

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING June 7, 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 7, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Crawford, Ellerbeck and Gowan. Absent: Carlisle. 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 May 26, 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

### **SERVICE AWARDS – DENNIS IVERSON – 15 YEARS; DAVID KARLSON – 15 YEARS; MARY ALEX – 5 YEARS**

Mayor Kindig recognized Dennis Iverson and David Karlson for 15 years of service to the City, and Mary Alex for 5 years of service to the City.

### **PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL – ANDY BIERBRAUER, BOB BIERMEAN, AUSTIN BRAKE, LINDA CASEY, ED CEBALLO, DANI DEVOLL, AUSTIN GARNER, STEPHANE GRANDOVILLE, KEVIN JONES, MATT RAPPLEY, BOBBY WALZ**

Mayor Kindig and Fire Chief Uhl recognized Andy Bierbrauer, Bob Biermean, Austin Brake, Linda Casey, Ed Ceballo, Dani DeVoll, Austin Garner, Stephane Grandoville, Kevin Jones, Matt Rapple, Bobby Walz 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.

### **APPOINTMENT OF FIRE DEPARTMENT RECRUITS – CODY BEAUDIN, RANDY BLAND, KIM BURNS, JIM DUGDALE, MATT FRANS, BRANDON GARCIA, MARK GOLDEN, JARED GRAYSON, TOM GUTTERMANN, DEREK JENSON, JEFF JOHNSON, SAM LORD, CONNOR MATTHIAS, CHRIS MCLENDON, ANGIE MONHEIM, JULIE MUNDHENKE, TIM POHL, MARTY PRICE, JEFF SOVA, MATT SULLIVAN, ZAC TEGER, JUSTIN ZABROCKI**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruits: Cody Beaudin, Randy Bland, Kim Burns, Jim Dugdale, Matt Frans, Brandon Garcia, Mark Golden, Jared Grayson, Tom Guttermann, Derek Jenson, Jeff Johnson, Sam Lord, Connor Matthias, Chris McLendon, Angie Monheim, Julie Mundhenke, Tim Pohl, Marty Price, Jeff Sova, Matt Sullivan, Zac Teger, and Justing Zabrocki. Fire Chief Uhl introduced the new recruits to the Council. Councilmember Sell motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Crawford, Gowan and Ellerbeck. Nays: None. Absent: Carlisle. Motion carried.

#### **A. CONSENT AGENDA**

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 17, 2011**
- 3. APPROVAL OF PARKS & RECREATION ADVISORY COMMITTEE MINUTES FROM  
APRIL 20, 2011.**
- 4. APPROVAL OF LA VISTA/METROPOLITAN COMMUNITY COLLEGE CONDOMINIUM  
OWNERS ASSOCIATION MINUTES FROM MAY 9, 2011.**
- 5. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM MAY 12, 2011**
- 6. PAY REQUEST NO. 2 – ANDERSON EXCAVATING CO. – DEMOLITION SERVICES –  
THOMPSON CREEK PROJECT – PHASE 2 - \$16,199.00**
- 7. PAY REQUEST – FINAL- ANDERSON EXCAVATING CO. – DEMOLITION SERVICES  
– THOMPSON CREEK PROJECT – PHASE 1 - \$18,551.88**

# MINUTE RECORD

**8.PAY REQUSET – DOUGLAS COUNTY TREASURER – HELL CREEK STREAM  
STABILIZATION PHASE 1 - \$9,570.47**  
**9.PAY REQUEST – THOMPSON, DREESSEN & DORNER, INC – PROFESSIONAL  
SERVICES – KEYSTONE TRAIL - \$1,276.85**  
**10.APPROVAL OF CLAIMS**

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

AA WHEEL & TRUCK SUPPLY, maint.	47.57
AAT, supplies	4743.75
ABANTE MARKETING, ads	1333.50
ABE'S PORTABLES, services	211.13
ACCO, supplies	328.20
ALAMAR UNIFORMS, wearing apparel	857.87
AMATO, M., refund	50.00
AMERICAN FENCE, bld&grnds	193.47
AMERICAN LEGAL PUBLISHING, services	954.00
ANDERSON EXCAVATING , services	58316.40
APWA, training	440.00
ARAMARK, services	510.80
ASPHALT & CONCRETE MATERIALS, maint.	866.50
B & B TECHNOLOGIES, equip.	336.95
BAKER & TAYLOR, books	331.43
BARCAL, R., travel	110.00
BARONE SECURITY SYSTEMS, services	660.00
BCDM-BERINGER CIACCIO DENNELL, services	3470.07
BEACON BUILDING, services	6712.00
BENNINGTON EQUIPMENT, maint.	1292.10
BETTER BUSINESS EQUIPMENT, rentals	68.47
BIRCH, A., travel	380.00
BLACK HILLS ENERGY, utilities	1573.84
BOBCAT, maint.	130.49
BOB'S RADIATOR REPAIR, maint.	1100.00
BOUND TREE MEDICAL, supplies	499.73
BRAKE, A., auto	100.00
BRENTWOOD AUTO WASH, maint.	42.00
BROWNING, E., services	1483.00
BRUNT, T., refund	25.00
BUETHE, P., phone	20.00
BUILDERS SUPPLY, supplies	67.28
CALENTINE, J., phonoe	30.00
CALLAWAY GOLF, supplies	781.32
CENTER POINT PUBLISHING, books	165.96
CITY OF BELLEVUE, training	400.00
CITY OF OMAHA, services	69726.74
CLEAR CHANNEL RADIO, ads	996.20
COLOMBO/PHELPS COMPANY, supplies	222.85
COMP CHOICE, services	676.00
CONRECO, maint.	15.00
CORNHUSKER INTL TRUCKS, maint.	527.67
COX, services	20.50
DIAMOND VOGEL PAINTS, bld&grnds	636.32
DIGITAL ALLY, maint.	17.50
DOSTALS CONSTRUCTION, services	715.00
DULTMEIER SALES & SERVICE, equip.	98.20
E & A CONSULTING GROUP, services	1273.89

# MINUTE RECORD

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

June 7, 2011

EASTERN LIBRARY SYSTEM, training	40.00
EDGEWEAR SCREEN PRINTING, wearing apparel	2373.90
ELECTRONIC ENGINEERING, maint.	692.00
FEDEX KINKO'S, printing	198.00
FELD FIRE, equip.	757.00
FIREGUARD, wearing apparel	131.63
FOCUS PRINTING, services	4538.84
FREIBERG, K., refund	50.00
FROEHLICH, R., auto	200.00
G I CLEANER & TAILORS, services	218.45
GALE, books	351.69
GOLDMAN, J., phone	85.00
GRAYBAR ELECTRIC, bld&grnds	219.08
GREAT PLAINS ONE-CALL SVC., Services	31.60
GREENKEEPER COMPANY, supplies	841.88
GUNN, B., phone	45.00
GUNN, B., travel	380.00
HANEY SHOE STORE, wearing apparel	120.00
HEARTLAND PAPER, supplies	368.00
HEIMES CORPORATION, maint.	165.70
HELGET GAS, supplies	83.00
HOBBY LOBBY, supplies	121.80
HONEYMAN RENT-ALL, services	114.00
HOST COFFEE, services	47.95
HY-VEE, supplies	392.40
ICMA, dues	955.84
INDUSTRIAL SALES, bld&grnds	38.36
INFOGROUP, supplies	1250.00
INLAND TRUCK PARTS, bld&grnds	69.09
INTELLIGENT PRODUCTS, bld&grnds	180.46
INTERSTATE POWER SYSTEMS, maint.	3409.43
J Q OFFICE EQUIPMENT, services	474.54
JONES AUTOMOTIVE, maint.	812.00
JOURNAL BROADCAST GROUP, ads	1185.00
KEMP-WAIT, S., refund	60.00
KINDIG, D., phone	80.00
KINDIG, D., travel	203.00
KLINKER, M., services	200.00
KOTTMANN, J., travel&phone	170.57
KRIHA FLUID POWER, maint.	32.23
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYSTEMS, services	125.00
LARSEN SUPPLY, supplies	247.40
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LAUGHLIN, PETERSON & LANG, services	10871.59
LIFEGUARD STORE, supplies	139.75
LIMBACH, S., refund	50.00
LINCOLN EQUIPMENT, maint.	479.68
LINDBERG, S., travel	380.00
LIRA, H., refund	530.00
LOGAN CONTRACTORS SUPPLY, services	16998.00
LOGO LOGIX EMBROIDERY & SCREEN, wearing apparel	328.00
LOVELAND GRASS PAD, maint.	69.75
LUEDERS LOCK & KEY, services	77.00
LUKASIEWICZ, B., phone	65.00
MARKOWSKY, T J, travel	200.00

# MINUTE RECORD

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

June 7, 2011

MASEK, W., refund	120.00
MASIMORE MAGNUSON & ASSOCS, services	5550.00
MAT, services	526.00
MATHESON TRI-GAS, supplies	432.06
MCC, utilities&services	7454.60
MENARDS, bld&grnds	99.97
METRO LANDSCAPE MATERIALS, supplies	3010.00
MICHAEL TODD AND COMPANY, maint.	1412.70
MID AMERICA PAY PHONES, phones	150.00
MID CON SYSTEMS, maint.	60.60
MID-STATES UTILITY TRAILER, maint.	57.24
MIDWEST RIGHT OF WAY SVCS, services	1700.00
MIDWEST TAPE, media	1357.49
MONARCH OIL, maint.	343.00
MOTOROLA SOLUTIONS, services	528.00
MUD, utilities	1433.67
MULLEN & MULLEN, services	12426.51
NATIONAL PAPER COMPANY, supplies	210.98
NAVARRO LAWN & LANDSCAPE, services	200.00
NE DEPT OF LABOR-WORKFORCE DEV, services	100.00
NE GOLF COURSE SUPER., dues	100.00
NE NATIONAL BANK, lease	695.00
NE SOFTBALL ASSN DIST#10, supplies	1923.00
NE TURF PRODUCTS, supplies	1524.15
NEBRASKA AIR FILTER, bld&grnds	753.86
NEBRASKA TITLE, services	89195.61
NEBRASKA TITLE, services	86698.51
NEUMAN EQUIPMENT COMPANY, maint.	169.51
NEXTEL COMM., phones	684.35
NIKE, supplies	321.04
NISSEN, G., refund	50.00
NMC EXCHANGE, equip.	635.00
NUTS AND BOLTS, maint.	28.69
OCLC, services	31.06
OFFICE DEPOT, supplies	1082.47
OMAHA COMPOUND, supplies	1108.06
OMAHA WORLD HERALD, adv.	1052.58
OMAHA WORLD HERALD, adv.	18.56
ON THE SPOT PRODUCTIONS, ads	1340.80
ON YOUR MARKS, services	1038.39
OPPD, services	3902.48
O'REILLY AUTOMOTIVE, maint.	917.18
ORIENTAL TRADING, supplies	221.68
PALFLEET TRUCK EQUIP., maint.	42.84
PAPILLION TIRE, maint.	71.00
PARAMOUNT LINEN & UNIFORM, wearing apparel	228.17
PAYLESS OFFICE PRODUCTS, supplies	222.95
PERFORMANCE CHRYSLER JEEP, maint.	116.68
PETTY CASH-BUETHE, P	205.66
PETTY CASH-BUETHE, P., concessions	160.00
PETTY CASH-BUETHE, P., LV Daze	300.00
PETTY CASH-BUETHE, P., LV Daze	750.00
PHYSICIANS MUTUAL, services	47.85
PITNEY BOWES, services	221.00
POLLALI, N., services	97.16
POMFRET, Z., refund	100.00
PRECISION INDUSTRIES, maint.	161.78

# MINUTE RECORD

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

June 7, 2011

PREMIER-MIDWEST BEVERAGE, supplies	226.65
PRINCIPAL LIFE-FLEX SPENDING	215.25
QUALITY BRANDS, supplies	503.70
QWEST, phone	1270.35
QWEST, phone	28.93
RAMIREZ, R., phone	43.00
RAMIREZ, R., travel	380.00
READ ALOUD NE, training	30.00
RECREONICS, supplies	184.30
REDDEN SR, G., refund	60.00
REPUBLIC NATIONAL DISTR, supplies	126.46
RETRIEVEX, services	60.02
SAPP BROS PETROLEUM, maint.	164.30
SAPP BROS SERVICE CENTERS, supplies	483.84
SARPY COUNTY COURTHOUSE, services	3588.49
SARPY COUNTY TREASURER, services	16167.19
SCHOLASTIC BOOK FAIRS, books	422.55
SCHOLASTIC LIBRARY PUBLISHING, books	728.44
SID 195 - MAYFAIR, sewer	1320.00
SIGN IT, services	160.00
SMOOTHER CUT ENTERPRISES., services	660.00
SOCCER INTERNATIONALE, wearing apparel	1660.00
SOLBERG, C., travel	48.96
SOUCIE, J., travel & phone	478.59
SPRINT, phone	120.45
STERIL MANUFACTURING, maint.	200.00
STERLING DISTRIBUTING, supplies	122.20
STOPAK, S., phone	50.00
STOPAK, S., travel	380.00
SUN COUNTRY DISTRIBUTING, bld&grnds	395.98
SUPERIOR VISION SVCS	351.36
SWANEY, C., refund	60.00
TARGET BANK, services	18.37
TAYLOR PLASTICS, maint.	85.00
TED'S MOWER SALES & SERVICE, equip.	199.48
THERMO KING CHRISTENSEN, maint.	102.30
THOMPSON DREESSEN & DORNER, services	1977.56
THOMPSON, T., refund	35.00
TORNADO WASH, maint.	130.00
TROE, A., services	240.00
TURFWERKS, maint.	20.05
UPS, services	9.51
VAIL, A., auto	100.00
VERIZON, phone	198.93
WAITE DEVELOPMENT, refund	109.18
WAL-MART, supplies	1836.57
WASTE MANAGEMENT NE., services	3257.55
WHEELER, S., refund	60.00
WICK'S STERLING TRUCKS, maint.	1225.93
WIESE PLUMBING & EXCAVATING, refund	105.00
WINNELSON, bld&grnds	109.77
ZEE MEDICAL SERVICE, supplies	316.55
ZIMCO SUPPLY, bld&grnds	382.00

# MINUTE RECORD

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

June 7, 2011

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Fire Chief Uhl reported that they responded to a fire at Shadow Ridge Apartments. Police Chief Lausten reported that two officers were treated for smoke inhalation at the Shadow Ridge Apartment Fire, and were fine. Chief Lausten introduced Officer Lloyd and Tar, the new police canine.

Public Works Director Soucie reported that La Vista received a \$1000.00 grant from Sarpy County Health Department for mosquito management. Soucie reported that staff is working to repair issues with the baby pool and hope to have it open soon. He also reported that eight staff went to Plattsmouth, NE to help with sandbagging efforts. Soucie also reported that a defect on Harrison Street was repaired and at the City Council Meeting on June 21<sup>st</sup> new Public Works equipment will be available for Council Members to view at 6 p.m.

Recreation Director Stopak informed the Council that the Slumpbusters baseball tournament would begin on June 16<sup>th</sup> and the 7 p.m. All-Star baseball game will be televised. Stopak thanked all involved in the preparations for the tournament.

Library Director Barcal reported that the Summer Reading Program has begun at the Library.

## B. ORDINANCE - AMEND OFF-STREET PARKING REFUNDING SERIES 2011B BOND ISSUE

Councilmember Gowan introduced and moved for adoption of Ordinance 1150 entitled: AN ORDINANCE AMENDING ORDINANCE NO.1148, RELATING TO THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS (OFF-STREET PARKING PROJECT), SERIES 2011B OF THE CITY OF LA VISTA, NEBRASKA, IN THE AMOUNT OF NOT TO EXCEED SIX MILLION FOUR HUNDRED NINETY-FIVE THOUSAND DOLLARS (\$6,495,000), TO PROVIDE FOR UPDATED MATURITY DATES AND PARAMETERS FOR SUCH BONDS; DETERMINING THAT THIS ORDINANCE IS A MEASURE NECESSARY TO CARRY OUT THE CONTRACTUAL OBLIGATIONS OF THE CITY AND DECLARING IT EFFECTIVE UPON PUBLICATION; AND PROVIDING FOR PUBLICATION OF THIS ORDINANCE IN PAMPHLET FORM

Councilmember Ellerbeck moved that the statutory rule requiring reading on three different days be suspended. Councilmember Crawford seconded the motion to suspend the rules and upon roll call vote on the motion the following. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: Carlisle. 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 Crawford. The Mayor then stated the question, "Shall Ordinance No. 1150 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Sheehan, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Carlisle. 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.

## C. RESOLUTION – APPROVAL OF INTERLOCAL AGREEMENT – SID 82 PARTIAL ANNEXATION

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-065; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF PAPILLION AND SANITARY & IMPROVEMENT DISTRICT NO. 82 (SID 82) CONCERNING THE PARTIAL ANNEXATION OF SID 82 BY THE CITY OF LA VISTA

WHEREAS, the City Council of the City of La Vista has determined that an Interlocal Agreement with the City of Papillion and SID 82 is necessary; and

WHEREAS, the Interlocal Agreement sets forth the division of assets, liabilities, maintenance and other obligations of SID 82; and

# MINUTE RECORD

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

June 7, 2011

WHEREAS, the Interlocal Agreement sets forth the change in boundaries of SID 82 as a result of the annexation of a portion of SID 82 by the City of La Vista April 19, 2011; and

WHEREAS the annexation of a portion of SID 82 by the City of La Vista includes substantially all of the taxable valuation of SID 82; and

WHEREAS the City of Papillion will operate and maintain the outfall sanitary sewer south of Portal Road in the area of SID 82 not annexed by the City of La Vista; and

WHEREAS the City of Papillion acknowledges the right of the City of La Vista to continue to use this sewer;

NOW, THEREFORE, BE IT RESOLVED, that an Interlocal Agreement with the City of Papillion and Sanitary & Improvement District No. 82 (SID 82) concerning the partial annexation of SID 82 by the City of La Vista is approved and that 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 Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Carlisle. Motion carried.

## D. RESOLUTION – APPROVE CHANGE ORDER 1 – THOMPSON CREEK PROPERTY ACQUISITIONS – PHASE 2 DEMOLITION

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-066; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH ANDERSON EXCAVATING CO., OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$1,900.00.

WHEREAS, the City has determined it is necessary and desirable to demolish the houses purchased in the FEMA grant voluntary buyout program; and

WHEREAS, on April 5, 2011, the City Council awarded the Phase 2 Demolition contract to Anderson Excavating Co., Omaha, Nebraska, in an amount not to exceed \$80,995.00; and

WHEREAS, the FY 10/11 Capital Improvement Program contains funding for this expenditure, 75% is reimbursed by FEMA, 12.5% reimbursed by Papio-Missouri River NRD and the remaining 12.5% is the City's share. The amount of the change order would be within the budgeted funds available; and

WHEREAS, minor amounts are requested for additional work needed for grading and seeding, removal of two trees, and replacement of sidewalk at locations of gas service disconnects for houses already under contract with Anderson Excavating Co.; and

WHEREAS, Paragraph 9 of §1-316 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, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Anderson Excavating Co., Omaha, Nebraska, for additional work needed for grading and seeding, removal of two trees, and replacement of sidewalk at locations of gas service disconnects for houses in the Thompson Creek Hazard Mitigation project in an amount not to exceed \$1,900.00.

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

# MINUTE RECORD

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

June 7, 2011

## E. NEBRASKA DEPARTMENT OF ROADS AGREEMENT – 96<sup>TH</sup> STREET FROM PORTAL ROAD TO HARRISON STREET

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-067; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE EXECUTION OF A PROGRAM AGREEMENT WITH THE STATE OF NEBRASKA, DEPARTMENT OF ROADS FOR PAVEMENT REPAIR ON 96<sup>TH</sup> STREET FROM PORTAL ROAD TO HARRISON STREET

WHEREAS, the City has determined that it is desirable to enter into an agreement with the State of Nebraska Department of Roads for pavement repair on 96<sup>th</sup> Street from Portal Road to Harrison Street; and

WHEREAS, the project is eligible for Surface Transportation Program Funds from the Department of Transportation, Federal Highway Administration; and

WHEREAS, the FY 10/11 Capital Improvement Program provides for funding for the design portion of the project; and

WHEREAS, federal funds will pay for 80% of the project; and

WHEREAS, the project consists of pavement removal and replacement at numerous locations throughout the project area as well as complete removal and replacement of the bridge approach slabs at the bridge over the BNSF Railroad about 1,000 feet south of Harrison Street; and

WHEREAS, this resolution will be marked Exhibit "B" and a copy attached to each original agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to execute said agreement on behalf of the City of La Vista, and the City Clerk is authorized to attest said execution.

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

## F. RESOLUTION – AUTHORIZE SELECTION CONCURRENCE AND CONSTRUCTION CONTRACT- LA VISTA LINK – KEYSTONE TRAIL

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-068; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING TAB HOLDING COMPANY, INC. DBA TAB CONSTRUCTION, OMAHA NEBRASKA AS THE LOW COMPLIANT BIDDER FOR THE LA VISTA LINK-KEYSTONE TRAIL PROJECT ENH-77 (50).

WHEREAS, the City Council of the City of La Vista has determined that the La Vista Link-Keystone Trail Project is necessary; and

WHEREAS, the FY 10/11 Capital Improvement Program provides funding for this expenditure; and

WHEREAS, the construction and construction engineering for the project are eligible for 80% Federal aid; and

WHEREAS, the City Council submitted the La Vista Link-Keystone Trail Project for Transportation Enhancement funding in 2006; and

WHEREAS, the State of Nebraska received bids on behalf of the City for said project on May 12, 2011; and

WHEREAS, Tab Holding Company, Inc. dba Tab Construction, Omaha, Nebraska, has submitted the low, qualified bid, and

# MINUTE RECORD

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

June 7, 2011

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 Tab Holding Company, Inc. dba Tab Construction, Omaha, Nebraska as the low compliant bidder for the La Vista Link-Keystone Trail Project ENH-77 (50).

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

## G. RESOLUTION – PAINT STRIPPING SERVICE

Councilmember Gowan introduced and moved for the adoption of Resolution No. 11-069; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE PROPOSAL SUBMITTED BY VOGEL TRAFFIC SERVICES FOR PAINT STRIPING STREETS WITHIN CITY LIMITS.

WHEREAS, the City Council of the City of La Vista has determined that paint striping streets within city limits is necessary; and

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

WHEREAS, the contract with Vogel Traffic Services is administered through the Sarpy County Highway Department with each city being billed separately for the number of gallons applied; and

WHEREAS, the City of La Vista has been participating in this program for more than 11 years; 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 Vogel Traffic Services for paint striping streets within the city limits.

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

## H. RESOLUTION – SUPPORT OMAHA'S FEDERAL LEGISLATIVE REQUEST

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-070; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO SUPPORT THE CITY OF OMAHA'S REQUEST OF FEDERAL OFFICIALS TO PROPOSE LEGISLATION THAT WOULD SPLIT THE COST FOR MEETING THE REQUIREMENTS OF THE FEDERAL CLEAN WATER ACT 50/50 BETWEEN CITIES AND THE FEDERAL GOVERNMENT IN ORDER TO RELIEVE LA VISTA HOMEOWNERS AND BUSINESSES FROM SOME OF THIS COSTLY FINANCIAL BURDEN.

WHEREAS, the City of Omaha, in order to comply with the requirements of the federal Clean Water Act, must upgrade a big part of the City's sewer system increasing sewer usage fees significantly over the next 10 years, and

WHEREAS, the City's plan will reduce the amount of untreated sewage being dumped into local waterways by establishing separate and combined sewers in some parts of the City, building two new storm water treatment plants and two new underground storage facilities, and boring a 5.4 mile-long tunnel along the Missouri River to carry overflow storm water to one of the new treatment plants, and

WHEREAS, federal regulators have mandated that Omaha reduce the amount of untreated sewage that currently overflows at 29 locations, presently about 50 times a year, dumping raw sewage into the Missouri River and Papillion Creek, thus impairing the quality of those water bodies, and

# MINUTE RECORD

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

June 7, 2011

WHEREAS, the \$1.7 billion cost to overhaul major portions of Omaha's sewer system will cause the annual sewer usage fees to the average homeowner to increase significantly by 2017, and even more for business users who will share the burden of this federal mandate; and

WHEREAS, the City of La Vista contracts with the City of Omaha for the transportation and treatment of its sanitary sewage and as a result are impacted through rate increases necessary to fund the sewer system upgrade.

NOW, THEREFORE, BE IT RESOLVED, that City Council of La Vista, Nebraska does hereby support the City of Omaha's request of federal lawmakers to split the cost for meeting the requirements of the Federal Clean Water Act 50/50 between cities and the federal government in order to relieve La Vista homeowners and businesses from some of this costly financial burden.

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

## I. RESOLUTION – PERMISSION TO CONSUME ALCOHOL AT SWIMMING POOL ON JULY 30, 2011

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-071; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT THE LA VISTA CITY SWIMMING POOL AND SAND VOLLEYBALL COURT ON SATURDAY, JULY 30, 2011, BY CITY EMPLOYEES, VOLUNTEERS AND THEIR GUESTS IN CONJUNCTION WITH THE ANNUAL VOLUNTEER/EMPLOYEE PICNIC.

WHEREAS, the La Vista Employee Activity Committee has requested permission to consume alcohol at the La Vista City Swimming Pool and Sand Volleyball Court in conjunction with the annual volunteer/employee picnic to be held on July 30, 2011, and

WHEREAS, City Council approval must be obtained prior to allowing the consumption of alcoholic beverages on city property.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the consumption of alcohol at the La Vista City Swimming Pool and Sand Volleyball Court on July 30, 2011, in conjunction with the annual volunteer/employee picnic.

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

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

## COMMENTS FROM THE FLOOR

Public Works Director Soucie commented that the pool staff did a great job of evacuating the children and adults from the pool when the fire broke out at the Shadow Ridge Apartments.

## J. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL; LITIGATION

At 7:43 p.m. Councilmember Ellerbeck made a motion to go into executive session for protection of the public interest for Contract Negotiations. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Carlisle. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:06 p.m. the Council came out of executive session. Councilmember Gowan made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Carlisle. Motion carried.

# MINUTE RECORD

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

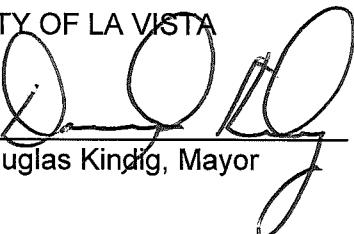
June 7, 2011

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Crawford thanked all departments involved with the Shadow Ridge Fire. Councilmember Quick asked what kind of comments were received in regards to La Vista Daze. City Administrator Gunn responded that all comments about La Vista Daze had been positive.

At 8:09 p.m. Councilmember Carlise made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: Carlisle. Motion carried.

PASSED AND APPROVED THIS 21<sup>st</sup> DAY OF JUNE, 2011

CITY OF LA VISTA  
  
Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk

# MINUTE RECORD

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