

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING August 2, 2011

A meeting of the City Council of the City of La Vista, Nebraska was convened in open and public session at 6:00 p.m. on August 2, 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, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Public Works Director Soucie, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on July 21, 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.

### **APPOINTMENT OF FIRE DEPARTMENT RECRUITS – KAITLIN KIMURA AND TAD SMITH**

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department recruits: Kaitlin Kimura and Tad Smith. Fire Chief Uhl introduced the new recruits to the Council. Councilmember Carlisle 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 JULY 19, 2011**

##### **3.APPROVAL OF CITY COUNCIL WORKSHOP MINUTES FROM JULY 11, 2011**

##### **4.APPROVAL OF CITY COUNCIL WORKSHOP MINUTES FROM JULY 12, 2011**

##### **5.APPROVAL OF CITY COUNCIL PRESENTATION MINUTES FROM JULY 27, 2011**

##### **6.APPROVAL OF PARKS & RECREATION ADVISORY COMMITTEE MINUTES FROM**

**JUNE 15, 2011**

##### **7.APPROVAL OF CLAIMS**

ACCO UNLIMITED, supplies	287.60
ACTION BATTERIES, supplies	81.16
ALAMAR UNIFORMS, apparel	420.36
AMERICAN BOTTLING COMPANY, supplies	275.76
AMERICAN FENCE COMPANY, bld&grnds	524.07
AMERICAN PLANNING ASS., dues	350.00
ARAMARK UNIFORM, services	360.05
ASPHALT & CONCRETE MATERIALS, maint.	211.91
BAKER & TAYLOR, books	2,169.43
BEACON BUILDING SERV., services	6,712.00
BENNINGTON EQUIPMENT, maint.	464.23
BLACK HILLS ENERGY, utilities	1,169.64
BOB'S RADIATOR REPAIR, maint.	106.50
BRAKE, A., auto	100.00
BUETHE, P., phone	20.00
BUILDERS SUPPLY, maint.	101.54
CALENTINE, J., phone	30.00
CENTER POINT, books	211.50
CHILDREN'S, training	150.00
CITY OF OMAHA, sewer	64,625.09
CLASSIC REFRIGERATION, bld&grnds	346.13

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COLOMBO/PHELPS, supplies	112.01
COMP CHOICE, services	1,239.50
CORNHUSKER INTL, maint.	32.38
COX, phone	122.24
D & D COMM., equip.	625.00
DAIRY QUEEN, supplies	130.00
DANIELSON/TECH SUPPLY, bld&grnds	820.84
DEMCO INC., supplies	689.20
DULTMEIER, maint.	176.68
DXP, maint.	47.70
ENTERPRISE LOCKSMITHS, bld&grnds	220.55
FEDEX, services	27.38
FILTER CARE, maint.	20.25
FIREGUARD, services	89.00
FIRST NATIONAL BANK OF OMAHA, annual fee	758.00
FITZGERALD SCHORR BARMETTLER, services	37,834.83
FOCUS PRINTING, printing	617.43
FROEHLICH, R., auto	100.00
G I CLEANER & TAILORS, services	237.75
GALE, books	144.72
GOLDMAN, J., phone	85.00
GREENKEEPER COMP., bld&grnds	1,249.00
GUNN, B., phone	45.00
GVMNT JOBS.COM INC, services	2,999.00
H & H CHEV., maint.	13.40
HANEY SHOE, apparel	120.00
HARM'S CONCRETE, maint.	88.00
HEIMES CORP., maint.	71.82
HELGET GAS, supplies	78.00
HOBBY LOBBY, supplies	34.98
HUNDEN STRATEGIC PARTNERS, services	3,675.20
HUNTEL, services	47.50
IAFC, dues	204.00
INTERSTATE ALL BATTERY, equip.	7.98
J Q OFFICE EQUIP., services	955.14
JOHNSON HARDWARE, bld&grnds	111.00
KINDIG, D., phone	80.00
KLINKER, M., services	200.00
KOTTMANN, J., phone	65.00
KRIHA FLUID POWER, maint.	72.97
LA VISTA COMMUNITY FOUNDATION, payroll contr.	50.00
LANDPORT, services	125.00
LARSEN SUPPLY, supplies	53.00
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LAW ENFORCEMENT TARGETS, supplies	137.14
LOGAN CONTRACTORS, maint.	176.77
LOVELAND GRASS PAD, bld&grnds	943.44
LUKASIEWICZ, B., phone	65.00
MARKOWSKY, T J, auto	100.00
MENARDS, supplies	183.79
MID AMERICA, phones	100.00
MIDWEST RIGHT OF WAY SVCS, services	1,610.00
MIDWEST TAPE, media	239.40
MNJ TECH. DIRECT, services	192.00
MUD, utilites	9,481.43
NATIONAL PAPER, supplies	357.46
NATW, services	143.00
NE DEPT OF REVENUE-LOTT/51, taxes	90,743.95
NE LIQUOR COMM., services	40.00

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NE MUNICIPAL CLERKS ASSN, dues	35.00
NEBRASKA LIFE MAG., books	73.00
NEXTEL COMM., phone	593.62
NUTS AND BOLTS INC., maint.	31.58
OCLC, lib dues	26.18
OFFICE DEPOT, supplies	925.91
PAPILLION TIRE, maint.	81.15
PARAMOUNT LINEN, services	384.40
PARTSMASTER, maint.	119.23
PAYLESS OFFICE, supplies	265.54
PERFORMANCE CHRYSLER JEEP, maint.	269.25
PETTY CASH	420.00
PETTY CASH	81.14
PITNEY BOWES, supplies	221.00
PREMIER-MIDWEST BEVERAGE, supplies	381.30
PRINCIPAL LIFE-FLEX SPENDING	216.00
PSI PLASTIC GRAPHICS, supplies	456.45
QUALITY AUTO REPAIR & TOWING, maint.	150.00
QUALITY BRANDS, supplies	716.60
QWEST, phone	73.80
QWEST, utilities	1,168.57
RAMIREZ, R., phone	43.00
READY MIXED CONCRETE, maint.	954.69
RECORDED BOOKS, media	184.94
REPUBLIC NATIONAL DISTR CO., supplies	90.39
RUSTY ECK FORD, maint.	56.48
S & W HEALTHCARE CORP, supplies	271.00
SAPP BROS, supplies	1,073.20
SARPY COUNTY REGISTER OF DEEDS, services	15.50
SARPY COUNTY, services	3,588.49
SCHMADER ELECTRIC, services	1,660.55
SHEPPARD'S BUSINESS INT., services	150.00
SID 195 - MAYFAIR, sewer fees	1,320.00
SIGN IT, supplies	110.00
SMOOTHER CUT ENTERPRISES, services	1,320.00
SOUCIE, J., phone	60.00
SPRINT, phone	102.84
STATE TROOPERS OF NE, training	150.00
STERLING DISTR., supplies	38.20
STEVENS, M., travel	35.00
STOPAK, S., phone	50.00
SWANK MOTION PICTURES, supplies	396.00
TARGET, supplies	30.63
TED'S MOWER, supplies	5.47
TOMSU, L., supplies	56.83
TROE,A., services	330.00
U S ASPHALT COMP., maint.	1,632.61
UNITED RENT-ALL, rental	1,052.36
UPS, services	22.51
VAIL, A., auto	100.00
VERIZON, phone	189.72
VIERREGGER, maint.	363.00
VOLVO TRUCKS, maint.	173.00
WAL-MART, supplies	515.64
WATER'S EDGE AQUATIC DESIGN, services	5,025.00
WATKINS CONCRETE BLOCK, maint.	369.00
WHITE CAP CONSTR, maint.	70.00
WICK'S, maint.	45.72
WORLD BOOK, books	238.00
WORLD HERALD, advt.	469.85

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Councilmember Crawford made a motion to approve the consent agenda. Seconded by Councilmember Gowan. Councilmember Gowan reviewed the claims for this period and reported that he 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.

## **REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS**

Police Chief Lausten reported that Officers were investigating a copper theft at 74<sup>th</sup> and Harrison. Lausten also stated that at one of the upcoming council meetings he will be presenting a proposal to the Council to consider changing RV parking.

Fire Chief Uhl reported that two firefighters from Papillion were injured during a Papillion house fire of which one of them was previously a La Vista volunteer firefighter. The cause of the fire was smoking materials on a deck.

