

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING March 17, 2009

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 March 17, 2009. Present were Councilmembers: Sell, Ronan Quick, Sheehan, Carlisle, Crawford, 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, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Finance Director Lindberg, 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 March 5, 2009. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

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

Mayor Kindig made an announcement regarding the new agenda policy statement providing for expanded opportunity for public comment on agenda items.

SERVICE AWARDS – 5 YEARS – BEN IVERSEN, JOHN GRASSO, ANN BIRCH

Mayor Kindig presented service awards to John Grasso and Ann Birch for 5 years of service to the City. Ben Iversen was unable to attend.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM MARCH 3, 2009**
- 3. APPROVAL OF CITY COUNCIL STRATEGIC PLANNING RETREAT FROM FEBRUARY 28, 2009**
- 4. MONTHLY FINANCIAL REPORT – FEBRUARY 2009**
- 5. PAY REQUEST FROM MULLEN & MULLEN FOR PROFESSIONAL SERVICES - \$42,384.00**
- 6. PAY REQUEST FROM CITY OF OMAHA – HARRISON STREET IMPROVEMENTS - \$29,274.50**
- 7. APPROVAL OF CLAIMS**

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

ACW MANUFACTURING, Vehicle Maint.	116.00
ALAMAR UNIFORMS, Wearing Apparel	289.40
ARAMARK UNIFORM, Contract Services	281.29
ASSOCIATED FIRE PROTECTION, Contract Services	95.00
BAKER & TAYLOR BOOKS, Books	637.19
BCDM-BERINGER CIACCIO DENNELL, Professional Services	437.50
BENNINGTON EQUIPMENT INC, Vehicle Maint.	1,407.62
BENSON RECORDS, Contract Services	53.16
BLACK HILLS ENERGY, Utilities	11,876.20
BLUE CROSS BLUE SHIELD, Rescue Revenue	708.58
BRENTWOOD AUTO WASH, Vehicle Maint.	186.00
BRODART, Books	497.00
BUETHE, PAMELA, Vehicle Maint/Travel/Dues/ Supplies	439.94
BUILDERS SUPPLY, Bldg & Grnds	413.48
CARDMEMBER SERVICE, Travel/Supplies/Training	4,729.84
CAVLOVIC, PAT, Wearing Apparel	120.00
CITY OF BELLEVUE, Training	300.00

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CITY OF GRAND ISLAND, Travel	26.77
CJ'S HOME CENTER, Vehicle Maint/Supplies/Bldg & Grnds	668.11
CORNHUSKER INTL TRUCKS, Vehicle Maint.	683.06
COX, Contract Services/Phone	198.80
CREIGHTON EMS EDUCATION, Training	250.00
D & D COMMUNICATIONS, Repair	393.00
DAYMARK SOLUTIONS, Contract Services	230.00
DELL, Contract Services	1,310.43
DIGITAL ALLY, Capital Outlay	28,645.00
DILLON BROS HARLEY DAVIDSON, Vehicle Maint.	322.50
EDGEWEAR SCREEN PRINTING, Supplies	178.60
ELECTRIC FIXTURE & SUPPLY, Bldg & Grnds	20.83
ENVIRO TECH SERVICES, Ice Control Liquid	4,508.00
FILTER CARE, Vehicle Maint.	117.05
FLEET US, Bldg & Grnds	2,099.50
FLOHR ELECTRIC SERVICE, Equipment	29.75
FRED PETERSON	360.00
FUTUREWARE DISTRIBUTING, Contract Services	52.00
GALE, Books	149.14
GASSERT, ADAM, Contract Services	75.00
GASSERT, CORTNEY, Contract Services	37.50
GASSERT, MIKE, Contract Services	171.00
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	116.00
GRAYBAR ELECTRIC, Bldg & Grnds	252.52
GREAT AMERICAN LEASING, Contract Services	422.04
GREAT PLAINS ONE-CALL SVC, Contract Services	87.51
GREAT WESTERN BANK, Fees	250.00
GREENKEEPER, Bldg & Grnds	198.03
H & H CHEVROLET, Vehicle Maint.	495.42
HEARTLAND AWARDS, Wearing Apparel	34.60
HEARTLAND PAPER, Supplies	93.00
HOLIDAY INN, Travel	324.75
HOOK-FAST SPECIALTIES, Wearing Apparel	130.77
HORNUNG'S GOLF PRODUCTS, Wearing Apparel/Equipment	275.70
HURST, JEAN, Travel	256.00
HY-VEE, Supplies	72.39
IIMC CONFERENCE REGISTRATION, Training	510.00
INDUSTRIAL SALES COMPANY, Training	100.00
IWAN, ROSE, Travel	201.73
J Q OFFICE EQUIPMENT, Contract Services	886.10
JONES AND BARTLETT PUBLISHERS, Training	514.50
JONES AUTOMOTIVE, Equip. Maint.	750.00
KORTUS, LEE, Contract Services	342.00
KRIHA FLUID POWER, Vehicle Maint.	121.47
LA VISTA CHAMBER OF COMMERCE, Travel	450.00
LAUGHLIN, KATHLEEN, Payroll Withholding	372.00
LEAGUE OF NEBRASKA MUN, Training/Travel	666.00
LIFE ASSIST, Squad Supplies	259.23
LINWELD, Supplies	182.66
LODES, CHRIS, Contract Services	210.00
LOU'S SPORTING GOODS, Supplies	52.95
MAX'S BODY SHOP, Vehicle Maint.	1,084.85
METRO AREA TRANSIT, Contract Services	551.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	181.34
MID-STATES UTILITY TRAILER, Vehicle Supplies	422.86
MIDWEST SERVICE AND SALES, Traffic Signs	2,310.00
MNJ TECHNOLOGIES DIRECT, Contract Services	2,076.00
NE DEPT HEALTH/HUMAN SERVICES, Permit	40.00
NE SECRETARY OF STATE, Fees	20.00
NEBRASKA EDUCATION MEDIA ASSN, Training	20.00
NEBRASKA IOWA SUPPLY, Vehicle Supplies	5,187.00
NEBRASKA SALT & GRAIN COMPANY, Ice Control Salt	2,586.26
NEBRASKA TURF PRODUCTS, Bldg & Grnds	213.75
NEBRASKALAND CONF BLDG OFFCL, Dues	145.00
NLA-NEBRASKA LIBRARY ASSN, Dues	285.00
NMC EXCHANGE, Vehicle Maint.	31.22
NOVA HEALTH EQUIPMENT, Equipment	5,793.00
NUTS AND BOLTS, Vehicle Maint.	3.61

