

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING July 5, 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 July 5, 2011. Present were Councilmembers: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Absent: Quick. 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 23, 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 21, 2011
- 3.APPROVAL OF PLANNING COMMISSION MINUTES FROM MAY 18, 2011
- 4.PAY REQUEST – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES –  
QUIET ZONE FINAL DESIGN - \$145.00
- 5.PAY REQUEST DOUGLAS COUNTY TREASURER – HELL CREEK STREAM  
STABILIZATION – PHASE 1 - \$5,000.00
- 6.APPROVAL OF CLAIMS

3M, supplies	4415.00
4 SEASONS AWARDS, supplies	30.00
A.S.P. ENTERPRISES, supplies	722.50
AA WHEEL & TRUCK SUP, supplies	55.04
ACCO UNLIMITED, supplies	300.20
ACCURATE TESTING, supplies	525.00
ACTION BATTERIES, supplies	92.31
ALAMAR, apparel	1671.94
ALEX, M., travel	185.03
AMERICAN BOTTLING, concessions	161.96
AMMERMAN, J., refund	36.00
ANDERSON EXCAVATING, services	8379.60
ARAMARK UNIFORM, apparel	209.30
A-RELIEF SERVICES, services	1334.00
ASPHALT & CONCRETE MATERIALS, supplies	3458.76
AVI SYSTEMS, service	2700.00
BAKER & TAYLOR BOOKS, books	1649.58
BANKERS TRUST, fees	500.00
BEACON BUILDING, service	6712.00
BENNINGTON EQUIP., maint	738.89
BETTER BUSINESS EQUIP, service	53.19
BLACK HILLS ENERGY, utilities	701.28
BOB'S RADIATOR REPAIR, service	75.00
BRAKE, A., auto	100.00
BUETHE, P., travel	188.30
BUILDERS SUP, supplies	66.18
CALENTINE, J., phone	30.00
CARL JARL, services	7.50
CITY OF OMAHA, sewer	66580.55

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COMP CHOICE, services	2367.00
CONTROL MASTERS, supplies	339.24
COSGRAVE, supplies	94.00
COX, utilities	270.89
CRANE, R., license	31.00
CUMMINS CENTRAL POWER, maint.	526.97
D & D, supplies	160.00
DANKO EMERGENCY EQUIP, supplies	102.15
DECOSTA SPORTING GOODS, equip.	28.99
DELL MARKETING, design	824.86
DIGITAL ALLY, supplies	172.50
DULTMEIER SALES & SERVICE, service	19.30
DURAN, T., refund	51.78
DXP, supplies	52.52
E & A CONSULTING, services	754.19
EDGEWEAR SCREEN PRINTING, medals	117.00
ESRI INC, services	2350.00
FASTENAL, supplies	22.61
FEDEX KINKO'S, services	101.50
FELD FIRE, supplies	1413.86
FITZGERALD SCHORR, services	20723.05
FROEHLICH, R., auto	100.00
G I CLEANER & TAILORS, services	157.75
GALE, books	638.92
GASSERT, M., services	618.00
GOLDMAN, J., phone	85.00
GREAT WESTERN BANK	250.00
GREENKEEPER CO, maint.	1145.75
GUNN, B., phone	45.00
HARM'S CONCRETE, services	117.35
HARTS AUTO SUP, supplies	284.00
HEALTH NET, books	42.48
HELGET GAS PROD, rental	83.00
HOME DEPOT, supplies	139.78
HONEYMAN RENT-ALL, services	685.79
HONEYMAN RENT-ALL, services	348.80
HY-VEE, supplies	51.29
ICSC, services	3580.00
INLAND TRUCK, maint.	636.73
IVERSON, D., apparel	120.00
J A HEIM FARMS, services	4914.00
J Q OFFICE EQUIP, services	5.56
JOHNSTONE SUP, maint.	10.62
KINDIG, D., phone	80.00
KLINKER, M., retainer	200.00
KOTTMANN, J., phone	160.37
KRIHA FLUID POWER, supplies	176.10
LA VISTA CHAMBER OF COMMERCE, meals	24.00
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYS, services	125.00
LANDS' END, apparel	455.50
LARM, dues	1111.00
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LEAGUE OF NE MUNICIPALITIES, dues	275.00
LEXIS NEXIS, supplies	37.47
LINCOLN NATIONAL LIFE	9373.04
LOGAN CONTRACTORS SUP, supplies	113.00
LOVELAND GRASS PAD, supplies	293.74
LUKASIEWICZ, B., phone	65.00
LYMAN-RICHEY, supplies	206.75

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MAPA, dues	75.00
MARKOWSKY, T J, auto	100.00
MCC, utilites & Bld&Grnds	21191.27
MID AMERICA PAY PHONES, services	100.00
MID CONTINENT SAFETY, supplies	675.00
MID-IAWA SOLID WASTE EQUIP, equip.	1833.05
MIDLANDS LIGHTING & ELECTRIC, supplies	173.50
MIDWEST MUDJACKING, supplies	97.29
MIDWEST RIGHT OF WAY, services	1724.00
MILLER PRESS, supplies	270.00
MONARCH OIL, supplies	679.00
MOORE, W., refund	18.00
MUD, utilities	3551.56
NATIONAL PAPER CO, supplies	350.64
NE FIRE CHIEF'S ASSN, dues	20.00
NE NATIONAL BANK, lease	1858.43
NE NOTARY, dues	98.25
NSVFA, dues	1400.00
NE TITLE, services	400.00
NEFF TOWING, services	235.00
NEXTEL, phone	337.00
NEXTEL, phone	204.63
NFPA, dues	150.00
OCLC, dues	28.40
OFFICE DEPOT, supplies	476.69
OMAHA COMPOUND, supplies	838.47
OMAHA WINNELSON, supplies	20.67
OMAHA WORLD HERALD, adv	4897.10
OMNIGRAPHICS, books	81.85
PAPILLION TIRE, maint.	207.14
PAPILLION-LA VISTA SOUTH BAND, prize	50.00
PARAMOUNT LINEN & UNIFORM, services	373.40
PEPSI, concessions	493.80
PETTY CASH	87.73
PETTY CASH	1560.00
PHOENIX POOLS & WATERFALLS, prize	50.00
PITNEY BOWES, services	221.00
PPE INC., training	8450.00
PREMIER-MIDWEST BEVERAGE, supplies	184.50
PRINCIPAL LIFE-FLEX SPENDING	209.25
QUALITY BRANDS, concessions	384.30
QWEST, phone	1147.43
RAINBOW GLASS & SUP, maint.	160.00
RALSTON ADVERTISING, printing	189.00
RAMIREZ, R., phone	43.00
RECORDED BOOKS, books	534.12
REGAL AWARDS , award	47.95
RON TURLEY ASSOCIATES, maint.	800.00
RUSTY ECK FORD, maint.	34.15
SAPP BROS PETROLEUM, supplies	29102.00
SAPP BROS SERVICE, maint.	483.84
SARPY COUNTY COURTHOUSE, services	3588.49
SARPY COUNTY FISCAL ADMIN, services	8874.00
SHELTER DISTRIBUTION-MW, supplies	165.40
SID DILLON , vehicle	46262.00
SIGN IT, adv.	2072.00
SMOOTHER CUT ENTERPRISES, services	1650.00
SOUCIE, J., phone	60.00
SPRINT, phone	120.45
STANDARD HEATING AND AIR, services	289.00

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STATE STEEL, supplies	281.96
STOLTENBERG NURSERIES, supplies	379.00
STOPAK, S., phone	50.00
SUPERIOR VISION	367.84
SWANK MOTION PICTURES, movie nights	421.00
THERMO KING CHRISTENSEN, supplies	218.78
TITAN MACHINERY, supplies	138.00
TODCO BARRICADE, supplies	225.00
TORNADO WASH, services	105.00
UNRUH, R., refund	30.00
USI EDUCATION, supplies	104.19
VAIL, A., auto	100.00
VALLEY OPERATIONAL WEAR, apparel	880.58
VERIZON, phone	185.39
VIERREGGER ELECTRIC, maint.	360.22
WAL-MART, supplies	952.10
WARD, D., license	31.00
WOLFF, D., services	270.00
WOWT, adv.	1600.00
WPS MEDICARE PART B, refund	296.40

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Councilmembers of upcoming budget workshops on July 11<sup>th</sup> and July 12<sup>th</sup> at 6 p.m.

Police Chief Lausten thanked the Public Works Department and the Fire Department for helping make the Sobriety Check Point on 118<sup>th</sup> and Harrison a success. The Operation was funded by the NE Department of Highway Safety.

Public Works Director Soucie reported that the landscaping project at Val Verde park was complete. The walking overpass will be closed for 2 to 3 weeks for repairs. There were wiring issues with the lights at 84<sup>th</sup> and Giles over the weekend which have been repaired. Soucie also reported that a pump is being repaired at the water feature and it should be up and running in a few days.

Library Director Barcal reported they are participating in a grant for new computers at the library based off of public use. During the week of June 13 – 19<sup>th</sup> 407 uses were registered for the computer lab and children's computers. Barcal stated that there are currently 3827 items checked out and the library which has a value of over \$113,000.00, a cost savings to library patrons that don't have to buy those items.

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

### 1. PUBLIC HEARING

Mayor Kindig stated the public hearing had been continued from the June 21, 2011 meeting and stated the floor was open for discussion on the Conditional Use Permit Amendment- Automobile Display, Sales, Service and Repair, Lot 16 Southport East continued from June 21, 2011. Anyone desiring to comment was asked to keep their comments to three minutes. Larry Jobeun, representing Performance Auto Group, addressed the Council and informed them that Performance Auto Group had met or exceeded the criteria set by the city for a Conditional Use Permit.

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

## 2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-077; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AN AMENDED CONDITIONAL USE PERMIT FOR AUTOMOBILE DISPLAY, SALES, SERVICE AND REPAIR ON LOT 4, PERFORMANCE AUTO PLAZA, AND LOT 16, SOUTHPORT EAST, LA VISTA, NEBRASKA.

WHEREAS, 90/370, LLC, has applied to amend the conditional use permit for automobile display, sales, service and repair on Lot 4, Performance Auto Plaza, to include Lot 16, Southport East; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of an amended conditional use permit for such purposes, subject to the following conditions:

1. On June 21, 2011 the City Council approved the addition right of way dedication for Eastport Parkway. The City will record this document.
2. Amendments to the initial application have appeased items #2-5 of the City Engineer's Report. FAA approval will need to be obtained prior to any building permit approval.
3. The applicant has provided documentation approving of the release of the property from the Southport East covenants.
4. The design review for Lot 16 Southport East has been completed.
5. There will be no significant change in impact on existing infrastructure such as utilities and roads as a result of this CUP amendment.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of an amended Conditional Use Permit in form and content submitted at this meeting, for 90/370, LLC, for automobile display, sales, service and repair on Lot 4, Performance Auto Plaza, and Lot 16, Southport East, subject to the conditions listed in the last recital above.

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

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## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reported that Movie Night has had a great turn out, and that the first concert is being held on Friday July 8, 2011 followed by a movie.

At 7:16 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF JULY, 2011

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk