

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING December 16, 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 December 16, 2008. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Also in attendance were City Attorney McKeon, City Engineer Kottmann, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Iwan, Police Chief Lausten, Fire Chief Uhl, Community Development Director Birch, Recreation Director Stopak, Finance Director Lindberg, Park Superintendent Lukasiewicz, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on December 4, 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 at City Hall during normal business hours.

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

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

### **SERVICE AWARDS – GREG CARRICO – 10 YEARS; RAY LUEBBERT AND RON SHEEHAN – 20 YEARS**

Mayor Kindig presented a certificate and pin to Ray Luebbert and Ron Sheehan for 20 years of service to the City. Greg Carrico was unable to attend.

### **APPOINTMENTS** **BOARD OF HEALTH – APPOINT DOUGLAS KINDIG, ANTHONY GOWAN, RICH UHL AND ROBERT LAUSTEN – 1 YEAR TERM**

Councilmember Sell motioned to approve the appointment of Douglas Kindig, Anthony Gowan, Rich Uhl, and Robert Lausten to the Board of Health for a one (1) year term. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

- A. CONSENT AGENDA**
- 1. APPROVAL OF THE AGENDA AS PRESENTED**
  - 2. APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 2, 2008**
  - 3. APPROVAL OF CITY COUNCIL ORGANIZATIONAL MINUTES FROM DECEMBER 2, 2008**
  - 4. APPROVAL OF PLANNING COMMISSION MINUTES FROM OCTOBER 16, 2008**
  - 5. APPROVAL OF PARK & RECREATION ADVISORY BOARD MINUTES FROM NOVEMBER 19, 2008**
  - 6. APPROVAL OF PLANNING COMMISSION MINUTES FROM NOVEMBER 20, 2008**
  - 7. APPROVAL OF CITIZEN ADVISORY REVIEW COMMITTEE MINUTES FROM DECEMBER 8, 2008**
  - 8. KEYSTONE TRAIL – LA VISTA LINK**
  - a. PAY REQUEST NO. 11 FROM THOMPSON, DREESSEN & DORNER, INC. FOR ENGINEERING SERVICES - \$858.59**
  - 9. APPROVAL OF CLAIMS**

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

ABE'S PORTABLES, Rentals	27.00
AIR POWER OF NEBRASKA, Bldg & Grnds	150.00
ALAMAR UNIFORMS, Wearing Apparel	22.00
ALL STAR PRO GOLF, Pro Shop	386.03
AMSAN, Supplies	458.32
APPLE BOOKS, Books	1,288.40

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ARAMARK UNIFORM, Contract Services	489.33
ASAP SOFTWARE, Contract Services	5,009.92
ASSOCIATED FIRE PROTECTION, Supplies	143.00
AUDIO EDITIONS, Media	238.94
BADGER BODY, Vehicle Maint.	257.21
BAKER & TAYLOR BOOKS, Books	1,559.82
BCDM-BERINGER CIACCIO DENNELL, Professional Services	316.25
BEAUMONT, MITCH, Professional Services	700.00
BENNINGTON IMPLEMENT, Vehicle Maint.	185.22
BETTER BUSINESS EQUIPMENT, Rental	42.12
BLACK HILLS ENERGY, Utilities	5,645.04
BOBCAT, Vehicle Maint.	373.31
BRENTWOOD AUTO WASH, Vehicle Maint.	502.00
BUETHE, PAM, Travel	64.35
CARDMEMBER SERVICE, Training/Travel/Supplies	9,124.34
CHILD'S WORLD, Books	476.70
CITY OF OMAHA, Harrison Street/Contract Services	74,003.03
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	802.65
CLARITUS, Printing	70.00
COMMTOUCH, Contract Services	2,574.00
CORNHUSKER INTL TRUCKS, Vehicle Maint.	59.99
COX, Telephone	58.65
CPS HUMAN RESOURCE SVCS, Testing Material	424.60
CREIGHTON EMS EDUCATION, Training	50.00
D & D COMMUNICATIONS, Supplies	14.00
DELL MARKETING, Contract Services/Grant Reimb.	991.44
DIVERSE MEDIA, Media	335.12
DON'S PIONEER UNIFORMS, Wearing Apparel	102.75
EARL RISSEER CONCRETE, Sidewalk	1,020.00
ED M. FELD EQUIPMENT, Contract Services	225.00
ELECTRIC SPECIALTIES, Contract Services	530.00
ELECTRONIC ENGINEERING, Vehicle Maint.	480.00
ENVIRO TECH SERVICES, Ice Control Liquid	4,473.00
FAGIN, KAREN, Travel	294.84
FASTENAL COMPANY, Vehicle Maint.	78.76
FILTER CARE, Vehicle Maint.	14.95
FIREGUARD, Equip. Repair	165.35
FIRMATURE, STEVE, Contract Services	36.00
FITZGERALD SCHORR BARMETTLER, Professional Services	14,591.97
FORTRES GRAND CORPORATION, Licensing	485.00
GALE, Books	227.08
GALL'S, Wearing Apparel	260.73
GASSERT, MIKE, Contract Services	584.00
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	395.71
GENI'S HALLMARK, Refund	23.00
GOWAN, ANTHONY, Travel	32.00
GRAYBAR ELECTRIC, Bldg & Grnds	552.76
GREAT AMERICAN LEASING, Contract Services	272.50
GREAT PLAINS ONE-CALL, Contract Services	239.23
GRETNA WELDING, Repair	699.00
HANEY SHOE STORE, Wearing Apparel	343.45
HARBOR FREIGHT TOOLS, Supplies	29.99
HEARTLAND AWARDS, Supplies	78.60
HEARTLAND PAPER, Supplies	65.00
HEARTLAND TIRES AND TREADS, Vehicle Supplies	168.95
HELGET GAS PRODUCTS, Squad Supplies	176.00
HENRY, MARK, Contract Services	24.00
HILLYARD/SIOUX FALLS, Bldg & Grnds	9.50
HOBBY LOBBY, Supplies	188.73
HUNTEL, Contract Services	264.50
HUSKER MIDWEST PRINTING, Printing	162.00
HY-VEE, Supplies	51.13
INSIGHT TECHNOLOGY, Contract Services	662.98
IWAN, ROSE, Travel	57.99
J Q OFFICE EQUIPMENT, Supplies/Rentals	766.69
JOE'S TOWING & REPAIR, Safety Demonstration	100.00
KEISER CORPORATION, Equipment	3,024.39
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	70.00

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LAUGHLIN, KATHLEEN, Payroll Withholdings	744.00
LERNER PUBLISHING GROUP, Books	533.86
LINWELD, Wearing Apparel	86.65
LOGAN CONTRACTORS SUPPLY, Street Maint.	2,640.35
LOU'S SPORTING GOODS, Equip.	44.95
MALLARD SAND & GRAVEL, Repair	1,187.84
METRO AREA TRANSIT, Contract Services	545.00
METROPOLITAN COMM COL, Utilities/Phone/Contract Services	8,981.35
MICHAEL TODD AND COMPANY, Vehicle Maint.	255.00
MIDLANDS BUSINESS JOURNAL, Dues	70.00
MIDWEST TAPE, Media	1,938.01
MITY-LITE, Equipment	1,289.40
NE STATE FIRE MARSHALL, Vehicle Supplies	360.00
NEBRASKA IOWA SUPPLY, Professional Services	12,841.45
NEBRASKA TURF PRODUCTS, Supplies	1,157.80
NEMSA-NE EMER MED SVCS ASSN, Dues	606.00
NEUMAN EQUIPMENT, Bldg & Grnds/Vehicle Maint.	122.00
NEXTEL, Phone	154.73
NMC, Supplies	316.00
NSFSI-NE SOC/FIRE SVC INSTRS, Training	75.00
NUTS AND BOLTS, Vehicle Maint.	31.19
OCCUVAX, Flu Vaccines	924.00
OFFICE DEPOT, Supplies	1,897.09
OMAHA WORLD HERALD, Dues	75.40
OMB EXPRESS POLICE SUPPLY, Wearing Apparel	77.77
OPPD, Utilities	34,021.54
ORIENTAL TRADING, Supplies	110.82
PALMER, ALEXA, Contract Services	120.00
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	523.01
PAYLESS, Supplies	613.00
PITNEY BOWES, Supplies/Lease	307.98
PRECISION INDUSTRIES, Vehicle Maint.	270.63
PROFESSIONAL GROUNDS MGMT, Dues	175.00
PSI PLASTIC GRAPHICS, Supplies	451.68
QWEST, Phone	125.23
RACOM CORPORATION, Vehicle Maint.	44.00
RAINBOW GLASS & SUPPLY, Vehicle Maint.	45.00
REED, JASON, Contract Services	120.00
ROURKE PUBLISHING, Books	1,206.54
RUSTY ECK FORD, Vehicle Maint.	45.49
SARPY COUNTY LANDFILL, Street Maint.	1,043.23
SEAT COVER CENTER, Vehicle Maint.	258.70
SHERRY, PAUL, Contract Services	31.00
SHERWIN-WILLIAMS, Bldg & Grnds	197.15
SINNETT, BLAIR, Refund	47.13
STATE FIRE MARSHALL, Training	300.00
STATE STEEL OF OMAHA, Vehicle Maint.	292.56
STERIL MANUFACTURING, Repair	200.00
TARGET BANK, Fees	63.30
THOMPSON DREESSEN & DORNER, Professional Services	18,587.21
TRI MUTUAL AID FIREFIGHTERS, Dues	150.00
TURF CARS LTD, Electric Cart	176.90
U S ASPHALT COMPANY, Street Maint.	96.67
UNITED HEALTHCARE, Rescue Revenue	751.83
UPS, Postage	18.43
VERIZON, Phone	37.31
WAL-MART, Supplies/Equip.	1,186.62
WASTE MANAGEMENT, Street Maint.	1,020.45
WEIGL PUBLISHERS, Books	629.95
WICK'S STERLING TRUCKS, Vehicle Maint.	10.17
WINGATE INNS, Travel	145.90
ZAPP, BRANDY, Books	11.20
ZOO BOOKS MAGAZINE, Books	40.95

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn stated that the date for the Strategic Planning workshop would be February 28, 2009. More details will be available at a later date.

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City Clerk Buethe informed Council that if they would like to donate for energy assistance for a needy family to please have their donations turned in by Thursday afternoon. She stated that donations could be turned in tonight also.

Police Chief Lausten stated that grant money was approved for purchase of cameras for the portion of the fleet that does not currently have them.

Library Director Iwan informed Council that a total of 328 cans of food were received during the recent "amnesty" event.

## **B. Resolution – Interlocal Cooperation Agreement – 132<sup>nd</sup> & West Giles Road (tabled 11/18/08)**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 08-116: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH SARPY COUNTY, NEBRASKA CONCERNING IMPROVEMENTS RELATED TO THE INTERSECTION OF WEST GILES ROAD AND 132<sup>ND</sup> STREET, THE ADJACENT LEGS OF WEST GILES ROAD AND 132<sup>ND</sup> STREET AND ADJACENT RAILROAD CROSSINGS, IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, La Vista and Sarpy County wish to enter into mutually beneficial endeavors to improve the intersection of West Giles Road and 132<sup>nd</sup> Street, adjacent legs of West Giles Road and 132<sup>nd</sup> Street and adjacent railroad crossings; and

WHEREAS, said improvements are located in Sarpy County and the extraterritorial zoning jurisdiction of La Vista.

NOW THEREFORE, BE IT RESOLVED, that an Interlocal Cooperation Agreement with Sarpy County, Nebraska concerning improvements related to the intersection of West Giles Road and 132<sup>nd</sup> Street, the adjacent legs of West Giles Road and 132<sup>nd</sup> Street and adjacent railroad crossings, is hereby 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 Carlisle. City Administrator Gunn informed Council of the increased estimated costs of Phase 2 due in part to the time delay. Councilmember Sheehan asked the time table for completion. City Engineer Kottmann informed Council that the completion date in the Agreement had been revised to October 1, 2010, and that it generally would take two years from the receipt of funds to completion of construction. Councilmember Sell asked who oversees the project. City Engineer Kottmann stated that federal review is required when funds are involved. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **C. RESOLUTION – APPROVAL OF APPLICATION FOR ADDITION TO CLASS I LIQUOR LICENSE PREMISE/RECONSTRUCTION – SWIZZLE STIX LOUNGE INC DBA LA VISTA KENO**

Councilmember Quick introduced and moved for the adoption of Resolution No. 08-117: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE APPLICATION FOR ADDITION TO CLASS I LIQUOR LICENSE 41459 FOR PREMISE-RECONSTRUCTION FOR SWIZZLE STIX LOUNGE INC DBA LA VISTA KENO, LA VISTA, NEBRASKA.

WHEREAS, Swizzle Stix Lounge Inc dba La Vista Keno, 7101 S. 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for an addition to their liquor license, and

WHEREAS, the Nebraska Liquor Control Commission has notified the City of said application to change the description of the new license to read "One story building approx 100 x 160 including sidewalk café approx 17 x 120, and

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

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby recommend to the Nebraska Liquor Control Commission approval of the application for addition to premise-reconstruction submitted by Swizzle Stix Lounge Inc dba La Vista Keno, 7101 S. 84<sup>th</sup> Street, La Vista, Sarpy County, Nebraska.

Seconded by Councilmember Carlisle. Rich Bellino of La Vista Keno was available to answer any questions. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **D. STRATEGIC PLAN UPDATE**

City Administrator Gunn gave an overview of the Strategic Plan, covering the 84th Street Redevelopment Vision Plan, the Rental Program, Thompson Creek, the 50<sup>th</sup> Celebration, the Economic Segment, the Swimming Pool, working with the United Cities of Sarpy County on legislative issues, meeting with mid-level managers, and the comp study. Councilmember Gowan asked whether the city will be involved in the ICSC conference in Omaha. Gunn stated that the city will be involved. Councilmember Sheehan encouraged Council to look at what is presented by the consultant on the 84<sup>th</sup> Street redevelopment vision plan and not to let desires regarding the placement and size of the pool influence anyone. Administrator Gunn stated that the consultants will take cues from the mayor, council, and the public. Councilmember Sell commented that everyone should keep an open mind in the process. Councilmember Quick asked how long the redevelopment vision process will take. Gunn stated that it is estimated to take approximately 12 months. Councilmember Sheehan stated that they should show us a vision and then we decide if that is what we want. Councilmember Crawford asked if the consultant will bring back options. Gunn stated that they will bring options to the people during the process and will gradually narrow it down so there is a recommendation at the end. Councilmember Gowan asked if the Kroenke group will participate. Gunn stated that they were sent a copy of the RFP and asked to participate but we have heard nothing back yet.

## **E. SPECIAL ASSESSMENTS FOR PROPERTY IMPROVEMENTS**

### **1. PUBLIC HEARING**

At 7:34 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments for property improvements.

At 7:35 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

### **2. RESOLUTION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 08-118: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
8809 Pine Drive, Lot 189 Park View Heights, 2<sup>nd</sup> Addition, \$668.35, and  
7204 S. 78<sup>th</sup> St., Lot 1166, La Vista, \$164.12  
were notified to clean up their property as they were in violation of the City Municipal Code, Sections 133.01 and 50.01, or the City would do so and bill them accordingly, and

WHEREAS, the property owners of said addresses chose not to clean the property, thus necessitating the City to do the clean up, and

WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

WHEREAS, the City may file a Special Assessment for Improvements against property for which a City bill for services has not been paid.

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

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Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, 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 if so, for each person to limit his or her comments to 3 minutes. There were no comments from the floor.

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that we were able to secure a couple sponsors for the soup feed and therefore there was some extra money from that donated and he would like the Council to decide where those funds should go. The Council agreed that the money should go for something for the Senior Center that we are not currently doing. Recreation Director Stopak will take care of this and report back to the Council.

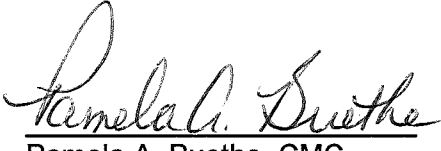
At 7:41 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 6TH DAY OF JANUARY 2009.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Pamela A. Buethe, CMC  
City Clerk