

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING JANUARY 17, 2006

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 January 17, 2006. Present were Mayor Kindig and Councilmembers Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Absent: Gowan. Also in attendance were City Attorney McKeon, Interim City Administrator Gunn, Public Works Director Soucie, Finance Director Lindberg, Recreation Director Stopak, Library Director Schinker, Fire Chief Schuster, Police Chief Lausten, Community Development Director Birch, City Engineer Kottmann, and City Clerk Ramirez.

A notice of the meeting was given in advance thereof by publication in the Times on January 5, 2006. 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.

SERVICE AWARD – STACIA BURT, 10 YEARS

Mayor Kindig presented a certificate and pin to Stacia Burt in honor of her 10 years of service to the City.

APPOINTMENTS

PLANNING COMMISSION – REAPPOINT JODY ANDSAGER TO A 3 YEAR TERM; APPOINT COLLEEN HORIHAN TO VACANT POSITION EXPIRING IN JANUARY 2007
BOARD OF ADJUSTMENT – MOVE LORETTA MCENEARNEY FROM ALTERNATE TO VACANT POSITION EXPIRING JANUARY 2009

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 Sheehan made a motion to approve the Mayor's appointments as presented. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

A. CONSENT AGENDA

1. MINUTES OF THE JANUARY 3, 2006 CITY COUNCIL MEETING
2. MINUTES OF THE DECEMBER 15, 2005 PLANNING COMMISSION MEETING
3. MINUTES OF THE JANUARY 5, 2006 PLANNING COMMISSION MEETING
4. PAY REQUEST FROM WATER'S EDGE – AQUATIC STUDY - \$970.00
5. PAY REQUEST FROM FGM ARCHITECTS – FIRE STATION NO. 2 - \$18,393.62
6. SOUTHPORT WEST IMPROVEMENTS:
 - a. CHANGE ORDER NO. 1 FOR 126TH STREET & GILES ROAD IMPROVEMENTS, SECTION I - \$93,636.43
- PAY REQUESTS:
 - b. E & A CONSULTING – PROFESSIONAL SERVICES - \$26,582.48 (2 INVOICES)
 - c. THIELE GEOTECH, INC. – TESTING SERVICES - \$3,225.50 (4 INVOICES)
 - d. UTILITIES SERVICE GROUP – SEWER INLET - \$360.00
 - e. TAB HOLDING CO., INC. – 126TH STREET & GILES ROAD IMPROVEMENTS, SECTION I - \$191,398.21 (2 INVOICES)
7. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda as presented. Seconded by Councilmember Carlisle. Councilmember Sheehan reviewed the claims for this period and found everything to be in order. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

A & C TREE SVC, Contract Services	250.00
AKSARBEN GARAGE DOOR, Bldg. & Grnds.	105.00
ALAMAR, Wearing Apparel	3.75
ANDERSON FORD, Vehicle Maint.	151.08
AQUILA, Utilities	2,870.34

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ARAMARK, Contract Services	165.42
ASPHALT & CONCRETE, St. Maint.	74.46
ASSOCIATED FIRE PROTECTION, Contract Services	314.50
BAKER & TAYLOR, Books	1,047.77
BCDM, Professional Services	4,181.56
BENNINGTON IMPLEMENT, Vehicle Maint.	46.25
BETTER BUSINESS EQUIP., Contract Services	89.75
BIG RIG TRUCK ACCESSORIES, Vehicle Maint.	44.00
BRENTWOOD AUTO, Vehicle Maint.	73.00
CARDMEMBER SERVICES, Travel/Training/Postage	4,427.67
CJ'S, Bldg. & Grnds.	488.17
COX, Contract Services	4.95
CUMMINS CENTRAL POWER, Contract Services	518.80
DEMCO, Supplies	252.86
EBSCO SUBSCRIPTION, Library Database	1,765.00
EDEN TREE & LANDSCAPE, Bldg. & Grnds.	92.50
ELECTRONIC ENGINEERING, Vehicle Maint.	172.48
EMS BILLING, Rescue Billing	680.66
ENVIRO TECH SVCS, St. Maint.	2,728.62
FASTENAL, St. Maint.	25.01
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	157.90
GRAYBAR ELECTRIC, Bldg. & Grnds.	548.81
GREAT PLAINS ONE-CALL, Contract Services	147.64
H & H CHEVROLET, Vehicle Maint.	101.51
HARM'S TRAILER, St. Maint.	97.00
HIGHSMITH CO., Supplies	145.81
HOST COFFEE, Supplies	19.00
INFO USA MARKETING, Directory	330.00
INTERSTATE ALL BATTERY, Bldg. & Grnds.	30.04
JEO CONSULTING, Professional Services	2,219.25
JO DON'S, Supplies	31.50
JQ OFFICE EQUIP., Contract Services	257.63
KELLEY, DOUG, Equip.	1,000.00
KELLY'S AWARDS, Supplies	24.00
KUSTOM SIGNALS, Equip.	336.00
LA VISTA COMM. FOUNDATION, Contract Services	2,500.00
LINWELD, Supplies	331.64
LOGAN CONTRACTORS, Vehicle Maint.	44.95
MEADOWBROOK, Ins./Bonds	100.00
METAL SUPERMARKETS, Vehicle Maint.	60.36
MITCHELL & ASSOC., Contract Services	1,500.00
MUD, Utilities	6.28
NEBRASKA RENTS, St. Maint.	75.00
NEFSMA, Dues	70.00
NLC MEMBERSHIP, Dues	1,324.00
NUTS AND BOLTS, Supplies	38.76
OCCUVAX, Supplies	380.00
ON YOUR MARKS, Supplies	2,156.79
OPPD, Utilities	23,477.85
ORIZON CPAS, Professional Services	12,279.00
PARAMOUNT LINEN, Cleaning	273.46
POWER BRAKE SYSTEMS, Vehicle Maint.	1,035.26
PRECISION INDUSTRIES, Bldg. & Grnds.	390.55
PRESTIGE FLAG, Bldg. & Grnds.	497.30
PVP COMMUNICATIONS, Equip.	2,042.75
QWEST, Telephone	81.83
READY MIXED CONCRETE, St. Maint.	341.00
RECORDED BOOKS, Media	111.50
REED, MITCH, Contract Services	170.00
RICE, ANTON, Contract Services	170.00
SAPP BROS., Supplies	7,370.63
SARPY CO. CHAMBER, Training/Dues	235.00
SARPY CO. LANDFILL, Bldg. & Grnds.	236.40
SEARLE PETROLEUM, Vehicle Maint.	185.00
SMOOTHER CUT, Contract Services	540.00
STAPLES, Supplies	57.96

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STERIL MANUFACTURING, Repair	50.00
SUBURBAN NEWSPAPERS, Subscription	35.00
TED'S MOWER, Supplies	311.33
THERMO KING, Vehicle Maint.	414.21
THOMPSON DREESSEN & DORNER, Professional Services	13,115.04
THREE RING ENTERPRISES, Vehicle Maint.	737.52
TINCHER FORD, Lease	328.97
TRACTOR SUPPLY, Vehicle Maint.	27.95
UNIVERSITY OF NE, Training	30.00
USI INC, Supplies	53.72
VEST ELECTRIC, Contract Services	75.00
WASTE MANAGEMENT, Contract Services	1,129.37

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Interim City Administrator Gunn reminded Council of the Employee Recognition event to be held on February 4, and the League of Nebraska Municipalities Mid-Winter Conference to be held on February 6 and 7.

Police Chief Lausten reported that the Citizens Police Academy will be held on Wednesday evenings March through May and that applications are now available.

Fire Chief Schuster thanked everyone for the support shown to the Fire Department during their annual awards banquet.

Public Works Director Soucie indicated he had large copies of the plans for the 96th Street extension project with him and would be available after the meeting if anyone wanted to review them or had questions.

Recreation Director Stopak stated that the Senior Valentine Luncheon will be held on February 14 at 11:30 a.m. at the Community Center and encouraged Council to attend. Invitations will be sent out in the near future.

B. APPLICATION FOR REPLAT – LOTS 1-3, SOUTHPORT EAST REPLAT THREE (126TH & SOUTHPORT PARKWAY)

1. PUBLIC HEARING

At 7:06 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application for a replat of Lots 1-3, Southport East Replat Three, located at 126th & Southport Parkway.

John Meng Frecker addressed the Council representing the applicant. He stated they had been unable to acquire the excess right of way as anticipated in the original application for replat of this area, and were now seeking another replat that accurately reflects area. There were no further comments and at 7:08 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

2. RESOLUTION

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-003: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING APPROVAL OF A REPLAT FOR LOTS 1-3, SOUTHPORT EAST REPLAT THREE, BEING A REPLAT OF LOTS 3 AND 4, SOUTHPORT EAST, LOCATED IN THE SE ¼ OF SECTION 18, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, GENERALLY LOCATED AT 126TH STREET AND SOUTHPORT PARKWAY, AND REPEALING RESOLUTION NO. 05-132.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat for the proposed Lots 1-3, Southport East Replat Three; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

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WHEREAS, on January 5, 2006, the La Vista Planning Commission held a public hearing and reviewed the replat proposal and has recommended approval with the following comments from the City Engineer and staff:

1. Traffic impacts were considered during the original platting of the subdivision for commercial type uses. The proposed replatting does not change the zoning and does not change the traffic impacts or the access points. No specific uses have been identified in this submittal. As long as the uses are commercial type uses that are permitted in the C-3 zoning, there is no need for an additional traffic study.
2. Perimeter sidewalks will be required as the lots are built upon. Sidewalks are not required along 126th Street.
3. The city attorney has prepared an amendment to the Southport East Subdivision Agreement that addresses the issues of maintenance and minimum construction standards for a shared private roadway in the ingress/egress easements shown on the plat. This private roadway shall be installed at private expense and may be phased as lots are built upon. However, if Lot 2 is built upon first, then the developer of that lot will have to construct the private roadway across Lots 1 and/or 3 to reach the public streets.
4. The applicant has provided a drainage plan indicating the drainage areas and proposed storm sewer layout that will be needed in order to serve Lots 1, 2 and 3. This storm sewer system shall be installed at private expense. The maintenance of this system has been addressed in the amendment to the subdivision agreement.
5. The applicant has provided a sanitary sewer layout that will be needed in order to serve Lots 1, 2 and 3. This sanitary sewer system shall be installed at private expense. The maintenance of this system has been addressed in the amendment to the subdivision agreement.
6. The property is subject to gateway corridor design guidelines. City staff will need to review for compliance with those regulations when building plans are submitted. The amendment to the subdivision agreement identifies that such regulations are applicable to the property and the applicant should be aware that those requirements exist.
7. The landscaping easement area at the 126th and Southport Parkway intersection has been reduced in size. This easement shall be consistent with those in Southport West.
8. The property is subject to height restrictions from FAA regulations due to the Millard Airport. The applicant should be aware that written approval from the FAA will be required at the time of building permit applications for development on these lots; and

WHEREAS, a previous application for a replat of this property, which included Tax Lot 18, was approved by the City Council on November 15, 2005 and has subsequently been withdrawn by the applicant.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the replat for Lots 1-3, Southport East Replat 3, being a replat of Lots 3 and 4, Southport East, located in the SE ¼ of Section 18, T14N, R12E of the 6th P.M., Sarpy County, Nebraska, generally located at 126th Street and Southport Parkway be, and hereby is, approved subject to the satisfactory resolution of all identified items as approved by the City Administrator and City Attorney.

BE IT FURTHER RESOLVED, that Resolution No. 05-132 passed and approved by the City Council on November 15, 2005, is hereby repealed.

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

C. RESOLUTION - THIRD AMENDMENT TO SUBDIVISION AGREEMENT – SOUTHPORT EAST REPLAT THREE

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE THIRD AMENDMENT TO THE SUBDIVISION AGREEMENT FOR

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SOUTHPORT EAST REPLAT THREE IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY AND REPEALING RESOLUTION NO. 05-133.

WHEREAS, the City Council did on January 17, 2006, approve the plat for Lots 1-3, Southport East Replat Three; and

WHEREAS, the Developer, Starboard South LLC, have agreed to execute a Subdivision Agreement satisfactory in form to the City Attorney and City Engineer; and

WHEREAS, a previous application for the Third Amendment to the Subdivision Agreement, which included Tax Lot 18, was approved by the City Council on November 15, 2005 and has subsequently been withdrawn by the applicant.

NOW THEREFORE, BE IT RESOLVED, that the Third Amendment to the Subdivision Agreement presented at the January 17, 2006, City Council meeting for Southport East Replat Three be, and hereby is approved, and the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

BE IT FURTHER RESOLVED, that Resolution No. 05-133, passed and approved by the City Council on November 15, 2005, is hereby repealed.

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

D. APPLICATION TO AMEND THE COMPREHENSIVE PLAN & REZONING – FROM 114TH TO 126TH STREET ON THE SOUTH SIDE OF GILES ROAD **1. PUBLIC HEARING**

At 7:11 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application to amend the Comprehensive Plan and rezone an area from 114th to 126th Street on the South side of Giles Road.

The applicant, Ray Trimble, addressed the Council indicating he was present to answer any questions the Council might have regarding this application. Interim City Administrator Gunn reported that one letter of protest to the proposed rezoning had been received, and Council had been given a copy of that letter. Councilmember Sell asked about the installation of traffic signals at this location. Gunn stated the installation of traffic signals would be a decision made by the City and when traffic warrants the installation a recommendation would be made to Council.

Marty Giff addressed the Council indicating it was his wife who had filed the letter of protest and stating they are the owners of Tax Lot 15, which is in the area being proposed for rezoning. He reviewed their concerns indicating they felt their lot was not a good choice for commercial zoning due to the size, elevation, and drainage of the lot. Giff stated commercial developers want exposure and his lot sits below the grade of the roadway, it is small and odd-shaped, and there are drainage issues. He feels the lot is better suited to a light industrial zoning classification and would be more marketable as such.

Interim City Administrator Gunn reported that City staff has spent considerable time talking about this area and Mr. Giff's lot in particular. The area is located in the gateway corridor and the goal of the City has been to line this corridor with commercial development. She stated it was the opinion of staff that an industrial use could not meet the required setbacks on this lot and with the other easement issues the lot was really not buildable at this point in time. Staff has recommended a rezone to commercial for the entire area and Gunn stated that she felt this was the right thing to do.

Councilmember Sheehan stated he would have a problem leaving one lot with different zoning and that if a change is made the entire area should be changed. Sheehan indicated that if Mr. Giff had a specific project proposal for his lot that could be accommodated through a special use permit the City would be willing to work with him.

There were no further comments and at 7:24 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Sheehan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

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2. RESOLUTION – AMEND FUTURE LAND USE MAP

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-005: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, IN SUPPORT OF AMENDING THE FUTURE LAND USE MAP PORTION OF THE COMPREHENSIVE PLAN.

WHEREAS, the Future Land Use map contains an area along the south side of Giles Road from 114th Street to 126th Street to be developed as an industrial land use; and

WHEREAS, the Planning Commission has received and recommended approval of a request to amend the Future Land Use Map of the Comprehensive Plan for approximately 35.8 acres from an industrial to a commercial land use; and

WHEREAS, the requested amendment is within the City's Gateway Corridor and the properties are adjacent to or visible from Giles Road; and

WHEREAS, the requested amendment to the Future Land Use Map is compatible with surrounding land uses.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, hereby directs the City Administrator to have prepared the necessary amendment to the Future Land Use Map of the Comprehensive Plan along the south side of Giles Road from 114th Street to 126th Street for approximately 35.8 acres from industrial to commercial as identified in the attached Exhibit A.

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

3. ORDINANCE – AMEND ZONING MAP

Councilmember McLaughlin introduced Ordinance No. 977 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Carlisle seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. The following voted nay: None. The following were absent: Gowan. 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 McLaughlin moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 977 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. The following voted nay: None. The following were absent: Gowan. 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

E. ZONING MAP AMENDMENT – LOTS 1A, 2A, 3 & 4, VAL VISTA (E OF 107TH STREET, N OF GILES ROAD) **1. PUBLIC HEARING**

At 7:26 p.m. Mayor Kindig stated the floor was now open for a public hearing on a proposed amendment to the Zoning Map – Lots 1A, 2A, 3 & 4, Val Vista (E of 107th Street, N of Giles Road).

There were no comments and at 7:27 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

2. ORDINANCE

Councilmember McLaughlin introduced Ordinance No. 978 entitled: AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. The following voted nay: None. The following were absent: Gowan. 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 McLaughlin moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 978 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. The following voted nay: None. The following were absent: Gowan. 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

F. REPLAT – GILES CORNER REPLAT ONE, LOTS 1-5 (74TH & PETERS STREET)

1. PUBLIC HEARING

At 7:28 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application for a replat – Giles Corner Replat One, Lots 1-5 (74th & Peters Street).

Robert Peterson addressed the Council on behalf of the developer. He stated the replat was being requested to create some larger lots that would accommodate bigger homes. There were no further comments or questions and at 7:29 p.m. Councilmember Carlisle made a motion to close the public hearing. Seconded by Councilmember McLaughlin. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-006: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING APPROVAL OF THE REPLAT FOR LOTS 1-5, INCLUSIVE, GILES CORNER REPLAT ONE, PART OF SE ¼ OF THE SE ¼ OF, SECTION 14, T14N, R12E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, GENERALLY LOCATED AT 74TH & PETERS STREET.

WHEREAS, the owners of the above described piece of property have made application for approval of a replat of Lots 97-102, Giles Corner; and

WHEREAS, the City Administrator and the City Engineer have reviewed the replat; and

WHEREAS, on December 15, 2005, the La Vista Planning Commission held a public hearing and reviewed the replat proposal and has recommended approval; and

WHEREAS, after a review of the approved and executed Subdivision Agreement dated 12/2/03, no amendments are necessary for the replat.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that replat for Lots 1-5, inclusive, Giles Corner Replat One, part of SE1/4 of the SE ¼ of Section 14, T-14-N, R-12-E of the 6th P.M., Sarpy County, Nebraska, generally located at 74th & Peters Street be, and hereby is, approved.

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

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G. VACATION OF PLAT – LOTS 3A and 3B, STONYBROOK SOUTH **1. PUBLIC HEARING**

At 7:30 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application for the vacation of a plat for Lots 3A and 3B in Stonybrook South.

Dave Paladino addressed the Council. Mr. Paladino is the owner of a self storage business located on one of the lots in this plat. He is purchasing the other lot to expand the business and in order to facilitate that expansion the two lots must be combined into one. Paladino indicated he would be happy to answer any questions that Council might have.

Matt Lando addressed the Council. Mr. Lando indicated that he was a resident of the Stonybrook South subdivision and his property is adjacent to Mr. Paladino's storage unit business. Lando stated that while at first the neighboring property owners were concerned with the proposed expansion of Mr. Paladino's business, he has met with the residents and addressed the issues that were presented. Lando stated he was speaking on behalf of the residents and indicated they no longer had any objection to the proposed expansion.

There were no further comments and at 7:32 p.m. Councilmember Carlisle made a motion to close the public hearing. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

2. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 06-007: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING APPROVAL TO VACATE THE PLAT ENTITLED REPLAT OF LOT 3, STONYBROOK SOUTH, LOCATED IN THE NW ¼ OF SECTION 13, T14N, R11E OF THE 6TH P.M., SARPY COUNTY, NEBRASKA, GENERALLY LOCATED SE OF 144TH AND JOSEPHINE STREET.

WHEREAS, the owners of the above described piece of property have made application for approval of the vacation of the plat entitled Replat of Lot 3, Stonybrook South; and

WHEREAS, the City Administrator and the City Engineer have reviewed the plat vacation; and

WHEREAS, on October 18, 2005, the La Vista Planning Commission held a public hearing and reviewed the plat vacation and recommended approval subject to resolution of the items identified by staff and the city engineer.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the vacation of the plat entitled Replat of Lot 3, Stonybrook South be, and hereby is, approved.

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

H. CONDITIONAL USE PERMIT – EXPAND EXISTING SELF STORAGE FACILITY, SE OF **144TH & JOSEPHINE** **1. PUBLIC HEARING**

At 7:33 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application for a conditional use permit to expand an existing self storage facility located SE of 144th & Josephine.

Dave Paladino again addressed Council stating he would be glad to answer any questions regarding the proposed project. Several questions were asked and answered regarding the design of the building, finishes, and interior features. There were no further comments and at 7:38 p.m. Councilmember Carlisle made a motion to close the public hearing. Seconded by Councilmember Sheehan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-008: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR DINO'S STORAGE TO EXPAND AN EXISTING SELF-STORAGE FACILITY ON LOT 3, STONYBROOK SOUTH.

WHEREAS, Hiway 50, LLC, represented by Dave Paladino, has applied for a conditional use permit for the purpose of expanding an existing self-storage facility on Lot 3, Stonybrook South, located at 7600 South 142nd Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes, subject to the following conditions:

1. The proposed driveway onto Josephine Street has been narrowed and moved to the west. Stacking of vehicles will have to be determined relative to the driveway location. If needed, adjustment to the driveway location shall be made and a revised site plan submitted prior to approval and execution of the conditional use permit by the city.
2. The grading plan indicates placing fill along the west side of the existing drainage channel bank. Since this is a major open drainage way, this plan was reviewed by the Papio-Missouri River Natural Resources District. A drainage easement has been placed on the channel and dedicated to the SID and NRD.
3. According to the submitted operating statement, an additional use of a U-Haul dealership is proposed. According to the C-1 Zoning District Regulations, automobile sales (including rentals) as defined in the La Vista Zoning Ordinance are not permitted. Therefore, the conditional use permit shall not grant the use of the property for automobile or trailer sales or leasing.
4. The applicant shall obtain a Corps of Engineer's permit for the proposed storm sewer outlet into the drainage way which would be considered a jurisdictional waterway prior to a building permit.
5. The proposed sanitary sewer connection should be made to the sanitary sewer in 142nd Street in lieu of connecting to the outfall sewer along the west side of the site. The outfall sewer along the west side of the site is an outfall sewer originally constructed by the City of Omaha and will require a connection agreement between the City of Omaha and the City of La Vista. This should be avoided if possible. The tract sewer connection fee will apply to this property and will apply to the entire site.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Hiway 50, LLC, represented by Dave Paladino, to expand an existing self-storage facility on Lot 3, Stonybrook South.

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

I. ORDINANCE – OFF STREET PARKING FACILITIES

Councilmember Carlisle introduced Ordinance No. 979 entitled: AN ORDINANCE PROVIDING FOR THE CREATION OF VEHICLE OFFSTREET PARKING DISTRICT NO. 1 OF THE CITY OF LA VISTA, NEBRASKA; MAKING DETERMINATIONS WITH RESPECT TO THE PUBLIC HEALTH, WELFARE, CONVENIENCE AND NECESSITY OF SUCH DISTRICT; DETERMINING THE OUTER BOUNDARIES OF SUCH DISTRICT; SETTING FORTH THE CITY ENGINEER'S ESTIMATE OF THE SUM OF MONEY TO BE EXPENDED; DETERMINING UPON THE PLEDGE OF REVENUES FOR THE PAYMENT OF BONDS; PROVIDING NOTICE OF REFERENDUM AND LIMITED REFERENDUM RIGHTS; PROVIDING FOR THE PUBLICATION AND EFFECT OF THIS ORDINANCE.

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Councilmember Carlisle moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. The following voted nay: None. The following were absent: Gowan. 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 Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 979 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. The following voted nay: None. The following were absent: Gowan. 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 Clerk attested the passage/approval of the same and affixed her signature thereto.

J. RESOLUTION – AWARD OF CONTRACT – FIRE STATION NO. 2 CONSTRUCTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-009: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDED A CONTRACT TO CONSTRUCT, INC., OMAHA, NEBRASKA FOR CONSTRUCTION OF LA VISTA FIRE STATION NO. 2 IN AN AMOUNT NOT TO EXCEED \$4,411,000.00.

WHEREAS, on December 7, 2004, the City Council passed Ordinance No. 945, authorizing and approving the development, construction, acquisition, equipping and financing of a new fire station; and

WHEREAS, the City will acquire the facility through a lease purchase agreement from the La Vista Facilities Corporation; and

WHEREAS, Resolution 05-122, as approved by the City of La Vista, approved plans and specifications for the construction of a new fire station and authorized public bidding for construction of the same; and

WHEREAS, bids were received, opened and publicly read aloud on November 30, 2005; and

WHEREAS, subject to such guaranties or additional security as determined necessary or appropriate, the City Council authorized staff and the City Attorney to proceed with contract negotiations with Construct Inc., Omaha, Nebraska, for the construction of the new fire station.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council find that a contract for construction of the new fire station and guaranties of contractor's performance of the contract have been negotiated with Construct Inc. and the contractor has not proposed any specific additional changes to the contract.

Interim City Administrator Gunn stated there are still two minor issues with the proposed contract that she feels can be worked out with the contractor. She recommended that Council award the contract subject to satisfactory review by the City Attorney. Seconded by Councilmember Quick. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

K. RESOLUTION – AUTHORIZATION FOR BIDS – THOMPSON CREEK CHANNEL IMPROVEMENTS, PHASE V

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 06-010: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PHASE V CHANNEL IMPROVEMENTS TO THOMPSON CREEK.

WHEREAS, the City Council has determined that improvements need to be made to Thompson Creek, and

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WHEREAS, a multi-phase improvement plan was put into place several years ago and Phases I through IV have been completed, and

WHEREAS, The 2005/06 Construction Fund Budget provides funding for the improvements, a portion of which will be reimbursed by a Papio NRD grant, and

WHEREAS, the City Engineer has prepared plans and specifications for said channel improvements.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the Phase V channel improvements to Thompson Creek in accordance with plans and specifications prepared by the City Engineer, and said bids are to be opened and publicly read aloud at 4 p.m. at the Harold "Andy" Anderson Council Chambers, 8116 Park View Blvd., La Vista, NE, on February 2, 2006.

Advertise for Bids – January 19 and 26, 2006

Open Bids – February 2, 2006

Award Bid – February 21, 2006

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

L. RESOLUTION – AUTHORIZATION FOR BIDS – TRAFFIC SIGNALIZATION – EASTPORT PARKWAY, 126TH STREET & GILES ROAD

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-011: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE ADVERTISEMENT FOR BIDS TO INSTALL TRAFFIC SIGNALS AT THE INTERSECTION OF EASTPORT PARKWAY/126TH STREET AND GILES ROAD.

WHEREAS, Sanitary Improvement District No. 253 of Sarpy County ("District"), Southport West, was platted by the City of La Vista on November 1, 2004; and

WHEREAS prior to annexation, the District presented to the City for approval plans and specifications prepared by E & A Consulting Group to construct certain improvements, pursuant to their engineering agreement with the District; and

WHEREAS E & A has certified to the City that said plans and specifications are in accordance with all of the applicable ordinances, policies and regulations of the City and that improvements constructed pursuant to such plans will be adequate for their intended purpose; and

WHEREAS the annexation of S.I.D. 253 by the City of La Vista was effective on October 5, 2005 and as a result, all public improvements are the responsibility of the City; and

WHEREAS an Interlocal Cooperation Agreement for project funding has been executed with Sarpy County; and

WHEREAS Thompson, Dreessen & Dorner, as City Engineer, has been presented the Engineer's Estimate and Notice to Contractors;

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby authorizes the advertisement for bids for the installation of traffic signals at the intersection of Eastport Parkway/126th Street and Giles Road in accordance with drawings and specifications prepared by E & A Consulting Group and approved by the City Engineer, and said bids are to be opened and publicly read aloud at 4 p.m. at the Harold "Andy" Anderson Council Chambers, 8116 Park View Blvd., La Vista, NE on February 2, 2006.

Advertise for Bids – January 19 and 26, 2006

Open Bids – February 2, 2006

Award Bid – February 21, 2006

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Seconded by Councilmember Carlisle. Councilmember Sheehan asked for the time frame on this project. City Engineer Kottmann stated that E & A Consulting Group designed this project as engineers for the SID prior to the City's annexation. The bid documents contain a sixty working day period and Kottmann stated the intent is to have this signal operation during the upcoming construction season. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

M. RESOLUTION – DEPARTMENT OF ROADS MAINTENANCE AGREEMENT – 84TH STREET

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-012: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF AGREEMENT #112 WITH THE NEBRASKA DEPARTMENT OF ROADS FOR THE SURFACE MAINTENANCE OF HIGHWAY N-85 (84TH STREET).

WHEREAS, the Nebraska Department of Roads is proposing to renew an agreement whereby the City of La Vista would assume maintenance responsibilities for that portion of Highway N-85 (84th Street) which lies within the City of La Vista's corporate boundaries; and

WHEREAS, it is the determination of the City Council of the City of La Vista that it is in the best interest of our citizenry and the traveling public to assume official maintenance responsibilities.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor of the City of La Vista be, and hereby is, authorized to renew an agreement with the Nebraska Department of Roads for maintenance of that portion of Highway N-85 (84th Street) which lies within the corporate limits of the City of La Vista for the period of January 1, 2006 to December 31, 2006.

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

N. RESOLUTION – CITY ADMINISTRATOR DEFINED CONTRIBUTION PENSION PLAN AND TRUST

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 06-013: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO ADOPT THE CITY ADMINISTRATORS' DEFINED CONTRIBUTION PENSION PLAN AND TRUST.

WHEREAS, the City of La Vista maintains retirement plans for the benefit of City employees and desires to offer a defined contribution pension plan for the benefit of individuals employed by the City as a City Administrator or Assistant City Administrator; and

WHEREAS, a plan document for the City of La Vista, Nebraska City Administrators' Defined Contribution Pension Plan ("Plan") has been reviewed by the City Administrator and City Attorney and submitted at this meeting and the City desires to adopt the plan document, effective January 1, 2006, and to operate the Plan in accordance with the provisions of the plan document and federal law; and

WHEREAS, an adoption agreement for the City of La Vista, Nebraska Administrators' Defined Contribution Pension Plan and Trust ("Agreement") has been reviewed by the City Administrator and City Attorney and submitted at this meeting and the City desires to adopt the Agreement; and

WHEREAS, the United States Congress passed the Economic Growth and Tax Relief Reconciliation Act of 2001, which contains provisions affecting the Plan, and that an amendment ("Good Faith Amendment") intended as good faith compliance with the requirements of the Act has been submitted at this meeting and the City desires to adopt said amendment; and

WHEREAS, the Internal Revenue Service has promulgated final regulations governing required minimum distributions from qualified retirement plans and that an amendment ("Amendment No. 2") intended to comply with said regulations has been submitted at this meeting and the City desires to adopt said amendment; and

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NOW, THEREFORE, BE IT RESOLVED, that the plan document for the City of La Vista, Nebraska City Administrators' Defined Contribution Pension Plan is hereby adopted and approved effective January 1, 2006; and that the Mayor and the City Clerk (and any other proper City officers as required) are hereby authorized to execute the plan document and to take any other actions that are necessary or appropriate to carry out the actions approved herein.

BE IT FURTHER RESOLVED, that the Adoption Agreement for the City of La Vista, Nebraska City Administrators' Defined Contribution Pension Plan is hereby adopted and approved effective January 1, 2006; and that the Mayor and City Clerk (and such other proper City officers as required) are further authorized to take any other actions that are necessary or appropriate to carry out the actions approved herein.

BE IT FURTHER RESOLVED, that the Good Faith Amendment to the City of La Vista, Nebraska City Administrators' Defined Contribution Pension Plan is hereby adopted and approved; and that the Mayor and City Clerk (and such other proper City officers as required) are further authorized to take any other actions that are necessary or appropriate to carry out the actions approved herein.

BE IT FURTHER RESOLVED, that Amendment No. 2 to the City of La Vista, Nebraska City Administrators' Defined Contribution Pension Plan is hereby adopted and approved and that the Mayor and City Clerk (and such other proper City officers as required) are further authorized to take any other actions that are necessary or appropriate to carry out the actions approved herein.

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

O. RESOLUTION – AWARD CONTRACT – B & W DIGITAL IMAGING/FAX SYSTEM FOR RECREATION DEPARTMENT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 06-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE EXECUTION OF A THREE YEAR LEASE AGREEMENT WITH JQ OFFICE EQUIPMENT, OMAHA, NEBRASKA, FOR A BLACK & WHITE DIGITAL IMAGING/FAX SYSTEM FOR THE RECREATION DEPARTMENT, IN AN AMOUNT NOT TO EXCEED \$2,652.00 PER YEAR.

WHEREAS, the City Council of the City of La Vista has determined that the acquisition of a black & white digital imaging/fax systems for the Recreation Department is necessary, and

WHEREAS, expenditure savings in the 2005-06 Recreation General Fund budget will pay for the leasing of said equipment, and

WHEREAS, JQ Office Equipment submitted the low, most responsive bid for this equipment in response to an RFP sent out late in 2003, and

WHEREAS, JQ Office Equipment has agreed to lease this equipment at the same price that was originally quoted in 2003, and

WHEREAS, Paragraph 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, do hereby authorize the lease of a black & white digital imaging/fax system for the Recreation Department from JQ Office Equipment, Omaha, Nebraska, in an amount not to exceed \$2,652.00 per year.

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

P. DISCUSSION – 96TH STREET IMPROVEMENTS (EXCHANGE OF GROUND)

This agenda item was presented to Council for discussion regarding a proposal to exchange ground in order to facilitate the 96th Street improvements. As part of the 96th Street improvement project between Giles Road and Highway 370 a portion of property owned by the Lyman-Richey Corporation has to be acquired. Additionally, in conjunction with the realignment of Cornhusker Road to the east and west of 96th Street, an excess parcel of land has been created. Lyman-Richey has proposed to exchange the loss of and damage to their property along 96th Street for the excess parcel of land. Public Works Director Soucie answered questions from Council regarding the proposed exchange and the construction details. Subsequently, Councilmember Sheehan made a motion to proceed with the exchange of ground to facilitate the 96th Street improvement project. Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

Q. DISCUSSION – SAFETY MANUAL

Interim City Administrator Gunn reported that the City's Safety Committee was reorganized about a year ago and has been meeting regularly. One of the Committee's first undertakings was the creation of a Safety Manual and a first draft of that effort was presented to Council tonight.

Councilmembers asked several questions regarding the manual including how the regulations would be enforced, whether the committee structure and operation met State Statute, collective bargaining issues, lifting techniques and other procedures.

Gunn stated that the manual will be presented to employees along with the recently readopted version of the personnel manual at an upcoming event. She indicated the manual will continue to be a work in progress and other issues such as regular training schedules will continue to be developed. Councilmember Sheehan indicated he thought this was a good start. Gunn stated the goal of the Committee is to promote safety as an organizational philosophy rather than just deal with specific issues departmentally. She stated that if Councilmembers had any specific issues with the manual they should contact her. When final revisions are made it will be brought back to Council for approval.

R. JOB DESCRIPTION UPDATES

Interim City Administrator Gunn stated the City Administrator job description had been updated to include the residency requirement and the newly revised experience requirements. The Office Manager job description should have been classified as exempt and this was missed in the original draft presented to Council.

Councilmember Carlisle made a motion to accept the job description updates. Seconded by Councilmember Sell. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

Councilmember McLaughlin made a motion to move "Comments from the Floor" up on the agenda ahead of Item S, "Executive Session". Seconded by Councilmember Carlisle. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

COMMENTS FROM THE FLOOR

Richard Lyback of 8217 So. 68th Court addressed the Council regarding the parking of recreational vehicles in driveways. He has a neighbor who parks a large recreational vehicle in the driveway on a regular basis and it blocks the view from Lyback's home. The City's zoning ordinance does allow for recreational vehicles to be parked in residential driveways. Mr. Lyback asked the Council to take a look at what is currently permitted and perhaps consider other options such as only allowing this type of parking behind the front face of the house. Council directed staff to research this issue and bring back information for consideration.

S. EXECUTIVE SESSION – LAND ACQUISITION, PERSONNEL, LITIGATION, CONTRACT NEGOTIATIONS AND NEGOTIATING STRATEGIES

At 8:10 p.m. Councilmember Carlisle made a motion to go into executive session to discuss land acquisition, personnel, litigation, contract negotiations and negotiating strategies. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

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At 8:34 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Sheehan. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Ellerbeck again expressed his thanks to the Council, staff and Fire Department for the support his family received during the recent loss of his father.

Councilmember Sell thanked Interim City Administrator Gunn and the department heads for the time they have spent recently to help him become oriented to the City's operations and procedures.


Sell also made reference to a citizen contact regarding the need for a dog run park in La Vista. This citizen had also contacted the Mayor and has been referred to the Park and Recreation Advisory Board as the starting point for suggesting a project such as this.

ADJOURNMENT

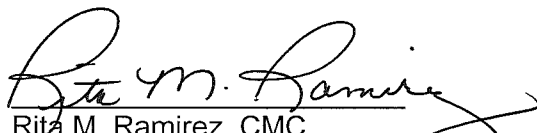
At 8:40 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Sell. Nays: None. Absent: Gowan. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF FEBRUARY 2006.

CITY OF LA VISTA


Douglas King, Mayor

ATTEST:


Rita M. Ramirez, CMC
City Clerk