

MINUTE RECORD

No. 729 — REDFIELD & COMPANY, INC. OMAHA E1107788LD

LA VISTA CITY COUNCIL MEETING October 2, 2012

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 October 2, 2012. 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 Captain Barcal, Fire Chief Uhl, Finance Director Lindberg, Public Works Director Soucie, Recreation Director Stopak, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on September 19, 2012. 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 announced that a copy of the Open Meetings Act was posted on the west wall of the Council Chambers and copies were also available in the lobby of City Hall.

Mayor Kindig made an announcement regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

PROCLAMATION – DOMESTIC VIOLENCE AWARENESS MONTH

Mayor Kindig proclaimed October to be Domestic Violence Awareness Month.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM SEPTEMBER 18, 2012
3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM SEPTEMBER 13, 2012
4. REQUEST FOR PAYMENT – SCHEMMER – PROFESSIONAL SERVICES – LA VISTA LINK – KEYSTONE TRAIL - \$177.74
5. REQUEST FOR PAYMENT – FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – GILES ROAD SIGNAL COORDINATION - \$2944.10
6. APPROVAL OF CLAIMS
7. RESOLUTION 12-098 – DEPARTMENT OF ROADS MAINTENANCE AGREEMENT – 84TH STREET

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| AAT, supplies | 2,262.00 |
| ACCO UNLIMITED CORP, supplies | 73.2 |
| ACTION BATTERIES, equip. | 22 |
| ALAMAR, apparel | 591.96 |
| ALERT-ALL CORP, printing | 2,038.60 |
| ALL STAR PRO GOLF, supplies | 689.71 |
| ARAMARK, services | 156.57 |
| A-RELIEF, services | 180 |
| ASSOCIATED FIRE PROTECTION, services | 190 |
| BAKER & TAYLOR, books | 6,530.79 |
| BANKERS TRUST, bonds | 275 |
| BARCAL, R., travel | 194.25 |
| BARONE SECURITY SYSTEMS, services | 120 |
| BATTERIES PLUS, services | 179.94 |
| BBE-TECH, bld&grnds | 35 |
| BCDM, services | 1,260.00 |
| BEACON BUILDING, services | 6,712.00 |
| BEAUMONT, M., travel | 192.5 |
| BLACK HILLS ENERGY, utilities | 22.04 |
| BCBS, refund | 597.02 |
| BOUNDTREE MEDICAL, supplies | 238.1 |

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| BUILDERS SUPPLY, maint. | 79.86 |
| CENTER POINT PUBLISHING, books | 214.5 |
| CENTURY LINK, phone | 1,044.81 |
| CIACCIO ROOFING, bld&grnds | 210 |
| CITY OF OMAHA, sewer | 104,458.48 |
| COMP CHOICE, services | 508 |
| CORNHUSKER INTL, vehicles | 208,800.00 |
| COX, utilities | 63.65 |
| D & D COMM., services | 6,420.85 |
| DANKO EMERGENCY EQUIP., maint. | 252.34 |
| DECOSTA SPORTING GOODS, apparel | 258.5 |
| DEIML, K., training | 3,575.00 |
| DIXON, S., refund | 95 |
| DOWNS ELECTRIC, bld&grnds | 227.88 |
| EAGLE ENGRAVING, apparel | 106.36 |
| EDGEWEAR SCREEN PRINTING, apparel | 240 |
| EPPERSON, N., apparel | 116.63 |
| FELD FIRE, apparel | 2,570.00 |
| FILTER CARE, maint. | 56.4 |
| FIRE DEPARTMENT CLOTHING, apparel | 2,597.30 |
| FLORATINE CENTRAL TURF PRODS, bld&grnds | 407.5 |
| GALE, books | 402.58 |
| GCR TIRE CENTERS, supplies | 285.26 |
| GODFATHER'S PIZZA, supplies | 102.38 |
| GOLDMAN, J., travel | 41 |
| GOLEY, C., training | 120 |
| GRAYBAR ELECTRIC, bld&grnds | 57.6 |
| GREAT PLAINS GFOA, training | 300 |
| GREAT PLAINS UNIFORMS, apparel | 276.5 |
| GREENKEEPER COMPANY, supplies | 2,144.38 |
| H & H CHEV., maint. | 905.98 |
| HEARTLAND PAPER, supplies | 276 |
| HEIMES CORPORATION, maint. | 67.75 |
| HELGET GAS, supplies | 89 |
| HOBBY LOBBY, supplies | 262.7 |
| INDUSTRIAL SALES, bld&grnds | 104 |
| J Q OFFICE EQUIPMENT, supplies | 1,104.88 |
| JNFS ENGINEERING, equip. | 1,147.13 |
| JOHN DEERE, bld&grnds | 2,513.00 |
| JONES AUTO., radios | 4,843.00 |
| LA VISTA COMMUNITY FOUNDATION | 50 |
| LAUGHLIN, KATHLEEN A, TRUSTEE | 474 |
| LEAGUE ASSN OF RISK MGMT, ins | 91 |
| LOGAN CONTRACTORS SUPPLY, maint. | 5,304.94 |
| LOU'S SPORTING GOODS, bld&grnds | 55.65 |
| MASA, bld&grnds | 2,175.95 |
| MATHESON TRI-GAS, apparel | 62.67 |
| MECHANICAL SALES, supplies | 12,636.00 |
| MUD, utilities | 183.78 |
| MICHAEL TODD & COMP., maint. | 7,633.74 |
| MID AMERICA PAY PHONES, phone | 100 |
| MIDWEST TAPE, media | 759.41 |
| MIDWEST TURF & IRRIGATION, maint. | 553.19 |
| MIRACLE RECREATION EQUIP., maint. | 3,695.14 |
| MONARCH OIL, maint. | 493.5 |
| MONROE TRUCK EQUIP., maint. | 799.81 |
| NEBRASKA SALT & GRAIN COMP., maint. | 22,622.06 |
| NEWMAN TRAFFIC SIGNS, supplies | 117.15 |
| NEXTEL SPRINT COMM., phone | 210.73 |
| NIKE, supplies | 225 |
| NORM'S DOOR SERVICE, maint. | 408 |

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| NOVA HEALTH EQUIP., supplies | 11,885.50 |
| NUTS AND BOLTS INC., maint. | 2.97 |
| OCLC, books | 30.97 |
| OFFICE DEPOT, supplies | 1,488.17 |
| O'KEEFE ELEVATOR COMP., services | 168 |
| OPPD, utilities | 2,838.68 |
| OMAHA WORLD HERALD, ads | 664.47 |
| OMNIGRAPHICS, books | 59.7 |
| ORIZON CPAS, services | 1,150.00 |
| PAPILLION LA VISTA SCHL DISTR | 6,500.00 |
| PAPILLION TIRE INC., maint. | 146.6 |
| PARAMOUNT LINEN, services | 294.91 |
| PAYFLEX SYSTEMS | 250 |
| PAYROLL MAXX | 2,650.00 |
| PERFORMANCE CHRYSLER JEEP, maint. | 5,662.81 |
| PETTY CASH | 298.99 |
| PETTY CASH | 71.08 |
| PLAINS EQUIPMENT GROUP, maint. | 406.32 |
| PPE INC., training | 1,075.00 |
| PRO-PAPILLION RECREATION ORG | 300 |
| PRO-SIGN & SCREEN PRINTING, services | 500 |
| QUALITY BRANDS OF OMAHA, supplies | 542.15 |
| RAPPLEY, M., training | 25 |
| READY MIXED CONCRETE, maint. | 5,054.07 |
| RETRIEVEX, services | 85.02 |
| REXWINKLE, C., refund | 100 |
| SCHMADER ELECTRIC, supplies | 8,250.00 |
| SMITH, K., services | 175 |
| SOCCER INTERNATIONALE, apparel | 330 |
| SPRINT, phones | 62.11 |
| SPRINT, phones | 119.97 |
| STOLTENBERG NURSERIES, supplies | 2,605.00 |
| TED'S MOWER SALES & SERVICE, equip. | 48 |
| THOMPSON DREESSEN & DORNER, services | 262.05 |
| THOMPSON DREESSEN & DORNER, services | 255 |
| TODD VALLEY FARMS, bld&grnds | 1,338.00 |
| TORNADO WASH, maint. | 120 |
| UPS, postage | 6.25 |
| V & V MANUFACTURING, apparel | 114.95 |
| WASTE MANAGEMENT NE., services | 239.97 |
| WICK'S STERLING TRUCKS, maint. | 176.24 |
| ZIMCO SUPPLY, services | 480 |
| ZULKOSKI, C., refund | 85 |

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

REPORTS – RENTAL INSPECTION PROGRAM

Community Development Director Birch, Community Development Secretary Michelle Alfaro, and Building Inspectors Don Simon and Brad Baber gave an overview of the Permits and Inspections for 2011, and the Rental Inspection Program for 2011.

Mayor Kindig asked that the numbers for the CVS and Divine Truth be rechecked and the information be provided about landscaping around the splash pad. Community Director Birch stated she will follow up.

Councilmember Crawford asked how long the names listed in white on the report had not been in compliance. Alfaro responded that those in white had not complied this year, and those in red have not complied since the beginning of the program. Councilmember

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Sheehan asked if we inspect Apartment units that tenants have moved out of. Alfaro stated that yes, those are inspected. Councilmember Ronan asked if an inspector goes into a unit or rental alone. Alfaro explained that a staff member is always accompanied by the tenant or the property owners or the property owner's representative.

Building Inspector Baber reported that of the number of inspections completed 28% pass the initial inspection and over 80% pass on re-inspection. Councilmember Gowan stated that the Council took a lot of heat on this program 3 years ago, but the program has proven to do a good job to create safety for the La Vista residents. Councilmember Quick agreed.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported that the parties attending the 911 shared services meeting are moving forward and have agreed to a single call center.

City Clerk Buethe reminded everyone they needed to complete the NIMS 100 and 700 courses by the end of the year if possible.

Fire Chief Uhl reported that the 6th Annual Citizen's Fire Academy was held and Austin Brake gave a report on the program. Uhl reported that the Fire Department was working with Grades K-3 during National Fire Prevention Week. Uhl continued that the Fire Department will also hold its open house on October 14, 2012 from 1-4.

Public Works Director Soucie reported that the East Port Parkway project was completed, and that the 96th Street Project was transitioning to Phase 2. Soucie continued that nine trees were replaced at the city parking lot and more roses were planted. Soucie stated that the streets division is repairing a section of street at 74th and Gertrude. Soucie also reported that staff will be going through snowplow training on October 15th.

Community Development Director Birch reported that an order to demolish was filed on a house on Park View Heights. They are working with the people who own the home on Park View Blvd which had a car hit it, to determine what needs done and what the time frame is.

Library Director Barcal reported that on October 6, 2012 from 2:00-3:00 Darrel Draper will be portraying Theodore Roosevelt at the library. The library has received accreditation again. The job seekers workshops will be at the library October 4th, 9th, and 11th and this if free to the public and staff.

B. ORDINANCE AMEND THE COMPENSATION ORDINANCE

Councilmember Carlisle introduced Ordinance No. 1186 entitled; AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Gowan seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. The following voted nay: None. The following were 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 Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Quick. The Mayor then stated the question, "Shall Ordinance No. 1186 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.

C. SPECIAL DESIGNATED LICENSE – ZEHRRER, INC. DBA MORNING NOON AND NIGHT – JB'S SALON

Councilmember Sell introduced and moved for the adoption of Resolution No. 12-099; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA,

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NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT A SAMPLING/TASTING EVENT AT 9637 GILES ROAD ON OCTOBER 13, 2012.

WHEREAS, 9637 Giles Road is located within the City of La Vista; and

WHEREAS, Zehrer, Inc. has requested approval of a Special Designated License to serve alcohol sampling/tasting event at 9637 Giles Road on October 13, 2012 from 5:30 p.m. to 9:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Zehrer, Inc. to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to serve alcohol at 9637 Giles Road, at a sampling/tasting event on October 13, 2012.

Seconded by Councilmember Carlisle. 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 D 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.

D. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION, PERSONNEL

At 7:54 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and negotiating guidance regarding land acquisition and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. 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.

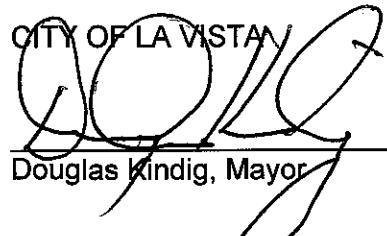
At 10:15 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: Ronan. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that Senator Flood would be visiting the City.

At 10:16 p.m. Councilmember Crawford made a motion to adjourn the 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.

PASSED AND APPROVED THIS 16TH DAY OF OCTOBER, 2012


CITY OF LA VISTA
Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe

Pamela A. Buethe, CMC
City Clerk

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