

MINUTE RECORD

No. 729—REDFIELD & COMPANY, INC., OMAHA

LA VISTA CITY COUNCIL MEETING February 20, 2007

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 February 20, 2007. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Community Development Director Birch, Library Director Iwan, Finance Director Lindberg, Police Chief Lausten, Recreation Director Stopak, Building and Grounds Director Archibald, and Public Works Director Soucie.

A notice of the meeting was given in advance thereof by publication in the Times on February 8, 2007. 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 within 10 days after said meeting and prior to the next convened meeting of said body.

Mayor Kindig called the meeting to order and led the audience in the pledge of allegiance.

Mayor Kindig made an announcement of the location of the posted copy of the Open Meetings Act for public reference.

A. CONSENT AGENDA

1. APPROVAL OF THE REVISED AGENDA AS PRESENTED
2. MINUTES OF THE FEBRUARY 6, 2007 CITY COUNCIL MEETING
3. MINUTES OF THE JANUARY 31, 2007 CIVIL SERVICE COMMISSION MEETING
4. MINUTES OF THE FEBRUARY 5, 2007 LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION BOARD OF DIRECTORS MEETING
5. MINUTES OF THE DECEMBER 11, 2006 CITIZEN ADVISORY REVIEW COMMITTEE
6. NEW FIRE STATION NO. 2
 - a. PAY REQUEST NO. 12 FROM CONSTRUCT, INC. FOR BUILDING CONSTRUCTION - \$515,536.07
 - b. PAY REQUEST FROM AVI SYSTEMS FOR AUDIO/VIDEO EQUIPMENT - \$5,625.61
 - c. PAY REQUEST FROM J. H. STUCKEY DISTRIBUTING, INC. FOR WASHER-EXTRACTOR - \$4,245.30
 - d. PAY REQUEST FROM AVAYA FOR EQUIPMENT - \$8,337.00
 - e. PAY REQUEST FROM FGM ARCHITECTS FOR PROFESSIONAL SERVICES - \$2,500.00
 - f. PAY REQUEST FROM FGM ARCHITECTS FOR PROFESSIONAL SERVICES - \$8,712.55
7. PAY REQUEST FROM INTERNATIONAL CODE COUNCIL, INC. FOR CONFERENCE CENTER BUILDING REVIEW - \$10,259.00
8. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda as presented. Seconded by Councilmember Carlisle. Councilmember Ellerbeck reviewed the claims for this period and reported that he found everything to be in order. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

ACI-NEBRASKA CHAPTER, Dues	60.00
ACTION BATTERIES, Bldg & Grnds	62.02
ALAMAR UNIFORMS, Wearing Apparel	154.98
ALEX, MARY, Supplies	33.76
AMSAN, Supplies	210.33
APPLIED CONTROLS EQUIPMENT, Street Maint.	132.54
AQUILA, Utilities	9,997.76
ARAMARK UNIFORM, Contract Services	147.96
BAKER & TAYLOR BOOKS, Books	1,288.39
BATTERY ZONE, Supplies	98.47
BENNINGTON IMPLEMENT, Vehicle Maint.	1,301.03
BETTER BUSINESS EQUIPMENT, Contract Services	98.88
BOOK FARM, Books	2,309.88
BRENTWOOD AUTO WASH, Vehicle Supplies/Maint.	144.00
BUETHE, PAM	83.99
BUILDERS SUPPLY, Vehicle Maint.	103.46
CALLAWAY GOLF, Pro Shop Items	782.00

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CARDMEMBER SERVICE-ELAN, Supplies/Training/Dues	1,237.13
CASTELNOVO, GINA, Refund	58.00
CITY OF BELLEVUE, Training	750.00
CITY OF OMAHA, Contract Services	25,795.95
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	1,048.14
CLASSIC REFRIGERATION, Bldgs & Grnds	348.12
CLEMENGER, CORY, Contract Services	34.00
CLEMENGER, PAUL, Contract Services	100.00
CORNHUSKER INTL TRUCKS, Vehicle Maint.	18.55
COX, Contract Services	184.10
CREIGHTON EMS EDUCATION, Training	1,870.00
DAHL, DOUG, Travel	245.00
DIAMOND VOGEL PAINTS, Bldg & Grnds	92.71
DON'S PIONEER UNIFORMS, Wearing Apparel	289.64
DOUGLAS COUNTY SHERIFF'S OFC, Contract Services	50.00
EASTERN LIBRARY SYSTEM, Training	15.00
EMS BILLING, Rescue Revenue	1,174.24
ENVIRO TECH, Street Maint.	3,175.92
FASTENAL COMPANY, Vehicle Maint.	280.84
FASTSIGNS, Signs	178.00
FELSBURG HOLT & ULLEVIG, Southport	439.69
FERRELLGAS, Utilities	860.03
FILTER CARE, Vehicle Maint.	13.70
FUTUREWARE, Contract Services	50.00
GALL'S, Supplies	58.98
GAYLORD BROS, Supplies	126.11
GOLDEN HORSE, Books	25.07
GRAYBAR ELECTRIC, Bldg & Grnds	282.27
GREAT AMERICAN LEASING, Contract Services	515.08
GREAT PLAINS ONE-CALL SVC, Contract Services	108.36
H & H CHEVROLET, Vehicle Maint.	49.91
HALPAIN, LEAH, Contract Services	100.00
HANEY SHOE STORE, Wearing Apparel	240.00
HELGET GAS PRODUCTS, Squad Supplies	84.00
HOME DEPOT, Bldg & Grnds	50.54
HONEYMAN RENT-ALL, Bldg & Grnds	104.98
HOOK-FAST SPECIALTIES, Wearing Apparel	108.62
INJOY BIRTH/PARENTING VIDEOS, Media	371.85
INLAND TRUCK PARTS, Vehicle Maint.	137.02
INTERSTATE SUPPLY, Wearing Apparel	16.93
IOWA STATE UNIVERSITY, TREAS, Training	470.00
IPMA, Dues	330.00
IVERSON, DENNIS, Wearing Apparel	120.00
J Q OFFICE EQUIPMENT, Contract Services	121.82
JONES AUTOMOTIVE, Equipment	412.63
KIMBALL MIDWEST, Supplies	72.41
KORTUS, LEE, Contract Services	170.00
KROGER, Supplies	98.44
LANOHA NURSERIES, Parking District 1	14,830.50
LAUGHLIN, KATHLEEN A, TRUSTEE, Payroll Withholding	372.00
LIFE ASSIST, Squad Supplies	1,075.42
LINWELD, Supplies	12.81
LOU'S SPORTING GOODS, Equip.	61.00
LYNN PEAVEY CO, Supplies	23.94
MALLARD SAND AND GRAVEL, Street Maint.	487.58
MARSHALL CAVENDISH, Books	125.75
MC CORMICK, MICHAEL AND JILL, Southport	840.00
METAL SUPERMARKETS, Street Maint.	442.32
MUD, Utilities	179.48
MOBILE COMMUNICATIONS, Vehicle Maint.	401.00
NE LIQUOR CONTROL COMMISSION, Renewal	45.00
NEBRASKA NOTARY ASSOCIATION, Contract Services	99.15
NEBRASKA TURF PRODUCTS, Street Maint.	171.25
NERPA MEMBERSHIP, Dues	150.00
NEUMAN EQUIPMENT, Bldg & Grnds	120.00
NOBBIES, Supplies	143.99
OABR PRINT SHOP, Printing	608.45
OFFICE DEPOT, Supplies	243.15

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OMAHA COMPOUND COMPANY, Supplies	88.59
OPPD, Utilities	26,741.27
ORIZON CPAS, Professional Services	7,951.19
PAPILLION SANITATION, Contract Services	162.48
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	303.93
PITNEY BOWES, Supplies	63.48
POLICE CHIEF'S ASSN OF NEBR, Dues	50.00
PRECISION INDUSTRIES, Vehicle Maint.	22.20
QUILL, Supplies	55.57
QWEST, Telephone	106.93
RANDOM HOUSE, Media	51.00
RUFFNER, JAMES, Travel	87.00
SERVICE EXPRESS, Vehicle Maint.	47.17
SIMON, DON, Travel	245.00
SINNETT, JEFF, Travel	245.00
SMALL, BRADY, Travel	87.00
SNELL, DAVID, Books	15.98
STAPLES, Supplies	155.94
SUBURBAN NEWSPAPERS, Legal Advertising	899.12
TED'S MOWER SALES & SERVICE, Supplies	93.31
THERMO KING CHRISTENSEN, Vehicle Maint.	158.07
THOMPSON DREESSEN & DORNER, Professional Services	22,382.63
THREE RING ENTERPRISES, Vehicle Maint.	965.73
TRACTOR SUPPLY, Vehicle Maint.	78.32
TURFWERKS, Vehicle Maint/Equip.	495.45
TY'S OUTDOOR POWER & SVC, Vehicle Maint.	194.00
WASTE MANAGEMENT, Contract Services	601.25
WINGATE INNS, Travel	190.64

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council of the Strategic Planning Session on Saturday, February 24, 2007 from 8:15 a.m. to 3:30 p.m.

Police Chief Lausten updated Council on the New Fire Station No. 2 Project. A tour was given to about 20 of the La Vista Volunteer Fire & Rescue Personnel. The project is about 30 days from completion and the City will take possession on March 13th or 14th, with a ribbon cutting to be held in April.

Lausten reminded Council that D.A.R.E. graduation at G. Stanley Hall and Park View Heights Elementary will be held at 9:00 a.m. on February 22, 2007.

Public Works Director Soucie informed Council the case on the testing after removal of the underground storage tanks has been closed and the City will be applying for reimbursement.

Soucie informed council that OPPD reimbursed the City \$5,000.00 for energy savings created by the new pool motors.

Councilmember Gowan asked Soucie about interstate signs in the city. Soucie stated he is working with the State on this issue.

Recreation Director Stopak informed Council there were 95 participants at the annual Valentine's Day luncheon.

Stopak reminded Council the Park and Recreation Advisory Board will be meeting on Wednesday, February 22, 2007.

B. APPLICATION TO ECONOMIC DEVELOPMENT PROGRAM - JOHN Q. HAMMONS **1. ORDINANCE - ESTABLISH LOAN FUND**

Councilmember Gowan introduced Ordinance No. 1022 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, LA VISTA, NEBRASKA, TO ESTABLISH A LOAN FUND UNDER THE CITY OF LA VISTA ECONOMIC DEVELOPMENT PROGRAM; TO MAKE CERTAIN FINDINGS OF FACT AND PROVIDE FOR FUNDING AND DISBURSEMENT WITH RESPECT TO THE LOAN FUND; AND TO PROVIDE FOR SEVERABILITY AND THE EFFECTIVE DATE.

City Administrator Gunn addressed Council to give an overview on the project. She stated the building of the Embassy Suites and Convention Center, and the Marriott Courtyard will cost a total of 110 million dollars. The City will provide a 3 million dollar grant and an 18 million dollar

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loan. The loan will be paid over 7 years, with interest paid quarterly, and a lump sum payment in 2014. Mr. Hammons will run both the hotels and conference center. Any cost in excess of 18 million will be funded by Mr. Hammons.

Gunn informed Council the Embassy Suites is currently under construction, with the opening projected to be January of 2009. The Marriott Courtyard is expected to open in March of 2009.

Gunn stated that this project presents La Vista and all of Sarpy County the space needed for public meeting places and events.

Gunn stated the project is the vision of the Mayor and Council making the Southport area the gateway to La Vista. The economic activity and tourism will increase. Gunn feels that 85% of the cost will be recouped by the end of 7 years. Sales tax revenue for the economic development fund is \$480,000, with taxes over the next 7 years going into the fund to pay the debt.

Gunn reminded Council the project started in March of 2004. The City put out requests for proposals. Mr. Hammons submitted a proposal for joint ownership that was accepted by the Mayor and Council. The revised project keeps the City out of the ownership, which is good for the City, and includes a second hotel.

Councilmember Gowan stated the City is dedicated to a controlled westward expansion. People are excited about what they see going on. The area is attracting businesses that want to do great things in the Southport area.

Councilmember Sheehan said he looked at the financial picture and, at first, was concerned with the initial cost to the city. He now sees this as a forward way of looking. The project is good for all of Sarpy County.

Councilmember Quick stated that this is a top product and Southport will fill quickly.

Councilmember Ellerbeck stated the project meets the long term strategy of the City and will diversify the tax base.

Councilmembers McLaughlin and Sell both stated they are in agreement with the financial plan.

City Administrator Gunn stated that the Mayor, the Economic Development Program Committee, the Staff, and Council have spent an enormous amount of time preparing this project. They are excited to work with Tony Moody and she thanked him for his good work.

Donna Kozak, of 8725 Park View Blvd, addressed Council with concerns about the amount the City is funding for the project. She stated she is speaking for the residents of La Vista and wants to know why the City did not ask if John Q. Hammons would build without the 3 million dollar grant.

Norma Lausten, of 7827 South 93rd St., addressed Council to state she is in favor of the visionary plan of the City. She applauds the City for having the vision, and thanked voters for their vision and approving the Economic Development plan.

Art McEneaney, addressed Council to give his support for the project. He stated he was a member of the City Council when the proposal first began.

John Vendetti, of 700 Hillcrest Lane Court, addressed Council to state he is happy with the project and is in full support of it. He has been in the area since 1983, and at one time was employed with the City.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Carlisle seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Quick. City Administrator Gunn asked that Councilmember Sheehan amend his motion to include a change in wording to number 8 of the attached City of La Vista Economic Development Program Loan Fund to add the words "These strategies will be reviewed from time to time by the program administrator." Councilmember Sheehan amended his motion to include this wording. The Mayor

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then stated the question was, "Shall Ordinance No. 1022 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

2. ORDINANCE – APPROVE APPLICATION FOR PROPOSED HOTEL AND CONFERENCE CENTER PROJECT

Councilmember Quick introduced Ordinance No. 1023 entitled: AN ORDINANCE OF THE MAYOR AND CITY COUNCIL, LA VISTA, NEBRASKA, TO APPROVE APPLICATION OF JOHN Q. HAMMONS UNDER THE CITY OF LA VISTA ECONOMIC DEVELOPMENT PROGRAM; TO MAKE CERTAIN FINDINGS; TO APPROVE RECOMMENDATIONS, DEVELOPMENT AGREEMENT, LOAN CLASSIFICATION, LOAN APPLICATION, AND GRANT OF \$3 MILLION AND LOAN OF \$18 MILLION; TO SPECIFY CERTAIN CONDITIONS AND AUTHORIZE FURTHER ACTIONS; AND TO PROVIDE FOR SEVERABILITY, PUBLICATION IN PAMPHLET FORM AND AN EFFECTIVE DATE.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sheehan moved for final passage of the amended ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1023 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the City Clerk attested the passage/approval of the same and affixed her signature thereto.

C. CONDITIONAL USE PERMIT – INDOOR RECREATIONAL FACILITY LOT 5, I-80 INDUSTRIAL PARK **1. PUBLIC HEARING**

At 7:44 p.m. Mayor Kindig stated the floor was now open for a condition use permit - indoor Recreational Facility Lot 5, I-80 Industrial Park

There was no additional information presented by City staff. Ron Hoffman, a representative of The Courts, addressed Council to answer any questions.

At 7:46 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. Motion carried.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-016: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR THE COURTS, L.L.C. TO EXPAND AN INDOOR RECREATIONAL FACILITY (VOLLEYBALL) ON LOT 5, I-80 INDUSTRIAL PARK.

WHEREAS, The Courts, L.L.C., on behalf of Herbert Lavigne has applied to amend a conditional use permit for the purpose of expanding an indoor recreational facility (volleyball courts and related uses) on Lot 5, I-80 Industrial Park, located at 8930 S. 137th Circle; and

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

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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, subject to the following conditions:

1. Based on the parking requirements in the Zoning Regulations for Commercial Recreation, the required parking is 1 stall per 4 persons of licensed occupancy. The floor plan shows an occupancy load of 891 persons. This would require 223 stalls of which 7 would have to be accessible. The site plan shows 230 stalls of which 7 are accessible. The proposed parking plan meets the requirements for the volleyball portion of the building. There is a remaining portion of the building that has 32,000 square feet of space. Without identified uses for this remaining area, the parking requirement can be estimated at 2 per 1,000 square feet or 64 stalls. Therefore, it will be important to avoid having peak usage of the volleyball courts overlapping with usage of the remaining portion of the building. Besides the code requirement there is also the consideration of how much parking may be required during tournament events. For this reason, the terms of the use permit address when tournament events can be scheduled and that parking shall not be allowed on 137th Circle or on adjacent properties.
2. According to the Chief Building Official, the Fire Department and the Fire Marshall have reviewed and approved the plans.
3. The traffic impact study has been recently updated to include the proposed expansion of the use and declares that the addition "would not have an adverse affect on the intersection of 137th Circle and Giles Road or the surrounding roadway network based on the existing lane configurations and traffic control." The City's consulting traffic engineer reviewed the study and agrees with this assessment.
4. An operating statement was prepared by the applicant (see attached Summary of Operations). This summary identifies the days of the week and hours during which tournaments will be held, a prohibition of parking on 137th Circle or on adjacent properties, what steps will be taken to inform users of the parking limitations, the types of beverages to be served, security for crowd control during tournament events, and other information.
5. Based on the use of the facility for volleyball courts, the number of people associated with the activity and the parking required, the unoccupied portion of the building will be limited as to the type of business allowed due to parking limitations.

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 The Courts, L.L.C. to operate an indoor recreational facility (volleyball courts and related uses) on Lot 5, I-80 Industrial Park, subject to the four conditions listed in the last recital above.

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

D. ONE AND SIX YEAR ROAD PLAN

1. PUBLIC HEARING

At 7:47 p.m. Mayor Kindig stated the floor was now open for the One and Six Year Road Plan

Street Superintendent Goldman gave a power point presentation on the one and six year road plan, which included information on the 2007 completions of the 96th Street improvements by June and completions of Pine Drive and Harvest Hill Drive improvements. Improvements for the year 2007 – 2008 include Marisu Lane, 84th Street, and the Keystone Trail link. Improvements for the year 2008 – 2009 include 66th Street, 74th Street, 89th and Granville Parkway, 132nd and West Giles Road.

City Administrator Gunn informed Council the plan would be developed into the Capital Improvement Program next year.

At 8:25 p.m. Councilmember Sheehan made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle,

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McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. Motion carried.

2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 07-017: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan, and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

COMMENTS FROM THE FLOOR

Donna Kozak, of 8725 Park View Blvd, addressed Council to express her concerns with Economic Development. A Citizen Advisory Review Committee was established, with an agenda and minutes in the consent agenda. She expressed her concerns with the Application Review Committee and questioned their authority, based on Nebraska statute 18-27. She questioned the expertise of the Finance Director on the Committee. Kozak expressed her concerns on the value of the Citizen Advisory Review Committee.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig thanked Councilmember Sell for attending the Mayor's Mile Kick-off. Lauren Roth is the child heart survivor and attends Park View Heights Elementary. Her project is on display at the La Vista City Hall until the heart walk on May 19, 2007. Councilmember Sell will walk with Lauren.

Councilmember Gowan congratulated the Council and City staff on the Hammons project. He feels it is good for the City and has received praise from the community on the project.

Councilmember Sheehan commended the City on the Seniors Valentine's Day luncheon. It was thoroughly appreciated by all. He stated it means a lot to all the seniors in the area.

Mayor Kindig commented on the recent Employee Recognition Dinner. He thanked Mary Alex and Mike Farquhar for their efforts.

Mayor Kindig thanked Brenda Carlisle for her testimony at the Nebraska State Legislature concerning the issue of zoning jurisdiction boundary limits.

Mayor Kindig stated that he had been at the Nebraska State Legislature to testify in opposition to forcing cities of a certain size to have a paid Fire & Rescue Department. The bill did not make it out of committee.

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Mayor Kindig, Councilmember Gowan, and two members of staff attended the League of Municipalities Midwinter Conference. The Mayor stated that it was a very informative conference.

ADJOURNMENT

At 8:38 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2007.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

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LA VISTA CITY COUNCIL MEETING February 24, 2007

A Strategic Planning Retreat of the City Council of the City of La Vista, Nebraska was convened in open and public session at 8:15 a.m. on February 24, 2007. Present were Mayor Kindig and Councilmembers Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Bueth, Community Development Director Birch, Fire Chief Schuster, Assistant Fire Chief Corbit, Finance Director Lindberg, Library Director Iwan, Police Chief Lausten, Recreation Director Stopak, Building and Grounds Director Archibald, Public Works Director Soucie, and Administrative Assistant Alex.

A notice of the meeting was given in advance thereof by publication in the Times on February 15, 2007. 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 within 10 days after said meeting and prior to the next convened meeting of said body.

Mayor Kindig called the meeting to order. Mayor Kindig briefly reviewed the Council's Code of Conduct and explained that it was approved by Council a few years ago to provide a guide for how Council should conduct business. He asked that all of the Council members read through the document again. Mayor Kindig then introduced the Facilitator for this Workshop, Marla Flentje.

OVERVIEW OF STRATEGIC PLANNING PROCESS

At 8:55 a.m. Ms. Flentje had each team member give their expectations of the workshop and something that has been accomplished in the last year. She then gave an overview of the strategic planning process and the things that need to happen to create a strategic plan.

VIEW FROM THE BRIDGE – BRENDA SEDLACEK GUNN

At 9:40 a.m. City Administrator Gunn talked to the group about current items such as long range financial planning & CIP, Hotel/Conference Center Project, Hiring Fire Chief & Transition, Negotiations – FOP and Public Works, Municipal Facilities Plan, Swimming Pool, 84th Street planning, and La Vista Days. She also talked about projects that are significant issues to keep on the radar in the future.

At 10:00 a.m. The team took a break.

SCAN OF THE LA VISTA ENVIRONMENT

Ms. Flentje led the Council and Staff through a scan of the La Vista Environment regarding what conditions or emerging trends represent opportunities for the community, which represent major challenges or threats, and what are present characteristics of city government.

At 12:15 p.m. Council recessed for lunch.

TEAM ACTIVITY

At 12:45 p.m. Council reconvened and Ms. Flentje led the team in an activity to learn more about the team members.

DRAFTING STRATEGIC GOALS (MINI-LESSON)

At 12:50 p.m. Ms. Flentje instructed the team on how we draft strategic goals.

BRAINSTORMING STRATEGIC GOALS

At 1:00 p.m. Team members did a brainstorming exercise regarding strategic goals. Each group brainstormed and narrowed their goals down to 5.

At 1:50 p.m. The team took a break.

MINUTE RECORD February 24, 2007

No. 729—REDFIELD & COMPANY, INC., OMAHA

PRELIMINARY CONSENSUS ON STRATEGIC GOALS

At 2:00 p.m. Each group presented their 5 major goals to accomplish and the entire team looked at all the goals to come to a consensus. The goals were very close for each team with a total of 5 goals listed for all groups. Discussion was held regarding these goals and all were in consensus and preliminary agreement as to the goals that were determined.

PLAN FOR PREPARING A DRAFT STRATEGIC PLAN

At 2:45 p.m. Ms. Flentje will have a report back to the City Administrator in approximately one week and a draft strategic plan will be presented to the Mayor and Council at the March 20, 2007 meeting.

RETREAT EVALUATION

At 2:50 p.m. The team evaluated what was accomplished during this retreat, and what was learned about La Vista and the team today.

CLOSING REMARKS AND ADJOURNMENT

At 3:15 p.m. Mayor Kindig made closing remarks regarding the great efforts of council and staff to make this retreat a very productive venture and thanked all for coming. He then declared this meeting adjourned.

PASSED AND APPROVED THIS 6TH DAY OF MARCH 2007.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

City of LaVista
Park & Recreation Advisory Committee Minutes
February 21, 2007

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened at 7:06 p.m. Members present were, John Vendetti, George Forst, Greg Johnson and Chris Kuehner. Randy Cahill was absent. A notice of the meeting was given advance thereof by publication in the Papillion Times on February 14, 2007. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice is 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.

A. CALL TO ORDER

Chris Kuehner made the motion to call the meeting to order. Seconded by George Forst, motion carried.

B. CONSENT AGENDA

Greg Johnson made the motion to approve the consent agenda. Seconded by John Vendetti, motion carried.

REPORTS FROM STAFF

Dave Karlson, Assistant Recreation Director reported on current programs. The La Vista Vipers Wrestling Club has had several outstanding performances in recent competitions.

We are currently accepting registrations for the following sports, youth baseball, youth softball, youth soccer, youth football, youth flag football and adult softball.

Scott Stopak, Recreation Director reported on the 3 special events that the recreation department hosted or will be hosting. The first event was the Senior Valentines Day Lunch held on February 14, 2007. The event is a joint event with the Papillion Recreation Dept. This year over 90 senior citizens joined us for lunch and entertainment.

The second event the Dept. will be hosting will be the annual Easter Egg Hunt that will be held on Saturday, April 7, 2007 at Central Park for children 12 and under.

The third event will be the Spring Kite Fly that will be held on Sunday, April 29 from 12:00 noon to 5pm at the La Vista Sports Complex.

Recreation Director Stopak asked the Committee to check their availability in March for the next pool committee meeting.

COMMENTS FROM THE FLOOR
NO COMMENT.

COMMENTS FROM COMMITTEE MEMBERS
George Forst wanted to know what the cost was this past year for the additional staff that was required due to the slide installation at the pool. Staff will get the information.

George Forst suggested that the golf course may want to advertise in local and statewide tourism brochures. Staff will look into this.

ADJOURNMENT
John Vendetti made the motion to adjourn. Seconded by George Forst, motion carried. Adjourned at 7:20 p.m.

**CITY OF LA VISTA
SAFETY COMMITTEE MEETING
JANUARY 31, 2007**

I. CALL TO ORDER

A meeting of the Safety Committee convened on January 31, 2007 at 8:35 a.m. at the La Vista Police Facility, 7701 South 96th Street, La Vista, NE 68128.

Present were Mary Alex, Pat Archibald, Todd Armbrust, Pam Buethe, Pat Cavlovic, Karen Fagin, Ray Harrod, Bob Lausten, Sheila Lindberg, Cathy Lupomech, Rita Ramirez, Rose Iwan, Jeff Siebels, Jeff Sinnett, Lori Spethman-Twiford, Scott Stopak, Randy Ruhge and Brian Lukasiewicz.

II. APPROVAL OF MINUTES FROM NOVEMBER MEETING

A motion was made by Todd Armbrust to approve the minutes from the November 29, 2006 meeting. Seconded by Sheila Lindberg. Ayes: All.

III. OLD BUSINESS

A. SUB-COMMITTEE BRIEFINGS

1. STANDARD POLICIES

Armbrust reported that electronic floor plans of all City buildings that identify alarms, cut off points, etc. had been submitted by the building department. Binders will be assembled for use by the SWAT team. Armbrust suggested that this information might also be useful for each City facility to have readily available.

Lausten reported on the City's disaster plan which details the duty of City Employees who are at work when a disaster strikes. Some employees will be expected to remain at work. Lindberg questioned the "Local Emergency Operating Plan". Lausten explained this is a county wide emergency operations plan and that each City has a section. He will send out the La Vista section for review.

2. SAFETY ANALYSIS AND TRACKING OF INCIDENTS

November/December incident reports were provided by Lupomech and reviewed by the committee. Lausten reminded all to lock car doors and roll up windows as there had been an incident of personal items being stolen out of a vehicle.

3. TRAINING AND INSPECTIONS

Cavlovic reported that inspections had been completed and findings were mostly small and had already been taken care of. Siebels will send out inspection report.

4. REWARDS AND INCENTIVES

Stopak reported that the new safety bingo game had two winners, both from the Police Department. A new sheet will be handed out next week and non-winning sheets should be turned in to himself or Lindberg for a drawing. The reward of "time off" rather than gift certificates has produced more participation than in the past. Lausten reminded all that a Safety Award should be considered for presentation in 2008. Guidelines are needed. He also reported that the webcast which numerous safety committee members participated in was a good concept, but that the City's safety program has already surpassed the information provided.

IV. NEW BUSINESS

1. The presentation regarding the ice storm in central Nebraska did not arrive on time; however, Lausten provided alternative information and review of the ice storm by the Nebraska Public Power District. NPPD reported on the impact the storm had on the people, cities, businesses, economy, and cost of repairs, livestock and the interstate system. The original presentation from the Nebraska State Patrol will be shown at the next meeting.

A. DISCUSS NEXT MEETING DATE

The next safety committee meeting is scheduled for February 28, 2007 at 8:30 a.m. at the Police Facility. Bring your ideas.

V. ADJOURNMENT

The meeting was adjourned at 9:15 a.m.

CITY OF LA VISTA
PLANNING COMMISSION MINUTES
FEBRUARY 15, 2007

The Planning Commission meeting of the City of La Vista was convened at 7:06 p.m. on Thursday, February 15, 2007 at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Krzywicki, Malmquist, Carcich, Andsager, Rizzo, Roarty, Hewitt, Horihan and Gahan. Also in attendance were John Kottman, City Engineer and Ann Birch, Community Development Director. Carcich arrived at 7:08 p.m.

Legal notice of the public meeting and hearing was posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission and a copy of the acknowledgement of the receipt of notice is attached to the minutes. 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 Chairperson Krzywicki at 7:06 p.m. A copy of the agenda and staff report was made available to the public.

2. Approval of Meeting Minutes – January 18, 2007

Hewitt motioned to approve the minutes of January 18, 2007. Rizzo seconded. Ayes: Malmquist, Andsager, Hewitt, Gahan, Rizzo, Horihan and Krzywicki. Nays: None. Motion carried. Roarty abstained.

3. Old Business

None.

4. New Business

A. One and Six Year Road Plan

i. **Staff Report::** Joe Soucie, Public Works Director and Greg Goldman, Street Superintendent, presented the City of La Vistas' One and Six Year Road Plan. It was acknowledged that Cindy Norris, Public Works Secretary and John Kottman, City Engineer were also contributors to this presentation. Updated information was handed out at the meeting.

ii. **Public Hearing:** Carcich motioned to open the public hearing. Hewitt seconded. Ayes: Carcich, Malmquist, Andsager, Hewitt, Rizzo, Gahan, Roarty, Horihan, and Krzywicki. Nays: None. Motion carried. Hearing opened at 7:30 p.m.

Gahan motioned to close the public hearing. Rizzo seconded. Ayes: Carcich, Malmquist, Andsager, Hewitt, Rizzo, Gahan, Roarty, Horihan, and Krzywicki. Nays: None. Motion carried. Hearing closed at 7:31p.m.

iii. **Recommendation:** Malmquist motioned to recommend support of the One and Six Year Road Plan to City Council as presented. Carcich seconded. Ayes: Carcich, Malmquist, Andsager, Hewitt, Rizzo, Horihan, Roarty, Gahan and Krzywicki. Nays: None. Motion carried.

This item is scheduled to be on the City Council agenda of February 20, 2007.

B. **Updated Future Land Use Map for the City of La Vista.**

C. **Updated Zoning Map for the City of La Vista.**

i. **Staff Report:** Birch reported staff is still in the process of revising and printing the new (Items 4B and 4C) Future Land Use Map and Zoning Map. The maps have been routed to various individuals and departments for review and comment. The maps then were sent to the Sarpy County GIS department so that they could make the changes and this was done during a transition of interns within the La Vista Community Development Department. Staff is at the mercy of Sarpy County GIS schedule and the city would like to continue the public hearing to the March meeting.

ii. **Public Hearing:** Hewitt motioned to continue the public hearings on Item 4 B and 4C. Malmquist seconded. Ayes: Carcich, Malmquist, Andsager, Hewitt, Roarty, Rizzo, Horihan, Gahan and Krzywicki. Nays: None. Motion carried.

5. **Comments from the Floor.**

None.

6. **Comments from the Planning Commission.**

Krzywicki inquired, in the absence of Wal-Mart, if there is a city requirement for that parking lot to be maintained and plowed.

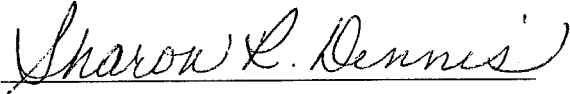
Soucie said the plowing company had been contacted regarding a stop sign that had been knocked over and the lot was cleared in the driving lanes in front of the stores as well as across the center. City Hall is working on this issue as to the requirement to keep that shopping area maintained.

Birch announced that a new City Planner has been hired. Marcus Baker will start the Planner position on March 12, 2007.

7. Adjournment

Carcich motioned to adjourn. Horihan seconded. Ayes: Carcich, Hewitt, Malmquist, Horihan, Roarty, Gahan, Rizzo, Andsager, and Krzywicki. Nays: None. Motion carried. Meeting adjourned at 7:36 p.m.

Reviewed by Planning Commission: John Gahan



Recording Secretary

Planning Commission Chair

Approval Date

G: planner/Plancomm/minutes/2007/minutes 02 15 07

ALGONQUIN
MT. VERNON
O'FALLON
OAK BROOK
PEORIA

February 23, 2007

Bob Lausten, Police Chief
City of La Vista
7701 S. 96th St.
La Vista, NE 68128

Re: New Fire Station No. 2
City of La Vista Fire Department
FGM# 04-0114.01



Dear Chief Lausten:

Enclosed please find the approved Application for Payment No. 13 in the amount of \$153,059.68, along with the waiver of lien for the above project. Please process and forward a check directly to ConStruct, Inc.

If you have any questions, please contact this office.

Sincerely,
FGM Architects Planners Inc.

A handwritten signature in black ink, appearing to read "Jason Estes".

Jason Estes, AIA
Senior Associate

Enclosures

FILE
BUND
OK
Consent
By
3-6-07

1211 WEST 22ND STREET
SUITE 705
OAK BROOK, IL 60523-2109
630.574.8300
630.574.9292 FAX
WWW.FGM-INC.COM

Application and Certificate for Payment

TO OWNER: City of La Vista
8116 Parkview Blvd.
La Vista, NE 68128-2198

PROJECT: La Vista Fire Station #2
10727 Chandler Rd.
La Vista, NE

APPLICATION NO: 06-1439-00013
PERIOD TO: 2/28/2007

FROM CONTRACTOR: ConStruct, Inc.
10612 Bondesson Circle
Omaha, NE 68122

VIA ARCHITECT: FGM Architects Engineers Inc.
1211 West 22nd Street
Oakbrook, IL 60523

CONTRACT FOR: General Construction

CONTRACT DATE: 12/21/2005

PROJECT NOS: 06-1439-1/ /

Distribution to:
OWNER ☐ ARCHITECT ☐ CONTRACTOR ☐ FIELD ☐ OTHER ☐

CONTRACTOR'S APPLICATION FOR PAYMENT

Application is made for payment, as shown below, in connection with the Contract. Continuation Sheet, AIA Document G703, is attached.

1. ORIGINAL CONTRACT SUM \$ 4,411,000.00
2. Net change by Change Orders \$ 65,393.00
3. CONTRACT SUM TO DATE (Line 1 ± 2) \$ 4,476,393.00
4. TOTAL COMPLETED & STORED TO DATE (Column G on G703) \$ 4,405,044.00

5. RETAINAGE:

- a. % of Completed Work
(Column D + E on G703) \$ 220,252.20
- b. % of Stored Material
(Column F on G703) \$

Total Retainage (Lines 5a + 5b or Total in Column I of G703) \$ 220,252.20

6. TOTAL EARNED LESS RETAINAGE \$ 4,184,791.80

(Line 4 Less Line 5 Total)

7. LESS PREVIOUS CERTIFICATES FOR PAYMENT \$ 4,031,732.12

(Line 6 from prior Certificate)

8. CURRENT PAYMENT DUE \$ 153,059.68

9. BALANCE TO FINISH, INCLUDING RETAINAGE \$ 291,601.20

(Line 3 less Line 6)

CHANGE ORDER SUMMARY		ADDITIONS	DEDUCTIONS
Total changes approved in previous months by Owner	\$	65,393.00	\$
Total approved this Month	\$	65,393.00	\$
TOTALS	\$	65,393.00	\$
NET CHANGES by Change Order			

The undersigned Contractor certifies that to the best of the Contractor's knowledge, information and belief the Work covered by this Application for Payment has been completed in accordance with the Contract Documents, that all amounts have been paid by the Contractor for Work for which previous Certificates for Payment were issued and payments received from the Owner, and that current payment shown herein is now due.

CONTRACTOR: ConStruct, Inc.

By: Richard W. Vale

State of: Nebraska

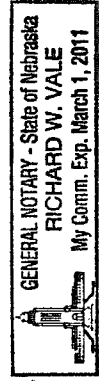
County of: Douglas

Subscribed and sworn to before

me this 22nd day of February, 2007

Notary Public: Richard W. Vale

My Commission expires:



Date: February 22, 2007

ARCHITECT'S CERTIFICATE FOR PAYMENT

In accordance with the Contract Documents, based on on-site observations and the data comprising this application, the Architect certifies to the Owner that to the best of the Architect's knowledge, information and belief the Work has progressed as indicated, the quality of the Work is in accordance with the Contract Documents, and the Contractor is entitled to payment of the AMOUNT CERTIFIED.

AMOUNT CERTIFIED \$ 153,059.68

(Attach explanation if amount certified differs from the amount applied. Initial all figures on this Application and on the Continuation Sheet that are changed to conform with the amount certified.)

ARCHITECT: FGM Architects Engineers Inc.

By: Jason Estes

Date: 23 FEB 07

This Certificate is not negotiable. The AMOUNT CERTIFIED is payable only to the Contractor named herein. Issuance, payment and acceptance of payment are without prejudice to any rights of the Owner or Contractor under this Contract