

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING January 6, 2009

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 6, 2009. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, and Ellerbeck. Absent: 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, Public Works Director Soucie, and Building and Grounds Director Archibald.

A notice of the meeting was given in advance thereof by publication in the Times on December 25, 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 AWARD – LYNN BRANDT – 25 YEARS

Mayor Kindig presented a certificate and pin to Lynn Brandt for 25 years of service to the City.

PRESENTATION OF BADGES TO FIRE DEPARTMENT PERSONNEL – TRAVIS AYALA, COREY CHRISTENSEN, JAMES GILBERT, TRAVIS HUNT, BRYAN JIRAK, ALEX MARTIN, PATRICK O'BRIEN, AND MIKE STUBBS

Mayor Kindig and Fire Chief Uhl recognized Travis Ayala, Corey Christensen, James Gilbert, Travis Hunt, Bryan Jirak, Alex Martin, Patrick O'Brien, and Mike Stubbs as full members of the La Vista Volunteer Fire Department after completing one year of training. Badges were presented and pinned on by Chief Uhl.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 16, 2008
3. APPROVAL OF CLAIMS

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

ACTION BATTERIES, Vehicle Supplies	170.99
ADMINISTRATIVE PROFESSIONAL, Subscription	48.00
ALAMAR UNIFORMS, Wearing Apparel	53.09
ALL STAR PRO GOLF, Supplies	158.03
ANDERSON ELECTRIC, Bldg & Grnds	50.00
APPLE BOOKS, Books	90.75
APWA-AMER PUBLIC WORKS ASSN, Fees	150.00
ARAMARK UNIFORM SERVICES, Contract Services	254.29
ASPHALT & CONCRETE MATERIALS, Repair	74.42
ASSOCIATED FIRE PROTECTION, Contract Services	978.00
BAKER & TAYLOR BOOKS, Books	2,256.12
BEACON BUILDING SERVICES, Contract Services	6,437.00
BENNINGTON IMPLEMENT, Vehicle Maint.	1,025.98
BENSON RECORDS MGMT, Contract Services	56.36
BETTER BUSINESS EQUIPMENT, Rental	40.30
BIG KIDS PRODUCTIONS, Media	164.50
BKD LLP, Professional Services	7,500.00
BLACK HILLS ENERGY, Utilities	12,942.23
BOLER WOOD & ASSOCIATES, Insurance	4,954.35
BOLEY, ANN, Auto Allowance	200.00
BUETHE, PAM, Phone/Travel/Vehicle Maint.	98.24

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BUILDERS SUPPLY, Bldg & Grnds/Equip.	169.95
BURT, STACIA, Training	216.00
CABELA'S, Wearing Apparel	39.98
CALENTINE, JEFFREY, Phone	30.00
CARROT-TOP INDUSTRIES, Flags	853.57
CDW GOVERNMENT, Equipment	4,121.46
CENTER POINT PUBLISHING, Books	77.88
CITY OF OMAHA, Contract Services	33,331.10
COMMAND CONCEPTS, Supplies	324.95
COMP CHOICE, Contract Services	717.00
CONTROL MASTERS, Bldg & Grnds	6.43
CORNHUSKER INTL TRUCKS, Vehicle Maint.	320.00
COX, Contract Services	212.15
CPS HUMAN RESOURCE SERVICES, Supplies	752.40
DAVIS, JAMES, Training	1,500.00
DECOSTA SPORTING GOODS, Equipment	69.75
DELL, Contract Services	14,235.33
DEMCO, Supplies	287.60
DIAMOND VOGEL PAINTS, Bldg & Grnds	141.50
DIESEL POWER EQUIPMENT, Contract Services	1,500.00
DOUGLAS COUNTY SHERIFF, Contract Services	137.50
DULTMEIER SALES & SERVICE, Bldg & Grnds	221.18
EBSCO SUBSCRIPTION SERVICES, CD Rom	1,139.00
ECCLES, PAT, Auto Allowance	200.00
ED M. FELD EQUIPMENT, Wearing Apparel	2,763.00
ELECTRONIC ENGINEERING, Vehicle Maint.	20.00
FARQUHAR, MIKE, Auto Allowance	200.00
FASTENAL COMPANY, Bldg & Grnds	10.35
FBINAA-FBI NATL ACAD ASSOCS, Dues	180.00
FEDEX KINKO'S, Printing	261.00
FERRELLGAS, Utilities	679.92
FILTER CARE, Vehicle Maint.	23.00
FORT DEARBORN LIFE INS, Employee Benefits	2,498.00
FREMONT NATIONAL BANK & TRUST, Fees	1,727.72
FROEHLICH, RORY, Auto Allowance	200.00
G I CLEANER & TAILORS, Uniform Cleaning	234.75
GALE, Wearing Apparel	621.43
GALL'S, Wearing Apparel	310.48
GAYLORD BROS, Supplies	593.31
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	365.36
GENUINE PARTS COMPANY, Vehicle Maint.	1,250.30
GLENDALE PARADE STORE, Equipment	543.25
GLOCK, Training	150.00
GOLDMAN, JOHN, Phone	85.00
GRAINGER, Bldg & Grnds/Repair	570.14
GRAYBAR ELECTRIC, Bldg & Grnds	86.38
GROSSENBACHER BROTHERS, Supplies	234.36
HANEY SHOE STORE, Wearing Apparel	120.00
HELGET GAS PRODUCTS, Squad Supplies	25.00
HY-VEE, Supplies	31.94
ICSC-INTL COUNCIL OF SHPG CTRS, Travel	200.00
J Q OFFICE EQUIPMENT, Contract Services	585.02
JOHNSTONE SUPPLY, Bldg & Grnds	184.12
JONES AUTOMOTIVE, Equipment	4,735.14
KINDIG, DOUGLAS, Phone	40.00
KLINKER, MARK, Professional Services	256.00
KOSISKI AUTO PARTS, Vehicle Maint.	65.00
KRIHA FLUID POWER, Vehicle Maint.	21.30
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	70.00
LANDS' END BUSINESS OUTFITTERS, Wearing Apparel	345.30
LAUGHLIN, KATHLEEN, Payroll Withholding	372.00
LAWSON PRODUCTS, Equip. Maint.	105.10
LEAGUE OF NEBR MUNICIPALITIES, Training/Travel	361.00
LIFE ASSIST, Squad Supplies	1,051.03
LINWELD, Supplies	289.24
LOGAN CONTRACTORS SUPPLY, Street Maint.	2,705.29
LUKASIEWICZ, BRIAN, Phone	50.00
MATT FRIEND TRUCK EQUIP., Vehicle Maint.	156.00
MEADOWBROOK, Ins/Bonds	525.00
MENARDS, Bldg & Grnds	256.00
METRO COMMUNITY COLLEGE, Utilities/Phone/Contract Services	11,817.92
MICHAEL TODD AND COMPANY, Equipment	8,657.52

