

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING February 4, 2014

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 February 4, 2014. Present were Councilmembers: Gowan, Sheehan, Ronan, Thomas, Crawford, Quick and Sell. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Finance Director Lindberg, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Community Development Director Birch, Public Building and Grounds Director Archibald, Recreation Director Stopak, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on January 22, 2014. 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.

SERVICE AWARDS – RAY LUEBBERT – 25 YEARS; MARK STEVENS – 20 YEARS; JEREMY SCHLEGEL AND KYLE WILLIAMS – 5 YEARS

Mayor Kindig presented a service award to Kyle Williams for five years of service to the City of La Vista. Ray Luebbert, Mark Stevens, and Jeremy Schlegel were unable to attend so their service awards will be presented at a later date.

AWARD PRESENTATION – AMERICAN SOCIETY OF LANDSCAPE ARCHITECTS MERIT AWARD – DOLORES SILKWORTH, RDG

The award presentation was postponed until the February 18, 2014 meeting due to inclement weather conditions.

APPOINTMENTS – BOARD OF ADJUSTMENT - RE-APPOINT DEAN PAULSEN – 3 YEAR TERM; PLANNING COMMISSION – RE-APPOINT GAYLE MALMQUIST, KATHLEEN ALEXANDER, AND LOWELL MILLER (ALTERNATE) – 3 YEAR TERMS

Mayor Kindig stated, with the approval of the City Council, he would like re-appoint Dean Paulsen to the Board of Adjustment for a 3 year term, and Gayle Malmquist, Kathleen Alexander, and Lowell Miller (Alternate) to the Planning Commission for 3 year terms. Councilmember Gowan motioned the approval, seconded by Councilmember Quick. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF THE MINUTES OF THE JANUARY 21, 2014 CITY COUNCIL MEETING**
- 3. PAY REQUEST FROM FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – QUIET ZONE - \$1,050.00**
- 4. PAY REQUEST FROM FOCUS PRINTING & MAILING – PRINTING SERVICES – THOMPSON CREEK - \$456.00**

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5. PAY REQUEST FROM FELSBURG HOLT & ULLEVIG – PROFESSIONAL SERVICES – HELL CREEK CHANNEL IMPROVEMENTS PHASE II - \$1,039.36

6. APPROVAL OF CLAIMS

ACCONTEMPS, services	1,177.00
ACTION BATTERIES, supplies	578.42
ADT, refund	25.00
AETNA, refund	556.02
ALAMAR UNIFORMS, apparel	273.75
ARAMARK, services	24.62
ATLAS AWNING, maint.	100.00
BADGER BODY, maint.	166.00
BAKER & TAYLOR, books	531.30
BEACON BUILDING, services	6,712.00
BERGER, L., refund	3.00
BLACK HILLS ENERGY, utilities	13,126.49
BOB'S RADIATOR REPAIR, maint.	87.00
C E SMITH CABINETS, maint.	44.00
CAMPBELL, E., refund	5.00
CARL JARL LOCKSMITHS, bld&grnds	3.70
CAVENDISH SQUARE PUBLISHING, books	215.28
CENTER POINT PUBLISHING, books	215.70
CENTURY LINK, utilities	1,120.39
CITY OF OMAHA, services	116,399.27
COMP CHOICE, services	437.00
CONRECO INC., maint.	165.00
CONSOLIDATED MANAGEMENT, training	176.50
COX, services	271.36
DANKO EMERGENCY EQUIP., maint.	90.04
DEMCO INC., supplies	244.06
DIGITAL ALLY INC., supplies	410.00
DOUGLAS COUNTY SHERIFF, services	262.50
EASTERN LIBRARY SYSTEM, training	10.00
EBSCO SUBSCRIPTION SERVICES, books	3.14
EDGEWEAR SCREEN PRINTING, apparel	642.00
EMBLEM ENTERPRISES, apparel	305.01
FBINAA, training	300.00
FELD FIRE, maint.	87.95
FILTER CARE, maint.	81.95
FOCUS PRINTING, printing	1,492.67
FORT DEARBORN LIFE INS COMPANY	1,297.50
FREMONT NATIONAL BANK & TRUST	450.00
GALE, books	47.23
GAYLORD BROS, supplies	278.65
GCR TIRE CENTERS, supplies	449.08
GIFF PROPERTY, services	1,900.00
GOLEY, C., auto	100.00
GRAINGER, bld&grnds	187.30
GRAYBAR ELECTRIC, bld&grnds	166.43
GREAT WESTERN BANK, fees	250.00
H & H CHEV., maint.	56.05
HEARTLAND PAPER, supplies	119.00
HOME DEPOT, bld&grnds	706.04
HONEYMAN RENT-ALL, bld&grnds	245.25
HORNADY, supplies	571.20
HSMC ORIZON, services	4,800.00
HUNDEN STRATEGIC PARTNERS, services	4,832.45
HUNTEL, IT	230.00
HUSKER MIDWEST, printing	245.10
J Q OFFICE EQUIP., services	55.02
JONES AUTO., maint.	262.00
KLINKER, M., services	200.00

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KRIHA FLUID POWER CO, maint.	172.29
KUSSMAUL ELECTRONICS, maint.	42.31
LA VISTA COMMUNITY FOUNDATION	75.00
LANDPORT SYSTEMS, services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE	437.00
LEAGUE OF NEBR MUNICIPALITIES, training	299.00
LEAGUE OF NEBRASKA MUNICIPALITIES, dues	734.06
LENGEMANN, services	235.00
LEXIS NEXIS, books	443.94
LIBRARY ADVANTAGE, supplies	530.00
LIBRARY IDEAS, media	9.50
LOU'S SPORTING GOODS, equip.	148.00
MATHESON TRI-GAS, supplies	305.80
MCC, utilities	15,651.27
MENARDS, supplies	33.88
MERRY MAKERS, services	1,125.00
METAL DOORS AND HARDWARE, bld&grnds	12.00
MID CON SYSTEMS, maint.	334.40
MIDWEST SERVICE, supplies	984.00
MIDWEST TAPE, media	79.21
MOCIC MID-STATES ORGANIZED, dues	200.00
MUD, utilities	2,024.65
NATIONAL EVERYTHING WHOLESALE, supplies	524.98
NE DEPT OF REVENUE, taxes	85,627.00
NEB PRO TURF LAWN SERVICE, refund	25.00
NEBRASKA IOWA SUPPLY, supplies	15,724.77
NEBRASKA LAW ENFORCEMENT, training	50.00
NETWORK CRAZE TECH., IT	2,016.00
NLA, dues	140.00
NMC EXCHANGE, maint.	1,076.61
NOVA HEALTH EQUIP., equip.	89.00
OAKHAVEN HOMES, services	10,470.00
OFFICE DEPOT, supplies	1,095.68
OMAHA COMPOUND COMPANY, bld&grnds	162.74
OMAHA SLINGS, bld&grnds	106.29
ONSET COMPUTER CORP., supplies	509.00
PACIFIC REALTY COMMERCIAL, services	15,000.00
PARAMOUNT, apparel	154.68
PAYFLEX, services	500.00
PERFORMANCE, maint.	1,226.65
PETTY CASH	230.20
PFEIFER, V., services	500.00
PLAINS EQUIPMENT GROUP, maint.	594.71
PRO-PAPILLION RECREATION ORG, services	2,450.00
RAINBOW GLASS & SUPPLY, maint.	40.00
READ ALOUD NEBRASKA, training	70.00
RETRIEVEX, services	96.18
SALEM PRESS, books	187.50
SAPP BROS PETROLEUM, supplies	426.25
SARPY COUNTY COURTHOUSE, services	3,960.21
SCHOENECK, C., refund	3.00
SETCOM, radios	143.10
SMITH, M., auto	100.00
SPRINT, phone	62.19
SPRINT, phone	119.97
SUCCESS FACTORS INC., services	8,724.80
SUTPHEN CORP., maint.	564.37
TARGET, supplies	40.00
TED'S MOWER, equip.	118.12
TEUSCHER, C., services	250.00

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THE HARTFORD, ins.	4,954.35
THOMPSON DRESSEN & DORNER, services	8,097.34
TIGHTON FASTENER & SUPPLY, maint.	49.95
UPS, postage	11.96
UPSTART, supplies	317.02
VAN RU CREDIT CORPORATION	42.27
VERIZON, phone	948.20
WAL-MART, supplies	1,906.34
WICK'S STERLING TRUCKS, maint.	649.14
WORLD TRADE PRESS, media	674.73
WRAY, B., refund	10.00

Councilmember Sell made a motion to approve the consent agenda. Seconded by Councilmember Quick. Councilmember Quick reviewed the claims for this period and stated that everything was in order. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed the Mayor and Council that the Citizen Police Academy will be from March 20th through May 22nd from 6:30 p.m. to 9:00 p.m.

Lausten also stated that the remodeling of the District 1 Fire Station will be completed by the end of the week.

Fire Chief Uhl stated that there was a structure fire on South 75th Avenue. Fire damage was kept to the shed in back but there was smoke damage throughout the house.

Recreation Director Stopak reminded the Council that the Senior Valentine Brunch is on February 14th and those wishing to attend should RSVP by February 7th. If any would like to serve they should be there by 10:45.

Stopak also stated that the Active Net system is up and running. Councilmember Sheehan asked if refunds could be done through credit cards. Stopak said they could.

Library Director Barcal informed Council that teens have received approximately 1500 copies of arcs from publishers to read for the Teen Reads titles for 2013. There were about 350 unique titles received. Teens continue to write book reviews and provide feedback to authors and publishers throughout 2014 under this two year commitment.

Barcal also reported that the Project Search intern will begin at the library on Monday, February 10th. A grant will be submitted to the Nebraska Library Commission for an intern grant to provide payment for part of the student's internship.

B. TEXT AMENDMENTS – SUBDIVISION REGULATIONS

1. PUBLIC HEARING (CONTINUED FROM THE JANUARY 21, 2014 MEETING)

Mayor Kindig stated the public hearing was still open for discussion on the text amendments to the subdivision regulations.

Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

2. ORDINANCE – APPROVE TEXT AMENDMENTS

Councilmember Gowan introduced Ordinance No. 1211 entitled; AN ORDINANCE ADOPTING THE 2014 SUBDIVISION REGULATIONS AS A REPLACEMENT TO ORDINANCE NO. 906 AS ORIGINALLY ENACTED AND ALL AMENDMENTS THERETO; TO REPLACE SECTION 152.01 OF THE LA VISTA MUNICIPAL CODE;

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TO REPEAL SECTION 152.01 OF THE LA VISTA MUNICIPAL CODE AS ORIGINALLY ENACTED AND ALL AMENDMENTS THERETO; TO PROVIDE A SEVERABILITY CLAUSE; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sheehan moved that the statutory rule requiring reading on three different days be suspended. Councilmember Quick seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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 Gowan. The Mayor then stated the question, "Shall Ordinance No. 1211 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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. ORDINANCE – AMEND SECTION 92.15 – LA VISTA MUNICIPAL CODE

Councilmember Quick introduced Ordinance No. 1212 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 92.15; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; 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 Sheehan seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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 Sell moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question, "Shall Ordinance No. 1211 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. 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.

D. RESOLUTION – PARK VIEW BOULEVARD – FIRE DISTRICT 1 – NO PARKING ZONE EXPANSION

Councilmember Quick introduced and moved for the adoption of Resolution No. 14-008: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA EXPANDING THE NO PARKING ZONE ON THE SOUTH SIDE OF PARK VIEW BOULEVARD TO THE SOUTH AND WEST OF THE DISTRICT 1 FIRE STATION.

WHEREAS, the Mayor and City Council have determined that expanding the "No Parking Zone" by the District 1 Fire Station is necessary to provide for the safe passage of vehicles and pedestrians; and

WHEREAS, the designation of a No Parking Zone are in the following locations;

1. A No Parking Zone on the south side of Park View Boulevard beginning 332 feet, more or less, northwesterly of the intersection of the centerlines of Park View Boulevard and 81st

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Street and continuing for 154 feet to a point 486 feet, more or less, northwesterly of said intersection; and

WHEREAS, the City Engineer has reviewed the plan and recommends approval,

NOW, THEREFORE, BE IT RESOLVED, that the expansion of the "No Parking Zone" by the District 1 Fire Station is authorized,

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

Seconded by Councilmember Sell. Councilmember Crawford asked if the residents would be notified. Police Chief Lausten stated that the residents had been talked to and are aware of the 6 spots that will be eliminated. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

E. RESOLUTION – THOMPSON CREEK WATERSHED RESTORATION – BIOBLITZ EVENT MANAGEMENT AGREEMENT – UNIVERSITY OF NEBRASKA AT OMAHA.

Councilmember Crawford introduced and moved for the adoption of Resolution No. 14-009: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN AGREEMENT WITH THE UNIVERSITY OF NEBRASKA AT OMAHA (UNO) FOR THE INAUGURAL THOMPSON CREEK BIOBLITZ EVENT MANAGEMENT SERVICES THAT ARE NEEDED FOR A PUBLIC OUTREACH AND EDUCATION COMPONENT FOR THE THOMPSON CREEK WATERSHED MANAGEMENT IN AN AMOUNT NOT TO EXCEED \$20,789

WHEREAS, the City Council of the City of La Vista has determined that creating public support for the watershed management activities are required as part of the conditions of obtaining EPA Section 319 grant funds for the Thompson Creek Watershed Management project through the Nebraska Department of Environmental Quality (NDEQ); and

WHEREAS, services can be provided at a lower cost through UNO than through the private sector; and

WHEREAS, the Sewer Fund Budget provides funding for these services; 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 purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska approve an agreement with the University of Nebraska at Omaha for the inaugural Thompson Creek BioBlitz Event Management Services and authorizing the City Administrator to sign said agreement for an amount not to exceed \$20,789.

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

F. RESOLUTION – APPROVAL – COMMUNICATIONS CABLE & FACILITIES AGREEMENT BETWEEN CITY OF LA VISTA AND TELEPORT COMMUNICATIONS AMERICA, LLC

Councilmember Quick introduced and moved for the adoption of Resolution No. 14-010: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COMMUNICATIONS CABLE AND FACILITIES AGREEMENT TO OCCUPY PUBLIC RIGHTS-OF-WAY WITH TELEPORT COMMUNICATIONS AMERICA, LLC FOR USE OF PUBLIC RIGHTS-OF-WAY WITHIN THE CITY LIMITS FOR INSTALLATION OF COMMUNICATIONS FACILITIES

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WHEREAS, the Mayor and City Council find it necessary to have an agreement setting forth conditions for use of the rights-of-way within the City of La Vista, Nebraska; and

WHEREAS, a Communications Cable and Facilities Agreement to Occupy Public Rights-of-Way is attached hereto as Exhibit 1 and incorporated herein by reference (the "Agreement"). The Agreement would grant Teleport Communications America, LLC permission to use public rights-of way in the City of La Vista; and

WHEREAS, the Agreement includes a Statement of Policy and Standard Specifications for Communication Facilities on City Property; and

WHEREAS, the Agreement provides for the installation of communications facilities by Teleport Communications America, LLC subject to certain terms and conditions as set forth in the Agreement;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Agreement is hereby approved and the Mayor and City Clerk are hereby authorized to execute the Agreement with Teleport Communications American, LLC for use of public rights-of-way within the city limits for installation of communications facilities.

Seconded by Councilmember Sheehan. Councilmember Sheehan asked if this cable is going under streets or through properties. Assistant Public Works Director/City Engineer Kottmann stated this will be in the right of way and along vacant property. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

G. RESOLUTION – ADOPTION – STRATEGIC PLAN 2014-2016

Councilmember Sell introduced and moved for the adoption of Resolution No. 14-011: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT STRATEGIC PLAN 2014 – 2016.

WHEREAS, the Mayor and City Council recognize the importance and value of having a deliberate planning process to help guide all facets of city government; and

WHEREAS, the Mayor and City Council believe that it is essential to set goals and review them periodically to ensure progress; and

WHEREAS, on Saturday, August 24, 2013 the Mayor and City Council held a work session to update the City's Strategic Plan in order to :

1. Ensure that the city's priorities are aligned with changing conditions and new opportunities.
2. Create shared commitments among council members and city staff concerning short-term and long-term endeavors.
3. Assess the city's present and future strengths, weaknesses, opportunities and threats; and

WHEREAS, the attached Strategic Plan 2014 – 2016 is developed as a collaborative effort between the Mayor and City Council and the City's management team and establishes the organizational priorities for a two year planning period.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, do hereby approve the Strategic Plan 2014 – 2016 as attached and presented at the February 4, 2014 City Council meeting.

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

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COMMENTS FROM THE FLOOR

There were no comments from the floor.

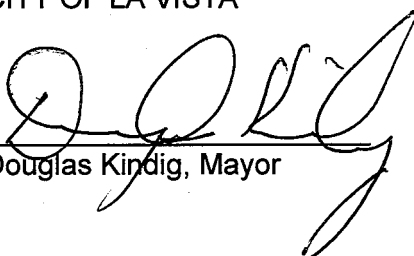
COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig gave a legislative update to the Council.

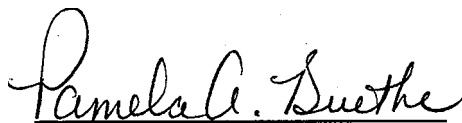
At 7:27 p.m. Councilmember Quick made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Gowan, Ronan, Sheehan, Thomas, Crawford, Quick, and Sell. Nays: None. Abstain: None. Absent: Hale. Motion carried.

PASSED AND APPROVED THIS 18TH DAY OF FEBRUARY, 2014

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe, CMC
City Clerk