

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING January 5, 2010

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 January 5, 2010. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Engineer Kottmann, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, 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 December 24, 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 regarding the agenda policy statement providing for expanded opportunity for public comment on the agenda items.

PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL – ARNOLD BARRERA, JOANNA NGUYEN, PAT ROBERTS, JAY SAGHERIAN, & KYLE WILLIAMS

Mayor Kindig and Fire Chief Uhl recognized Arnold Barrera, Joanna Nguyen, Pat Roberts, Jay Sagherian, and Kyle Williams as full members of the La Vista Volunteer Fire Department after completing one year of training. Badges were presented and pinned on by Chief Uhl.

SERVICE AWARDS – DOUG GRABER, KIRSTEN BRADLEY, MELANIE SMITH, TRAVIS PROSSER – 5 YEARS; ALAN RONAN, BRENDA CARLISLE – 15 YEARS

Mayor Kindig presented a service award to Doug Graber, Kirsten Bradley, Melanie Smith, and Travis Prosser for 5 years of service to the City and to Alan Ronan and Brenda Carlisle for 15 years of service to the City.

APPOINTMENTS

LIBRARY ADVISORY BOARD – RE-APPOINT VALERIE RUSSELL – 2 YEAR TERM; BOARD OF ADJUSTMENTS – RE-APPOINT RANDY JORDAN – 3 YEAR TERM; PLANNING COMMISSION – RE-APPOINT JOHN GAHAN – 3 YEAR TERM

Mayor Kindig stated that with the approval of Council Mayor Kindig would like to make the following appointments and reappointments: Library Advisory Board – Re-Appoint Valerie Russell – 2 Year Term; Board of Adjustments – Re-Appoint Randy Jordan – 3 Year Term; Planning Commission – Re-Appoint John Gahan – 3 Year Term. Councilmember Sell motioned the approval, seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 15, 2009**
- 3. PAY REQUEST FROM CITY OF OMAHA – HARRISON STREET IMPROVEMENTS -**
\$17,075.37
- 4. PAY REQUEST NO. 9 FROM EDAW – 84TH STREET REDEVELOPMENT VISION -**
\$22,766.38
- 5. PAY REQUEST FROM DOUGLAS COUNTY ENGINEER – HELL CREEK BRIDGE**
STABILIZATION - \$20,452.73
- 6. APPROVAL OF CLAIMS**

Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Carlisle. Councilmember Carlisle reviewed the claims for this period and

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reported that she found everything to be in order. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

