

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING March 1, 2011

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 1, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Human Resource Generalist Fagin, Library Director Barcal, Police Captain Pokorny, Fire Chief Uhl, Finance Director Lindberg, Public Works Director Soucie, Assistant Public Buildings and Grounds Director Siebels, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on February 17, 2011. 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 an expanded opportunity for public comment on the agenda items

### APPOINTMENTS – PLANNING COMMISSION – RE-APPOINT KATHLEEN ALEXANDER, MARY HEWITT, GAYLE MALMQUIST, AND TOM MILLER (ALTERNATE) – 3 YEAR TERMS

Mayor Kindig stated that with the approval of Council Mayor Kindig would like to make the following reappointments: Planning Commission – Re-appoint Kathleen Alexander, Mary Hewitt, Gayle Malmquist, and Tom Miller (alternate) – 3 Year Terms. Councilmember Crawford motioned the approval of the Planning Commission reappointments, seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

### CONSENT AGENDA

#### 1.APPROVAL OF THE AGENDA AS PRESENTED

#### 2.APPROVAL OF CITY COUNCIL MINUTES FROM FEBRUARY 15, 2011

#### 3.APPROVAL OF PARK & RECREATION ADVISORY COMMITTEE MINUTES FROM JANUARY 19, 2011

#### 4.APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM OWNERS ASSOCIATION, INC. MINUTES FROM FEBRUARY 14, 2011

#### 5.PAY REQUEST – DOUGLAS COUNTY TREASURER – HELL CREEK STREAM STABILIZATION PHASE I - \$7,427.43

#### 6.PAY REQUEST FROM HERITAGE-CRYSTAL CLEAN, LLC – PROFESSIONAL SERVICES - \$224.00

#### 7.APPROVAL OF CLAIMS

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

ABANTE MARKETING, misc.	398.60
AKSARBEN GARAGE DOOR, bld & grnds	250.00
ALAMAR UNIFORMS, wearing apparel	876.17
ARAMARK, services	299.62
ASPHALT & CONCRETE MATERIALS, maintenance	132.98
BAKER & TAYLOR BOOKS, books	780.16
BEACON BUILDING SERVICES, services	6712.00
BENNINGTON EQUIPMENT, maintenance	1932.02
BENSON RECORDS MANAGEMENT, service	63.16

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BETTER BUSINESS EQUIPMENT, rentals	47.92
BLACK HILLS ENERGY, utilities	19.54
BRAKE, A, auto allowance	100.00
BUETHE,P, phone	20.00
CABELA'S, equipment	634.29
CALENTINE, J, phone	30.00
CENTER POINT PUBLISHING, books	166.56
CORNHUSKER INTL TRUCKS, maintenance	427.67
COX COMMUNICATIONS, services	251.50
D & D COMMUNICATIONS, repairs	897.00
DELL MARKETING, services	17857.33
DIGITAL ALLY INC, supplies	97.50
DULTMEIER SALES & SERVICE, repair	39.81
ED M. FELD EQUIP, apparel/services	331.13
EMBASSY SUITES HOTEL, misc.	2890.90
EMBLEM ENTERPRISES, wearing apparel	499.15
FBINAA-FBI NATL ACAD ASSOCS, training	150.00
FEDEX, shipping	34.86
FOCUS PRINTING, printing	1426.34
FOCUS PRINTING, printing	969.00
FRED PETERSON, maintenance	780.00
FROEHLICH, R, auto allowance	100.00
FUTUREWARE DISTRIBUTING, supplies	300.00
G I CLEANER & TAILORS, services	103.70
GALE, books	233.96
GALLS, wearing apparel	150.99
GAYLORD BROS, supplies	110.50
GCR OMAHA TRUCK TIRE CENTER, maintenance	111.00
GOLDMAN, J, phone	85.00
GRAYBAR ELECTRIC COMPANY, bld & grnds	326.40
GUNN, B, phone	45.00
H & H CHEVROLET, maintenance	552.31
HANEY SHOE STORE, wearing apparel	360.00
HEARTLAND AWARDS, printing	9.90
HEARTLAND PAPER, supplies	70.00
HELGET GAS PRODUCTS, supplies	98.00
HOOK-FAST SPECIALTIES, wearing apparel	102.34
IACP, training	1163.47
INSIGHT PUBLIC SECTOR, services	1064.99
J Q OFFICE EQUIPMENT, services/supplies	1160.34
JERRY SNELL HEATING & AIR COND, refund	15.00
KINDIG, D, phone	80.00
KLINKER, MARK, services	200.00
KOTTMANN, J, auto allowance	138.95
KRIHA FLUID POWER CO, maintenance	33.11
LA VISTA COMMUNITY FOUNDATION, misc.	50.00
LAKELAND ENGINEERING EQUIP CO, maintenance	83.66
LANDPORT SYSTEMS, services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE, misc.	648.00
LIBRARY ADVANTAGE, supplies	350.00
LIEN TERMITE & PEST CONTROL, services	230.00
LUKASIEWICZ, B, phone	65.00
MALLARD SAND & GRAVEL CO, maintenance	2078.60
MARKOWSKY, T, auto allowance	100.00
MATHESON TRI-GAS, supplies	22.41
MAX'S BODY SHOP, maintenance	8214.50

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MENARDS, maintenance	37.88
MES, apperal	9375.00
METROPOLITAN COMMUNITY COLLEGE, services	209.85
MICHAEL TODD AND CO, maintenance	1350.00
MID AMERICA PAY PHONES, phone	50.00
MID CON SYSTEMS, maintenance	60.60
MID-IOWA SOLID WASTE EQUIP, supplies	2518.04
MIDWEST RIGHT OF WAY, services	4720.00
MILLER PRESS, printing	903.00
MSC INDUSTRIAL SUPPLY, supplies	50.97
MUD, utilities	1538.89
NE LIQUOR CONTROL COMMISSION, renewal	45.00
NE SECRETARY OF STATE, fees	20.00
NEBRASKA CODE OFFICIALS, training	375.00
NEBRASKA FIRE ADMIN ASSISTANTS, dues	15.00
NEBRASKA FOREST SERVICE,training	120.00
NEBRASKA TITLE COMPANY, acquisition	95499.67
NEFF TOWING, maintenance	235.00
NEXTEL COMMUNICATIONS, phone	204.74
NLA-GOLDEN SOWER, supplies	13.70
NMC EXCHANGE, maintenance/supplies	263.25
NOVA HEALTH EQUIP, equip.	459.75
NUTS AND BOLTS, maintenance	0.75
OCLC, fees	25.30
OFFICE DEPOT, supplies	1725.85
OLD NEWS, subscriptions	17.00
OPPD, utilities	1004.74
PAPILLION TIRE, maintenance	308.84
PARAMOUNT LINEN & UNIFORM, apparel/services	390.40
PAYLESS OFFICE PRODUCTS, supplies	395.63
PETTY CASH, mileage/postage/supplies/training	285.55
PITNEY BOWES, supplies	221.00
PUBLIC AGENCY TRAINING COUNCIL,training	475.00
QUALITY AUTO REPAIR & TOWING, services	75.00
QWEST, phone	1100.80
RALSTON VOLUNTEER FIRE/RESCUE, supplies	80.00
RAMIREZ, R, phone	43.00
RAPPOLD, K, renewal	31.00
RECORDED BOOKS, books	2.00
RUSTY ECK FORD, maintenance	34.75
SAPP BROS PETROLEUM INC, supplies	19519.76
SARPY COUNTY COURTHOUSE, services	3588.49
SINNETT, H, supplies	87.50
SOLBERG, C, training	280.00
SOUCIE, J, phone	60.00
SPRINT, phone	119.96
STATE STEEL OF OMAHA, maintenance	19.55
STOP TECH LTD, equipment	206.06
STOPAK, S, phone	50.00
STRYKER MEDICAL, supplies/equipment	4539.48
SUPER SEER, equip.	1683.80
TED'S MOWER SALES & SERVICE, maintenance	11.88
THOMPSON DREESSEN & DORNER,	3096.47

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## services

TORNADO WASH, maintenance	105.00
UHL, R, misc.	30.00
ULTRAMAX, supplies	598.00
UPS, postage	105.20
VAIL, A, auto allowance	100.00
VERIZON WIRELESS, phone	196.97
WAL-MART, supplies	859.37
WATER SHED, apparel	608.74
WICK'S STERLING TRUCKS, maintenance	226.70

**REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

City Administrator Gunn stated that the census data had been received today and shows La Vista at 15,758 and staff will be checking as they feel this may not be an accurate number.

Fire Chief Uhl reported that he had been selected to sing the National Anthem at one of the Storm Chasers games along with presentation of arms by the honor guard. No date yet. He also reported that they have done training in some of the houses that are up for demolition in the Thompson Creek area.

Public Works Director Soucie reported that the Parks Department has been updated signs at the parks and the new sign at the golf course just went up. Soucie reported that house demolitions in the Thompson Creek area have begun. He stated that the new sewer camera has been received.

Community Development Director Birch reported that the Building Inspectors are in Denver for training all week.

**B. ONE AND SIX YEAR STREET IMPROVEMENT PLAN****1. PUBLIC HEARING**

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the One and Six Year Street Improvement Plan.

Street Superintendent Goldman gave an overview of the plan.

At 7:42 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

**2. RESOLUTION**

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-022; 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; and

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

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

**C. RESOLUTION – REQUEST TO OBLIGATE CDBG FUNDING – 84<sup>TH</sup> STREET BLIGHT & SUBSTANDARD STUDY**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-023; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE OBLIGATION OF APPROXIMATELY \$30,000 IN CDBG RECOVERED PROGRAM INCOME REUSE FUNDS FROM THE CITY OF LA VISTA, NEBRASKA.

WHEREAS, the City of La Vista is preparing an application for a planning study related to the 84<sup>th</sup> Street corridor for approximately \$30,000 in CDBG Recovered Program Income funds; and

WHEREAS the City of La Vista received notice from the Nebraska Department of Economic Development that planning studies are eligible under the CDBG program provided the study meets one of the national objectives; and

WHEREAS the determination of blighted and substandard conditions for the 84<sup>th</sup> Street redevelopment study area is intended to meet the national objective of the elimination of slums and blight; and

WHEREAS the City of La Vista adopted a CDBG Recovered Program Income – Reuse Plan for Economic Development on May 6, 1997, and amended the Plan on May 18, 2004, and May 6, 2008 for such purpose; and

WHEREAS, according to the Reuse Plan the completed applications will be submitted to the review committee which consists of the executive board of the Sarpy County Economic Development Corporation (SCEDC) for their recommendation; and

WHEREAS, the recommendation of the SCEDC will be submitted to the La Vista City Council prior to the expenditure of any funds.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the obligation of approximately \$30,000 in CDBG Recovered Program Income Reuse Funds contingent upon the successful completion of the required application and recommendation from the Sarpy County Economic Development Corporation prior to the expenditure of any funds.

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

**D. RESOLUTION – AUTHORIZE REQUEST FOR PROPOSALS – 84<sup>TH</sup> STREET BLIGHT & SUBSTANDARD STUDY**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-024: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR PREPARATION OF A DETERMINATION OF BLIGHTED AND SUBSTANDARD CONDITIONS FOR THE 84<sup>TH</sup> STREET REDEVELOPMENT STUDY AREA.

WHEREAS, the City wishes to contract for consulting services to prepare a Determination of Blighted and Substandard Conditions for the 84<sup>th</sup> Street Redevelopment Study Area; and

WHEREAS, the City has prepared a Request for Proposals (RFP) and draft Scope of Services for this work.

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NOW, THEREFORE BE IT RESOLVED, that the City of La Vista hereby authorizes the advertisement of bids for the preparation of a Determination of Blighted and Substandard Conditions for the 84<sup>th</sup> Street Redevelopment Study Area with a Request for Proposals (RFP) and draft Scope of Work prepared by City staff, which copies of said RFP may be obtained from the City Clerk and said proposals are to be submitted by 12:00 p.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, Nebraska on March 25, 2011.

Advertise for Bids	March 9, 2011
Proposals Due	March 25, 2011
Tentative Award Date	April 19, 2011

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

## **E. RESOLUTION – ADVERTISEMENT OF BIDS – THOMPSON CREEK ACQUISITIONS PHASE 2 DEMOLITION**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-025; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR PHASE II OF THE DEMOLITION OF HOUSES IN THE THOMPSON CREEK VOLUNTARY PROPERTY ACQUISITION PROJECT.

WHEREAS, the City Council has determined that the demolition of houses in the Thompson Creek voluntary property acquisition project is necessary, and

WHEREAS, the FY 2010/11 Capital Improvement Program provides funding for the demolition of these houses, and

WHEREAS, 75% of the project will be reimbursed by FEMA and 12.5% will be reimbursed by Papio-Missouri River NRD, and

WHEREAS, the City Engineer, has prepared plans and specifications for said demolitions.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the demolition of houses in the Thompson Creek voluntary property acquisition project in accordance with plans and specifications prepared by the City Engineer and said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on March 23, 2011.

Publish Notice to Contractors	March 10, 2011 and March 17, 2011
Pre-Bid Site Inspection	March 18, 2011, 10:00 a.m. to 11:30 a.m.
Open Bids	March 23, 2011
Award Bid	April 5, 2011

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

## **F. RESOLUTION – PROFESSIONAL SERVICES AGREEMENT – SPECIAL TAX COUNSEL**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-026; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PROFESSIONAL SERVICES AGREEMENT WITH HUNTON & WILLIAMS LLP, WASHINGTON, D.C., FOR SPECIAL TAX COUNSEL SERVICES RELATED TO A PROPOSED DEVELOPMENT IN SOUTHPORT WEST REPLAT 5.

WHEREAS, the City desires to engage with Hunton & Williams LLP to provide special tax counsel services associated with the possible issuance of tax exempt general obligation bonds for public improvements in the Southport West Replat 5 development; and

WHEREAS, Hunton & Williams LLP has extensive expertise in tax laws applicable to tax exempt municipal bonds under similar circumstances.

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a professional services agreement for special tax counsel services with Hunton & Williams LLP, Washington, D.C. in form and content satisfactory to the City Administrator in consultation with the City Attorney.

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

## G. RESOLUTION – ENGINEERING SERVICES AGREEMENT – SOUTHPORT WEST REPLAT 5 – PUBLIC IMPROVEMENTS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-027; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THOMPSON, DREESSEN & DORNER, INC., OMAHA, NEBRASKA, FOR ENGINEERING SERVICES RELATED TO IMPROVEMENTS IN SOUTHPORT WEST.

WHEREAS, the City desires to engage with Thompson, Dreessen & Dorner, Inc. Omaha, Nebraska to render professional engineering services as directed by the City Administrator or City Engineer in connection with public improvements proposed in Southport West Replat 5, including preliminary studies, estimates of costs, preparation of plans and specifications, advice in connection with award of contracts, furnishing observation, staking, and testing during construction and preparing plats.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to execute a engineering services agreement with Thompson, Dreessen & Dorner, Inc., Omaha, Nebraska, in form and content satisfactory to the City Administrator in consultation with the City Attorney and the City Engineer.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Council of the Cahill Fund Raiser to be held March 5, 2011.

Mayor Kindig gave an update on legislative items.

At 7:50 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 15TH DAY OF MARCH, 2011

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk