays. Their regular season will run through June 20th with tournament games beginning on June 22nd. Youth Coed T-Ball for ages 5 & 6 will begin practicing May 26th and games will start in June. We are currently forming teams. T-ball will be played in-house with games held on Saturdays at La Vista City Park.

For the Fall season, these registration are now open: Fall Adult Softball opened May 18th and will run through August 8th. Games will tentatively begin on August 23rd. Flag Football, Tackle Football, Cheerleading, 3 Year Old Soccer Clinic, 4/5 Soccer Academy and 6/7 Soccer League and Coed Youth Volleyball are now all open.

Golf Course Services Manager Dinan reported on the La Vista Falls Golf Course for April, 2015:

April 2015 rounds = 1,384 (+132 rounds from March 2014)

April 2014 rounds = 1,252

Fiscal year 2014/15 rounds through April = 4,951 (+1,093 rounds from fiscal year 13/14)

Fiscal year 2013/14 rounds through March = 3,858

April 1st began as a beautiful, warm, breezy, sunny, 85 degree day. From then on we did not see another day in the 80's, and the rain and winds started. Twenty days in April were either wet, rainy, windy, or a combination of all of those. Not a great month as far as weather goes but we did exceed last April by 132 rounds.

The FootGolf "KickOff" was held on May 8th. The Mayor addressed the crowd before we let them on the course. It was a great turnout with 120 rounds of Footgolf played and many more people who just came down to check it out but didn't play. We had kids from approximately 5 yrs. old along with people in their 60's trying it out. We gave away free hot dogs, popcorn and pop during the kickoff. Special thanks goes out to the entire Recreation Dept, as well as many others, for their help with this event. It was a huge success!!

Since the FootGolf Kickoff, we have had 36 rounds of FootGolf play, the majority (29 rounds) coming on Sunday, May 10 when there was decent weather.

2015 Golf Leagues include:

Monday Mixed League: Dinan/Knowlton	- 12 golfers
Tuesday AM ladies: MOQ Seniors	- 40 "
Tuesday Omaha Sports Club	- 16 "
Tuesday PM La Vista Men	- 28 "
Wednesday PM Senior Ladies	- 8 "
Wednesday PM La Vista Women	- 31 "
Thursday AM Shriners	- 8 "
Thursday PM Men: Dinan/Knowlton	- 12 "
Thursday PM Wonder Women	- 16 "
Thursday PM St Gerald Women	- 10 "
Friday AM Men's Joe Johnson	- 28 "

Outings/Events Scheduled:

April 25: Poop Deck golf outing: 24 golfers = Rained Out

May 17: High School Graduation Party in the clubhouse: 4 hr. rental

May 22: Salute to Summer fireworks

May 23: Salute to Summer "GlowBall" = 60 golfers

May 24: Omaha FC; FootGolf outing = 20 FootGolfers

May 27: FootGolf Outing=18 FootGolfers

May 31: Czech Club golf outing = 20 golfers

May 31: FootGolf Outing = 20-25 FootGolfers

May 31: Lewis Central H.S. FootGolf Outing = 25-30

June 7: Darby's golf outing = 28 golfers

June 7: Bell FootGolf party = 10 FootGolfers

June 13: First Baptist Church = 20 golfers playing 18 holes

COMMENTS FROM THE FLOOR

None.

COMMENTS FROM COMMITTEE MEMBERS

Chairperson Lodes asked Dinan how the "flow" of the FootGolf seemed to be going. Dinan said the flow was steady, with no one taking more than 1 ½ hours to play 9 holes.

Asst. Director Karlson asked for a motion to adjourn. Member Juarez motioned for adjournment. Seconded by Chairperson Lodes. Motion carried. Adjourned at 7:30 p.m.

A-5

INVOICE



Thompson, Dreessen & Dorner, Inc.
Consulting Engineers & Land Surveyors

Please remit to:
TD2 Nebraska Office
10836 Old Mill Road; Omaha, NE 68154
Office: 402/330-8860 Fax: 402/330-5866

TD2 South Dakota Office
5000 S. Minnesota Ave., Ste. 300; Sioux Falls, SD 57108
Office: 605/951-0886

CITY OF LA VISTA
JOHN KOTTMANN
8116 PARKVIEW BOULEVARD
LA VISTA, NE 68128

Invoice number 110419
Date 06/29/2015
Project 0171-410 124TH CIRCLE AND
HARRISON STREET TRAFFIC SIGNAL

Professional Services from April 13, 2015 through May 24, 2015

PO #15-0092

Description	Current Billed
Construction Staking	0.00
Topographic Survey	0.00
Engineering Services During Construction	574.60
Total	574.60

Invoice total 574.60

Aging Summary

Invoice Number	Invoice Date	Outstanding	Current	Over 30	Over 60	Over 90	Over 120
110419	06/29/2015	574.60	574.60				
	Total	574.60	574.60	0.00	0.00	0.00	0.00

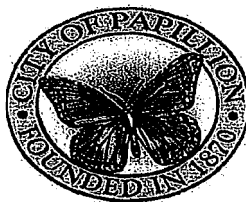
Terms Net 30 Days. A Finance Charge of 1 1/2% Per Month (18% per Annum) Will Be Charged on Past Due Accounts. Also Liable for all Legal and Collection Fees.

O.K. to pay
05.71.0879.03
JMK
7/2/2015

Consent Agenda 7/21/15 jpb 7/6/15

A-6

CITY OF PAPILLION
122 E 3rd St.