ACTION BATTERIES, Supplies	32.18
AKSARBEN GARAGE DOOR SVCS, Bldg & Grnds	85.00
ALAMAR UNIFORMS, Wearing Apparel	38.99
AMSAN, Supplies	161.61
ANN TROE, Marketing	570.00
ARAMARK UNIFORM, Contract Services	230.72
ASSOCIATED FIRE PROTECTION, Contract Services	1,035.60
AVI SYSTEMS, Repair	947.70
BAKER & TAYLOR BOOKS, Books	4,348.72
BARATTA, NATHAN, Contract Services	80.00
BCDM-BERINGER CIACCIO DENNELL, Professional Services	1,150.00
BCR-BIBLIOGRAPHICAL, Oct 09 Charges	26.18
BEACON BUILDING SERVICES, Contract Services	6,437.00
BEAUMONT, MITCH, Professional Services	825.00
BENNINGTON EQUIPMENT, Vehicle Maint.	595.44
BERENS-TATE CONSULTING GROUP, Fees	5,500.00
BLACK HILLS ENERGY, Utilities	2,031.28
BOB'S RADIATOR REPAIR, Vehicle Maint.	190.00
BOLER WOOD & ASSOCIATES, Insurance	4,954.35
BRENTWOOD AUTO WASH, Vehicle Supplies/Maint.	150.00
BUETHE, PAM, Phone/Travel/Training/Supplies/Books	174.66
CALENTINE, JEFFREY, Phone	30.00
CARL JARL LOCKSMITHS, Bldg & Grnds	5.55
CENTER POINT PUBLISHING, Books	240.84
CHILD'S WORLD, Books	1,155.60
CITY OF OMAHA, Contract Services	35,702.84
COMP CHOICE, Professional Services	1,767.00
CORNHUSKER INTL, Vehicle Maint.	4.41
COX, Contract Services	179.15
D & D COMMUNICATIONS, Vehicle Maint.	847.00
DEMCO, Supplies	133.29
DON'S PIONEER UNIFORMS, Wearing Apparel	24.95
DUNKLE, AUBRIANA, Contract Services	80.00
EAGLE ENGRAVING, Wearing Apparel	125.16
EASTERN LIBRARY SYSTEM, Training	25.00
ED M. FELD EQUIPMENT, Capital Outlay/Wearing Apparel	4,473.00
ED ROEHR SAFETY PRODUCTS, Magazine	339.70
FARQUHAR, MIKE, Auto Allowance	100.00
FBINAA-FBI NATL ACAD ASSOCS, Dues	180.00
FEDEX KINKO'S, Printing	11.25
FERGUSON ENTERPRISES, Bldg & Grnds	119.24
FILTER CARE, Vehicle Maint.	42.20
FIREGUARD, Vehicle Maint.	24.57
FITZGERALD SCHORR BARMETTLER, Professional Services	23,823.55
FLEET US, Capital Outlay	4,995.00
FLEETPRIDE, Vehicle Maint.	71.16
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,262.00
FOX, ANDREA, Contract Services	446.25
FREMONT NATIONAL BANK & TRUST, Fees	1,694.52
FROEHLICH, RORY, Auto Allowance	100.00
FUTUREWARE DISTRIBUTING, Contract Services	15,027.00
GALE, Books	188.61
GASSERT, MIKE, Contract Services	649.50
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	315.84
GLENDALE PARADE STORE, Equipment	95.50
GODFATHER'S PIZZA, Supplies	113.96
GOLDMAN, JOHN, Phone	85.00
GRAYBAR ELECTRIC, Bldg & Grnds	742.55
GREAT PLAINS UNIFORMS, Wearing Apparel	268.50
GUNN, BRENDA, Travel/Phone	100.00
HANEY SHOE STORE, Equipment	120.00
HARROD, RAYMOND, Training	1,500.00
HEARTLAND AWARDS, Awards	608.00

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HEARTLAND PAPER, Supplies	95.00
HELGET GAS, Squad Supplies	73.00
HENRY, MARK, Contract Services	84.00
HOBBY LOBBY, Supplies	88.99
HUGGINS, BRIDGET, Books	39.59
HY-VEE, Supplies/Deferred Revenue	316.92
ICMA-INTL CITY/COUNTY MGR, Dues	743.14
ICSC-INTL COUNCIL OF SHPG CTRS, Travel	100.00
J Q OFFICE EQUIPMENT, Contract Services/Supplies	565.84
JONES AND BARTLETT PUBLISHERS, Books	40.20
KINDIG, DOUGLAS, Phone	80.00
KLINKER, MARK, Professional Services	200.00
LA VISTA COMMUNITY FOUNDATION, Payroll Deduction	70.00
LAMP RYNEARSON/ASSOCIATES, Professional Services	205.70
LARRY'S BOILER SERVICE, Bldg & Grnds	444.97
LAUGHLIN, KATHLEEN, Payroll Withholdings	809.00
LEAGUE OF NE MUNICIPALITIES, Training/Travel	281.00
LERNER PUBLISHING GROUP, Books	803.61
LIBERTY FLAG & SPECIALTY, Equipment	314.31
LIBRARY ADVANTAGE, Supplies	550.00
LIFE ASSIST, Squad Supplies	349.67
LINWELD, Street Maint/Supplies	491.97
LUKASIEWICZ, BRIAN, Phone	50.00
MALLARD SAND & GRAVEL, Winter Maint.	4,786.43
MAPES, HANNAH, Contract Services	90.00
MAPES, RYAN, Contract Services	90.00
MARSHALL CAVENDISH CORP, Books	539.02
MC DONALD AND ASSOCIATES, Contract Services	148.25
METALMASTERS TARGET SYSTEMS, Equipment	374.50
MID AMERICA PAY PHONES, Phone	50.00
MNJ TECHNOLOGIES DIRECT, Contract Services	3,883.00
MPH INDUSTRIES, Capital Outlay/ Forfeiture Funds	2,398.00
MUD, Utilities	852.24
NATIONAL ARBOR DAY FOUNDATION, Dues	15.00
NATIONAL LEAGUE OF CITIES, Dues	1,489.00
NE LIBRARY COMMISSION, Media	1,889.50
NEBRASKA NATIONAL BANK, Cart Lease	1,163.43
NEBRASKA TURF PRODUCTS, Supplies	235.50
NEUMAN EQUIPMENT, Vehicle Maint.	299.56
NEW LONDON REGALIA, Equipment	22.70
NEWMAN TRAFFIC SIGNS, Traffic Signs	1,641.00
NEXTEL COMMUNICATIONS, Phone	1,043.58
NUTS AND BOLTS, Vehicle Maint.	4.89
OABR PRINT SHOP, Printing	292.25
OFFICE DEPOT, Supplies	512.35
OLD NEWS, Books	17.00
OMAHA WINDUSTRIAL, Bldg & Grnds	12.63
OMAHA WORLD HERALD COMPANY, Legal Advertising/Subscription	1,191.05
PAPILLION SANITATION, Contract Services	304.11
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning/Wearing Apparel	402.46
PAUL LUCHT & SONS, Vehicle Maint.	3,054.08
PAYLESS, Supplies	194.36
PITNEY BOWES, Supplies	221.00
PRECISION INDUSTRIES, Winter Maint.	104.47
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	216.00
QUALITY AUTO REPAIR & TOWING, Contract Services	75.00
QUILL CORPORATION, Training/Supplies	426.29
QWEST, Phone	1,117.81
RAMIREZ, RITA, Phone	43.00
REED, CHRISTIE, Refund	10.00
ROURKE PUBLISHING, Books	901.68
SAPP BROS PETROLEUM, Vehicle Maint.	358.05
SARPY COUNTY COURTHOUSE, Contract Services	3,495.03
SARPY COUNTY EDC, Annual Investment	10,000.00
SHEEHAN, ALLISON, Refund	60.00
SIRCHIE FINGER PRINT LABS, Supplies	84.08
SMITH, GREGORY, Contract Services	108.00

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SOUCIE, JOSEPH, Phone	60.00
SPRINT, Phone	495.44
STATE STEEL OF OMAHA, Vehicle Maint/Bldg & Grnds	186.73
STERIL MANUFACTURING, Bldg & Grnds/Repair	75.00
STOPAK, SCOTT, Phone	50.00
SUBURBAN NEWSPAPERS, Books/Subscription	79.00
SUCCESS FACTORS, Contract Services	7,000.00
SUMMER KITCHEN CAFÉ, Supplies	21.13
TIEHEN, JAMES, Auto Allowance	100.00
TRACTOR SUPPLY CREDIT PLAN, Bldg & Grnds	7.98
TY'S OUTDOOR POWER & SVC, Vehicle Maint.	54.31
UPS, Postage	10.71
V & V MANUFACTURING, Wearing Apparel	90.07
VAIL, ADAM, Auto Allowance	100.00
VERIZON, Phone	99.79
VIERREGGER ELECTRIC, Street Maint.	1,769.75
WAL-MART, Supplies/Media	758.73
WASTE MANAGEMENT, Bldg & Grnds/Street Maint.	948.39
WAUGH, BRYAN, Training	510.00
WEIGL PUBLISHERS, Books	816.51
WESTON WOODS, Media	132.65
WICK'S STERLING TRUCKS, Vehicle Maint.	237.62

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn informed Council that the Creighton Leadership classes, for all Department Heads and Mid-Level Managers in the City, begin tomorrow and continue for 10 weeks.

