

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING June 3, 2008

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 June 3, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Public Works Director Soucie, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on May 22, 2008. 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.

### SERVICE AWARD – GEORGE BARTH – 5 YEARS

Mayor Kindig presented a certificate and pin to George Barth for 5 years of service to the City.

### APPOINTMENT OF FIRE DEPARTMENT RECRUITS – TRAVIS HUNT, MICHAEL GRAMOLINI, JR., ALYSSA STUBBS, STEVEN LEIGHTON, TROY LITTLE, SKYLER FORAL, JERAD HENDERSON, DAWN MASTRA, BRYCE TAEGER, HEATH LEWIS, CHRISTOPHER WIEKER, CHRISTOPHER HALL, MARCIE WOODWARD

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruits: Travis Hunt, Michael Gramolini, Jr., Alyssa Stubbs, Steven Leighton, Troy Little, Skyler Foral, Jerad Henderson, Dawn Mastra, Bryce Taeger, Heath Lewis, Christopher Wieker, Christopher Hall, Marcie Woodward. Fire Chief Uhl introduced the new recruits to the Council. Councilmember McLaughlin motioned the approval, seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### SPECIAL REPORT – JOHN YOCHUM – SARPY COUNTY ECONOMIC DEVELOPMENT CORP.

John Yokum of the Sarpy County EDC addressed Council to review the first Quarter Report. He reviewed net taxable sales, building permit valuations, housing permits, and Sarpy County labor force statistics.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 20, 2008
3. APPROVAL OF BOARD OF ADJUSTMENT MINUTES FROM MAY 15, 2008
4. APPROVAL OF CLAIMS

Councilmember Carlisle made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember McLaughlin 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. Abstain: None. Absent: None. Motion carried.

ADAMSON INDUSTRIES, Equipment	481.85
ALAMAR UNIFORMS, Wearing Apparel	14.10
ANDERSON FORD LINCOLN MERCURY, Vehicle Maint.	81.77
APPLE BOOKS, Media/Books	1,402.70
AQUA-CHEM, Supplies	287.85
AQUILA, Utilities	4,638.76
ARAMARK UNIFORM, Contract Services	230.43

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ASPHALT & CONCRETE MATERIALS, Street Maint.	47.52
AUSTIN PETERS GROUP, Professional Services	3,697.50
BAKER, MARCUS, Auto Allowance	50.00
BARONE SECURITY SYSTEMS, Contract Services	648.00
BATTERY ZONE, Supplies	131.14
BCDM-BERINGER CIACCIO DENNELL, Professional Services	1,130.00
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNETT REFRIGERATION, Equipment Repair	446.16
BENNINGTON IMPLEMENT, Vehicle Maint.	20.78
BETTER BUSINESS EQUIPMENT, Rental	40.30
BIRCH, ANN, Auto Allowance	50.00
BOB'S RADIATOR REPAIR, Vehicle Maint.	142.00
BRODART, Books	38.16
BUETHE, PAM, Auto Allowance/Supplies/Postage/Travel	248.97
BUILDERS SUPPLY, Sewer Repair	29.90
C E SMITH CABINETS, Bldg & Grnds	5,776.14
CIACCIO ROOFING, Bldg & Grnds	225.00
COCA-COLA, Concessions	288.24
COMP CHOICE, Professional Services	871.50
CONTROL MASTERS, Bldg & Grnds	135.68
CORBIT, JEFF, Auto Allowance	100.00
CUES, Equipment Repair	877.35
CURB-IT, Bldg & Grnds	988.00
D & D COMMUNICATIONS, Equipment	7,140.00
DECOSTA SPORTING GOODS, Wearing Apparel	77.80
DEMCO, Supplies	264.08
DIAMOND VOGEL PAINTS, Traffic Signs	395.58
DOUGLAS COUNTY SHERIFF, Contract Services	50.00
ERICKSON, RANDALL, Auto Allowance	100.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Vehicle Maint.	173.98
FEDEX, Postage	45.12
FILTER CARE, Vehicle Maint.	7.10
GALL'S, Wearing Apparel	290.35
GASSERT, MIKE, Contract Services	22.00
GOLDMAN, JOHN, Telephone	40.00
GRAINGER, Bldg & Grnds	12.90
GRAYBAR ELECTRIC, Bldg & Grnds	249.20
GUNN, BRENDA, Auto Allowance	300.00
HANEY SHOE STORE, Wearing Apparel	120.00
HOWLAND, LYDIA, Refund	40.00
HP EXPRESS, Contract Services	1,772.00
HUNTEL, Contract Services	3,030.42
HY-VEE, Supplies	18.05
INSIGHT TECHNOLOGY, Contract Services	574.93
IWAN, ROSE, Auto Allowance	45.00
J Q OFFICE EQUIPMENT, Contract Services	541.19
JOHNNY ON THE SPOT, Rental	65.74
KINDIG, DOUGLAS, Auto Allowance/Telephone	190.00
KLINKER, MARK, Professional Services	200.00
LA VISTA COMMUNITY FOUNDATION, Contract Services	2,500.00
LANDS' END BUSINESS OUTFITTERS, Professional Services	423.95
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LINDBERG, SHEILA, Travel	321.00
LINWELD, Supplies/Vehicle Maint.	171.78
LITTLE FALLS MACHINE, Vehicle Maint.	202.00
LODES, CHRIS, Contract Services	45.00
LUKASIEWICZ, BRIAN, Telephone	40.00
METAL SUPERMARKET, Bldg & Grnds/Vehicle Maint.	270.96
METRO AREA TRANSIT, March Fees	598.00
MID AMERICA PAY PHONES, Telephone	100.00
MIDLANDS CARRIER TRANSCOLD, Vehicle Maint.	98.81
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	30.67
MIDWEST FENCE, Street Maint.	532.43
MIDWEST MUDJACKING, Street Maint.	1,972.50
MILLER BRANDS, Concessions	195.00
MILLER PRESS, Printing	380.00
MISTER ANDERSON'S CO, Supplies	52.80

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MONARCH OIL, Street Maint.	315.00
MUD, Utilities	738.36
MUNICIPAL PIPE TOOL CO, Vehicle Maint.	105.41
NE DEPT OF LABOR, Insurance	3.16
NEBRASKA NATIONAL BANK, Cart Lease	660.00
NEXTEL, Telephone	507.42
NLA-NEBRASKA LIBRARY ASSN, Dues	55.00
OABR PRINT SHOP, Printing	3,990.09
OFFICE DEPOT, Supplies	1,309.75
OMAHA COMPOUND, Supplies	35.50
ORIENTAL TRADING, Library Supplies	77.50
ORIZON CPAS, Professional Services	1,000.00
OXFORD UNIVERSITY PRESS, Books	795.00
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	145.12
PEPSI COLA, Concessions	355.50
PITNEY BOWES, Meter Lease	221.00
PREMIER-MIDWEST BEVERAGE, Concessions	104.10
QUALITY AUTO REPAIR & TOWING, Vehicle Maint.	80.00
QUALITY BRANDS, Concessions	735.80
QWEST, Telephone	2,583.93
RAMIREZ, JOHN, Contract Services	22.00
RAMIREZ, RITA, Auto Allowance	75.00
RODRIGUEZ, MYIA, Refund	20.00
SARPY COUNTY COURTHOUSE, Contract Services	3,234.94
SARPY COUNTY LANDFILL, Bldg & Grnds/Fees	106.72
SCHOLASTIC BOOK FAIRS, Books	296.51
SHERWIN-WILLIAMS, Traffic Signs	501.75
SIRCHIE FINGER PRINT LABS, Supplies	162.47
SMITH, MELANIE, Auto Allowance	100.00
SOUCIE, JOSEPH, Telephone	30.00
SPRINT, Telephone	94.50
SUSPENSION SHOP, Vehicle Maint.	366.10
TANGEMAN, JODI, Auto Allowance	33.00
TURF CARS, Electric Cart Repair	118.39
U S ASPHALT COMPANY, Street Maint.	707.19
UPS, Postage	14.94
VERIZON, Telephone	35.59
VIERREGGER ELECTRIC, Equipment	2,231.00
VIERS, STEVE, Auto Allowance	100.00
VITALSIGNS, Bldg & Grnds	750.00
WAL-MART, Media/Supplies/Equip.	1,019.16
WASTE MANAGEMENT, Spring Cleaning	3,200.82
WHITE CAP CONSTRUCTION, Tool Repair	29.95

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn informed Council the Budget Workshops will be held on July 14th and July 16th.

City Clerk Buethe informed Council that staff is working on preparations for the budget workshop and asked if they would return last year's 3 ring binder to update with 2008-2009 information. She asked that the books be returned to City Hall by June 17th.

Police Chief Lausten informed Council that a suspect in the Dollar Tree theft and fire has been booked at Sarpy County. Lausten informed Council of the "Click It or Ticket" Campaign which ran from May 19, 2008 through June 1, 2008 in Nebraska. Officer York attended a training conference and found T-shirts there that had Leda's picture on them.

Fire Chief Uhl informed Council the 13 new recruits bring the department to 70 members, and this puts the list to within 5 recruits before they begin a waiting list.

Uhl informed Council there was a fire in the morning on La Vista Drive that caused about \$25,000 in damage to the structure.

Uhl informed Council the Department will be holding a fund raiser during the La Vista Days parade, selling deep fried Twinkies and Oreos.

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Public Works Directors Soucie updated Council on the Harrison Street Project. He stated the tree clearing was complete and work has begun on the sewer system. Soucie stated the bid opening for street resurfacing will be on June 9, 2008.

## **B. APPLICATION FOR PRELIMINARY PLANNED UNIT DEVELOPMENT – LOT 380, CIMARRON WOODS (SW OF 96<sup>TH</sup> AND HARRISON)**

### **1. PUBLIC HEARING**

Mayor Kindig stated that a public hearing has been scheduled to consider an Application for Preliminary Planned Unit Development – Lot 380, Cimarron Woods. He welcomed those in attendance regarding this agenda item. Mayor Kindig stated that this is the first presentation being made to the Mayor and Council regarding the proposed project. He stated that the public hearing would be opened and the developer would be given the opportunity to make their presentation and then time would be provided for comments from the floor.

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion an Application for Preliminary Planned Unit Development – Lot 380, Cimarron Woods (SW of 96th and Harrison).

Larry Jobeun representing Pedcor, Mike Smith of Pedcor Investments, and Mark Westergard of E & A addressed Council to give an overview of the project. Pedcor is one of the Midwest's largest multi-family developers. The company has developments in Kearney, Grand Island, and is constructing Irvington Heights in Omaha.

Mayor Kindig asked if there were any other proponents to speak. There were none.

Mayor Kindig stated that testimony will now be heard from any opponents of this project. He stated that public testimony will be limited to approximately 30 minutes, each person will be allowed to speak for two minutes, do not repeat anything that has already been said, when they come forward to speak they must print their name and address on the sign in sheet and state the same into the microphone, and keep comments relevant to the public hearing and address only the Council or Mayor.

Opponents of the project voiced concerns with regard to traffic, apartment height, tenancy, upkeep, parking, management of facilities, property valuations, ingress/egress, and crime.

At 8:35 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember Sheehan introduced and moved for denial of Resolution No. 08-049 and the Planned Unit Development Plan for Lot 380, Cimarron Woods, which Resolution presented at the meeting read as follows: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD 1) PLAN FOR LOT 380 CIMARRON WOODS, A SUBDIVISION LOCATED IN THE N1/2 OF SECTION 16, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a preliminary planned unit development plan for Lot 380, Cimarron Woods; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary planned unit development plan; and

WHEREAS, on April 17, 2008, the La Vista Planning Commission held a public hearing and reviewed the preliminary planned unit development plan and recommended approval subject to resolution of the following items identified by the city engineer and staff:

1. The preliminary PUD Plan and application refers to the property as being zoned R-1 (PUD). This needs to be revised on the Final PUD Plan to read R-3, PUD-1 zoning.
2. A traffic signal shall be installed at the developer's expense at the intersection of 99<sup>th</sup> and Harrison Streets as part of the development of Lot 380, Cimarron Woods, as per the Cimarron Woods Subdivision Agreement.

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3. A 10-foot wide trail shall be installed, as per Exhibit E-1 of the Cimarron Woods Subdivision Agreement. Parking spaces near the west property line shall be shifted to the east to allow enough room for this trail to be constructed with separation from the parking lot.
4. Parking requirements will need to be satisfied as described in the staff report.
5. Revisions requested by the City Engineer, in his letter dated March 17, 2008, shall be incorporated into the Final PUD Plan and Conditional Use Permit submittal.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the Planned Unit Development (PUD-1) plan for Lot 380, Cimarron Woods, located in the N1/2 of Section 16, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located southwest of 96<sup>th</sup> & Harrison Streets be, and hereby is, approved subject to the items listed above.

Seconded by Councilmember Carlisle. Mayor Kindig stated the motion to deny Resolution No. 08-049 and asked if there was any discussion. Councilmember Ellerbeck questioned the motion to deny, stating that this is a preliminary PUD which gives time to make changes. Councilmember Sheehan stated concerns that he felt were sufficiently significant to conclude that denial would be the proper course of action at this time. Concerns Councilmember Sheehan mentioned included this being comprised of three story buildings (vs. expected two story buildings), insufficient parking spaces, insufficient number of garages and unsatisfactory resolution of water runoff caused by the development. Councilmember Sheehan expressed willingness to consider a resubmission addressing concerns, if the developer so desired. Councilmember Carlisle would like to see a current traffic study and was concerned about how much traffic would move through the Cimarron Woods neighborhood. Councilmember Ellerbeck stated that this developer has met the requirements of the zoning and recommended approval. Councilmember Quick inquired as to the ability to approve this preliminary PUD and make changes as we go through the process. Councilmember Sell inquired and City Administrator confirmed that the developer could resubmit, if desired. Councilmember Sheehan stated that he felt the onus should be on the developer to address Council's concerns, which the developer will have an incentive to do if the preliminary PUD is denied; reiterating, for example, his concern that the preliminary PUD did not satisfy the City's parking requirements. City Administrator Gunn stated that denying the preliminary PUD would be advisable if the Council had numerous outstanding issues to address, particularly if Council had significant concerns impacting the site plan, as seemed to be the case based on comments that had been made regarding density and building height. The City Administrator felt that it might be better to put the developer on notice of significant concerns, such as traffic and the number of garages, now rather than approve the preliminary PUD and try to address concerns in the conditional use permit process. Councilmember Sell clarified and Mayor Kindig confirmed that a vote in favor of the motion made and seconded would be a vote to deny Resolution 08-049. The Mayor asked if there was any further discussion from Council. Councilmember Gowan agreed with Councilmember Sheehan that the expectation for these apartments was to be like Southwind Villas and this falls short of those expectations. The question was called and the Mayor asked Councilmembers to vote on the motion to deny Resolution No. 08-049. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, McLaughlin, and Gowan. Nays: Ellerbeck and Ronan. Abstain: None. Absent: None. Motion to deny carried. The Mayor asked Councilmembers to provide concerns regarding the proposed development to City staff in the next week or two to provide to the developer.

At 8:55 p.m., Councilmember McLaughlin motioned to recess for 5 minutes. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Ronan, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

At 9:00 p.m. Councilmember Ellerbeck motioned to reconvene. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## **C. CALL FOR REDEMPTION OF BONDS AND REFUNDING SERIES 2008 BOND ISSUE** **(TABLED FROM MAY 20, 2008 MEETING)**

### **1. RESOLUTION – CALL OF VARIOUS PURPOSE BONDS, 2001 SERIES FOR REDEMPTION.**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-050: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF VARIOUS PURPOSE BONDS, 2001 SERIES FOR REDEMPTION

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WHEREAS, the following bonds are hereby called for redemption at par plus accrued interest on July 15, 2008 after which date said bonds shall cease to bear interest:

**Various Purpose Bonds, 2001 Series,** dated January 24, 2001, in the principal amount of \$1,450,000, numbered as shown on the records of the paying agent and registrar, becoming due on January 15 in each year from January 15, 2010, through January 15, 2016, issued by the City to pay the costs of constructing improvements in Street Improvement District Nos. 1997-1, 98-1 and 99-1; and to pay the costs of flood control and storm water sewer improvements within the City of La Vista, Nebraska.

WHEREAS, Said bonds are payable at the office of the City Treasurer, in La Vista, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with the City Treasurer, in La Vista, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the Various Purpose Bonds, 2001 Series at par plus accrued interest on July 15, 2008 and to authorize the City Treasurer of La Vista, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

Seconded by Councilmember Gowan. Dan Smith, with DA Davidson was present to answer any questions. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## **2. RESOLUTION – CALL OF VARIOUS PURPOSE BONDS, 2002 SERIES FOR REDEMPTION.**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-051: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF VARIOUS PURPOSE BONDS, 2002 SERIES FOR REDEMPTION

WHEREAS, That the following bonds are hereby called for redemption at par plus accrued interest on July 15, 2008 after which date said bonds shall cease to bear interest:

**Various Purpose Bonds, 2002 Series,** dated June 12, 2002, in the aggregate principal amount of \$1,400,000, numbered as shown on the records of the paying agent and registrar, becoming due on June 15 in each year from June 15, 2010, through June 15, 2022, issued by the City to pay the costs of constructing improvements in Paving Improvement District No. 2000-1, Sanitary Sewer Extension District No. 2000-1 and Storm Sewer District No. 2000-1, all such districts within the City of La Vista, Nebraska.

WHEREAS, Said bonds are payable at the office of the City Treasurer, in La Vista, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with the City Treasurer, in La Vista, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the Various Purpose Bonds, 2002 Series at par plus accrued interest on July 15, 2008 and to authorize the City Treasurer of La Vista, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

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

## **3. RESOLUTION – CALL OF GENERAL OBLIGATION BONDS, 2001 SERIES FOR REDEMPTION.**

Councilmember Quick introduced and moved for the adoption of Resolution No. 08-052: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,

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## NEBRASKA, APPROVING THE CALL OF GENERAL OBLIGATION BONDS, 2001 SERIES FOR REDEMPTION

WHEREAS, That the following bonds are hereby called for redemption at par plus accrued interest on July 15, 2008 after which date said bonds shall cease to bear interest:

**General Obligation Bonds, Series 2001, of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska**, dated October 15, 2001, in the principal amount of \$1,260,000, numbered as shown on the records of the paying agent and registrar, becoming due on October 15 in each year from October 15, 2009, through and including October 15, 2021, (the "Called Bonds") issued by Sanitary and Improvement District No. 198 of Sarpy County, Nebraska, (the "District") for the acquisition and construction of various public infrastructure improvements for the District. The City by Ordinance No. 1046 has annexed all of the District and the Called Bonds constitute the valid and binding obligations of the City.

WHEREAS, Said bonds are payable at the office of TeamBank, N.A., in Bellevue, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with TeamBank, N.A., in Bellevue, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the General Obligation Bonds, 2001 Series at par plus accrued interest on July 15, 2008 and to instruct TeamBank, N.A., in Bellevue, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

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

## **4. RESOLUTION – CALL OF GENERAL OBLIGATION BONDS, 2002 SERIES FOR REDEMPTION.**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-053: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE CALL OF GENERAL OBLIGATION BONDS, 2002 SERIES FOR REDEMPTION

WHEREAS, That the following bonds are hereby called for redemption at par plus accrued interest on July 15, 2008 after which date said bonds shall cease to bear interest:

**General Obligation Bonds, Series 2002, of Sanitary and Improvement District No. 200 of Sarpy County, Nebraska**, dated April 1, 2002, in the aggregate principal amount of \$2,610,000, numbered as shown on the records of the paying agent and registrar, becoming due on April 1 in each year from April 1, 2010, through and including April 1, 2022, (the "Called Bonds") issued by Sanitary and Improvement District No. 200 of Sarpy County, Nebraska, (the "District") for the acquisition and construction of various public infrastructure improvements for the District. The City by Ordinance No. 1046 has annexed all of the District and the Called Bonds constitute the valid and binding obligations of the City.

WHEREAS, Said bonds are payable at the office of Great Western Bank, Omaha, Nebraska.

WHEREAS, a copy of this resolution shall be filed at least 30 days prior to the date of call with Great Western Bank, Omaha, Nebraska, as Paying Agent and Registrar and said Paying Agent and Registrar is hereby instructed to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

NOW THEREFORE BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, approving the call of the General Obligation Bonds, 2002 Series at par plus accrued interest on July 15, 2008 and to instruct Great Western Bank, Omaha, Nebraska as Paying Agent and Registrar to give notice of redemption in the manner provided for in the ordinance authorizing said bonds.

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

## **5. ORDINANCE – REFUNDING BOND ISSUE, SERIES 2008**

Councilmember Sell introduced Ordinance No. 1056 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2008, OF THE CITY OF LA VISTA, IN THE PRINCIPAL AMOUNT OF SIX MILLION EIGHT HUNDRED FORTY-FIVE THOUSAND DOLLARS (\$6,845,000) TO REFUND CERTAIN OUTSTANDING DEBT OF THE CITY OF LA VISTA; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; PROVIDING FOR BOND INSURANCE WITH RESPECT TO SAID BONDS; AND PROVIDING FOR PUBLICATION IN PAMPHLET FORM.

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 Gowan. The Mayor then stated the question was, "Shall Ordinance No. 1056 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.

## **D. RESOLUTION – ADOPTION - STRATEGIC PLAN**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-054: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO ADOPT THE STRATEGIC PLAN FOR 2008-2010 AS ATTACHED.

WHEREAS, the Mayor and City Council recognize the importance and value of having a deliberate planning process to help guide all facets of city government; and

WHEREAS, the Mayor and City Council believe that it is essential to set goals and review them periodically to ensure progress; and

WHEREAS, the Mayor and City Council held their annual strategic planning work session on Saturday, March 8, 2008 to:

1. Align the city's priorities with changing conditions and new opportunities.
2. Create shared commitments among council members and city staff concerning short-term and long-term endeavors.
3. Assess the city's present and future strengths, weaknesses, opportunities and threats; and

WHEREAS, the attached Strategic Plan for 2008-2010 was developed as a collaborative effort between the Mayor and City Council and the city's management team and establishes the organizational priorities for a two year planning period.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Strategic Plan for 2008-2010 as attached and presented at the June 3, 2008 City Council meeting.

Seconded by Councilmember Quick. Councilmember Sheehan stated that this is a living breathing document and not etched in stone. City Administrator Gunn stated that the Council will continue to be given quarterly updates. Councilmember Gowan stated that he feels the rental housing program is essential. City Administrator Gunn stated that staff is working on this program. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.



# MINUTE RECORD

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

June 3, 2008

## **E. CLASS IK LIQUOR LICENSE APPLICATION – LA VISTA ES CATERING CO INC DBA LA VISTA EMBASSY SUITES** **1. PUBLIC HEARING**

At 9:07 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion a Class IK Liquor License Application – La Vista ES Catering Co Inc dba La Vista Embassy Suites. Stephanie Grade, the General Manager for the Embassy Suites, addressed Council to answer any questions.

At 9:09 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-055: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS IK LIQUOR LICENSE APPLICATION FOR LA VISTA ES CATERING CO INC DBA LA VISTA EMBASSY SUITES, LA VISTA, NEBRASKA.

WHEREAS, La Vista ES Catering Co Inc dba La Vista Embassy Suites, 12520 Westport Parkway, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class IK Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class IK Liquor License application submitted by La Vista ES Catering Co Inc dba La Vista Embassy Suites, 12520 Westport Parkway, La Vista, NE.

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

## **F. SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS** **1. PUBLIC HEARING**

At 9:09 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements.

At 9:10 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **2. RESOLUTION**

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-056: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
7610 Terry Dr., Lot 660, La Vista Replat, \$132.08, and  
7741 S. Greenleaf Drive, Lot 59, Granville East, \$259.86  
were notified to clean up their property as they were in violation of the City Municipal Code, Section 93.015, or the City would do so and bill them accordingly, and

# MINUTE RECORD

June 3, 2008

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

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

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

Councilmember Sell made a motion to move "Comments from the Floor" up on the agenda ahead of Item G. "Executive Session". 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

Public Works Director Soucie informed Council there will be a van at City Hall at 11:45 a.m. on Saturday to take them to the Mayor's luncheon and then parade.

## G. EXECUTIVE SESSION - STRATEGY SESSION/NEGOTIATING GUIDANCE – KENO LOTTERY, STRATEGY SESSION/NEGOTIATING GUIDANCE – INTERLOCAL AGREEMENT

At 9:13 p.m. Councilmember McLaughlin made a motion to go into executive session for protection of the public interest for a Strategy Session/Negotiating Guidance – Keno Lottery and Interlocal Agreement. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 10:26 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session, noting that the discussion in executive session was limited to the subject matter contained in the original motion. Seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor stated that the smoking bans in Omaha and Ralston were found to be unconstitutional. He stated that good work by staff to inform Council helped them to make the decision to wait which will now be beneficial.

At 10:28 p.m. Councilmember Ellerbeck made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF JUNE 2008.

CITY OF LA VISTA

ATTEST:

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

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