INVOICE

Papillion NE 68046
Phone: 402-597-2024 Fax: 402-827-6614

Date	Number	Page
07/06/2015	2009019	1

Bill To: City of La Vista
9900 Portal Rd
La Vista NE 68128

Customer No. 344

Contact:

Terms: Due Upon Receipt

Quantity	Description	Unit Price	Net Amount
1.0000	Salt Storage Facility - 45% Cost Share 05.71.0890.3	155465.0700	155,465.07
1.0000	Fuel Island - FY 2014/2015 Cost Share 05.71.0889.3	88534.9300	88,534.93
Thank you!		Amount	244,000.00
		Freight	
		Balance Due	<u><u>244,000.00</u></u>

Consent Agenda 7/21/15 (pl)

A-7

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

1 Bank of Nebraska (600-873)						
Payroll Checks						
46398						
Thru 46399						
Gap in Checks						
46400						
Thru 118339						
118340	7/08/2015	239 ASSURANT EMPLOYEE BENEFITS	1,211.65			**MANUAL**
118341	7/08/2015	1270 PREMIER-MIDWEST BEVERAGE CO	234.10			**MANUAL**
118342	7/08/2015	1194 QUALITY BRANDS OF OMAHA	451.85			**MANUAL**
118343	7/08/2015	143 THOMPSON DREESSEN & DORNER	6,981.06			**MANUAL**
118344	7/08/2015	147 CHRIS MADDEN	2,053.32			**MANUAL**
118345	7/08/2015	303 TIJ CONSTRUCTION LLC	5,030.10			**MANUAL**
118346	7/08/2015	3739 FELSBERG HOLT & ULLEVIG	352.50			**MANUAL**
118347	7/08/2015	766 VIERREGGER ELECTRIC COMPANY	18,053.25			**MANUAL**
118348	7/08/2015	2705 ANDERSON EXCAVATING COMPANY	63,000.00			**MANUAL**
118349	7/15/2015	3702 LAUGHLIN, KATHLEEN A, TRUSTEE	116.00			**MANUAL**
118350	7/15/2015	4867 VAN RU CREDIT CORPORATION	46.29			**MANUAL**
118351	7/21/2015	4354 A-RELIEF SERVICES INC	225.00			
118352	7/21/2015	3983 ABE'S PORTABLES INC	660.71			
118353	7/21/2015	4332 ACCO UNLIMITED CORP	584.57			
118354	7/21/2015	762 ACTION BATTERIES UNLTD INC	106.50			
118355	7/21/2015	268 AKSARBEN HEATING/ARS	403.00			
118356	7/21/2015	571 ALAMAR UNIFORMS	279.99			
118357	7/21/2015	188 ASPHALT & CONCRETE MATERIALS	710.21			
118358	7/21/2015	201 BAKER & TAYLOR BOOKS	16.96			
118359	7/21/2015	2554 BARCAL, ROSE	158.78			
118360	7/21/2015	3965 BEAUMONT, MITCH	162.00			
118361	7/21/2015	4781 BISHOP BUSINESS EQUIPMENT	.00	**CLEARED**	**VOIDED**	
118362	7/21/2015	4781 BISHOP BUSINESS EQUIPMENT	2,236.86			
118363	7/21/2015	196 BLACK HILLS ENERGY	.00	**CLEARED**	**VOIDED**	
118364	7/21/2015	196 BLACK HILLS ENERGY	1,940.24			
118365	7/21/2015	1242 BRENTWOOD AUTO WASH	42.00			
118366	7/21/2015	36 BRYAN HILL ENTERTAINMENT	375.00			
118367	7/21/2015	76 BUILDERS SUPPLY CO INC	7.00			
118368	7/21/2015	293 BRIAN BURKE	23.00			
118369	7/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
118370	7/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
118371	7/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
118372	7/21/2015	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED**	**VOIDED**	
118373	7/21/2015	2625 CARDMEMBER SERVICE-ELAN	11,942.98			
118374	7/21/2015	280 CBM FOOD SERVICE	76.50			
118375	7/21/2015	219 CENTURY LINK	.00	**CLEARED**	**VOIDED**	
118376	7/21/2015	219 CENTURY LINK	.00	**CLEARED**	**VOIDED**	
118377	7/21/2015	219 CENTURY LINK	1,419.39			
118378	7/21/2015	2540 CENTURY LINK BUSN SVCS	58.64			
118379	7/21/2015	4929 CNA SURETY	1,135.50			
118380	7/21/2015	3176 COMP CHOICE INC	150.00			
118381	7/21/2015	468 CONTROL MASTERS INCORPORATED	2,141.00			
118382	7/21/2015	43 CORNHUSKER STATE INDUSTRIES	76.46			

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
118383	7/21/2015	2158 COX COMMUNICATIONS	143.00			
118384	7/21/2015	287 JOSHUA T DANDERAND	800.00			
118385	7/21/2015	846 DATA TECHNOLOGIES INC	667.20			
118386	7/21/2015	4981 DATASHIELD CORPORATION	6.85			
118387	7/21/2015	77 DIAMOND VOGEL PAINTS	1,015.96			
118388	7/21/2015	3334 EDGEWEAR SCREEN PRINTING	460.00			
118389	7/21/2015	4663 EN POINTE TECHNOLOGIES SALES	309.32			
118390	7/21/2015	1245 FILTER CARE	72.05			
118391	7/21/2015	142 FITZGERALD SCHORR BARMETTLER	28,612.00			
118392	7/21/2015	3415 FOCUS PRINTING	3,058.45			
118393	7/21/2015	4913 FONTENELLE FOREST	120.00			
118394	7/21/2015	1344 GALE	47.23			
118395	7/21/2015	53 GCR TIRES & SERVICE	389.64			
118396	7/21/2015	3656 GENERAL FIRE & SAFETY EQUIP CO	212.00			
118397	7/21/2015	966 GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
118398	7/21/2015	966 GENUINE PARTS COMPANY-OMAHA	1,098.36			
118399	7/21/2015	35 GOLDMAN, JOHN G	23.00			
118400	7/21/2015	252 JENNIFER GOSS	13.54			
118401	7/21/2015	285 GRAYBAR ELECTRIC COMPANY INC	418.49			
118402	7/21/2015	71 GREENKEEPER COMPANY INC	1,086.25			
118403	7/21/2015	1624 GUNN, BRENDA	655.20			
118404	7/21/2015	426 HANEY SHOE STORE	150.00			
118405	7/21/2015	3681 HEARTLAND TIRES AND TREADS	1,221.00			
118406	7/21/2015	251 CHRISTINE HOIT	460.00			
118407	7/21/2015	2888 HOME DEPOT CREDIT SERVICES	1,039.52			
118408	7/21/2015	4151 HUNDEN STRATEGIC PARTNERS	9,805.00			
118409	7/21/2015	1612 HY-VEE INC	56.00			
118410	7/21/2015	4736 IDENTISYS INCORPORATED	118.78			
118411	7/21/2015	2323 INGRAM LIBRARY SERVICES	618.94			
118412	7/21/2015	835 IVERSON, DENNIS	23.00			
118413	7/21/2015	1896 J Q OFFICE EQUIPMENT INC	101.30			
118414	7/21/2015	4291 J A HEIM FARMS	4,941.50			
118415	7/21/2015	379 JOHNSON HARDWARE COMPANY	22.36			
118416	7/21/2015	788 KINDIG, DOUGLAS	69.78			
118417	7/21/2015	107 KONA-ICE OF WEST OMAHA	800.00			
118418	7/21/2015	274 KOSISKI AUTO PARTS INC	95.00			
118419	7/21/2015	2394 KRIHA FLUID POWER CO INC	77.20			
118420	7/21/2015	84 LARRY'S BOILER SERVICE	152.00			
118421	7/21/2015	4063 LAW ENFORCEMENT SUPPLY INC	180.15			
118422	7/21/2015	4784 LIBRARY IDEAS LLC	18.00			
118423	7/21/2015	4516 LOGO LOGIX EMBROIDERY & SCREEN	164.00			
118424	7/21/2015	2664 LOU'S SPORTING GOODS	58.00			
118425	7/21/2015	263 LOVELAND GRASS PAD	26.32			
118426	7/21/2015	4560 LOWE'S CREDIT SERVICES	94.96			
118427	7/21/2015	3307 MAACO	459.85			
118428	7/21/2015	299 MAMA'S PIZZA	459.00			
118429	7/21/2015	4361 MASTER MECHANICAL SERVICE INC	941.03			
118430	7/21/2015	877 MATHESON TRI-GAS INC	13.04			
118431	7/21/2015	193 CATHERINE DEMES MAYDEW	975.00			
118432	7/21/2015	4943 MENARDS-RALSTON	195.59			
118433	7/21/2015	872 METROPOLITAN COMMUNITY COLLEGE	20,687.92			
118434	7/21/2015	553 METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
118435	7/21/2015	553 METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
118436	7/21/2015	553 METROPOLITAN UTILITIES DIST.	4,020.31			
118437	7/21/2015	98 MICHAEL TODD AND COMPANY INC	69.00			
118438	7/21/2015	184 MID CON SYSTEMS INCORPORATED	796.72			
118439	7/21/2015	4703 NEBRASKA ENVIRONMENTAL PRODS	1,603.00			
118440	7/21/2015	179 NUTS AND BOLTS INCORPORATED	20.32			
118441	7/21/2015	1831 O'REILLY AUTOMOTIVE STORES INC	352.42			
118442	7/21/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118443	7/21/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118444	7/21/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118445	7/21/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118446	7/21/2015	1014 OFFICE DEPOT INC	.00	**CLEARED**	**VOIDED**	
118447	7/21/2015	1014 OFFICE DEPOT INC	993.83			
118448	7/21/2015	2799 OFFUTT YOUTH CENTER	864.00			
118449	7/21/2015	195 OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	
118450	7/21/2015	195 OMAHA PUBLIC POWER DISTRICT	.00	**CLEARED**	**VOIDED**	
118451	7/21/2015	195 OMAHA PUBLIC POWER DISTRICT	55,241.69			
118452	7/21/2015	46 OMAHA WORLD-HERALD	419.43			
118453	7/21/2015	4815 ONE CALL CONCEPTS INC	392.90			
118454	7/21/2015	3039 PAPIILLION SANITATION	1,647.96			
118455	7/21/2015	2686 PARAMOUNT LINEN & UNIFORM	322.96			
118456	7/21/2015	256 PARK YOUR PAWZ INC	200.00			
118457	7/21/2015	1769 PAYLESS OFFICE PRODUCTS INC	153.75			
118458	7/21/2015	709 PEPSI COLA COMPANY	217.20			
118459	7/21/2015	3058 PERFORMANCE CHRYSLER JEEP	208.43			
118460	7/21/2015	4037 PERFORMANCE FORD	245.61			
118461	7/21/2015	1784 PLAINS EQUIPMENT GROUP	2,169.20			
118462	7/21/2015	2552 PLUTA, DON	23.00			
118463	7/21/2015	3743 PROGRESSIVE BUSINESS	250.00			
118464	7/21/2015	172 Q P ACE HARDWARE	.00	**CLEARED**	**VOIDED**	
118465	7/21/2015	172 Q P ACE HARDWARE	.00	**CLEARED**	**VOIDED**	
118466	7/21/2015	172 Q P ACE HARDWARE	.00	**CLEARED**	**VOIDED**	
118467	7/21/2015	172 Q P ACE HARDWARE	.00	**CLEARED**	**VOIDED**	
118468	7/21/2015	172 Q P ACE HARDWARE	913.12			
118469	7/21/2015	58 RAINBOW GLASS & SUPPLY	29.95			
118470	7/21/2015	1121 RALSTON ADVERTISING	636.40			
118471	7/21/2015	191 READY MIXED CONCRETE COMPANY	677.84			
118472	7/21/2015	2930 REPUBLIC NATIONAL DISTR CO LLC	36.04			
118473	7/21/2015	4801 RICK NELSON PHOTOGRAPHY	1,200.00			
118474	7/21/2015	292 SAM'S CLUB	1,540.41			
118475	7/21/2015	487 SAPP BROS PETROLEUM INC	770.00			
118476	7/21/2015	1335 SARPY COUNTY CHAMBER OF	1,250.00			
118477	7/21/2015	150 SARPY COUNTY TREASURER	2,381.50			
118478	7/21/2015	3457 SCARPA, DAN	23.00			
118479	7/21/2015	4836 SEFFRON, RANDY	23.00			
118480	7/21/2015	395 SHAMROCK CONCRETE COMPANY	64.00			
118481	7/21/2015	4040 SHERRY, PAUL	23.00			
118482	7/21/2015	3502 SID DILLON COMMERCIAL/FLEET	115,556.00			
118483	7/21/2015	738 SIGN IT	671.70			
118484	7/21/2015	3838 SPRINT	642.20			
118485	7/21/2015	4864 STITCHIN' AUTO UPHOLSTERY	329.50			
118486	7/21/2015	4539 SWANK MOTION PICTURES INC	526.00			
118487	7/21/2015	264 TED'S MOWER SALES & SERVICE	32.13			
118488	7/21/2015	4231 TORNADO WASH LLC	430.00			

BANK NO CHECK NO	BANK NAME DATE	VENDOR NO VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
118489	7/21/2015	863 TROUT, DONNA L	160.00			
118490	7/21/2015	4935 UHE, ROBERT	23.00			
118491	7/21/2015	4979 UNITE PRIVATE NETWORKS LLC	3,850.00			
118492	7/21/2015	2455 UNITED RENT-ALL	466.40			
118493	7/21/2015	302 VALENTINO'S	529.61			
118494	7/21/2015	809 VERIZON WIRELESS	91.55			
118495	7/21/2015	809 VERIZON WIRELESS	180.29			
118496	7/21/2015	3150 WHITE CAP CONSTR SUPPLY/HDS	155.35			

APPROVED BY COUNCIL MEMBERS07/21/152025501
Thru 2043901

Payroll Checks

COUNCIL MEMBER

1260220	7/17/2015	5017 EFTPS (Federal Payroll Taxes)	71,629.01			**E-PAY**
1260221	7/17/2015	5018 STATE TAX WITHHOLDING	10,472.75			**E-PAY**
1260222	7/17/2015	5019 ICMA PAYROLL (Pension)	33,761.87			**E-PAY**
1260223	7/17/2015	5020 NE CHILD SUPPORT CENTER	966.08			**E-PAY**
1260224	7/17/2015	5023 LFOP DUES	1,300.00			**E-PAY**
1260225	7/17/2015	5024 POLICE INSURANCE	261.89			**E-PAY**
1260226	7/17/2015	5025 529 CSP (College Savings Plan)	50.00			**E-PAY**

BANK TOTAL	527,560.51
OUTSTANDING	527,560.51
CLEARED	.00
VOIDED	.00

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	381,377.30	381,377.30	.00	.00
02 SEWER FUND	19,884.04	19,884.04	.00	.00
05 CONSTRUCTION	104,052.68	104,052.68	.00	.00
08 LOTTERY FUND	13,580.32	13,580.32	.00	.00
09 GOLF COURSE FUND	6,841.51	6,841.51	.00	.00
15 OFF-STREET PARKING	1,824.66	1,824.66	.00	.00

REPORT TOTAL	527,560.51
OUTSTANDING	527,560.51
CLEARED	.00
VOIDED	.00

+ Gross Payroll 07/17/15	389,726.06
- PR ACH Payments 07/17/15	<u>111,441.60</u>
GRAND TOTAL	<u>\$798,844.97</u>

COUNCIL MEMBERCOUNCIL MEMBERCOUNCIL MEMBERCOUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 21, 2015 AGENDA**

Subject:	Type:	Submitted By:
CONDITIONAL USE PERMIT – MOBILITY MOTORING LOT 1, STONYBROOK SOUTH REPLAT II (W OF 142 ND & EDNA CIRCLE)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

SYNOPSIS

A public hearing has been scheduled for Council to consider an application for a Conditional Use Permit for Mobility Motoring to perform minor automotive repair on Lot 1, Stonybrook South Replat II, generally located west of 142nd and Edna Circle.

FISCAL IMPACT

N/A.

RECOMMENDATION

Approval.

BACKGROUND

A public hearing has been scheduled to consider an application submitted by Mobility Motoring ~~LLC~~ for a Conditional Use Permit to perform minor automobile repair on Lot 1, Stonybrook South Replat II. On June 16, 2015, the City Council approved a rezoning from C-1 to C-2 to allow for the conditional use permit application for the proposed use. The applicant proposes to lease part of an existing building and operate a business which makes mobility modifications to vehicles, a use which would be classified as a “service station with minor automobile repair services”, a conditional use in the C-2 General Commercial district.

A detailed staff report is attached.

The Planning Commission held a public hearing on June 18, 2015 and unanimously recommended approval of the Conditional Use Permit to City Council.

RESOLUTION NO. 15-_____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR MOBILITY MOTORING TO PERFORM MINOR AUTOMOTIVE REPAIR ON LOT 1, STONYBROOK SOUTH.

WHEREAS, Mobility Motoring has applied for a conditional use permit to perform minor automotive repair on Lot 1, Stonybrook South, located west of 142nd Street and Edna Circle; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Mobility Motoring to perform minor automotive repair on Lot 1, Stonybrook South, located in the NW ¼ of Section 13, Township 14 North, Range 12 East of the 6th P.M., Sarpy County, Nebraska, generally located west of 142nd Street and Edna Circle be, and hereby is, approved.

PASSED AND APPROVED THIS 21ST DAY OF JULY 2015.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk



**CITY OF LA VISTA
PLANNING DIVISION**

RECOMMENDATION REPORT

CASE NUMBER: 2015-CUP-04

FOR HEARING OF: July 21, 2015

Report Prepared on June 22, 2015

I. GENERAL INFORMATION

- A. APPLICANT:** Mobility Motoring
- B. PROPERTY OWNER:** Balance Point Properties LLC
- C. LOCATION:** 7222 S 142nd Street, West of South 142nd Street and Edna Circle
- D. LEGAL DESCRIPTION:** Lot 1, Stonybrook South Replat II
- E. REQUESTED ACTION(S):** Conditional Use Permit
- F. EXISTING ZONING AND LAND USE:**
C-2 General Commercial and Gateway Corridor District (Overlay District); multi-tenant commercial building.
- G. PROPOSED USES:** The Conditional Use Permit would allow for Mobility Motoring LLC to operate a business which makes mobility modifications to vehicles, a use that coincides with the definition of “service station with minor automobile repair services”, a conditional use within the C-2 General Commercial zoning district.
- H. SIZE OF SITE:** 3.47 acres

II. BACKGROUND INFORMATION

- A. EXISTING CONDITION OF SITE:** The lot contains an existing multi-tenant commercial building. The property is mostly flat with a gradual downgrade to the south.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
 - 1. **North:** Walker Tire; C-2 General Commercial District and Gateway Corridor District (Overlay District)
 - 2. **East:** Single family residential subdivision; R-1 Medium Density Residential District
 - 3. **South:** Heartland Center for Reproductive Medicine; C-1 Shopping Center Commercial District and Gateway Corridor District (Overlay District)

4. **West:** Willow Creek Apartments; R-3 High Density Residential and Gateway Corridor District (Overlay District)

C. RELEVANT CASE HISTORY:

1. The City Council held a public hearing on June 16, 2015, and approved of a Zoning Map Amendment to rezone the property from C-1 Shopping Center Commercial and Gateway Corridor District (Overlay District) to C-2 General Commercial and Gateway Corridor District (Overlay District).

D. APPLICABLE REGULATIONS:

1. Section 5.11 of the Zoning Regulations – C-2 General Commercial District
2. Section 5.17 of the Zoning Regulations – Gateway Corridor District (Overlay District)
3. Article 6 of the Zoning Regulations – Conditional Use Permits

III. ANALYSIS

- A. COMPREHENSIVE PLAN:** The Future Land Use Map of the Comprehensive Plan designates this property for commercial uses. The proposed commercial use is consistent with the Future Land Use Map.

- B. OTHER PLANS:** N/A

C. TRAFFIC AND ACCESS:

1. Access will be from existing egress / ingress to South 142nd Street. Traffic impacts from this tenant are expected to be minor.

- E. UTILITIES:** All utilities are available to the site.

- F. PARKING REQUIREMENTS:** Section 7.06 of the Zoning Ordinance requires three (3) spaces per repair stall for the automotive repair services use. The site plan provides for six spaces near the tenant's front entrance of the building. Additional space for parking is available along the south side (rear) of the building. At the time of Planning Commission review, staff recommended three additional spaces to be striped in the paved area on the south side will need to be painted prior to the execution of the Conditional Use Permit. The owner of the property has since delineated five stalls in this area with striping.

- G. LANDSCAPING:** N/A

IV. REVIEW COMMENTS:

1. The Conditional Use Permit would allow for Mobility Motoring LLC to operate a business which makes mobility modifications to vehicles, a use that coincides with the definition of "service station with minor

automobile repair services”, a conditional use within the C-2 General Commercial zoning district.

2. Stripes delineating three additional parking spaces in the paved area on the south side have been painted prior to the execution of the Conditional Use Permit.

V. PLANNING COMMISSION RECOMMENDATION:

The Planning Commission held a public hearing on June 18, 2015 and unanimously recommended approval of the Conditional Use Permit to City Council.

VI. STAFF RECOMMENDATION:

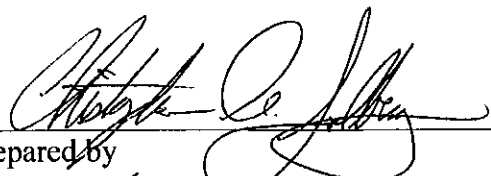

Staff recommends approval of the Conditional Use Permit request as the CUP request is consistent with the Comprehensive Plan and the Zoning Ordinance.

VII. ATTACHMENTS TO REPORT:

1. Vicinity Map
2. Letter from Applicant
3. Draft Conditional Use Permit

VIII. COPIES OF REPORT TO:

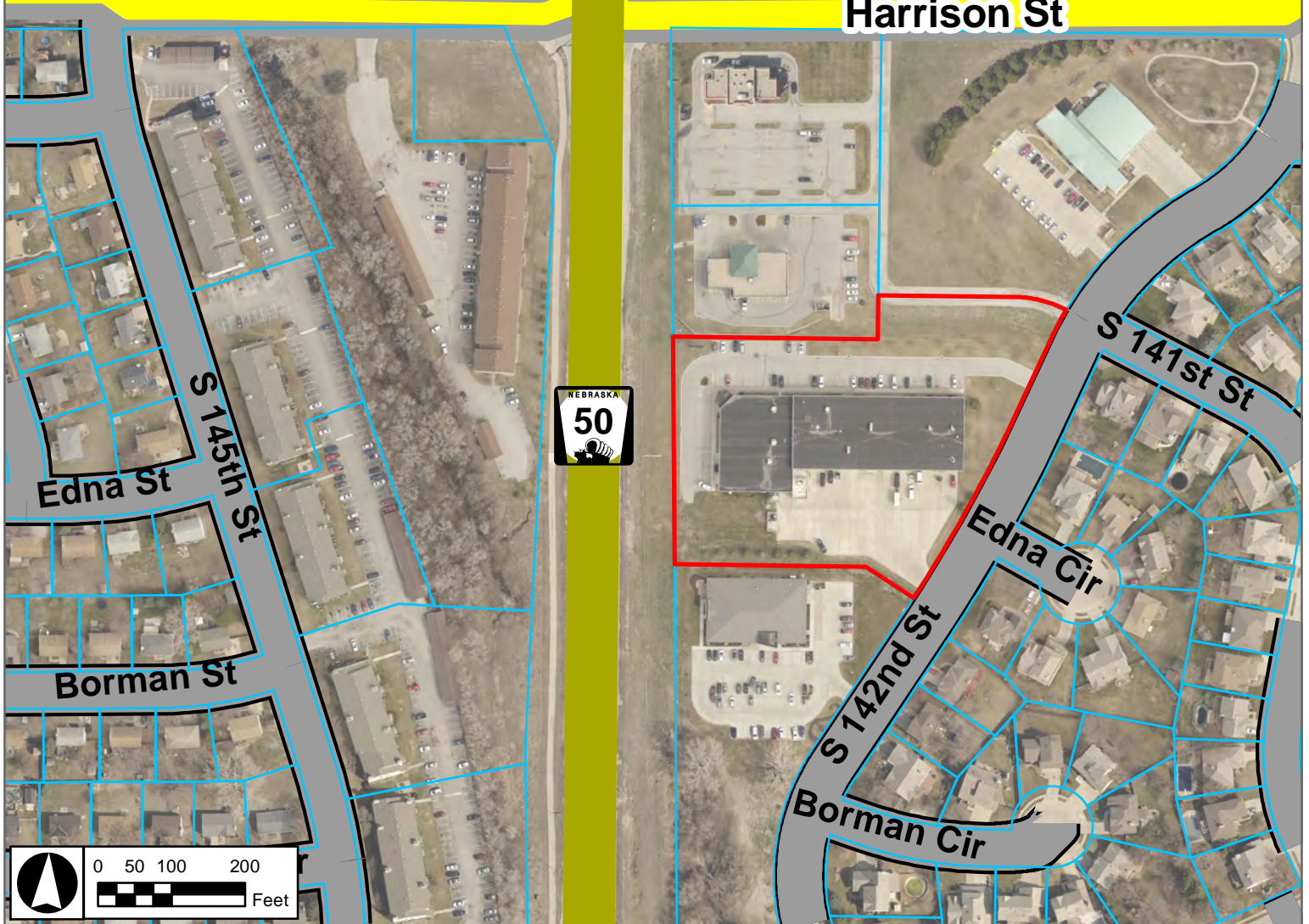
1. Kent Sullivan, Mobility Motoring, LLC
2. Mark Morris, Balance Point Properties, LLC
3. Public Upon Request


Prepared by _____

Community Development Director
7-1-15
Date

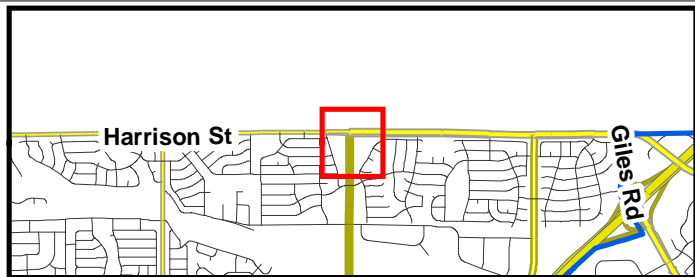


Harrison St

Harrison St



Project Vicinity Map



Mobility Motoring

5-8-2015
CSB



BALANCE POINT PROPERTIES, LLC

**1616 S 187th Circle
Omaha, NE 68130
402-672-0423**

5/6/2015

Chris Solberg - City Planner
City of La Vista - City Hall
8116 Park View Blvd
La Vista, NE 68128

RE: Conditional Use Permit Request for 7222 S 142nd Street La Vista, NE 68138

Dear Chris:

Balance Point Properties LLC is the property owner of 7222 South 142nd Street. There is 10,820 sq. ft. of space for lease within this building that is currently available. We are negotiating to lease this space to Mobility Motoring LLC who provides a vital service by selling, installing, and servicing wheelchair and handicap accessible vans and adaptive equipment products. We would be proud to have them as a neighboring business and as part of our community. www.mobilitymotoring.com

It is our understanding that our current C-1 commercial zoning may prevent Mobility Motoring from considering our space. Mobility Motoring views our space as beneficial to their business and has expressed an interest in receiving a conditional use permit.

We view this as good use of the space and do not feel it would be detrimental to our property or our highly valued surrounding neighbors and businesses. Please allow this letter to serve as our permission, endorsement and support of the efforts of Mobility Motoring LLC in their conditional use permit application on behalf of Balance Point Properties LLC.

Sincerely,

Mark Morris

Member Manager

City of La Vista

Conditional Use Permit

Conditional Use Permit for a Service Station with Minor Automobile Repair Service

This Conditional Use Permit issued this _____ day of _____, 2015, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Mobility Motoring, LLC ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to construct and operate a Service Station with Minor Automobile Repair Service upon the following described tract of land within the City of La Vista zoning jurisdiction:

Lot 1, Stonybrook South Replat II, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a Service Station with Minor Automobile Repair Service; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area designated on Exhibit "A" hereto for a Service Station with Minor Automobile Repair Service, said use hereinafter being referred to as "Permitted Use or Use".

Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
 - a. A site plan showing the property boundaries of the tract of land and easements, proposed structures and orientation, parking, access points, and drives is approved by the City and attached to the permit as "Exhibit A". Access will be from South 142nd Street.
 - b. Hours of operation for said Service Station with Minor Automobile Repair Service will be from 8:00 a.m. to 5:00 p.m. Monday through Saturday.
 - c. The owner will lease a 10,820 square foot space within an existing 39,843 square foot building.
 - d. Deliveries must correspond with store business hours and shall be restricted to off-peak traffic hours when reasonable.
 - e. The premises shall be maintained in accordance with the site plan (Exhibit A) as approved by the City and incorporated herein by this reference. Any modifications must be submitted to the Chief Building Official for approval.
 - f. There shall be no storage, placement or display of goods, supplies or any other material, substance, container or receptacle outside of the facility, except trash receptacles and those approved in writing

- by the City.
- g. There shall not be any outside storage of materials. All trash receptacles, benches and planters shall be placed on property and securely fastened to building or concrete.
 - h. Automobiles for sale that are on display outside of the structure are limited to five (5) automobiles at any one time. All automobiles available for sale shall be parked within the structure after regular business hours. Owner shall maintain a dealer license at all times while vehicles for sale are on the lot. No signage advertising the automobile sales shall be allowed, except for one window sign, provided that it meets Section 7.01.05 of the City of La Vista Zoning Ordinance.
 - i. Exterior lighting shall not be directed to adjacent properties nor have such intensity to detrimentally affect adjacent properties. Any additional lighting shall be approved by the City.
 - j. All permanent and temporary signs shall comply with the City's sign regulations.
 - k. Owner shall obtain all required permits from the City of La Vista and shall comply with any additional requirements as determined by the Chief Building Official, including, but not limited to, building, fire, and ADA.
 - l. The owner shall make annual inspections of the premises and structures, and the operation thereof for any hazard or risk, including, but not limited to, those of an environmental or safety nature. The owner shall take immediate action to protect persons, property and the environment from any damage, injury or loss, or risk thereof, arising out of or resulting from any hazard or risk on the premises and to abate any hazard or risk and remove it from the premises in accordance with any applicable laws, rules or regulations, as amended or in effect from time to time.
 - m. Owner shall comply (and shall ensure that all employees, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
 - n. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his agents, employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.
3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
- a. An annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
 - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
 - c. All obsolete or unused structures, accessory facilities or materials with an environmental or safety hazard shall be abated and/or removed at owner's expense within twelve (12) months of cessation of the conditional use.
4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as to a permitted use hereunder upon the first of the following to occur:
- a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
 - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
 - c. Owner's construction or placement of a storage tank, structure or other improvement on the premises not specified in this permit.

- d. Owner's breach of any other terms hereof and his failure to correct such breach within ten (10) days of City's giving notice thereof.
5. If the permitted use is not commenced within one (1) year from _____, 2015, this Permit shall be null and void and all rights hereunder shall lapse, without prejudice to owner's right to file for an extension of time pursuant to the La Vista Zoning Ordinance.
6. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost (including, but not limited to, the cost of any excavation and earthwork that is necessary or advisable) and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
7. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.
8. Recitals at the beginning of this permit, and all exhibits, agreements or instruments referenced in this permit, shall be incorporated into this permit by reference.

Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

Contact Name and Address: Kent Sullivan
Mobility Motoring
14450 Meadows Blvd. Suite 2
Omaha, NE 68138

Effective Date:

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

By _____
Douglas Kindig, Mayor

Attest:

Pam Buethe,
City Clerk

CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: _____

Title: _____

Date: _____

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF)

On this ____ day of _____, 2015, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared Douglas Kindig and Pamela A. Buethe, personally known by me to be the Mayor and City Clerk of the City of La Vista, and the identical persons whose names are affixed to the foregoing Agreement, and acknowledged the execution thereof to be their voluntary act and deed and the voluntary act and deed of said City.

Notary Public

ACKNOWLEDGMENT OF NOTARY

STATE OF NEBRASKA)
) ss.
COUNTY OF)

On this ____ day of _____, 2015, before me, a Notary Public duly commissioned and qualified in and for said County and State, appeared [____], personally known by me to be the _____ of Mobility Motoring, and the identical person whose name is affixed to the foregoing Agreement, and acknowledged the execution thereof to be his voluntary act and deed and the voluntary act and deed of said company.

Notary Public

Exhibit A



**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 21, 2015 AGENDA**

Subject:	Type:	Submitted By:
COUNCIL POLICY STATEMENT / ASSET FORFEITURE EXPENDITURE MASTER PLAN (FY16)	◆ RESOLUTIONS (2) ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

Resolutions have been prepared approving a Council Policy Statement regarding police department asset forfeiture expenditures and the FY16 Asset Forfeiture Expenditure Master Plan.

FISCAL IMPACT

N/A

RECOMMENDATION

Approval

BACKGROUND

Federal law allows the Department of Justice to share federally forfeited property with local law enforcement agencies. The La Vista Police Department at times receives a portion of seized assets when working joint investigations with Federal law enforcement. Federal and state laws, as well as formal agreements, govern the administration, budgeting and expenditure of asset forfeiture funding (Department of the Treasury (DOT) and Department of Justice (DOJ) Guides for Equitable Sharing). The police department is required to submit an "Annual Certification Report" outlining the previous year's receipt and usage of forfeiture funds.

La Vista has been participating in the partnership since the 1990's. It is recommended the City Council adopt a Council Policy Statement regarding the expenditure of seized funds. If adopted, the City Council is requested to consider and approve, on an annual basis, an "Asset Forfeiture Expenditure Master Plan" in accordance with Section 116.03 of the Council Policy Statement.

RESOLUTION NO. _____

**A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,
NEBRASKA, APPROVING A COUNCIL POLICY STATEMENT.**

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

WHEREAS, the La Vista Police Department receives a portion of the assets seized by Federal agencies under Department of Justice guidelines.

WHEREAS, a Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures" has been reviewed and recommended for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures" and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 21ST DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Police Department Asset Forfeiture Expenditures

116.01 Background

The La Vista Police Department (LVPD) receives a portion of the assets it seizes under the Federal Comprehensive Crime Control Act of 1984. Federal and state laws, as well as formal agreements, govern the administration, budgeting and expenditure of asset forfeiture funding (Department of the Treasury (DOT) and Department of Justice (DOJ) Guides for Equitable Sharing).

116.02 Policy Considerations

This asset forfeiture expenditure policy focuses on establishing programs and purchasing equipment that enhance officer safety, improve officer performance and supports narcotic investigations and enforcement.

116.03 Policy

It shall be the policy of the City Council and the City of La Vista that the expenditure of asset forfeiture funds focus on establishing programs and purchasing equipment that enhance officer safety, improve officer performance and supports narcotic investigations and enforcement.

- A. The La Vista Police Department will propose an Asset Forfeiture Expenditure Master Plan to the City Council for approval on an annual basis. The Asset Forfeiture Master Plan must be approved by City Council prior to the appropriation and expenditure of asset forfeiture funding.
- B. The following priorities will be used in developing Asset Forfeiture Expenditure Master Plans:
 - a. Enhancement of safety equipment for front line law enforcement personnel (e.g., ammunition, weapons, and Tasers).
 - b. Integration of technology advancements (Specialized law enforcement vehicles, in-car computers and cameras, and computer software).
 - c. Support for specialized law enforcement programs, investigations, and operations (e.g., informant pay and equipment for Special Weapons and Tactics (SWAT) Team, K-9 Unit, Special Enforcement Team (SEB).

City of La Vista

Council Policy Statement

Police Department Asset Forfeiture Expenditures

- C. Asset forfeiture funding will not be used to supplant local funds. Conversely, expenditures identified and approved to be funded by asset forfeiture funding will not be supplanted by the General Fund.
- D. Asset forfeiture funding will be expended in a manner consistent with state and federal requirements.
- E. The Police Department shall submit an "Annual Certification Report" outlining the previous year's receipt and usage of forfeiture funds.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE FY16 ASSET FORFEITURE EXPENDITURE MASTER PLAN.

WHEREAS, the La Vista Police Department receives a portion of the assets seized by Federal agencies under Department of Justice guidelines; and

WHEREAS, the City Council has adopted a Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures"; and

WHEREAS, the Council Policy Statement entitled "Police Department Asset Forfeiture Expenditures" requires the creation, submittal and approval of a yearly Asset Forfeiture Expenditure Master Plan; and

WHEREAS, the FY16 Asset Forfeiture Expenditure Master Plan has been reviewed and recommended for approval.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the FY16 Asset Forfeiture Expenditure Master Plan.

PASSED AND APPROVED THIS 21ST DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

LA VISTA POLICE DEPARTMENT

FY16 ASSET FORFEITURE EXPENDITURE MASTER PLAN

The La Vista Police Department (LVPD) submits the following Asset Forfeiture Expenditure Master Plan (Master Plan). The Master Plan includes an overview, proposed funding plan, funding restrictions and guidelines and a two year revenue history.