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OABR PRINT SHOP, Printing	87.48
ODB COMPANY, Vehicle Maint.	836.84
OFFICE DEPOT, Supplies	835.39
OMAHA WORLD HERALD, Legal Advertising	1,798.24
OMB EXPRESS POLICE SUPPLY, Wearing Apparel	159.97
OPPD, Utilities	42,115.12
OVERHEAD DOOR, Bldg & Grnds	17.50
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	428.00
PAYLESS, Supplies	98.86
PENWORTHY, Books	1,454.85
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	116.06
PRECISION INDUSTRIES, Bldg & Grnds	120.95
PROGRESSIVE BUSINESS, Contract Services	250.00
QUALITY BRANDS, Concessions	144.40
QUILL CORPORATION, Supplies	138.37
QWEST, Phone	48.97
RAMIREZ, JOHN, Contract Services	76.00
RAMIREZ, RITA, Travel	125.00
RECORDED BOOKS, Media	212.15
RUSTY ECK FORD, Vehicle Maint.	6.56
SAM'S CLUB, Concessions/Supplies	64.31
SAPP BROS PETROLEUM, Vehicle Supplies	882.00
SARPY COUNTY ECONOMIC DEV.CORP, Travel	50.00
SCHOLASTIC LIBRARY PUBLISHING, Books	325.91
SID 195 - MAYFAIR, Sewer Fees	4,296.00
SINNETT, JEFF, Travel	42.97
SMALL, BRADY, Travel	30.00
STERIL MANUFACTURING, Repair Flags	125.00
SUBURBAN NEWSPAPERS, Dues	39.50
TAPE STOCK ONLINE, Supplies	36.37
TED'S MOWER SALES & SERVICE, Vehicle Maint.	553.63
THOMPSON DREESSEN & DORNER, Professional Services	19,389.32
TRACTOR SUPPLY, Vehicle Maint.	1,185.83
TRANE, Bldg & Grnds	73.50
U S ASPHALT, Street Maint.	279.72
UPS, Postage	7.94
UPSTART, Supplies	363.17
VODICKA, STEVE, Repair	42.67
WASTE MANAGEMENT, Contract Services	665.67
WICK'S STERLING TRUCKS, Vehicle Maint.	84.14
WORLD BOOK, Books	179.00
ZOO BOOKS MAGAZINE, Books	22.95

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe informed Council that Deputy City Clerk Lupomech and she would be attending the Nebraska Municipal Clerk Academy in North Platte on Wednesday through Friday.

Police Chief Lausten informed Council that Officer Danderand and Armbrust will be attending tactics training in California to put together a better defense and tactics training program in La Vista.

