

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING April 15, 2008

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 April 15, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, McLaughlin, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Community Development Director Birch, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Assistant Recreation Director Karlson, 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 April 3, 2008. 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.

PROCLAMATIONS – NATIONAL VOLUNTEER WEEK, ARBOR DAY, NATIONAL SAFE KIDS WEEK

Mayor Kindig presented a proclamation to Fire Chief Uhl and Building and Grounds Director Archibald (who is a La Vista Volunteer Fireman) for National Volunteer Week from April 27th through May 3rd.

Mayor Kindig presented a proclamation to Recreation Director Stopak for Arbor Day, April 25th. Stopak informed Council the City of La Vista had recently received the Tree City, USA award for the 17th straight year.

Mayor Kindig read a proclamation for National Safe Kids Week from April 28, 2008 through May 6th.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM APRIL 1, 2008
3. APPROVAL OF CITY COUNCIL CIP WORKSHOP MINUTES FROM APRIL 1, 2008
4. KEYSTONE TRAIL-LA VISTA LINK
- a. PAY REQUEST NO. 4 FROM THOMPSON, DREESSEN & DORNER, INC. FOR ENGINEERING SERVICES - \$4,500.04
5. PAY REQUEST NO. 2 FROM THE AUSTIN PETERS GROUP, INC. FOR COMPENSATION STUDY - \$3,697.50
6. PAY REQUEST NO. 4 FROM LEO A DALY FOR MUNICIPAL FACILITIES PLAN - \$9,000.00
7. PAY REQUEST NO. 7 FROM JOHN Q. HAMMONS FOR CONSTRUCTION LOAN - \$903,656.81
8. CHANGE ORDER NO. 1 FROM HUNTEL COMMUNICATIONS FOR WIRELESS UPGRADE - \$3,030.42
9. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda. 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: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Abstain: Sell. Absent: None. Motion carried.

A.S.A., Fees	1,760.00
ACCENT DRYWALL SUPPLY, Bldg & Grnds	99.84
ACTION BATTERIES, Vehicle Supplies	322.21
ADAMSON INDUSTRIES, Vehicle Maint.	764.90
AKSARBEN HEATING/ARS, Refund	24.75
ALAMAR UNIFORMS, Wearing Apparel	279.92

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ALEX, MARY, Travel	240.67
AMERICAN FENCE, Bldg & Grnds	22.56
AMERICAN LEGAL, Contract Services	95.00
AMSAN, Supplies	264.86
AQUILA, Utilities	13,903.20
ARAMARK UNIFORM, Contract Services	127.99
AUDIOVISUAL, Equipment	262.00
AUSTIN PETERS GROUP, Training	2,600.00
BAKER & TAYLOR BOOKS, Books	111.63
BATTERY ZONE, Supplies	64.72
BBC AUDIOBOOKS, Media	189.63
BEACON ATHLETICS, Bldg & Grnds	856.00
BENNINGTON IMPLEMENT, Vehicle Maint.	460.39
BENSON RECORDS, Contract Services	50.88
BEST CARE EMPLOYEE ASST, Contract Services	2,131.50
BOB'S RADIATOR REPAIR, Vehicle Maint.	66.50
BRODART, Books	61.75
BUETHE, PAM, Travel	165.64
BUILDERS SUPPLY, Bldg & Grnds	21.00
CARDMEMBER SERVICE-ELAN, Training/Travel/Supplies	5,787.75
CAVLOVIC, PAT, Travel	25.00
CENTER POINT PUBLISHING, Books	110.82
CITY OF OMAHA, Contract Services	34,117.86
CITY OF PAPILLION, Contract Services	15.00
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	937.18
COX, Contract Services	237.80
CUMMINS CENTRAL POWER, Vehicle Maint.	176.00
CZARNICK, MICHAEL, Travel	256.00
DASH MEDICAL GLOVES, Equip.	38.94
DON'S PIONEER UNIFORMS, Wearing Apparel	2,123.00
DOUGLAS COUNTY HEALTH DEPT, Training	200.00
DULTMEIER SALES & SERVICE, Vehicle Maint.	16.56
ENSLOW PUBLISHERS, Books	49.90
ENTERPRISE LOCKSMITHS, Bldg & Grnds	20.00
ENVIRO TECH, Street Maint.	3,710.70
FASTENAL, Vehicle Maint.	72.88
FERRELLGAS, Utilities	385.46
FILTER CARE, Vehicle Maint.	102.55
FITZGERALD SCHORR BARMETTLER, Professional Services	19,601.78
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,204.00
FOSTER, TERRY, Travel	25.00
GALE, Books	44.93
GALL'S, Wearing Apparel/Equip.	485.82
GASSERT, MIKE, Contract Services	22.00
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	907.27
GOLDMAN, JOHN, Telephone/Travel	370.98
GRAINGER, Bldg & Grnds	12.90
GRAYBAR ELECTRIC, Bldg & Grnds	311.11
GREAT PLAINS ONE-CALL SVC, Contract Services	268.16
GREAT WESTERN BANK, Fees	250.00
GREENKEEPER, Supplies	363.00
GREGER, CHRIS, Training	178.75
GUIDANCE SOFTWARE, Training	997.50
HALPAIN, LEAH, Contract Service	48.75
HAYES ENVIRONMENTAL, Engineering Design	3,200.00
HELWIG, JOHN, Travel	25.00
HOBBY LOBBY, Supplies	38.00
HOLIDAY INN, Travel	419.65
HOME DEPOT, Bldg & Grnds	7.49
HONEYMAN RENT-ALL, Repair	46.30
HOST COFFEE SERVICE, Concessions	22.00
IVERSON, DENNIS, Travel	50.00
J Q OFFICE EQUIPMENT, Contract Services	46.37
JOHNSTONE SUPPLY, Bldg & Grnds	105.38
KELLER, RON, Travel	25.00
KEYSTONE RIDGE DESIGNS, Land & Const. Pymts	17,006.25
KRIZ-DAVIS COMPANY, Bldg & Grnds	265.32
KROGER-DILLON, Supplies	141.85

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KUSTOM SIGNALS, Vehicle Maint.	233.48
LANDS' END, Deferred Revenue	63.50
LANGLEY ANIMAL HOSPITAL, Contract Services	80.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	1,146.00
LIBRARY ADVANTAGE, Supplies	925.00
LINWELD, Street Maint.	118.42
LIVE OAK MEDIA, Media	20.26
LODES, CHRIS, Contract Services	90.00
LOU'S SPORTING GOODS, Equip./Wearing Apparel	481.33
LUEBBERT, RAY, Travel	25.00
LUPOMECH, CATHY, Travel	174.73
METAL SUPERMARKETS, Bldg & Grnds	297.81
METRO UMPIRES, Contract Services	3,956.00
METROPOLITAN COMMUNITY COLLEGE, Utilities/Telephone	10,953.31
MID CON SYSTEMS, Vehicle Maint.	54.90
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	350.68
MIDWEST TURF & IRRIGATION, Maint.	78.51
NEBRASKA CHAPTER APWA, Training	1,000.00
NEBRASKA STATE VOLUNTEER, Training	375.00
NEBRASKALAND CONF BLDG OFFCL, Dues	145.00
NEUMAN EQUIPMENT COMPANY, Vehicle Maint.	116.00
NEW YORK TIMES, Books	13.00
NMC, Vehicle Maint.	87.34
OABR PRINT SHOP, Printing	226.04
ODEY'S, Bldg & Grnds	108.91
OFFICE DEPOT, Supplies	29.69
OFFUTT YOUTH CENTER, Contract Services	432.00
OMAHA COMPOUND COMPANY, Supplies	313.23
OMG MIDWEST, Repair	1,543.65
OPPD, Utilities	34,439.57
ORIZON, Professional Services	25,915.50
PAPILLION TIRE, Vehicle Maint.	76.07
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	468.44
PAYLESS, Supplies	397.02
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	4.87
PRECISION INDUSTRIES, Vehicle Maint.	454.25
PROPERTY SERVICES, Supplies	504.00
QWEST, Telephone	128.54
R & R PRODUCTS, Bldg & Grnds	193.84
RAMIREZ, JOHN, Contract Services	22.00
RAPPOLD, KYLE, Travel	25.00
REGENCY HOMES, Refund	2,795.31
ROY SR, RICK, Travel	25.00
SAFETY-KLEEN, Contract Services	363.91
SAM'S CLUB, Supplies/Concessions/ Equip.	2,333.81
SARPY COUNTY CHAMBER OF, Travel	245.00
SEDLACEK, TIM, Travel	25.00
SEVENER,DUTCH, Travel	25.00
SHERWIN-WILLIAMS, Bldg & Grnds	174.48
SOUCIE, JOSEPH, Travel	135.00
SUBURBAN NEWSPAPERS, Legal Advertising	538.67
SUMMER KITCHEN, Deferred Revenue	57.92
SUPERIOR TRANSIT SALES, Vehicle Maint.	12.94
THOMPSON DREESSEN & DORNER, Professional Services/	11,413.14
THOMPSON, JAMES, Travel	256.00
THREE RING ENTERPRISES, Vehicle Maint.	1,254.88
TRACTOR SUPPLY COMPANY, Vehicle Maint.	138.31
TURFWERKS, Vehicle Maint.	325.00
U S ASPHALT COMPANY, Street Maint.	883.95
UPS, Postage	35.34
UPSTART, Library Supplies	229.82
WARD, DON, Travel	50.00
WPS MEDICARE PART B, Rescue Revenue	257.26
YOST, JOHN, Travel	50.00

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REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten informed Council of the burglary/arson at the Dollar Tree. He stated there were multiple suspects that set displays on fire and damaged the interior. The Police Department is working on leads in the case.

Police Chief Uhl informed Council that the 2nd Citizen's Fire Academy, which was held on April 5th & 6th, consisted of 8 participants. He believes the Volunteer Fire Department will have 6 or 7 good candidates during the next round of recruiting.

Public Works Director Soucie informed Council the City's Annual Clean Up Days will be held this Friday and Saturday, April 18th and 19th, from 7:00 a.m. to 3:30 p.m. He stated that televisions and computers will be accepted this year. Soucie informed Council that; the Portal Road construction from 101st to 105th Street has been completed; the installation of "No Parking" signs within the newly annexed subdivisions is completed; and the Annual Manhole Golf Tournaments, sponsored this year by Papillion, will be held on May 22, 2008.

Building and Grounds Director Archibald informed Council that a new contract with Qwest has been negotiated and the new programming is nearly complete. This will result in a monthly savings of \$1,150.00.

Recreation Director Stopak informed Council the tree planting event will be held on May 2nd at City Park. Stopak informed Council of an upcoming Employee/Spouse golf league, which will begin in May and continue for 9 weeks.

Library Director Iwan introduced Jody Tangeman, the new Assistant Director/Children's Services Librarian at the La Vista Public Library.

B. RESOLUTION – FIRE DISTRICT MERGER

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-033: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE MAYOR TO EXECUTE AN AGREEMENT WITH THE PAPILLION FIRE PROTECTION DISTRICT FOR PARTIAL MERGER AND CHANGE OF BOUNDARIES AND APPROVING THE APPORTIONMENT OF DEBT.

WHEREAS, by reason of annexations the City of La Vista has annexed a part of the territory within a fire protection district and Neb. Rev. Stat. §31-766 requires that by mutual agreement an equitable distribution of the assets, liabilities, maintenance and other obligations shall be determined and submitted to the district court for approval of such merger and change in boundaries of the fire protection district; and

WHEREAS, the City Attorney has prepared an agreement to merge and change the boundaries as well as establish the apportionment of debt which is \$0.00.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the Mayor to execute an agreement with the Papillion Fire Protection District for partial merger and change of boundaries to reflect the September 4, 2007 annexation Val Verde, SID #198; Southwind, Villas at Southwind, Southwind Two and Windstone, SID #200; and certain adjacent land by the City of La Vista, which included areas of the Papillion Fire Protection District.

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

C. RESOLUTION – ADDENDUM TO PROFESSIONAL SERVICES AGREEMENT – WATER'S EDGE AQUATIC DESIGN

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-034: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING AN ADDENDUM TO THE PROFESSIONAL SERVICES AGREEMENT WITH WATER'S EDGE AQUATIC DESIGN, LENEXA, KANSAS, FOR ADDITIONAL PROFESSIONAL SERVICES ASSOCIATED WITH THE DEVELOPMENT OF A CONCEPTUAL AQUATICS FACILITY PLAN IN AN AMOUNT NOT TO EXCEED \$7,700.

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WHEREAS, Water's Edge Aquatic Design, Lenexa, Kansas has prepared and presented a Municipal Aquatics Study and has provided professional services associated with the development of a conceptual plan for a municipal aquatic facility; and

WHEREAS, additional professional services are needed in order to complete the conceptual planning process; and

WHEREAS, funding has been included in the FY 07/08 municipal budget.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that staff is hereby authorized to execute an Addendum to the professional services agreement with Water's Edge Aquatic Design, Lenexa, Kansas, for additional professional services associated with the development of a conceptual aquatics facility plan in an amount not to exceed \$7,700.

Seconded by Councilmember Sell. Councilmember Carlisle asked the Company was going to submit two designs. City Administrator Gunn explained that one design would have a lazy river, the other would not. Councilmember Sheehan asked the expected time frame to receive the new designs. City Administrator Gunn stated she does not have a design completion time at this date. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – AUTHORIZATION TO PURCHASE PAGERS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 08-035: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIFTEEN MOTOROLA MINITOR V PAGERS FROM D & D COMMUNICATIONS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,140.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase pagers for the Fire Department; and

WHEREAS, funds are provided in the FY 07/08 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of these pagers will reduce dual response times and enhance the ability for the signal to reach responders located in weak or fringe signal areas; 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 authorizes the purchase of fifteen Motorola Minitor V pagers from D & D Communications, Omaha, Nebraska in an amount not to exceed \$7,140.00.

Seconded by Councilmember McLaughlin. Councilmember Sheehan asked if the City is buying or leasing the equipment. Councilmember Sheehan asked if the pagers are being bought or leased. Fire Chief Uhl stated that they are being purchased and at this time, there is no option to lease these emergency pagers. Councilmember Sell asked if there is and trade in for the old pager. Uhl stated that these pagers have a one year warranty and there is currently a buy back program for each old or broken pager turned in for each new one purchased. Mayor Kindig asked how often the pagers have needed repairs. Uhl stated that the current pagers which are being replaced are fifteen years old and the new ones should have the same life expectancy. The pagers rarely require repair. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

E. RESOLUTION – AUTHORIZATION TO PURCHASE MOWING EQUIPMENT

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 08-036: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) 2008 JOHN DEERE 1445 FRONT MOWER; TWO (2) 2008 JOHN DEERE 1445 FRONT MOWERS WITH SNOW EQUIPMENT AND ONE (1) 2008 JOHN DEERE Z830A Z-TRAK MOWER FROM A & M GREEN POWER, 15508 2ND AVENUE, PLATTSMOUTH, NE 68048, IN AN AMOUNT NOT TO EXCEED \$73,995.82.

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WHEREAS, the City Council of the City of La Vista has determined that the purchase of said mowing equipment for the Public Works Department is necessary; and

WHEREAS, the FY 2007/08 General Fund Parks Operating Budget did include funds for the purchase of said mowing equipment; and

WHEREAS, the City Council authorized the solicitation of bids for said mowing equipment on March 18, 2008, and

WHEREAS A & M Green Power of Plattsmouth, Nebraska, has submitted the low, compliant bid, 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 designate A & M Green Power, Plattsmouth, Nebraska as the low compliant bid for one (1) 2008 John Deere 1445 Front Mower; two (2) 2008 John Deere 1445 Front Mowers with Snow Removal Equipment and one (1) 2008 John Deere Z830A Z-Trak Mower in an amount not to exceed \$73,995.82.

Seconded by Councilmember Ellerbeck. Councilmember Sell asked for a description of a Z-Trak. Public Works Director Soucie stated the Z-Trak is a zero turn mower. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

F. RESOLUTION – COUNCIL POLICY STATEMENT – SAFETY COMMITTEE

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-037: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE ORGANIZATION, RESPONSIBILITIES, AND TENURE OF THE MEMBERS OF THE CITY SAFETY COMMITTEE; AND PROVIDING FOR AN EFFECTIVE DATE.

WHEREAS, the City Council of the City of La Vista has determined a Council Policy Statement regarding the La Vista Safety Committee is necessary; and

WHEREAS, a recommendation by the City Administrator, in consultation with staff has been made regarding procedures pertaining to the organization, responsibilities and appointment; and

WHEREAS, the recommended policy is in compliance with state statute.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the organization, responsibilities and tenure of members of the city's Safety Committee.

Seconded by Councilmember Carlisle. Councilmember Sheehan stated that he expected more of an update on incidents. City Administrator Gunn stated more information is available and staff will provide the information to Council. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

G. CORPORATE MANAGER APPLICATION – CLASS I LIQUOR LICENSE OF LA VISTA KENO INC DBA LA VISTA KENO

Councilmember McLaughlin motioned to approve the Corporate Manager Application – Class I Liquor License of La Vista Keno Inc. dba La Vista Keno.

Seconded by Councilmember Sell. The Mayor noted for the record that the proposed corporate manager, Kimberly Armstrong, was in attendance at the meeting. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

H. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT

1. PUBLIC HEARING

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At 7:28 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Citizen Advisory Review Committee – EDP Report. The Committee's report was filed with the Mayor and City Council and available at the meeting. Doug Kellner, of the Citizen Advisory Review Committee, was available to answer any questions.

At 7:29 p.m. Councilmember Sell made a motion to close the public hearing. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

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

I. RESOLUTION – PRODUCTION SERVICES AGREEMENT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 08-038: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A PARTICIPATION AGREEMENT WITH THE ECONOMIC REPORT (PRODUCTION COMPANY) TO PRODUCE A MARKETING FEATURE SEGMENT ON THE CITY OF LA VISTA.

WHEREAS, the Mayor and City Council wish to encourage business retention, expansion, attraction and entrepreneurship in La Vista; and

WHEREAS, the projected loss of Wal Mart from the 84th Street corridor has emphasized the need for the City to provide professional community information to prospective developers and retailers; and

WHEREAS, the Mayor and City Council recognize the importance of allocating resources to market the comparative advantages of La Vista; and

WHEREAS, specialized marketing services are required to develop a marketing feature to promote economic development and sell prospects on La Vista; and

WHEREAS, the proposed FY 2007/08 Lottery fund contains funding for economic development related marketing; and

WHEREAS, the City will own the complete licensing rights to a marketing feature segment produced by The Economic Report and aired both nationally and regionally for an amount not to exceed \$19,700.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the Mayor is hereby authorized to execute a participation agreement with the Economic Report (Production Company) to produce a marketing feature segment on the City of La Vista, satisfactory in form to the City Administrator.

Seconded by Councilmember McLaughlin. Councilmember Gowan asked how soon the marketing features would begin showing on television. City Administrator stated the ads will begin in July. Councilmember Sell asked if our legal council had approved the contract. City Attorney McKeon stated that the contract had been reviewed and any comments were given to City Administrator Gunn. Councilmember Sell asked where the funds to cover the cost were coming from. City Administrator Gunn responded that this expense would be paid out of the Lottery Fund. Councilmember Carlisle stated that she would vote against the resolution because the City does not have this expense item in the current budget. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, McLaughlin, Ellerbeck, and Gowan. Nays: Carlisle. Absent: None. Motion carried.

Councilmember Gowan made a motion to move "Comments from the Floor" up on the agenda ahead of Item J, "Executive Session". Seconded by Councilmember Sell. 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 that any person desiring to make comments limit them to 3 – 5 minutes. There were no comments from the floor.

J. EXECUTIVE SESSION – LITIGATION STRATEGY SESSION – ORIENTAL TRADING COMPANY; LAND ACQUISITION

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At 7:32 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a Litigation Strategy Session regarding Oriental Trading Company and to provide negotiating guidance regarding land acquisition. 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.

At 7:52 p.m. the Council came out of executive session. Councilmember Sell made a motion to reconvene in open and public session, noting that the discussion in executive session was limited to the subject matter contained in the original motion. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig congratulated Library Director Iwan and Library staff on a recent newspaper article in the La Vista Sun Newspaper.

Mayor Kindig stated there will be public informational meetings concerning the ½ cent Sales Tax issue on April 22nd at Portal Elementary and April 24th, at G. Stanley Hall; both at 7:00 p.m..

Councilmember Sell congratulated Councilmember Quick on the article about her in the Sunday Omaha World Herald.

At 8:03 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF MAY 2008.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe, CMC
City Clerk

K:\APPS\CITYHALL\08 COUNCIL MINUTES\April 15, 2008