OVERVIEW

Asset forfeiture funds are generated by the LVPD as a result of the department's participation in the seizure or forfeiture of tangible property or cash resulting from successful criminal investigations. The asset forfeiture program is regulated by the Federal Comprehensive Crime Control Act of 1984 and joint agreements with government agencies. Depending upon the reason for the forfeiture and the parties involved, the revenues are deposited into a separate city account (Federal Forfeiture Account #01.02.0090).

In general, Federal regulations require that asset forfeiture funding be used by law enforcement agencies for law enforcement purposes, and prohibit funds from being used to supplant funds that would otherwise be made available to programs. In addition, guidelines specifically prohibit projecting revenue from forfeiture property until the funds are awarded. The LVPD is required to submit an Annual Certification Report outlining the previous year's receipt and usage of Treasury and Justice Department forfeiture funds. This report also includes a Federal Equitable Sharing Agreement.

PROPOSED EXPENDITURE PLAN

As of June 15, 2015, the LVPD has received \$28,984 in asset forfeiture revenues this fiscal year. The revenue balance on June 15, 2015 is \$40,711.

The following is a description of proposed allocations:

Safety Equipment for Front-Line Law Enforcement- The LVPD proposes to allocate \$10,000 for the purchase of safety equipment for front-line law enforcement purposes. Examples of anticipated requirements include weapons, helmets, and Tasers.

Specialized Vehicle – The LVPD proposes to allocate \$10,000 to acquire a utility vehicle (UTV) to be used to access areas ordinary cruisers can't.

GUIDELINES FOR USE

Permissible use for this funding is outlined in the DOJ's *Guide to Equitable Sharing for State and Local Law Enforcement Agencies*. The DOJ will terminate the sharing of asset forfeiture funds with any law enforcement agency that does not directly benefit from these funds.

Examples of permissible use include:

- Activities that enhance Law enforcement investigations
- Law enforcement training.
- Law enforcement facilities.
- Law enforcement equipment.
- Law enforcement awards and memorials.
- Drug and gang education and awareness programs
- Matching funds for law enforcement grants.
- Pro rata funding of citywide purchases that support law enforcement activities.
- Asset accounting and tracking.

Examples of impermissible uses include:

- Salaries and benefits for current, permanent law enforcement personnel.
 - Equitable sharing monies may not be used to pay the salaries and benefits of current, permanent law enforcement personnel, except in limited circumstances.
- Use of forfeited property by non-law enforcement personnel.
- Payment of salaries for existing positions.
- Payment of non-law enforcement expenses.
- Use contrary to laws of the state or local jurisdiction.
- Non-official government use of shared assets.
- Purchase of food and beverages.
- Extravagant expenditures.

General guidance:

- Funding must not be used to replace or supplant local resources.
- Interest income on funding is subject to the same guidelines outlined above.
- Anticipated funding should not be budgeted.
- Funding should not be retained unnecessarily.

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 21, 2015 AGENDA**

Subject:	Type:	Submitted By:
APPROVAL TO PURCHASE POLICE K-9	◆ RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

SYNOPSIS

A resolution has been prepared authorizing the purchase of a police service dog (K-9) from Kasseburg Canine, New Market, AL, in an amount not to exceed \$9,500.

FISCAL IMPACT

The police department has restricted K-9 Donation funds and Forfeiture Funds available for the purchase.

RECOMMENDATION

Approval

BACKGROUND

The police department has a need to replace a police K-9. The department purchased "Hart" in September 2013 from Shallow Creek Kennels in Pennsylvania. Hart was a "green" German Shepard, meaning he had no pre-certifications. Hart came with a 12-month workability warranty.

Nebraska has adopted K-9 certification standards (called PSP) that require any police K-9 to be certified in either patrol work (protection/tracking/etc) and/or narcotics detection. A K-9 that is certified in both is called a "dual-purpose" dog. That is the type of K-9 La Vista Police and the agencies in the Metro area use. Hart went through initial training with his handler and was dual-certified in January 2014. Certification is required on a "once a year" basis, meaning Hart is required to certify sometime in 2015. Hart was able to certify in narcotics detection, but has not and in the opinion of the certification panel (Nebraska State Patrol and Omaha Police trainers) will not meet certification standards. Therefore, it is our opinion that Hart be replaced.

We have selected Kasseburg Canine of New Market, Alabama, as our K-9 vendor. The Bellevue Police Department and Nebraska State Patrol purchase their K-9s from Kasseburg. We are proposing to purchase a pre-titled Belgian Malinois in an amount not to exceed \$9,500. The Bellevue Police Department is also purchasing a new K-9 at the same time. A training course would commence sometime in August-September in Bellevue.

The K-9 will be given a health screening from the police department's certified veterinarian prior to payment.

We are in the process of determining where to re-purpose Hart, however, he will not be placed to his handler.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF A POLICE K-9 FROM KASSEBURG CANINE, NEW MARKET, AL, IN AN AMOUNT NOT TO EXCEED \$9,500.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a police K-9 is necessary, and

WHEREAS, the K-9 Donation account and Forfeiture accounts have funds available for the purchase of said K-9, and

WHEREAS, The La Vista Police Department did extensive research and recommends that the K-9 be purchased from said vendor, and

WHEREAS, Subsection (c) of Section 31.23 of the La Vista Municipal Code requires 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 a police K-9 from Kasseburg Canine, New Market, AL, in an amount not to exceed \$9,500.

PASSED AND APPROVED THIS 21ST DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

ITEM E

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
JULY 21, 2015 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE OF ICE CONTROL SALT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	GREG GOLDMAN STREET SUPERINTENDENT

SYNOPSIS

A resolution has been prepared authorizing the purchase of approximately 330 tons of Ice Control Salt from Nebraska Salt & Grain Co., Gothenburg, Nebraska, for an amount not to exceed \$19,800.00.

FISCAL IMPACT

The FY 15 General Fund Street Operating Budget provides funding for the proposed purchase.

RECOMMENDATION

Approval

BACKGROUND

The ice control salt is used by Public Works for winter operations.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY, GOTHENBURG, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$19,800.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the FY 15 General Fund Budget provides funding for this purchase; and

WHEREAS, the ice control salt is used by Public Works for winter operations; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt from Nebraska Salt & Grain Company, Gothenburg, Nebraska in an amount not to exceed \$19,800.00.

PASSED AND APPROVED THIS 21ST DAY OF JULY, 2015.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk