

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING FEBRUARY 21, 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 February 21, 2006. Present were Mayor Kindig and Councilmembers Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, Interim City Administrator Gunn, Public Works Director Soucie, City Planner Potter, Finance Director Lindberg, Recreation Director Stopak, Library Director Schinker, Fire Chief Schuster, Police Chief Lausten, Community Development Director Birch, City Engineer Kottmann, Public Buildings and Grounds Director Archibald, Street Foreman Goldman, Assistant Fire Chief Stevens, and City Clerk Ramirez,

A notice of the meeting was given in advance thereof by publication in the Times on February 9, 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.

PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL – KIRSTEN BRADLEY, DOUG GRABER, PAUL RATHBUN, AND MELANIE SMITH

Mayor Kindig and Fire Chief Schuster recognized Kirsten Bradley, Doug Graber, Paul Rathbun, and Melanie Smith as full members of the La Vista Volunteer Fire Department after completing one year of training. Badges were presented to Kirsten Bradley, Melanie Smith, and Paul Rathbun. Doug Graber was absent and will receive his badge at a later date.

SERVICE AWARD – DAVID POTTER

Mayor Kindig presented a certificate and pin to David Potter in honor of his 5 years of service to the City.

PROCLAMATION – SOCIAL WORK MONTH

Mayor Kindig read a proclamation declaring March 2006 as Professional Social Work Month in La Vista.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE FEBRUARY 7, 2006 CITY COUNCIL MEETING
3. PAY REQUEST FROM TAB HOLDING CO., INC. FOR 126TH STREET & GILES ROAD
IMPROVEMENTS – SECTION 1 (SOUTHPORT WEST) - \$286,141.11
4. PAY REQUEST FROM VIERREGGER ELECTRIC CO. FOR SOUTHPORT WEST
TRAFFIC SIGNALS – SECTION 1 - \$19,010.54
5. APPROVAL OF CLAIMS

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

A.S.P. ENTERPRISES, Bldg. & Grnds.	447.00
ACTION BATTERIES, Supplies	43.40
ADT SECURITY, Contract Services	199.18
ALEGENT HEALTH, Professional Services	70.00
AQUILA, Utilities	1,939.56
ARAMARK, Contract Services	225.18
BAKER & TAYLOR BOOKS, Books	48.00
BAKER & TAYLOR ENTERTAINMENT, Media	199.06
BAUMGARTEN'S, Supplies	28.94
BENNINGTON IMPLEMENT, Vehicle Maint.	748.34
BETTER BUSINESS EQUIP, Equip. Maint.	99.42
BIOSPAN TECHNOLOGIES, Vehicle Maint.	270.26
BOLTE, JAN, Travel/Training	222.20

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BRENTWOOD AUTO WASH, Vehicle Maint.	100.00
BUSINESS INTERIORS, Equip.	7,227.67
CARDMEMBER SERVICES, Travel/Supplies/ Bldg. & Grnds.	2,426.04
CENTER POINT PUBLISHING, Books	38.34
CENTRAL COMM COLLEGE, Training	190.00
CITY OF OMAHA, Contract Services	25,077.44
CJ'S HOME, St. Maint. / Bldg. & Grnds.	605.41
CLARK, ED, Contract Services	100.00
COMMERCIAL SEEDING, Contract Services	372.90
COMP CHOICE, Professional Services	567.00
CONTROL MASTERS, Bldg. & Grnds.	124.00
COSGRAVE, Equip.	282.00
COX, Contract Services	1,509.90
DANKO EMERGENCY EQUIP., Vehicle Maint.	174.12
DEMCO, Supplies	683.17
DESSONVILLE, BOLER & WOOD, Insurance	4,493.48
DIESEL POWER EQUIP., Vehicle Maint.	63.72
DON'S PIONEER UNIFORMS, Wearing Apparel	282.25
DULTMEIER, St. Maint.	181.86
EASTERN LIBRARY SYSTEM, Training	15.00
ELECTRONIC ENGINEERING, Vehicle Maint.	100.00
FERRELLGAS, Utilities	393.80
FIRE SERVICE INST CERT PROGRAM, Training	180.00
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	43.60
FIREGUARD, Wearing Apparel	320.00
FRONTIER HARLEY DAVIDSON, Vehicles	15,900.00
GAYLORD BROS, Supplies	28.91
GOLDMAN, JOHN, Travel	20.00
GRAYBAR ELECTRIC, Bldg. & Grnds.	13.14
GREAT AMERICAN LEASING, Contract Services	99.00
GREAT PLAINS ONE-CALL SVC, Contract Services	207.99
GREEN, KELSEY, Rescue Revenue	276.87
HANEY SHOE STORE, Wearing Apparel	120.00
HEIMES, St. Maint.	32.00
HELGET GAS, Supplies	102.50
HEWLETT PACKARD, Contract Services	1,325.00
HUNTEL COMMUNICATIONS, Contract Services	4,752.50
INTERNATIONAL CODE COUNCIL, Books	711.22
IOWA PRISON INDUSTRIES, St. Maint.	2,651.20
IVERSON, DENNIS, Training	20.00
J Q OFFICE EQUIP., Supplies/Professional Services	1,403.45
JACIK, TOM, Travel	245.00
JEO CONSULTING, Contract Services	1,578.75
KAPCO, Supplies	57.26
KROGER, Supplies	58.52
LA VISTA CHAMBER OF COMMERCE, Travel	30.00
LANDMARK AUDIOBOOKS, Books	156.30
LIFE ASSIST, Supplies	415.02
LINWELD, Supplies	20.75
LOGAN CONTRACTORS, Supplies	2,288.25
MANGELSEN'S, Supplies	52.63
MENARDS, Equip. Maint.	6.88
METAL SUPERMARKETS, St. Maint.	101.57
METRO. COMM. COLLEGE, Utilities/Contract Services	9,408.27
MIDWEST TURF, Equip. Maint.	19,257.02
MOBILE COMMUNICATIONS, Radio Maint.	289.70
MONARCH OIL, St. Maint.	185.00
MOTOROLA, Radio Maint.	1,523.20
MPH INDUSTRIES, Vehicle Supplies	2,690.00
MUNICIPAL EMERGENCY SVCS, Contract Services	2,258.50
NASRO, Dues	60.00
NIELSEN, JEN, Refund	75.00
NOBBIES, Supplies	92.31
NOGG CHEMICAL, Supplies	220.38
NPZA, Dues	40.00
OABR PRINT SHOP, Printing	2,924.50
OFFICE DEPOT, Supplies	44.36
O'KEEFE ELEVATOR, Bldg. & Grnds.	175.00

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OMAHA COMPOUND, Supplies	123.96
OMAHA PUBLIC LIBRARY, Professional Services	100.00
OPPD, Utilities	24,026.91
OMNIUM WORLDWIDE, Payroll Withholding	211.40
PAPILLION SANITATION, Contract Services	180.37
PARAMOUNT LINEN, Cleaning Service	273.90
PAYLESS, Supplies	28.01
PRECISION INDUSTRIES, Vehicle Maint.	102.51
QWEST, Phones	80.83
RALSTON AUTOMOTIVE, Vehicle Maint.	365.95
READY MIXED CONCRETE, St. Maint.	205.40
REGAL AWARDS, Supplies	34.59
RINKER MATERIALS CORP, Sewer Maint.	206.13
RITA RAMIREZ, Supplies/Training/Travel	324.72
RUSH, TIMOTHY, Travel	70.00
SALEM PRESS, Books	281.00
SARPY CO. TREASURER, Professional Services	12,253.00
SCHILDHAUER, BARB, Training	630.47
SMALL ENGINE SERVICES, Equip. Maint.	100.05
SOUCIE, JOSEPH, Travel	20.00
STANDARD DIGITAL IMAGING, Supplies	10.40
STERIL MANUFACTURING, Bldg. & Grnds.	50.00
SUPERIOR LAMP, Bldg. & Grnds.	128.95
SWAIN CONSTRUCTION, St. Maint.	1,441.40
TED'S MOWER, Equip. Maint.	29.96
THERMO KING, Vehicle Maint.	66.63
THIELE GEOTECH, Contract Services	185.00
THOMSON GALE, Books	91.36
THREE RING ENTERPRISES, Vehicle Maint.	596.96
TROE, ANN, Printing	730.00
U S ASPHALT, St. Maint.	299.98
UNITED HEALTHCARE, Rescue Revenue	215.03
UNITED PARCEL, Postage	14.40
UNITED RENTALS, Supplies	16.88
UNITED SEEDS, Bldg. & Grnds.	300.00
VANNOY, HEATHER, Rescue Revenue	10.00
VITAL SUPPORT SYSTEMS, Contract Services	3,835.00
WASTE MANAGEMENT, Contract Services	540.64
WATER'S EDGE AQUATIC DESIGN, Contract Services	130.00
WICK'S STERLING TRUCKS, Vehicles	263,343.00
WOODHAVEN COUNSELING, Contract Services	570.00

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Interim City Administrator Gunn reminded Council that the kick off event for the presentation of the Safety Manual to all city employees will be held on Friday, February 24, 2006. Sessions will be held at 9:00 a.m. and 10:30 a.m. In conjunction with the Safety Kick-Off event, a Health Fair will be conducted at the Community Center on the same day from 10 a.m. to 2 p.m.

Police Chief Lausten reminded Council of the D.A.R.E. graduations scheduled for this week. The La Vista West Elementary graduation will be held on Thursday and the Park View Heights Elementary ceremony is scheduled for Friday.

Lausten thanked Fire Chief Schuster and the Police Department's night shift for their response to a call from an elderly citizen who had no heat at her residence. They discovered that the pilot light had gone out on her furnace and managed to get it relit, eliminating the need for a service call.

Fire Chief Schuster thanked the Mayor and Councilmembers for their support at the and attendance at the groundbreaking ceremony for the new fire station, which took place prior to the Council meeting this evening.

Public Works Director Soucie reported to Council that the new combination sewer jet/vac truck had arrived. He will have the vehicle on display at City Hall prior to the March 21, 2006 Council meeting. Soucie stated that new logo decals have been ordered for all city vehicles. Soucie also informed council that he had been elected to the Board of the League of Nebraska Municipalities Utilities Section.

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B. APPLICATION FOR FINAL PLAT AND WAIVER – LOTS 1 - 12, VAL VISTA REPLAT FOUR (EAST OF 108TH & CHANDLER ROAD)

1. PUBLIC HEARING

At 7:08 p.m. Mayor Kindig stated the floor was now open for a public hearing on an application for final plat and waiver for Lots 1 -12, Val Vista Replat Four, located East of 108th & Chandler Road.

Mark Westergard of E & A Consulting, the engineer for the project, addressed Council and presented a drawing showing the proposed change from three large lots to twelve smaller lots. Westergard indicated this change was being requested as potential purchasers were indicating a desire for smaller lots to meet their needs. He also noted that there were three items being recommended in the staff report and indicated they were agreeable to all of them and would comply.

There were no further comments and at 7:10 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, Sell, and Gowan. Nays: None. Absent: None. Motion carried

2. RESOLUTION – APPROVAL OF FINAL PLAT AND WAIVER

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 06-018: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING APPROVAL OF A FINAL PLAT FOR LOTS 1-12, VAL VISTA REPLAT FOUR, BEING A REPLAT OF LOTS 241 AND 248, VAL VISTA, AND LOT 3, VAL VISTA REPLAT THREE, AND A WAIVER OF ARTICLE 4, SECTION 4.11 OF THE SUBDIVISION REGULATIONS REGARDING THE MAXIMUM LENGTH OF A CUL-DE-SAC, GENERALLY LOCATED EAST OF 108TH STREET ON CHANDLER ROAD.

WHEREAS, the owners of the above described piece of property have made application for approval of a final plat for proposed Lots 1-12, Val Vista Replat Four, and a waiver of Article 4, Section 4.11 of the Subdivision Regulations; and

WHEREAS, the City Administrator and the City Engineer have reviewed the final plat and waiver request; and

WHEREAS, on January 19, 2006, the La Vista Planning Commission held a public hearing and reviewed the final plat and waiver proposal and recommended approval contingent on the resolution of the items identified by staff and the City Engineer; and

WHEREAS, on February 21, 2006, the Mayor and City Council of the City of La Vista held a public hearing and agreed to approve the final plat and waiver proposal.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the final plat for Lots 1-12, Val Vista Replat Four, being a replat of Lots 241 and 248, Val Vista, and Lot 3, Val Vista Replat Three, and a waiver of Article 4, Section 4.11 of the Subdivision Regulations regarding the maximum length of a cul-de-sac, generally located east of 108th Street on Chandler Road be, and hereby is, approved subject to the resolution of the following items:

1. A final copy of the covenants must be provided to the city prior to execution of the Subdivision Agreement Amendment and plat.
2. A separate easement document must be filed for the 20-foot wide storm sewer easement to be provided and allocated among the benefited properties.
3. Subdivision Agreement Amendment in form and content satisfactory to the City Administrator and City Attorney.

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

C. RESOLUTION – FOURTH AMENDMENT TO SUBDIVISION AGREEMENT – VAL VISTA REPLAT FOUR

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-019: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FOURTH AMENDMENT TO THE SUBDIVISION AGREEMENT FOR VAL VISTA REPLAT FOUR IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

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WHEREAS, the City Council did on February 21, 2006 approve the plat for Lots 1-12, Val Vista Replat Four; and

WHEREAS, the Developer, Giles Road No. 2 LLC, has agreed to execute a Subdivision Agreement satisfactory in form to the City Attorney and City Engineer.

NOW THEREFORE, BE IT RESOLVED, that the Fourth Amendment to the Subdivision Agreement presented at the February 21, 2006, City Council meeting for Val Vista Replat Four 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

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

D. RESOLUTION – PARK IMPROVEMENTS – VAL VERDE

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-020: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING APPROVAL OF THE PLANS, SPECIFICATIONS AND CONSTRUCTION DOCUMENTS FOR PARK IMPROVEMENTS IN VAL VERDE AND AUTHORIZING EXECUTION OF CONTRACTS AND SAID CONSTRUCTION.

WHEREAS, Sanitary and Improvement District No. 198 of Sarpy County ("District"), Val Verde and the City of La Vista ("City") entered into a Subdivision Agreement concerning the development of lands locally known as Val Verde within the zoning jurisdiction of the City ("Subdivision Agreement") on January 5, 1999; and

WHEREAS, the District has presented to City for approval plans, specifications and construction documents to construct certain improvements; and

WHEREAS, said plans, specifications and construction documents were prepared by Hill-Farrell Associates, Inc. which firm of engineers has certified to the City that said plans and specifications are in accordance with the Subdivision Agreement and 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, Thompson, Dreessen & Dorner, Inc. as City Engineer, have been presented the plans for review and recommends approval subject to resolution of the following items:

1. Payment of the administrative fee in an amount of \$4,127.60 prior to Council approval.
2. Providing a copy of an NPDES Notice of Intent to the Nebraska Department of Environmental Quality prior to any construction activity.
3. The jack pine trees should be replaced with white pine trees.
4. The plantings in the OPPD power line easement should be reviewed and approved by OPPD prior to installation.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the plans, specifications and construction documents for park improvements, copies of which have been filed with the City Clerk, subject to resolution of the items identified by the City Engineer.

BE IT FURTHER RESOLVED, that the City Council does hereby approve the execution of a contract by the District for said improvements with All Purpose Utilities, La Vista, NE in the amount of \$412,760.10.

Seconded by Councilmember Carlisle. Interim City Administrator Gunn stated that another copy of the contract that was supplied to Council in January when this item was tabled, had been distributed tonight for their reference. Councilmember Gowan asked about a completion date for the project. Ralph Pladbeck of Hill-Farrell Associates addressed the Council stating that Mr. Hiney, who had done the bulk of the work on this project, was unable to attend this evening, however being somewhat familiar with the project he thought it would be completed before fall. Community Development Director Birch was asked to verify this information. Councilmembers

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

E. RESOLUTION – ONE AND SIX YEAR ROAD PLAN

1. PUBLIC HEARING

At 7:15 p.m. Mayor Kindig stated the floor was now open for a public hearing on the One and Six Year Road Plan.

Street Foreman Greg Goldman addressed Council. He thanked Public Works Secretary Cindy Norris for her assistance in the preparation of the Power Point presentation. Goldman gave Council an update regarding the road projects that were completed during 2005-2006, and then reviewed projects being proposed for the upcoming construction season and for the next several years. Mayor Kindig thanked Goldman and Norris for their work on the presentation.

There were no further comments and at 7:31 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Motion carried

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-021: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

WHEREAS, the Public Works Director has revised and updated the City of La Vista One-and-Six-Year Street Plan; and

WHEREAS, the La Vista Planning Commission has reviewed the One-and-Six-Year Street Plan for the City of La Vista and recommends to Council approval of the Plan, and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director, and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted and reviewed by the La Vista City Council.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the One-and-Six-Year Plan for highway, road and street improvements for the City of La Vista as submitted by the City Public Works Director and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

F. RESOLUTION – CONTRACT WITH FGM – FIRE STATION NO. 2 ADDITIONAL SERVICES

Councilmember Gowan introduced and moved for the adoption of Resolution No. 06-022: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A PROFESSIONAL SERVICES AGREEMENT WITH FGM ARCHITECTS-ENGINEERS, ALGONQUIN, ILLINOIS, TO PROVIDE FOR PHONE AND DATA DESIGN SERVICES, COMMUNICATIONS AND PAGING DESIGN SERVICES, AUDIO-VISUAL DESIGN SERVICES AND INTERIOR DESIGN SERVICES ASSOCIATED WITH THE NEW FIRE STATION #2.

WHEREAS, The Mayor and City Council recognize that professional services are required for phone and data, communications and paging, audio-visual, and interior design services associated with the development of the new fire station; and

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WHEREAS, FGM Architects-Engineers, Algonquin, Illinois has provided all architectural services associated with the design, development and construction off the new fire station; and

WHEREAS, the City of La Vista Facilities Corporation has arranged financing for the project in the form of tax exempt bonds issued by the Corporation; and

WHEREAS, FGM Architects-Engineers will provide phone and data, communications and paging, audio-visual, and interior design services to include design, bidding documents, bidding and negotiations and installation observation services for building furnishings in an amount not to exceed \$35,000.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the Mayor is hereby authorized to execute a professional services agreement for phone and data, communications and paging, audio-visual, and interior design services associated with the new fire station with FGM Architects-Engineers, Algonquin, Illinois, in an amount not to exceed \$35,000.

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

G. RESOLUTION – AMENDMENT OF COUNCIL POLICY STATEMENT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 06-023: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING CHANGES AND REVISIONS TO AN EXISTING COUNCIL POLICY STATEMENT.

WHEREAS, the City Council has determined that it is necessary and desirable to create Council Policy Statements as a means of establishing guidelines and direction to the members of the City Council and to the city administration in regard to various issues which regularly occur; and

WHEREAS, a Council Policy Statement entitled Preparation of City Council Meeting Agendas has been reviewed and revisions recommended by the City Clerk to the Interim City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the changes to Council Policy Statement entitled Preparation of City Council Meeting Agendas, and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

Seconded by Councilmember Carlisle. A brief discussion was held regarding whether this change would result in Council packets being made available earlier on Fridays. Interim City Administrator Gunn stated that the procedure and timelines outlined in this policy have been implemented and the paperwork to revise the existing policy should have been brought forward some time ago. She indicated that staff felt the adjusted timelines for submitting packet information had resulted in packets being completed earlier in the day on most occasions. There are still times when other issues or a delay in receiving information from some sources means packets are not ready until later in the afternoon. It is always staff's goal to make the packets available as early as possible. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Absent: None. Motion carried.

H. RESOLUTION – MASS CARE SHELTER AGREEMENT WITH AMERICAN RED CROSS FOR COMMUNITY CENTER

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-024: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A MASS CARE SHELTER AGREEMENT WITH THE AMERICAN RED CROSS.

WHEREAS, Pursuant to the terms of federal statutes, the Red Cross provides emergency services on behalf of individuals and families who are victims of disaster, and

WHEREAS, the City of La Vista owns and operates the La Vista Community Center and is authorized to permit the Red Cross to use the Community Center building, grounds and equipment for mass care shelters and wishes to cooperate with the Red Cross for such purposes, and

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NOW, THEREFORE, BE IT RESOLVED, that the City Council of La Vista, Nebraska, authorizes the Mayor to execute the necessary Mass Care Shelter Agreement with the American Red Cross to provide for the use of the Community Center by the Red Cross for emergency services during a disaster.

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

I. RESOLUTION – PURCHASE OF POLICE DEPARTMENT – K-9

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 06-025: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF A POLICE K-9 FROM VOHNE LICHE KENNELS, DENVER, INDIANA, IN AN AMOUNT NOT TO EXCEED \$7,500

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a police K-9 to replace current police K-9 Cosmo is necessary; and

WHEREAS, the Narcotic Forfeiture account has funds available for the purchase of said K-9; and

WHEREAS, the Police Department has researched K-9 vendors and received positive recommendations regarding Vohne Liche Kennels from various law enforcement agencies; and

WHEREAS, based upon the research it is recommended that the K-9 be purchased from said vendor; 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 purchase of a police K-9 from Vohne Liche Kennels, Denver, Indiana in an amount not to exceed \$7,500

Seconded by Councilmember Carlisle. Councilmember McLaughlin asked will happen to the Department's current K-9, Cosmo. Police Chief Lausten stated that Cosmo will be retiring in early summer and a decision will be made regarding whether he goes to his current handler. The City has received 8+ years of service from Cosmo and he is nearing ten years of age. Applications were taken within the Department for the handler position for the new dog. Officer John York will have this secondary assignment. Questions were also asked about the vet service. At the present time Dr. Langley provide the vet services free of charge for Cosmo. The City pays only for supplies. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Absent: None. Motion carried

J. RESOLUTION – AWARD OF BID – TRAFFIC SIGNALIZATION – EASTPORT PARKWAY, 126TH STREET AND GILES ROAD

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-026: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO VIERREGGER ELECTRIC CO., OMAHA, NEBRASKA FOR THE SIGNALIZATION OF THE INTERSECTION AT EASTPORT PARKWAY, 126TH STREET AND GILES ROAD IN AN AMOUNT NOT TO EXCEED \$101,160.25.

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, 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

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WHEREAS, E & A Consulting Group, Inc., has reviewed the Tabulation of Bids received on February 2, 2006, for signalization of the intersection of Eastport Parkway, 126th Street and Giles Road, and recommends award of a contract to Vierregger Electric Company as the low compliant bidder in an amount not to exceed \$101,160.25.

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that a contract be awarded to Vierregger Electric Company, Omaha, Nebraska for the signalization of the intersection of Eastport Parkway, 126th Street and Giles Road, in an amount not to exceed \$101,160.25, and that the Mayor and City Clerk be, and hereby are, authorized to execute said contract.

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked about the installation date for the traffic signal. Public Works Director Soucie informed council that the contract states completion within 60 days of the start date. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Absent: None. Motion carried.

K. RESOLUTION – AWARD OF BID – THOMPSON CREEK CHANNEL IMPROVEMENTS – PHASE V

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-027: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO NELSON & ROCK CONTRACTING, INC., ONAWA, IOWA, FOR THOMPSON CREEK CHANNEL IMPROVEMENTS – PHASE V, IN AN AMOUNT NOT TO EXCEED \$249,482.00.

WHEREAS, it has been determined channel improvements need to be made on Thompson Creek; and

WHEREAS, Phases I – IV of this improvement project have been completed; and

WHEREAS, the City Council authorized the advertisement for bids and the City Engineer prepared specifications for said project; and

WHEREAS, proposals have been received and after review by the City Engineer it has been determined that Nelson & Rock Contracting, Inc., Onawa, Iowa, has submitted the low compliant bid; 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, by the Mayor and City Council of La Vista, Nebraska, that a contract be awarded to Nelson & Rock Contracting, Inc., Onawa, Iowa, in an amount not to exceed \$249,482.00 for the Thompson Creek Channel Improvements – Phase V and that the Mayor and City Clerk be and hereby are, authorized to execute said contract.

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked about the grant for this project. Public Works Director Soucie stated the City should receive approximately \$246,600 for the improvements. Councilmember Ronan asked if the project included fencing off the area where improvements will be made. Soucie indicated that existing fencing would be replaced, but no additional fencing is included in the project. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Absent: None. Motion carried.

L. RESOLUTION – ADVERTISEMENT FOR BIDS – WIDE AREA MOWER

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-028: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR THE PURCHASE OF A WIDE AREA MOWER FOR THE SPORTS COMPLEX.

WHEREAS, the City Council has determined that a need exists to purchase a wide area mower for the Sports Complex, and

WHEREAS, the FY 2005/06 Sports Complex budget provides funding for the purchase of said wide area mower, and

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WHEREAS, the Parks Superintendent has prepared specifications for said wide area mower.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the purchase of a wide area mower for the Sports Complex in accordance with specifications prepared by the Park Superintendent, and said bids are to be opened and publicly read aloud at 3 p.m. at La Vista City Hall, 8116 Park View Blvd., La Vista, on March 9, 2006.

Advertise for Bids February 22, 2006

Open Bids March 9, 2006

Award Contract March 21, 2006

Seconded by Councilmember Ellerbeck. Councilmember Ellerbeck asked if the City currently has a Wide Area Mower. Public Works Director Soucie reported that the City currently has something similar—a “batwing” type mower that attaches to the back of a tractor. The new equipment is self contained and can be used for grass cutting at the soccer and baseball fields. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Absent: None. Motion carried.

M. DISCUSSION – AMEND 2005 – 2006 BUDGET

Interim City Administrator Gunn stated that during the budget preparations last year the annexation of Southwind and Val Verde was discussed and it was anticipated that a budget amendment would be necessary during the year if this annexation were to take place. Since that time there have been development announcements in the Southport subdivision that influenced the City to annex this area. Council was presented with information regarding a potential budget amendment and asked for input. It is anticipated that the action to implement a budget amendment would be considered at the March 7, 2006 City Council meeting.

Councilmembers asked several questions regarding the items proposed to be included in a budget amendment. Following the discussion, Councilmembers were asked to contact Gunn if they had concerns or further questions about any of the items contained in the proposed amendment.

COMMENTS FROM THE FLOOR

Kevin Hitzemann, a shareholder with the Ralston Investment Group that owns and operates Eddy's Convenience Store at Giles Road and Val Verde Drive, addressed the council. Hitzemann stated that in their first year of operation, Eddy's Convenience Store lost \$115,000. He indicated that visibility is a concern and asked Council for some leniency regarding the City's sign ordinance.

Hitzemann presented handouts to the Council which included pictures of the location from various directions and a proposal for a new sign design. He stated the investment group would be willing to look at other designs if the one presented was not suitable and they want to come up with something that is not offensive and would fit within the area, understanding it is within the gateway corridor.

Interim City Administrator Gunn stated that the City cannot do something for one business that would not be done for another. The City has been very stringent in the area of sign regulations. Gunn informed Hitzemann that the City is currently looking at sign regulations for commercial areas, but could not offer any indication as to whether changes might be made.

Hitzemann inquired as to what the next step might be with this issue. Gunn stated that the City Council would have to give direction to amend the Ordinance for any change to occur. Mayor Kindig indicated staff would complete the review of sign regulations that is currently underway and let him know if any changes were being recommended.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Gowan congratulated the Park and Recreation staff on the success of the Senior Valentine Luncheon. He stated that comments from the seniors at his table were very positive.

Mayor Kindig reported that various Councilmembers had attended events on his behalf recently and thanked them for doing so. He also mentioned some other events where Councilmembers were present and indicated he appreciated their support and dedication.

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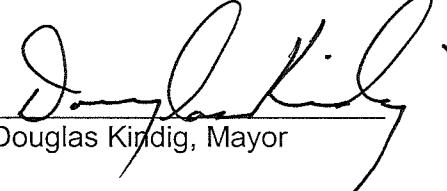
No. 729—REDFIELD & COMPANY, INC., OMAHA

ADJOURNMENT

At 8:17 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, Sell, and Gowan. Nays: None. Absent: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 7TH DAY OF MARCH 2006.

CITY OF LA VISTA



Douglas Kindig, Mayor

ATTEST:



Rita M. Ramirez

Rita M. Ramirez, CMC
City Clerk