

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING December 18, 2007

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 December 18, 2007. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Finance Director Lindberg, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Public Works Director Soucie, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on December 6, 2007. 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 within 10 days after said meeting and prior to the next convened meeting of said body.

Mayor Kindig called the meeting to order and led the audience in the pledge of allegiance.

Mayor Kindig made an announcement of the location of the posted copy of the Open Meetings Act for public reference.

SERVICE AWARDS – BRYAN WAUGH AND JEFF SINNETT – 10 YEARS

Mayor Kindig presented a certificate and pin to Bryan Waugh and Jeff Sinnett for 10 years of service to the City.

PROCLAMATIONS – EAGLE SCOUT SERVICE PROJECT – ETHAN WHITE AND KEVIN SPARKS

Mayor Kindig presented a certificate and city pin to Ethan White and Kevin Sparks for their eagle scout service projects completed at the La Vista Falls Golf course.

APPOINTMENTS:

BOARD OF ADJUSTMENTS – REAPPOINT DEAN PAULSEN – 3 YEAR TERM

**BOARD OF HEALTH – APPOINT DOUGLAS KINDIG, BRENDA CARLISLE, RICH UHL
AND ROBERT LAUSTEN – 1 YEAR TERM**

LIBRARY ADVISORY BOARD – APPOINT KIM POKORNY – 2 YEAR TERM

**PARKS AND RECREATION ADVISORY BOARD – REAPPOINT RANDALL CAHILL,
AND JOHN VENDETTI – 2 YEAR TERM**

**PLANNING COMMISSION – REAPPOINT MARY HEWITT AND GAYLE MALMQUIST – 3
YEAR TERM**

Mayor Kindig stated that with the approval of Council he would like to make appointments to various Boards and Commissions as outlined on the agenda. Councilmember McLaughlin motioned the approval, seconded by Councilmember Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

SPECIAL REPORT – TOBY CHURCHILL – SARPY COUNTY ECONOMIC DEVELOPMENT CORP.

Toby Churchill of the Sarpy County EDC addressed Council to review the 3rd quarter report. He gave a copy of the report to Council and reviewed the information.

A. CONSENT AGENDA

- 1. APPROVAL OF THE AGENDA AS PRESENTED**
- 2. APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 4, 2007**
- 3. MINUTES OF THE SEPTEMBER 26, 2007 SAFETY COMMITTEE MEETING**
- 4. PAY REQUEST FROM SARPY COUNTY EDC – ANNUAL INVESTMENT - \$10,000.00**
- 5. PAY REQUEST #3 FROM JOHN Q HAMMONS FOR CONSTRUCTION LOAN - \$897,592.15**
 - 6. 84TH STREET PAVEMENT RESURFACING**
 - a. CHANGE ORDER NO. 2 - WESTERN ENGINEERING - \$4,154.00**
 - b. FINAL PAY REQUEST FROM WESTERN ENGINEERING - \$71,937.36**
 - 7. PAY REQUEST FROM KELLEY & LEHAN FOR LOBBYING SERVICES - \$5,640.00**

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8. APPROVAL OF CLAIMS

Councilmember Carlisle made a motion to approve the consent agenda with the deletion of items 6a. and 6b. Seconded by Councilmember Ellerbeck. Councilmember Sell reviewed the claims for this period and reported that he found everything to be in order. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

A.S.P. ENTERPRISES, Bldg & Grnds	86.40
ACTION BATTERIES, Bldg & Grnds/Vehicle Supplies	348.00
AED SUPERSTORE, Equipment	279.95
AIR POWER OF NEBRASKA, Bldg & Grnds	311.00
ALAMAR UNIFORMS, Wearing Apparel	199.97
AMERICAN PLANNING ASSN, Dues/Books	382.00
AMSAN, Supplies	426.38
AQUILA, Utilities	7,046.37
ARAMARK UNIFORM SERVICES, Contract Services	278.77
ASPEN EQUIPMENT, Supplies	848.00
ASPHALT & CONCRETE MATERIALS, Street Maint.	66.00
BADGER BODY, Vehicle Maint.	52.08
BAKER & TAYLOR BOOKS, Books	1,501.57
BATTERY ZONE, Supplies	139.50
BBC AUDIOBOOKS AMERICA, Media	123.63
BCDM-BERINGER CIACCIO DENNELL, Professional Services	712.50
BENNINGTON IMPLEMENT, Vehicle Maint.	195.25
BENSON RECORDS MANAGEMENT, Contract Services	50.68
BOBCAT, Vehicle Maint.	661.44
BRENTWOOD AUTO WASH, Vehicle Maint./Supplies	160.00
BRODART, Books	211.66
BROWN TRAFFIC PRODUCTS, Street Maint.	392.00
BUDGET AUTO GLASS, Vehicle Maint.	175.48
BUILDERS SUPPLY, Sewer Repair	88.00
CARDMEMBER SERVICE, Travel/Training/Telephone/Books	5,600.09
CARSTENSEN, RICH, Supplies	20.28
CITY OF OMAHA, Harrison St. Project	601.79
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	876.16
CONRECO, Street Maint.	100.00
COX, Contract Services	203.75
CUMMINS CENTRAL POWER, Contract Services	558.34
DAVIDSON TITLE, Books	416.05
DEMCO, Supplies	402.32
DON'S PIONEER UNIFORMS, Wearing Apparel	39.95
DOUBLE K FEED, Bldg & Grnds	36.00
E & A CONSULTING GROUP, Professional Services	42.26
ENVIRO TECH, Maintenance	3,676.39
FASTENAL COMPANY, Supplies	35.00
FELSBURG HOLT & ULLEVIG, Quiet Zone Study	1,285.03
FERRELLGAS, Utilities	78.19
FRED'S HEATING & AIR, Refund Permit	46.50
GALE, Books	44.14
GALL'S, Wearing Apparel	229.43
GAMBINO'S PIZZA, Deferred Revenue	450.00
GASSERT, MIKE, Contract Services	682.00
GAYLORD BROS, Supplies	211.90
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	568.37
GENWORTH LIFE AND HEALTH, Payroll Withholdings	1,649.02
GRAINGER, Bldg & Grnds	186.22
GRAYBAR ELECTRIC, Bldg & Grnds	233.93
GREAT PLAINS ONE-CALL SVC, Contract Services	305.71
HARLEY DAVIDSON, Vehicle Maint.	371.29
HARM'S CONCRETE, Bldg & Grnds	389.00
HEARTLAND TIRES AND TREADS, Vehicle Supplies	666.00
HIGH TECHNOLOGY CRIME, Dues & Subscriptions	40.00
HIGHSMITH CO, Supplies	124.79
HOIT, DAVID, Contract Services	36.00
HOME DEPOT, Bldg & Grnds	105.92
HUSKER MIDWEST PRINTING, Printing	175.35

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ICSC-INTL COUNCIL OF SHPG CTRS, Dues	200.00
INTERNATIONAL CODE COUNCIL, Professional Services	2,547.00
J Q OFFICE EQUIPMENT, Contract Services	108.32
KAPCO-KENT ADHESIVE PRODS, Supplies	29.42
LAUGHLIN, KATHLEEN, Payroll Withholdings	744.00
LAW ENFORCEMENT TARGETS, Equipment	240.09
LAWRENCE, JACKSON, Contract Services	320.00
LEXIS NEXIS MATTHEW BENDER, Books	88.15
LINWELD, Supplies	15.00
LOGAN CONTRACTORS SUPPLY, Bldg & Grnds	2,682.11
LOU'S SPORTING GOODS, Supplies	6.21
MCCANN PLUMBING SERVICE, Bldg & Grnds	54.00
METAL SUPERMARKETS, Bldg & Grnds	162.80
METRO AREA TRANSIT, Contract Services	515.00
METROPOLITAN COMM COLLEGE, Utilities/Phone/Cont. Services	11,238.94
MICHAEL TODD AND COMPANY, Vehicle Maint.	480.00
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	1,769.18
MIDWEST TAPE, Media	597.69
MUD, Utilities	9.58
NATIONAL ARBOR DAY FOUNDATION, Dues	15.00
NE DEPT OF MOTOR VEHICLE, Licensing	6.50
NE AIR FILTER, Bldg & Grnds	673.56
NE STATE FIRE MARSHALL, Professional Services	360.00
NERPA, Training	25.00
NERPA MEMBERSHIP, Dues	150.00
NEXTEL, Telephone	383.52
NLA-NEBRASKA LIBRARY ASSN, Dues	245.00
NUTS AND BOLTS, Bldg & Grnds	96.77
OABR, Printing	508.43
ODEY'S, Bldg & Grnds	208.80
OFFICE DEPOT, Supplies	671.79
OMAHA WORLD HERALD, Dues	75.40
OPPD, Utilities	33,731.79
ORIZON CPAS, Professional Services	10,894.49
PALMER, ALEXA, Contract Services	120.00
PAM BUETHE, Travel/Bldg & Grnds	92.07
PAPIO BOWL, Rental	3,003.00
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	641.16
PAYLESS, Supplies	206.86
PITNEY BOWES, Supplies	287.92
PRECISION INDUSTRIES, Vehicle Maint.	38.70
PROJECT HARMONY, Contract Services	150.00
PUBLIC RISK MANAGEMENT, Training	477.00
PVP COMMUNICATIONS, Repair	85.48
QWEST, Telephone	251.90
RAMIREZ, JOHN, Contract Services	36.00
READY MIXED CONCRETE, Street Maint.	396.03
REGAL AWARDS, Award Pins	479.00
RICHARDSON, MIKE, Contract Services	31.25
ROCKBROOK CAMERA & VIDEO, Supplies	170.00
RUSH, TIMOTHY, Contract Services	31.25
SAFETY-KLEEN, Contract Services	643.76
SAM'S CLUB, Supplies	158.24
SAPP BROS PETROLEUM, Vehicle Supplies	747.25
SARPY COUNTY TREASURER, Professional Services	13,512.00
SCHOLASTIC LIBRARY PUBLISHING, Books	536.90
SEDLACEK, TIM, Contract Services	41.25
SHAMROCK CONCRETE, Bldg & Grnds	325.44
SMITH, MELANIE, Auto Allowance	100.00
SMOOTHER CUT ENTERPRISES, Contract Services	1,650.00
SOBCZYK, PAUL, Contract Services	100.00
STEFFES MOTORS, Vehicle	9,950.00
SUBURBAN NEWSPAPERS, Legal Advertising	454.06
TARGET BANK,	42.99
TAYLOR PLASTICS, Repair	100.00
THERMO KING CHRISTENSEN, Vehicle Maint.	336.28
THOMPSON DREESSEN & DORNER, Professional Services	9,238.71
THREE RING ENTERPRISES, Vehicle Maint.	1,171.93

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TRACTOR SUPPLY COMPANY, Bldg & Grnds	54.70
TRICARE, Rescue Revenue	271.96
UPS, Postage	82.20
VAN HAUTE, NATE, Contract Services	190.00
VAN HAUTE, SAM, Contract Services	60.00
VAN HAUTE, VINCE, Contract Services	120.00
VEST ELECTRIC, Street Maint.	155.00
WASTE MANAGEMENT, Contract Services	1,101.20
ZIMCO SUPPLY, Supplies	657.60

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council that City offices will be closed on Monday and Tuesday, December 24th and December 25th. Gunn informed Council the next City Council meeting will be held on Wednesday, January 2, 2008.

Assistant City Administrator Ramirez discussed the Facilities Study contract with Leo Daly. She stated that Councilmembers Sheehan and Ellerbeck are on the steering committee and thanked them for taking the time to go on the Facilities Tour which took most of the day.

Police Chief Lausten informed Council the first daytime sobriety check will be held on January 2, 2008, beginning about 4:00 p.m.

Fire Chief Uhl gave Council an update on new fire apparatus. He stated there is about \$6,000 worth of equipment still missing. The equipment should arrive late this week or the middle of next week. The other truck should arrive shortly after the first of the year.

Buildings and Grounds Director Archibald informed Council the library storage building is complete.

B. EXECUTIVE SESSION - PERSONNEL PERFORMANCE

At 7:22 p.m. Councilmember Carlisle made a motion to go into executive session to prevent needless injury to the reputation of an individual to discuss personnel performance. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion and repeated the motion.

At 7:40 p.m. the Council came out of executive session. Councilmember McLaughlin made a motion to reconvene in open and public session. Seconded by Councilmember Quick. Mayor Kindig stated the discussion in executive session was limited to the subject matter contained in the original motion. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

C. JOB DESCRIPTION – CIRCULATION CLERK

Councilmember Ellerbeck moved for the approval of the job description for the Circulation Clerk. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION - AMEND CITY PERSONNEL POLICY AND PROCEDURES MANUAL

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-128: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AMENDING SECTION 7 AND SECTION 8, OF THE CITY PERSONNEL POLICY AND PROCEDURES MANUAL REGARDING VACATION LEAVE.

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska, has determined that a need exists to make changes to the existing La Vista City Personnel Policy and Procedures Manual as adopted on December 20, 2005; and

WHEREAS, it is being proposed that Subsection 7.22 in the manual regarding vacation payout be deleted and Subsection 8.1 (3) be amended to create a vacation accrual cap; and

WHEREAS, it is the desire of the City Council to amend Section 7 and Section 8 of the Personnel Policy and Procedures Manual to incorporate the changes to the above listed subsections; and

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NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the existing La Vista City Personnel Policy and Procedures Manual adopted on December 20, 2005, is hereby amended to reflect the proposed changes submitted at the City Council meeting to Section 7.22 and Section 8.1 (3) regarding vacation leave.

Seconded by Councilmember Sell. Councilmember Sheehan stated this option was not his first choice, but he can agree to it. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

E. ORDINANCE – AMEND COMPENSATION ORDINANCE

Councilmember Carlisle introduced Ordinance No. 1052 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 upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, 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 Ellerbeck. The Mayor then stated the question was, "Shall Ordinance No.1052 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, 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.

F. RESOLUTION – PURCHASE LITTER RECEPTACLES FOR THE OFF-STREET PARKING DISTRICT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-129: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA NEBRASKA AUTHORIZING THE PURCHASE OF (15) MCCONNELL 32-GALLON LITTER RECEPTACLES FROM KEYSTONE RIDGE DESIGNS, BUTLER, PENNSYLVANIA, FOR AN AMOUNT NOT TO EXCEED \$17,006.25, FOR USE AT THE OFF-STREET PARKING DISTRICT NO. 1.

WHEREAS, the City Council has determined that the purchase of said litter receptacles is necessary, and

WHEREAS, the FY 2007/08 Off-Street Parking Fund provides funding for the purchase of litter receptacles, and

WHEREAS, the litter receptacles are consistent with the Southport West Design Guidelines, 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, THEREFOR BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the purchase of (15) McConnell 32-gallon litter receptacles from Keystone Ridge Designs, Butler, Pennsylvania, for an amount not to exceed \$17,006.25, for use at the Off-Street Parking District No. 1.

Seconded by Councilmember Quick. Councilmember Sheehan asked is there is enough money in the budget for this purchase. City Administrator Gunn stated there is enough money in the budget for the litter receptacles. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

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G. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR UNDERAGE DRINKING INVESTIGATION REIMBURSEMENT

Councilmember Sell introduced and moved for the adoption of Resolution No. 07-130: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY FOR OVERTIME REIMBURSEMENT FOR ALCOHOL RELATED INCIDENTS INVOLVING MINORS.

WHEREAS, pursuant to the authority granted under Neb. Rev. Statute 13-801, et. Seq. Reissue 1997, the Mayor and City Council determine that it is in the best interest of the City to enter into an interlocal cooperation agreement for the purpose of reimbursement of overtime funds spent in the investigation of alcohol related incidents involving minors; and

WHEREAS, the City of La Vista is desirous of actively enforcing underage drinking laws within the City;

WHEREAS, Sarpy County has received a grant for reimbursement of overtime funds spent in the investigation of alcohol related incidents involving minors and has proposed inclusion of the city of La Vista in the grant;

NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, hereby authorize the Mayor to execute an Interlocal Cooperation Agreement with Sarpy County for overtime reimbursement for alcohol related incidents involving minors.

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

H. RESOLUTION – LB 395

Councilmember Sell introduced and moved for the adoption of Resolution No. 07-131: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF FAIR, EQUITABLE AND UNIFORM LEGISLATION SHOULD THE LEGISLATURE DECIDE TO AMEND THE NEBRASKA CLEAN INDOOR AIR ACT (LB 395).

WHEREAS, LB 395, introduced during the 2007 legislative session, would amend the Nebraska Clean Indoor Air Act by restricting smoking in any place of employment or public place in the State; and

WHEREAS, in it's final reading LB 395 contained an exemption for a metropolitan class city that had a smoking ban ordinance prior to January 1, 2007 and included a provision for other cities or villages to adopt more or less stringent smoking ordinances; and

WHEREAS, the governing body of the City of La Vista acknowledges that it is within the purview of the Nebraska Legislature to decide whether or not to enact a state-wide smoking ban; and

WHEREAS, should a state-wide smoking ban be approved, the ban should be fair, equitable and uniformly applicable in all jurisdictions across the State.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby expresses its support of legislation that ensures fairness, equity and uniformity in all jurisdictions across the State in the event the Nebraska Legislature amends the Nebraska Clean Indoor Air Act and enacts a state-wide smoking ban.

BE IT FURTHER RESOLVED, that the Mayor is hereby directed to communicate this position to our representative in the Legislature and such other parties as may be desirable to further these purposes.

Seconded by Councilmember Carlisle. Councilmember Sheehan asked if we will mail a copy of the resolution to the State Senators. City Administrator Gunn stated copies would be mailed. Mayor Kindig stated that a letter will be mailed from the five mayors in Sarpy County also. Councilmember Quick stated she was against the legislation. Councilmember Sell stated that

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this issue was brought to the attention of Council by our Keno Operator and it is important for us to show support for fair and equitable treatment with regard to the Clean Indoor Air Act across the state. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, and Gowan. Nays: McLaughlin. Absent: None. Motion carried.

H. STRATEGIC PLAN UPDATE

City Administrator Gunn updated Council on the strategic plan. She informed Council the next Strategic Planning session will be held on March 8, 2008. Councilmember Gowan asked for an update on the lobbyist used by the city. Mayor Kindig stated the 5 cities are in agreement on 8 separate issues and will follow those up in the legislature. City Administrator Gunn stated that she speaks with the city's lobbyist on a frequent basis, and will continue talks daily or more often, when necessary, when the legislature goes in session.

Councilmember Carlisle motioned to approve the strategic plan update. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

J. CLASS C LIQUOR LICENSE APPLICATION FOR BONES BREW AND BBQ

1. PUBLIC HEARING

At 7:51 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on a Class C Liquor License Application for Bones Brew and BBQ. John Davis, a representative for Bones Brew & BBQ was in attendance to answer any questions.

At 7:54 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-132: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS C LIQUOR LICENSE APPLICATION OF BONES, BREW AND BBQ, LA VISTA, NEBRASKA.

WHEREAS, Bones, Brew and BBQ, 8045 South 83rd Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class C Liquor License, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application, and

WHEREAS, the City has adopted local licensing standards to be considered in making recommendations to the Nebraska Liquor Control Commission, and

WHEREAS, said licensing standards have been considered by the City Council in making its decision.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the Class C Liquor License application submitted by Bones, Brew and BBQ, 8045 South 83rd Street.

Seconded by Councilmember Quick. Councilmember Sell stated that it is good to see a business go in to an existing empty space quickly. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor, and asked that each individual limit his or her comments to 5 minutes. There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reminded Councilmembers that the senior lunch will be held at 11:30 a.m. on Wednesday, December 19, 2007.

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Mayor Kindig informed Council they are invited to attend the annual Employee Potluck Luncheon which will be held on Friday, December 21st from 12:00 – 1:30 p.m.

Councilmember Gowan expressed his appreciation of the storage building at the Library and for the hard work by employees to insure the completion of the project.

Councilmember Quick apologized for not attending the December 4th City Council meeting. Snow resulted in a flight delay in Milwaukee.

Councilmember Ellerbeck commented on the facilities review. He stated the members of Leo Daly and the City staff involved were very professional on the tour of all city facilities.

Councilmember Sheehan stated he was happy to see all the traffic at the new Steve and Barry's store in Brentwood Square.

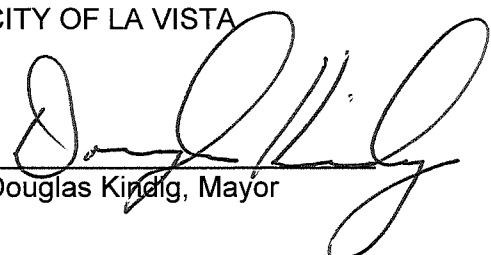
Mayor Kindig informed Council that former Mayor Andy Anderson called to wish everyone a Merry Christmas.

ADJOURNMENT

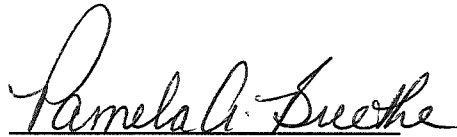
At 8:01 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 2ND DAY OF JANUARY 2008.

CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:



Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\07 COUNCIL MINUTES\December 18, 2007