Public Works Director Soucie reported that two employees were treated for heat related issues but that they have returned to work. Staff will be trained by Fire Department Personnel on how to see signs of heat exhaustion.

Library Director Barcal informed the council that Library Staff is work on new adult programs. Health and Wellness classes will begin in the fall.

## **B. FISCAL YEAR 2011/2012 MUNICIPAL BUDGET**

At 6:08 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Fiscal Year 11/12 Municipal Budget.

At 06:08 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. Abstain: None. Motion carried.

## **2. APPROPRIATIONS ORDINANCE – FIRST READING**

Councilmember Gowan introduced Ordinance No. 1152 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2011 AND ENDING ON SEPTEMBER 30, 2012; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

Councilmember Ellerbeck made a motion to approve Ordinance No. 1152 on its first reading and pass it on to a second reading. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Motion carried.

## **3. MASTER FEE ORDINANCE – FIRST READING**

Councilmember Gowan introduced Ordinance No. 1153 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1127, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Ellerbeck made a motion to approve Ordinance No. 1153 on its first reading and pass it on to a second reading. Seconded by Councilmember Sell. Councilmembers voting aye:

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

## C. RESOLUTION - CITY OF LA VISTA & CITY OF PAPILLION SHARED OUTFALL SEWER O&M MEMORANDUM OF UNDERSTANDING

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-085; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A MEMORANDUM OF UNDERSTANDING WITH THE CITY OF PAPILLION FOR THE OPERATION AND MAINTENANCE RESPOSIBILITIES FOR SANITARY OUTFALL SEWERS THAT SERVE PROPERTIES WITHIN BOTH THE CITY OF LA VISTA AND THE CITY OF PAPILLION.

WHEREAS, the City desires to enter into a Memorandum of Understanding with the City of Papillion for the operation and maintenance responsibilities for sanitary outfall sewers that serve properties within both the City of La Vista and the City of Papillion; and

WHEREAS, the Memorandum of Understanding identifies the operational and maintenance roles and responsibilities of the parties as they relate to any and all shared outfall sewer facilities within both corporate limits and extraterritorial jurisdiction as shown on Exhibit "A" of the Memorandum of Understanding; and

WHEREAS, the Memorandum of Understanding runs for a period of one (1) year which will renew September 1<sup>st</sup> of each year unless mutually agreed otherwise by the two Cities;

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 Memorandum of Understanding with the City of Papillion for the operation and maintenance responsibilities for sanitary outfall sewers that serve properties within both the City of La Vista and the City of Papillion.

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

## D. RESOLUTION – FEDERAL FUNDS PURCHASE PROGRAM AGREEMENT – HBP FUNDS NEBRASKA DEPARTMENT OF ROADS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-086; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH THE NEBRASKA DEPARTMENT OF ROADS TO PARTICIPATE IN A FEDERAL FUNDS PURCHASE PROGRAM.

WHEREAS, each year the federal government makes available to Nebraska certain federal-aid transportation funds, including funds from the Surface Transportation Program (STP) and the Highway Bridge Program (HBP) (formerly known as the Highway Bridge Replacement and Rehabilitation Program), for use on State and local federal-aid transportation projects and,

WHEREAS, certain federal-aid STP and HBP funds have historically been made available to the Local Public Agency (LPA) by the State for its use in funding federal-aid projects on the public streets or roads within its jurisdiction; and

WHEREAS, LPA and the NDOR wish to enter into an Agreement to provide for the purchase, at a discount, certain federal-aid dollars currently made available to the LPA; and

WHEREAS, the LPA is interested in selling its available federal-aid funds to the State on the terms and conditions set out in this Agreement, including certain limitations on the use of the cash received by the LPA;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor and City Clerk to sign the Federal Funds Purchase Program Agreement between the City of La Vista, Nebraska and The Nebraska Department of Roads on behalf of the City of La Vista.

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Seconded by Councilmember Quick. Discussion was held regarding the need to do this now with no projects currently under this program. Public Works Director Soucie stated that this will allow us access to these funds in the future and the City does have a bridge that would be eligible. 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 3 DEMOLITIONS

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-087; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR PHASE III 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 11 and FY 12 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 August 22, 2011.

Publish Notice to Contractors	August 11, 2011 and August 18, 2011
Pre-Bid Site Inspection	August 19, 2011, 10:00 a.m. to 11:30 a.m.
Open Bids	August 22, 2011
Award Bid	September 6, 2011

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

## F. RESOLUTION – APPOINTMENT OF SAFETY COMMITTEE MEMBERS

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-088; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA PROVIDING FOR THE APPOINTMENT OF SAFETY COMMITTEE MEMBERS.

WHEREAS, THE City Council of the City of La Vista has determined that the appointments to the La Vista Safety Committee are necessary; and

WHEREAS, a recommendation by the City Administrator, in consultation with the staff, has been made regarding appointments; and

WHEREAS, the recommended appointments comply with N.R.S. 48-443:

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby appoint the following city employees to the La Vista Safety Committee for the term specified:

Jeff Sinnett – Employee Representative	2 year term
Bryan Waugh – Employee Representative	2 year term
Rich Uhl – Employer Representative	2 year term
Pam Buethe – Employer Representative	2 year term

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

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## **G. RESOLUTION – AUTHORIZE CONSULTANT SELECTION AND NEGOTIATION OF A CONTRACT – CIVIC CENTER PARK MASTER PLAN**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-089; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SELECTION OF AND NEGOTIATION OF A CONTRACT WITH RDG PLANNING AND DESIGN OMAHA, NEBRASKA, FOR THE PREPARATION OF THE CIVIC CENTER PARK MASTER PLAN IN AN AMOUNT NOT TO EXCEED \$80,780.00.

WHEREAS, the City Council of the City of La Vista has determined that the preparation of the Civic Center Park Master Plan is necessary; and

WHEREAS, the FY 10/11 and FY 11/12 Capital Improvement Program contains funding for this project; and

WHEREAS, proposals were received on June 20, 2011; and

WHEREAS, a seven-member staff committee has reviewed the proposals, conducted interviews, and recommends the selection of the firm RDG Planning and Design, Omaha, Nebraska, as the most qualified 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 purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing the selection of and the negotiation of a contract with RDG Planning and Design, Omaha, Nebraska in a form satisfactory to the City Administrator and City Attorney, for the preparation of the Civic Center Park Master Plan in an amount not to exceed \$80,780.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

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

## **H. RESOLUTION – SWIMMING POOL SPECIAL ELECTION FOR G.O. BOND ISSUE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-090; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DIRECTING STAFF TO PREPARE A BALLOT QUESTION FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED \$8,500,000. FOR THE PURPOSE OF DEMOLISHING THE EXISTING MUNICIPAL SWIMMING POOL, CONSTRUCTING AN ACCESS ROAD AND CONSTRUCTING AND EQUIPPING A MUNICIPAL SWIMMING POOL TO REPLACE THE EXISTING SWIMMING POOL AND MAKE NECESSARY ARRANGEMENTS FOR A NOVEMBER 15, 2011 SPECIAL ELECTION.

WHEREAS, one of the items identified as an early priority in the City's Park and Recreation Master Plan was the need to assess the city's current and future aquatic requirements; and

WHEREAS, the current pool has served the city well for 40+ years but does not meet the needs of La Vista's growing population and warrants significant improvements; and

WHEREAS, there is an ever increasing need to make some determinations regarding the future of the current pool as expenses and efforts to keep it operational increase each year; and

WHEREAS, on March 2011 the Council directed staff to develop a concept for a \$5,000,000 pool which was presented to Council on July 27, 2011; and

WHEREAS, Staff recommendation was to re-submit the original concept to voters based on:

- Recommendation of original pool committee consisting of citizens, staff, council members and focus groups.
- Consultant data supports the recommended pool size.
- Citizens survey support.
- A way to bring people back to the Golden Mile (84<sup>th</sup> Street).

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- Proposed aquatic facility would serve as an amenity to the Civic Park Plan and Vision 84 redevelopment.
- Second option of a \$5,000,000 pool is undersized.
- Phasing of construction will cost more in the long run. No guarantee later phases will be completed.
- Take advantage of current competitive bond rates.
- Bond issue places the decision with the citizens.

NOW THEREFORE BE IT RESOLVED, that the City of La Vista hereby authorizes staff to prepare a ballot question for the issuance of general obligation bonds in an amount not to exceed \$8,500,000 for the purpose of demolishing the existing municipal swimming pool, constructing an access road and constructing and equipping a municipal swimming pool to replace the existing swimming pool, and make necessary arrangements for a November 15, 2011 Special Election.

Seconded by Councilmember Quick. Council member Sell stated that this has been studied over the last 5 or 6 years and this is the best answer although it has a non-attractive price tag. We can be thankful for the current pool, but it is at the end of usage life and we need to look at the future and let the citizen's decide. Then it would be a win/win. Council Member Ronan stated that he sees a problem with price as it is higher than previously defeated issue. Ronan hoped for it to be between options A and B and does not support 8.5 million. Council Member Quick stated she felt citizens gave us info on what they wanted. The old pool worked for the needs of the community when it was built. Quick stated this pool fits all family members and age groups into the future. Quick stated that La Vista is not a sleepy little town anymore and we need to start thinking future forward. She stated it has a big price tag but need to think about what this will provide for all ages. Councilmember Sheehan stated he thinks we need a new pool, but the size of pool is too high. Sheehan addressed some numbers that differed in the pool from 2008 to now. Same pool but now 1.5 million higher than what was defeated, and maybe this doesn't need to go on the November ballot. Councilmember Carlisle stated she is ok with moving forward, although has some concern about price. Carlisle stated it doesn't have to go on the November ballot, and that she wants to make sure residents are educated about the issue. Councilmember Crawford said he is concerned that, if it doesn't pass, La Vista will be a community without a pool. Councilmember Ellerbeck stated he was concerned that there was no alternative design. Ellerbeck stated that the Water's Edge consultant stated it could be built in phases as it has three different pumps and filtration systems. He also has some concern with the difference in numbers. Ellerbeck was concerned that the figures were different, but if they could be figured out that it would be ok to place on the ballot. Councilmember Gowan stated he was for the pool. Gowan stated that this is a democratic process, needs the recommendation of those that work with the structure and kids. Gowan stated although these are tough economic times if we undersize we will need to restrict access. Gowan stated that La Vista builds for the future, and that he would hate to see La Vista go back on a pool that the design is what fits the community right now. Gowan agreed that the numbers need to be addressed for differences. Public Works Director Soucie stated that they will have to look at the differences in numbers and report back to the Council. Councilmembers voting aye: Sell, Quick, Carlisle, Crawford, and Gowan. Nays: Sheehan, Ellerbeck, and Ronan. Abstain: None. Absent: None. Motion carried.

## **I. RESOLUTION – SPECIAL DESIGNATED LICENSE – CITY OF LA VISTA – ART FAIR**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-090; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL FOR BEER AND WINE TASTING DURING AN EVENT AT 9110 GILES ROAD ON SEPTEMBER 10, 2011.

WHEREAS, 9110 Giles Road is located within the City of La Vista; and

WHEREAS, The City of La Vista has requested approval of a Special Designated License for Beer and Wine tasting during the Art Fair at 9110 Giles Road on September 10, 2011 from 11:00 a.m. to 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize The City of La Vista to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission for Beer and Wine tasting at 9110 Giles Road, during the Art Fair September 10, 2011.

Seconded by Councilmember Crawford. Councilmember Quick asked where this would be held. Committee Chair Uhl stated at Metropolitan Community College. Councilmembers voting aye: Sell, Ronan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: Sheehan, Quick. Abstain: None. Absent: None. Motion carried.

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Councilmember Crawford made a motion to move "Comments from the Floor" up on the agenda ahead of Item J. "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.

## G. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 6:47 p.m. Councilmember Carlisle 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, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

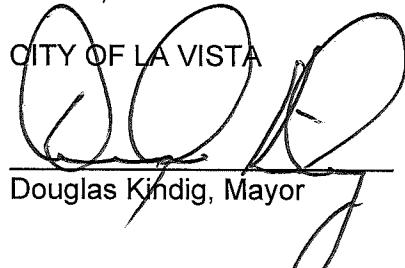
At 7:16 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell stated that he saw the article in the paper where Councilmember Quick crossed sky diving off her bucket list.

At 7:17 p.m. Councilmember Sheehan 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. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF AUGUST, 2011

  
CITY OF LA VISTA  
Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC  
City Clerk