

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING June 21, 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 June 21, 2011. 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 Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Public Works Director Soucie, Public Buildings and Grounds Director Archibald, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on June 9, 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

### A. CONSENT AGENDA

- 1.APPROVAL OF THE AGENDA AS PRESENTED
- 2.APPROVAL OF CITY COUNCIL MINUTES FROM JUNE 7, 2011
- 3.APPROVAL OF PARKS & RECREATION ADVISORY COMMITTEE MINUTES FROM  
MAY 18, 2011.
- 4.MONTHLY FINANCIAL REPORT – MAY 2011
- 5.PAY REQUEST FINAL – ANDERSON EXCAVATING CO. – DEMOLITION SERVICES –  
THOMPSON CREEK PROJECT – PHASE 2 - \$8,379.60.
- 6.PAY REQUEST – MIDWEST RIGHT OF WAY SERVICES, INC. – PROFESSIONAL  
SERVICES - \$1724.00
- 7.PAY REQUEST – PPE, INC. – EMT TRAINING - \$8,450.00
- 8.APPROVAL OF CLAIMS

Councilmember Gowan made a motion to approve the consent agenda. Seconded by Councilmember Quick. Councilmember Quick 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.

A.S.P. ENTERPRISES, bld&grnds	102.40
AAT, supplies	872.00
ABE'S PORTABLES, rental	85.00
ACCO UNLIMITED, bld&grnds	453.95
ACCURATE TESTING, utilities	70.00
ACTION BATTERIES UNLTD, supplies	313.30
ACTION SIGNS, supplies	194.00
AMERICAN FENCE, bld&grnds	57.02
ANDERSON EXCAVATING, services	34750.88
AOI, supplies	884.34
ARAMARK, services	371.49
ASPHALT & CONCRETE MATERIALS, maint.	162.88
BAKER & TAYLOR BOOKS, books	3202.97
BCDM-BERINGER CIACCIO DENNELL, services	2160.45
BEACON BUILDING SERVICES, supplies	1273.00
BELIK, M., refund	50.00
BENNINGTON EQUIPMENT, maint.	539.43
BIERBRAUER, A., travel	60.00
BIERMAN, B., travel	60.00

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MARSH, D., services	203.00
MARTIN MARIETTA AGGREGATES, maint.	274.33
MATHESON TRI-GAS, supplies	267.90
MEISTER, R., refund	42.50
MIDWEST GANG INVESTIGATORS, training	30.00
MIDWEST TAPE, media	205.64
MIDWEST TURF & IRRIGATION, bld&grnds	391.89
MPH INDUSTRIES INC., maint.	73.60
MUD, utilities	337.46
NACR INC., services	650.00
NAVARRO ENTERPRISE CONSTR., services	25223.40
NE DEPT OF MOTOR VEHICLE	6.60
NEBRASKA AIR FILTER, bld&grnds	82.20
NEBRASKA REGIONAL LIBR, training	225.00
NMC EXCHANGE, services	2500.00
NOBBIES, supplies	32.69
OFFICE DEPOT, supplies	443.10
OMAHA SLINGS, supplies	162.75
OMAHA WORLD HERALD, adv.	633.66
OPPD, utilities	44256.56
OPPD, utilities	147.50
O'REILLY AUTO., maint.	773.54
OXMOOR HOUSE, books	36.91
PAPILLION SANITATION, services	304.11
PARAMOUNT LINEN & UNIFORM, services	385.40
PAYLESS OFFICE PRODUCTS, supplies	158.65
PEPSI, supplies	645.30
PETTY CASH	64.29
PETTY CASH	263.13
PREMIER-MIDWEST BEVERAGE, supplies	383.10
QUALITY BRANDS , supplies	739.00
QWEST, phone	48.30
RAINBOW GLASS & SUPPLY, bld&grnds	156.00
RAPPLEY, M., travel	60.00
RETRIEVEX, services	59.63
RINKER MATERIALS, supplies	135.00
ROTELLA'S ITALIAN BAKERY, supplies	75.60
RUSTY ECK FORD, maint.	12.00
SAM'S CLUB, supplies	1776.21
SAPP BROS PETROLEUM, supplies	13335.60
SAPP BROS SERVICE CENTERS, supplies	483.84
SARPY COUNTY LANDFILL, maint.	13.67
SHEPPARD'S BUSINESS INTERIORS, supplies	3116.80
SID DILLON COMMERCIAL/FLEET, supplies	31168.00
SINATRA UNIFORM, apparel	501.00
SMITH, M., travel	60.00
STEPHENSON, M., refund	30.00
STEVENS, M., travel	60.00
STOLTENBERG NURSERIES, supplies	3525.00
SUN COUNTRY DISTRIBUTING, bld&grnds	356.44
SUPERIOR SPA & POOL, bld&grnds	39.98
THIELE GEOTECH, services	726.00
THOMPSON DREESSEN & DORNER, services	1276.85
THOMPSON DREESSEN & DORNER, services	1487.30
TOMANEK, M., refund	50.00
TRACTOR SUPPLY, maint.	443.96
TRAVELODGE, travel	414.00

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## C. CONDITIONAL USE PERMIT AMENDMENT – AUTOMOBILE DISPLAY, SALES, SERVICE AND REPAIR, LOT 16 SOUTHPORT EAST

### 1. PUBLIC HEARING

At 7:11 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Conditional Use Permit Amendment- Automobile Display, Sales, Service and Repair, Lot 16 Southport East. Councilmember Carlisle motioned to continue the Public Hearing to the July 5<sup>th</sup>, 2011 meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## D. STREET NAMING – JAMES AVENUE – EAST OF 69<sup>TH</sup> STREET TO EAST LINE OF LOT

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### 1. PUBLIC HEARING

At 7:12 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Street Naming of James Avenue, East of 69<sup>th</sup> Street to East of Line of Lot 148. Anyone desiring to comment was asked to keep their comments to three minutes.

At 7:13 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

### 2. ORDINANCE

Councilmember Gowan introduced and moved for adoption of Ordinance 1151 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, NEBRASKA TO NAME AN UNNAMED STREET TO JAMES AVENUE; AND TO PROVIDE FOR THE EFFECTIVE DATE OF THIS ORDINANCE.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck seconded the motion to suspend the rules and upon roll call vote on the motion the following. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. 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 Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1151 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.

## E. RESOLUTION- JAMES AVENUE – EAST OF 69<sup>TH</sup> STREET – NO PARKING DESIGNATION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-073; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING A NO PARKING ZONE ON THE NORTH SIDE OF JAMES AVENUE FROM THE EAST LINE OF 69<sup>TH</sup> STREET EASTERLY FOR A DISTANCE OF 165 FEET.

WHEREAS, the Mayor and City Council have determined that a "No Parking Zone" is necessary to preserve access to a property upon construction of the Keystone Trail-La Vista Link; and

WHEREAS, City Engineer and staff have reviewed the plan and recommend approval,

NOW, THEREFORE, BE IT RESOLVED, that the "No Parking Zone" on the North side of James Avenue from the East line of 69<sup>th</sup> Street Easterly for a distance of 165 feet is approved,

BE IT FURTHER RESOLVED, that the Public Works Department be, and hereby is, authorized to install the appropriate signage designating this "No Parking Zone".

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

## G. RESOLUTION – AWARD CONTRACT – LANDSCAPING IMPROVEMENTS – VAL VERDE PARK

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-075; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE PROPOSAL SUBMITTED BY MULHALL'S, OMAHA NEBRASKA FOR LANDSCAPING IMPROVEMENTS TO VAL VERDE PARK IN AN AMOUNT NOT TO EXCEED \$10,009.00.

WHEREAS, the City Council of the City of La Vista has determined that landscaping improvements to Val Verde Park is necessary; and

WHEREAS, the FY 10/11 General Fund Budget contains funding for this project; and

WHEREAS, the City of La Vista has received two grants that will cover the entire project; and

WHEREAS Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secures 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 accept the proposal submitted by Mulhall's, Omaha Nebraska for landscaping improvements to Val Verde Park in an amount not to exceed \$10,009.00.

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

## H. RESOLUTION – APPROVE AGREEMENT FOR SERVICES - REDISTRICTING

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-076; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN AGREEMENT FOR SERVICES WITH THE METROPOLITAN AREA PLANNING AGENCY (MAPA) FOR DEVELOPMENT AND ANALYSIS OF CITY COUNCIL ELECTION DISTRICTS (WARDS) IN AN AMOUNT NOT TO EXCEED \$1,200.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to look at the existing ward boundaries following the 2010 U.S. Census to determine if new boundaries need to be established; and

WHEREAS, MAPA has prepared an Agreement with the City to analysis and develop possible new election district boundaries; and

WHEREAS, the Attachment A to the agreement outlines the scope of work that will be done by MAPA; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby authorize the Mayor to an Agreement for Services with the Metropolitan Area Planning Agency (MAPA) for development and analysis of City Council Election Districts (Wards) in an amount not to exceed \$1,200.00.

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

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.