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MID AMERICA BOOKS, Books	156.81
MID AMERICA PAY PHONES, Phone	100.00
MID CON SYSTEMS, Vehicle Maint.	57.55
MIDLANDS COMMUNITY HOSPITAL, Professional Services	18.60
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	116.94
MIDWEST TAPE, Media	65.97
MINUTE MAN PRINTING, Supplies	32.00
MIRACLE RECREATION EQUIPMENT, Capital Outlay	4,071.57
MISTER ANDERSON'S CO., Books	35.36
MUD, Utilities	945.40
MUESSIGMANN, CHRISTOPHER, Contract Services	41.00
NE SALT & GRAIN COMPANY, Salt	1,233.11
NEBRASKA CONCRETE PAVING ASSN, Training	380.00
NEBRASKA IOWA SUPPLY, Vehicle Supplies	7,971.60
NEBRASKA TURF PRODUCTS, Bldg & Grnds	290.00
NEBRASKA TURFGRASS ASSN, Dues	200.00
NEUMAN EQUIPMENT CO, Vehicle Supplies	157.50
NEXTEL, Phone	595.34
NLA-NEBRASKA LIBRARY ASSN, Training	20.00
NOBBIES, Supplies	28.35
NOTARY PUBLIC UNDERWRITERS, Contract Services	100.00
OFFICE DEPOT, Supplies	1,147.53
OLD NEWS, Books	17.00
OPPD, Utilities	1,269.22
ORIZON CPAS, Professional Services	4,802.00
PAPILLION SANITATION, Contract Services	200.09
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	515.21
PAYLESS, Supplies	105.18
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	52.01
PITNEY BOWES, Supplies	221.00
PRECISION INDUSTRIES, Vehicle Maint.	262.71
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	297.00
QUILL CORPORATION, Supplies	313.40
QWEST, Phone	1,178.52
RAMIREZ, RITA, Phone	43.00
RUSTY ECK FORD, Vehicle Maint.	68.38
SAFETY-KLEEN CORPORATION, Contract Services	738.97
SAM'S CLUB	992.98
SAPP BROS PETROLEUM, Vehicle Supplies	505.00
SAPP BROS TRUCK STOPS, Vehicle Supplies	965.44
SARPY COUNTY COURTHOUSE, Contract Services	3,487.34
SARPY COUNTY ECONOMIC DEV, Annual Investment	10,000.00
SCHOLASTIC BOOK FAIRS, Media	65.46
SECURITY EQUIPMENT, Bldg & Grnds	99.00
SHERWIN-WILLIAMS, Bldg & Grnds	197.15
SHRM-SOCIETY FOR HUMAN, Dues	160.00
SOUCIE, JOSEPH, Phone	60.00
SPRINT, Phone	91.42
STERIL MANUFACTURING, Supplies	75.00
SUBURBAN NEWSPAPERS, Legal Advertising/Subscriptions	700.70
SUN LIFE & HEALTH INSURANCE, Payroll Withholdings	1,719.72
TARGET BANK, Supplies	63.74
TED'S MOWER SALES & SERVICE, Maintenance	107.74
THOMPSON DREESSEN & DORNER, Eng. Design/Prof. Services	8,992.30
TRACTOR SUPPLY COMPANY, Vehicle Maint.	35.99
TRANE, Bldg & Grnds	251.00
TURF CARS, Electric Carts	157.49
UNITED HEALTHCARE, Rescue Revenue	270.60
UNIVERSITY OF NE LINCOLN, Dues	100.00
UPS, Postage	9.43
USI, Supplies	38.90
V & V MANUFACTURING, Wearing Apparel	68.07
VERIZON, Phone	37.31
VIERREGGER ELECTRIC, Bldg & Grnds/Street Maint.	561.03
WALLACE, MARK, Refund	65.00
WAL-MART, Supplies/	845.91
WASTE MANAGEMENT, Contract Services/Bldg & Grnds	1,297.97
WAUGH, BRYAN, Training	1,500.00
WHIPPLE, NATALIE, Refund	50.00
WORLD BOOK, Books	869.00

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REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Clerk Buethe reminded Council to let Mary or her know if they will be able to attend the governance training on January 24th, from 9:00 a.m. – 1:00 p.m. Registration deadline is Friday, January 9th.

Police Chief Lausten informed Council the 2009 Citizen Police Academy will begin in March. Councilmember Crawford thanked Lausten and Public Works for the additional signage at 66th Street and Harrison Road.

Public Works Director Soucie informed Council that Harrison Street is now open east to 48th Street. Soucie stated the additional signage has been temporarily put up until the contractor could put up additional signage. Work on traffic lights is to be completed soon.

Soucie informed Council of the damage to the large tree at City Hall, due to vandalism. He does not know at this time if the tree will survive the damage.

Soucie informed Council that the street lighting on 96th Street, from Harrison to Portal Road is now complete.

B. RESOLUTION – AUTHORIZATION TO PURCHASE PAGERS

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-001: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIFTEEN MOTOROLA MINITOR V PAGERS FROM D & D COMMUNICATIONS, OMAHA, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$7,110.00.

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

WHEREAS, funds are provided in the FY 08/09 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of these pagers will reduce dual response times and enhance the ability for the signal to reach responders located in weak or fringe signal areas; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorizes the purchase of fifteen Motorola Minitor V pagers from D & D Communications, Omaha, Nebraska in an amount not to exceed \$7,110.00.

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

Councilmember Gowan arrived at 7:19 p.m.

C. RESOLUTION – AUTHORIZATION TO PURCHASE AUTOMATED EXTERNAL DEFIBRILLATORS (AED'S)

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-002: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF THREE (3) ZOLL AED PLUS PACKAGE, PEDI PADZ II AND HEARTSTATION TL1 FOR THE COMMUNITY CENTER, LA VISTA FALLS GOLF COURSE AND LA VISTA MUNICIPAL POOL FROM AED ZONE, OMAHA, NE, IN AN AMOUNT NOT TO EXCEED \$5,559.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of AED'S for City facilities is necessary; and

WHEREAS, donations from La Vista Community Foundation, La Vista Youth and City Betterment and Bellino Enterprises will fund the purchase of said AED'S, and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of three (3) Zoll AED Plus Package, Pedi Padz II

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and Heartstation TL1 for City facilities from AED Zone, Omaha, NE, in an amount not to exceed \$5,559.00.

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

Mayor Kindig recognized Donnie Bellino, representing Bellino Enterprises, La Vista Youth, and City Betterment for his donation along with the La Vista Community Foundation.

D. RESOLUTION – AUTHORIZATION TO PURCHASE TREADMILL

Councilmember Sell introduced and moved for the adoption of Resolution No. 09-003: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF ONE (1) MATRIX T5X TREADMILL FOR THE COMMUNITY CENTER FROM NOVA HEALTH EQUIPMENT, OMAHA, NE, IN AN AMOUNT NOT TO EXCEED \$5,793.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a treadmill for the Community Center is necessary; and

WHEREAS, the FY 2008/09 Recreation budget did include funds for the purchase of said treadmill, and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure Council approval prior to authorizing any purchase over \$5,000.00.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) Matrix T5X Treadmill for the Community Center from Nova Health Equipment, Omaha, NE, in an amount not to exceed \$5,793.00.

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

E. CLASS I LIQUOR LICENSE APPLICATION – LA VISTA PIZZA LLC DBA GODFATHER'S PIZZA

1. PUBLIC HEARING

At 7:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Class I Liquor License Application for La Vista Pizza LLC dba Godfather's Pizza. Ken Denfeld representing Godfather's was in attendance to answer any questions.

At 7:25 p.m. Councilmember Sheehan made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 09-004: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECOMMENDING TO THE NEBRASKA LIQUOR CONTROL COMMISSION, APPROVAL OF THE CLASS I LIQUOR LICENSE APPLICATION OF LA VISTA PIZZA LLC DBA GODFATHER'S PIZZA, LA VISTA, NEBRASKA.

WHEREAS, La Vista Pizza LLC dba Godfather's Pizza, 7920 South 84th Street, La Vista, Sarpy County, Nebraska, has applied to the Nebraska Liquor Control Commission for a Class I Liquor License, and

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

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

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

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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 Class I Liquor License application submitted by La Vista Pizza LLC dba Godfather's Pizza, 7920 South 84th Street, La Vista, NE.

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

F. DISCUSSION - RENTAL INSPECTION PROGRAM

Community Development Director Birch gave an overview on the proposed rental inspection program for the City of La Vista. The purpose is to license and inspect rental property in the City. There are three main sections: 1. Annual Registration, 2. Inspection Phase, and 3. Licensing. In Section 1 the registration form requires a fee of \$6.00 per unit for multi-family, and \$50.00 for single family. In Section 2, inspections will be completed from the east to the west part of the City. Inspectors will go out in teams to complete an interior and exterior inspection of the property. Inspectors will determine time frames for completion of repair on violations. There are three classes of licenses. Class A – no inspections for 2 years, Class B – inspect the following year, and Class N – inspect in 3 years. Property owners will be given a grace period of 60-90 days to comply before an inspection performed. There will be a fine of \$100 for the failure to appear, and a \$250.00 fine for non-compliance.

A discussion was held by council with questions about the program, including how long inspections will take, how many rental properties are in the City, ability to enforce compliance, the success of this program in other cities, notification to property owners, inspection of all rental properties, etc. Mayor Kindig inquired as to when this would come to Council for action. Community Development Director Birch stated that adoption of the IPMC would go before the planning commission in February as the commission needs to provide a recommendation with regard to the adoption of building codes. The IPMC code and rental inspection program would then be placed on a city council agenda for public hearing at a subsequent date.

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 reminded Council that anyone who is planning to attend the Annual Fire Department Banquet, which will be held on January 17th, needs to notify Sharon Paulsen or Mary Alex as soon as possible.

Councilmember Sheehan thanked Fire Chief Uhl for the Fire Department activity report and asked if it could be split showing activities from District 1 and District 2. Chief Uhl stated he would provide this information.

Mayor Kindig stated that Sarpy County is still negotiating with the Royals. Councilmember Sell stated the MECA announced a search for a new independent league baseball team to play in the new downtown stadium.

At 8:10 p.m. Councilmember Gowan 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 20TH DAY OF JANUARY 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe

Pamela A. Buethe, CMC
City Clerk