Fire Chief Uhl informed Council that the La Vista Volunteer Fire and Rescue Department responded a recent house fire. There was minimal damage.

Police Chief Lausten informed Council that one of the police cruisers was hit during the recent snow storm. Councilmember Gowan commented on the large piles of snow at the entrance to Casey's and asked if they City could knock down the piles. Public Works Director Soucie stated Public Works will review areas that need snow removed for safety purposes.

Public Works Director Soucie gave a breakdown of the last snow event. Soucie stated that Tuesday evening, crews switched to 12 hours shifts. Equipment breakdowns have been minimal. Soucie stated that complaints have been low, while compliments have been high. Soucie stated he had to deny all leave requests. Soucie stated that pickups did not work in this storm as the snow was heavy and deep. Hauling snow out has been hindered due to the storms and some sidewalks still need to be cleared. Soucie introduced Nick Epperson as the newest employee to the Public Works department filling the position of Assistant Mechanic.

Building and Grounds Director Archibald informed Council there is 25 feet of snow above the racquetball court at the Community Center. The courts have been shut down as a precaution. There are leaks in the buildings due to the heavy snow on the flat roofs.

Library Director Barcal reported on the money saved due to two metro work study students helping. Barcal also introduced a new student who will be putting in 90 hours with the library.

B. AMENDMENT TO PORTAL RIDGE PLANNED UNIT DEVELOPMENT (PUD)

1. PUBLIC HEARING

At 7:25 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on an amendment to Portal Ridge Planned Unit Development (PUD). Mark Westergard, of E & A consulting, addressed Council to request the allowance of this change to allow for 5 foot sideyards. He stated this is consistent with Southwind, Val Vista, and Val Verde. Tim Young, of Boyer Young, addressed Council to explain why there has been a change in the market. Melvin Tague spoke in favor of the change in sideyards as he and his fiancé want to build one of the homes which will not fit on this property without the change in sideyards and would be too expensive for them to build a different model.

At 7:32 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.

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2. ORDINANCE – APPROVAL OF AMENDMENT TO FINAL PUD

Councilmember Carlisle introduced Ordinance No. 1112 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA, AMENDING ORDINANCE NO. 933 BY ESTABLISHING NEW SETBACK STANDARDS FOR CERTAIN LOTS; TO PROVIDE WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT; AND TO PROVIDE FOR THE PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Carlisle, Ellerbeck, and Gowan. The following voted nay: Sheehan and Crawford. 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 Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. The Mayor then stated the question was, "Shall Ordinance No. 1112 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, 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.

3. RESOLUTION – APPROVAL OF AMENDMENT TO SUBDIVISION AGREEMENT

Councilmember Gowan introduced and moved for the adoption of Resolution No. 10-001: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AMENDMENT TO THE RESIDENTIAL SUBDIVISION AGREEMENT FOR PORTAL RIDGE IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City did on June 6, 2006, approve the Residential Subdivision Agreement for Portal Ridge; and

WHEREAS, the City has approved an amendment to the final PUD plan to allow for a five-foot interior side yard setback on the following lots: Lots 4, 10-14, 16-18, 20, 22, 25 – 28, 30, 32, 34, 35, 37-50, 62, 64, 67, 68, 70, 71, 73, 74, 79, 81, 83-89, 91-93, 95, 108, 110-112, 114-121, 123, 133, 135-155, 158-160, 65-184, 186-192, 194-197, 199-207, 210-230, 233-236 and 238-241 Portal Ridge, a subdivision as surveyed, platted and recorded in Sarpy County, Nebraska

NOW THEREFORE, BE IT RESOLVED, that an Amendment to the Residential Subdivision Agreement presented at the January 5, 2010, City Council meeting for Portal Ridge be, and hereby is approved, and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

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

C. RESOLUTION – APPROVAL OF CONDITIONAL USE PERMIT – LOT 4, HARRISON HEIGHTS

A representative of Calamar addressed Council to request a continuance on the Conditional Use Permit to the next meeting.

Councilmember Gowan motioned to table Resolution No. 10-002 entitled: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR MULTIPLE FAMILY DWELLINGS FOR SENIORS ON PROPOSED LOT 4, HARRISON HEIGHTS until the January 19, 2010 City Council meeting.

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

D. RESOLUTION – APPROVE PROPOSAL TO PRINT AND BIND LA VISTA HISTORY BOOK

Councilmember Sell introduced and moved for the adoption of Resolution No. 10-003: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE PROPOSAL OF WALSWORTH PRINT GROUP FOR PRINTING AND BINDING SERVICES ASSOCIATED WITH THE PUBLICATION OF THE CITY'S HISTORY BOOK IN AN AMOUNT NOT TO EXCEED \$5,770.00.

WHEREAS, the City contracted for the writing of a history book in conjunction with the 50th anniversary of the City; and

WHEREAS, the book has been completed and is ready for publication; and

WHEREAS, quotes for printing and binding were requested from four vendors and two quotes were received; and

WHEREAS, Walsworth Print Group provided the lowest, most responsive quote.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska do hereby approve the proposal of Walsworth Print Group for printing and binding services associated with the publication of the City's history book in an amount not to exceed \$5,770.00.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked what type of cover the book would have. Assistant City Administrator Ramirez stated the book would be hard bound. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Motion carried.

E. RESOLUTION – AUTHORIZATION TO PURCHASE – MOVIE SYSTEM

Councilmember Quick introduced and moved for the adoption of Resolution No. 10-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) OUTDOOR MOVIE SYSTEM FROM OUTDOOR MOVIES, ROCKVILLE MARYLAND, IN AN AMOUNT NOT TO EXCEED \$16,850.00

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one Outdoor Movie System is necessary; and

WHEREAS, the FY09/10 Community Betterment Fund budget does include funds for the purchase of said equipment; and

WHEREAS, Outdoor Movies, Rockville Maryland, is the most responsible bidder; 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 Outdoor Movie System from Outdoor Movies, Rockville Maryland, in an amount not to exceed \$16,850.00.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked if an audio system was included. Captain Pokorny informed Council that audio is included in the system. Councilmember Sheehan asked if speakers could be added to the system. Pokorny will check on this and respond at a later date. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Motion carried.

F. SPECIAL ASSESSMENTS **1. PUBLIC HEARING**

At 7:40 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

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At 7:41 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. 10-005: 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
10812 Harry Wantanabe Drive, Lots 43B & 44B/Brook Valley Business Park,
\$1,107.41
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01 and the International Property Management Code 302.9, 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

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

Councilmember Crawford made a motion to move "Comments from the Floor" up on the agenda ahead of Item G. "Executive Session". Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, 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.

G. EXECUTIVE SESSION – LAND ACQUISITION; PERSONNEL

At 7:42 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a strategy session regarding land acquisition; and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, 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 8:21 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan commented on the Bella La Vista Apartments and asked if any had seen it. City Administrator stated staff had not seen anything regarding this, to her knowledge.

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Councilmember Sheehan asked if a portion of the parking lot at the Library is designated for library use only. Mayor Kindig asked if the parking concerns could be brought up in a condo board meeting. Building and Grounds Director Archibald stated the issue was discussed in the very beginning. The agreement is that parking is basically "first come, first serve". Councilmember Sheehan stated that six to eight spaces should be designated for library senior parking. Councilmember Crawford suggested that Library Director Barcal put numbers together on this issue. Barcal responded that there are no hourly numbers, and there is no way to monitor the parking traffic. City Administrator Gunn stated this issue will be put on the condo board meeting agenda for discussion.

City Administrator Gunn reminded Council of the upcoming governance training.

At 8:30 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF JANUARY 2010

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\09COUNCIL MINUTES\January 5, 2010