Fire Chief Uhl gave Council an update on the UASI grant money. Seven portable and two mobile radios obtained from the grant will be in service by next week.

Public Works Director Soucie informed Council that construction season is beginning. Street light poles are now on one side of Harrison. Street sweeping has been completed; pothole repair is going well; and the final inspection of the cart corals has been completed.

Community Development Director Birch informed Council the La Vista Building Inspectors will be attending a class in Denver to obtain their plumbing certificates. Birch informed Council she met with EDIAW, Inc. last week to set up review dates for the Vision 84 project. They will meet with Council at April 14, 2009.

Recreation Director Stopak informed Council that the senior's St. Patrick's Day luncheon was held today with 60 seniors in attendance.

Library Director Iwan informed Council that circulation increased in the month of February. There was an increase of 4,000 over the previous year.

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B. RESOLUTION - FY 2007/2008 AUDIT REPORT – BKD, LLP

Councilmember Quick introduced and moved for the adoption of Resolution No. 09-021: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FISCAL YEAR 2007 - 2008 MUNICIPAL AUDIT AS PREPARED BY THE AUDITING FIRM OF BKD, LLP, OMAHA, NEBRASKA.

WHEREAS, the City of La Vista has contracted with the firm of BKD, LLP, Omaha, Nebraska, to complete an audit of the City's fiscal year 2007-2008 municipal operations; and

WHEREAS, BKD, LLP has completed said audit and provided copies of their findings.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the 2007-2008 municipal audit is hereby accepted and approved.

Seconded by Councilmember Gowan. Finance Director Lindberg introduced Roger Wattan of BKD, who gave a summary of the audit reports. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. AMEND BUILDING CODE – ADOPT INTERNATIONAL PROPERTY MAINTENANCE CODE

1. PUBLIC HEARING

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Amending the Building Code – Adopt International Property Maintenance Code. Chief Building Official Sinnott gave an overview of the code and explained that a few wording changes have to be made before the code is adopted; so Council was asked to table the ordinance. Sinnott asked if there was any input or issues from Council regarding the code to be considered and any additional revisions made before the code is brought back for adoption. Councilmember Ellerbeck asked if Section 602.3 meant an owner/operator must supply a level of heat. Sinnott informed Council that an owner/operator must provide a heat source with the minimum room temperature at 3' off the floor.

At 7:32 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. ORDINANCE

Councilmember Sheehan made a motion to table Ordinance No. 1086 entitled: AN ORDINANCE TO AMEND SECTION 150.03 OF THE LA VISTA MUNICIPAL CODE RELATING TO HOUSING CODES; TO REPEAL SECTION 150.03 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

D. ORDINANCE – AMENDMENT TO COMPENSATION ORDINANCE

Councilmember Crawford introduced Ordinance No. 1087 entitled: AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Assistant City Administrator Ramirez reviewed the ordinance and discussion was held.

Councilmember Sell 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, Sheehan, Carlisle, Crawford, Ellerbeck, Quick 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 Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1087 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. The

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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.

E. RESOLUTION – AUTHORIZATION TO PURCHASE 4X4 PICKUP TRUCK

Councilmember Sell introduced and moved for the adoption of Resolution No. 09-022: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2009 FORD F-550 4 X 4 PICKUP TRUCK FROM ANDERSON AUTO GROUP, LINCOLN, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$56,978.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one 2009 Ford F-550 4 X 4 Pickup Truck for the Public Works Department is necessary; and

WHEREAS, the FY08/09 General Fund budget does include funds for the purchase of said vehicle; and

WHEREAS, Anderson Auto Group, Lincoln, Nebraska, was awarded the State Bid for said vehicle being requested; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one 2009 Ford F-550 4 X 4 Pickup Truck for the Public Works Department from Anderson Auto Group, Lincoln, Nebraska, in an amount not to exceed \$56,978.00.

Seconded by Councilmember Gowan. Mayor Kindig asked if there was anyone here to speak on this agenda item. There being no one, Mayor Kindig asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

F. RESOLUTION – AWARD OF CONTRACT FOR GOLF MERCHANDISE CONSIGNMENT

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-023: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A ONE – YEAR CONTRACT WITH FAIRWAY GOLF LLC., OMAHA, NEBRASKA, TO FURNISH AND SUPPLY THE LA VISTA FALLS GOLF COURSE WITH GOLF CLUBHOUSE MERCHANDISE ON A CONSIGNMENT BASIS.

WHEREAS, the City has determined that it is desirable to contract for the furnishing and supplying of golf merchandise on a consignment basis at La Vista Falls Golf Course Clubhouse; and

WHEREAS, Fairway Golf LLC., supplied said golf merchandise on a consignment basis to the City since 2006; and

WHEREAS, the current contract with Fairway Golf LLC will expire in March of 2009; and

WHEREAS, the Recreation Director recommends extending the current contract with Fairway Golf LLC for one year; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a one-year contract with Fairway Golf LLC., Omaha, Nebraska, to furnish and supply the La Vista Falls Golf Course Clubhouse with golf merchandise on a consignment basis.

Seconded by Councilmember Ellerbeck. Recreation Director Stopak stated the City has used Fairway Golf the past three years and felt the arrangement was satisfactory. Several Councilmembers requested that Stopak look at possible other vendors for next year. It was noted that the City sought other vendors in 2006. Mayor Kindig asked if there was anyone here to speak on this agenda item. There being no one, Mayor Kindig asked for the vote. Councilmembers

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voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

G. RESOLUTION – AWARD OF CONTRACT FOR CONCESSION STAND OPERATIONS

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 09-024: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE A TWO-YEAR CONTRACT WITH HAMS, INC., OMAHA, NEBRASKA, FOR THE OPERATION OF CONCESSIONS AT THE SPORTS SOFTBALL COMPLEX, SOCCER COMPLEX, CITY PARK, AND COMMUNITY CENTER.

WHEREAS, the City has determined that it is desirable to contract for the operation of concession stands at various recreation sites in the City with HAMS Inc.; and

WHEREAS, HAMS, Inc. operated concessions at various recreation sites in the City since 2005; and

WHEREAS, the current contract with HAMS, Inc. will expire in April of 2009; and

WHEREAS, the Recreation Director recommends extending the current contract with HAMS, Inc. for two years; and

WHEREAS, the contract provides for Hams Inc. to make payments of 10% of the gross revenues from all sales to the City; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to sign a two-year contract with HAMS Inc., Omaha, Nebraska, for the operation of the concessions at the Sports Softball Complex, Soccer Complex, City Park and Community Center.

Seconded by Councilmember Gowan. Recreation Director Stopak addressed Council to give a review of the contract. The difference is the contract has changed from a one year term to two years. Councilmember Crawford stated he would prefer to see a one year contract. The city will work with the vendor to possibly bring in more tournaments to help with concessions. Laurie Hamzhie was present to answer any questions on behalf of the contractor. Mayor Kindig asked if there was anyone here to speak on this agenda item. There being no one, Mayor Kindig asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

H. SPECIAL ASSESSMENTS

1. PUBLIC HEARING

At 8:03 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments.

At 8:04 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-025: 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 7708 S 71st Ave. \$119.91, 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

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

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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 Carlisle. Mayor Kindig asked if there was anyone here to speak on this agenda item. There being no one, Mayor Kindig asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

I. RESOLUTION – PURCHASE OF FIREFIGHTER BUNKER GEAR

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-026: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIVE SETS OF GLOBE G7 BUNKER GEAR FROM MUNICIPAL EMERGENCY SERVICES, INC., SNYDER, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$13,132.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase bunker gear and accessories for the Fire Department; and

WHEREAS, funds are provided in the FY 08/09 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of this bunker gear will bring the department closer to attaining NFPA 1971 compliance for the 2007 standards for protective gear; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorizes the purchase of five sets of Globe G7 Bunker Gear from Municipal Emergency Services, Inc., Snyder, Nebraska in an amount not to exceed \$13,132.00.

Seconded by Councilmember Crawford. Mayor Kindig asked if there was anyone here to speak on this agenda item. There being no one, Mayor Kindig asked for the vote. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

J. DISCUSSION – LEGISLATIVE UPDATE – LB 615 - ADOPT THE FAMILY ENTERTAINMENT AND SPORTS ATTRACTION ACT AND RENAME THE MUNICIPAL INFRASTRUCTURE REDEVELOPMENT FUND ACT AND AUTHORIZE A COUNTY SALES TAX

Mayor Kindig gave an overview of LB615, LB616, LB617, and LB618. Various Councilmembers commented on the proposed legislation.

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and stated that anyone having comments should limit them to three minutes. There were no comments from the floor.

K. EXECUTIVE SESSION – STRATEGY SESSION REGARDING POTENTIAL LITIGATION

At 8:21 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a Strategy Session regarding Potential Litigation. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle,

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Crawford, 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 8:55 p.m. the Council came out of executive session. Councilmember Sheehan made a motion to reconvene in open and public session, stating that the executive session was limited to the subject matter contained in the motion. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

There were no comments from Mayor and Council.

At 8:56 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF APRIL 2009.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\09 COUNCIL MINUTES\March 17, 2009