

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING MAY 2, 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 May 2, 2006. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Finance Director Lindberg, Library Director Schinker, Recreation Director Stopak, Fire Chief Schuster, Police Chief Lausten, Community Development Director Birch, City Engineer Kottmann, Public Buildings and Grounds Director Archibald, Public Works Director Soucie, and City Clerk Ramirez.

A notice of the meeting was given in advance thereof by publication in the Times on April 20, 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.

### SWEAR IN NEW POLICE OFFICERS – JAMIE SCHUSTER, BRIAN STOLLEY & BRIAN WYSSMAN

Mayor Kindig administered the oath of office to new police officers Jamie Schuster, Brian Stolley, and Brian Wyssman. Badges were presented and pinned on the new officers by family members.

### SERVICE AWARD – JEFFREY THORNBURG – 5 YEARS

Mayor Kindig presented certificate and pin to Jeffrey Thornburg to honor his 5 years of service to the City.

### PROCLAMATIONS – MUNICIPAL CLERKS WEEK, PUBLIC SERVICE RECOGNITION WEEK, NATIONAL POLICE WEEK

Mayor Kindig presented a proclamation to City Clerk Ramirez declaring April 30, 2006 through May 6, 2006 as Municipal Clerks Week in the City of La Vista.

Mayor Kindig presented a proclamation to Police Chief Lausten declaring May 14, 2006 through May 20, 2006 as National Police Week in the City of La Vista.

Mayor Kindig read a proclamation declaring May 1, 2006 through May 7, 2006 as Public Service Recognition Week in the City of La Vista.

### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE APRIL 18, 2006 CITY COUNCIL MEETING
3. PAY REQUEST FROM SOUTHPORT WEST PARTNERS LLC FOR SOUTHPORT WEST IMPROVEMENTS - \$99,106.92
4. PAY REQUEST FROM TERRACON FOR TESTING SERVICES – FIRE STATION NO. 2 - \$738.25
5. PAY REQUEST FROM FGM ARCHITECTS FOR PROFESSIONAL SERVICES – FIRE STATION NO. 2 - \$5,200.80
6. APPROVAL OF CLAIMS

Prior to the approval of the Consent Agenda, Mayor Kindig made a correction to Item H. on the agenda, stating that the request to appoint an interim Mayor should actually be a request to appoint an interim City Council President according to the Municipal Code. This request is being made due to the absence of both Mayor Kindig and Councilmember Sheehan from the City for four days later this month.

Councilmember Carlisle made a motion to approve the consent agenda as presented. Seconded by Councilmember Gowan. 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, McLaughlin, Ellerbeck, and Gowan. Absent: None. Nays: None. Motion carried.

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ADT, Contract Services	199.18
ALBERS, MITCH, Contract Services	31.25
ALPHA SOURCE, Supplies	216.50
ANDERSON ELECTRIC, Bldg & Grnds	28.50
APWA-AMER PUBLIC WORKS, Due	126.00
AQUILA, Utilities	15.26
ARAMARK, Contract Services	144.55
ASPHALT & CONCRETE MATERIALS, Bldg & Grnds	225.95
BAKER & TAYLOR BOOKS, Books	939.57
BCDM-BERINGER CIACCIO DENNELL, Professional Services	2,705.93
BEACON BUILDING, Contract Services	5,675.00
BENNINGTON IMPLEMENT, Bldg & Grnds	236.27
BIRCH, ANN, Travel, Auto Allowance	286.00
BRODART COMPANY, Supplies	57.12
BRYAN ROCK PRODUCTS, Capital Outlay	1,868.13
BUILDERS SUPPLY, Bldg & Grnds	38.50
CALLAWAY GOLF, Supplies	1,758.00
CARLISLE, BRENDA, Travel	128.00
CITY OF COUNCIL BLUFFS, Training	530.00
CLASSIC REFRIGERATION, Bldg & Grnds	229.20
CONTROL MASTERS, Equip. Maint.	267.00
CREIGHTON EMS EDUCATION, Training	1,795.00
DECOSTA SPORTING GOODS, Wearing Apparel	189.50
DENNE, RICK, Auto Allowance	100.00
DOUBLE K FEED, Supplies, St. Maint.	2,467.20
DULTMEIER SALES & SERVICE, Vehicle Maint.	2.10
ECCLES, CHRIS, Travel	89.00
ECCLES, PAT, Travel	89.00
EDGEWEAR SCREEN PRINTING, Wearing Apparel	264.00
ESSELSTEIN, MIKE, Travel	89.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL, Vehicle Maint.	142.15
FEDEX, Supplies/Postage	30.48
FILTER CARE, Vehicle Maint.	62.40
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	34.60
FIREGUARD, Equip.	56.00
FORT DEARBORN LIFE INSURANCE, Employee Benefits	868.00
GODFATHER'S PIZZA, Supplies	52.77
GOLDMAN, JOHN, Telephone	40.00
GRAYBAR ELECTRIC, Bldg & Grnds	17.64
GREAT WESTERN BANK, Fees	250.00
GUNN, BRENDA, Travel/Auto Allowance	536.00
HARTFORD LIFE-PRIORITY ACCTS, Payroll Withholdings	1,410.68
HELGET GAS, Squad Supplies	36.50
HOLIDAY INN-KEARNEY, Travel	519.26
HOPE HEALTH/IHAC, Dues	169.68
HOST COFFEE, Concessions	20.60
HUNTEL, Contract Services	112.50
ICMA-SMART GROWTH NETWORK, Legal Advertising	400.00
INDUSTRIAL SALES, Bldg & Grnds	131.86
INJOY BIRTH/PARENTING VIDEOS, Media	382.35
J Q OFFICE EQUIP, Contract Services	468.68
JACK'S UNIFORMS & EQUIPMENT, Wearing Apparel	445.14
KEY MASTERS OF GREATER OMAHA, Bldg & Grnds	50.00
KINDIG, DOUGLAS, Travel	272.00
KLINKER, MARK, Professional Services	304.00
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	259.00
LA VISTA YOUTH ATHLETIC ASSN, Refund	550.00
LEXIS NEXIS MATTHEW BENDER, Books	213.50
LIBRARY STORE, Supplies	58.60
LINDBERG, SHEILA, Travel	795.00
LINWELD, St. Maint.	201.10
LOVELAND LAWNS, St. Maint.	39.00
LUKASIEWICZ, BRIAN, Telephone	40.00
MALLARD SAND AND GRAVEL, St. Maint.	25.00
MCLAUGHLIN, ROBERT, Travel	128.00
MEADOWBROOK, Bonds	200.00

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MEANS, JOSH, Contract Services	12.50
METROPOLITAN COMM. COLLEGE, Contract Services	10,087.59
MUD, Utilities	129.47
MID AMERICA PAY PHONE, Telephone	100.00
MID CON SYSTEMS, Vehicle Maint.	74.55
MIDLANDS LIGHTING & ELECTRIC, Bldg & Grnds	252.10
MIDWEST SERVICE AND SALES, St. Maint.	1,490.95
MIDWEST TURF & IRRIGATION, Bldg & Grnds	251.09
MOBILE COMMUNICATIONS, Vehicle Maint.	767.25
MORGAN MANUFACTURING, St. Maint.	72.50
MUNICIPAL EMERGENCY SVCS, Vehicle Maint.	245.77
NATIONAL PATENT ANALYTICAL, Supplies/Postage	24.36
NE DEPT OF REVENUE-LOTT/51, Lottery Tax	62,594.37
NE NATIONAL BANK, Rental	660.00
NE NOTARY ASSOCIATION, Dues	95.15
NE TURF PRODUCTS, Bldg & Grnds	104.00
NE U C FUND, Insurance	3,772.00
NEXTEL PARTNERS, Telephone	613.00
NPZA-NE PLANNING/ZONING ASSN, Training,	280.00
OFFICE DEPOT, Supplies	36.99
OMB POLICE SUPPLY, Wearing Apparel	59.90
ON YOUR MARKS, Supplies	1,145.80
PAPILLION LA VISTA HIGH CHEER, Refund	550.00
PAPILLION SANITATION, Contract Services	180.37
PAPILLION TIRE, Vehicle Maint.	191.75
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	274.74
PEPSI COLA COMPANY, Concessions	174.80
POTTER, DAVID, Travel	248.86
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	84.00
QWEST, Telephone	2,025.54
RADAR SHOP, Equip. Maint.	281.97
RAINBOW GLASS & SUPPLY, Bldg & Grnds	55.00
RAMIREZ, RITA, Travel/Auto Allowance, Bldg & Grnds	699.59
RINKER MATERIALS, Sewer Maint.	197.99
ROSE EQUIPMENT, Vehicle Maint.	576.07
SADLER LINE CONSTRUCTION, Traffic Sign	18,724.41
SAPP BROS, Vehicle Supplies	15,590.25
SARPY COUNTY COURTHOUSE, Contract Services	2,640.05
SCHINKER, ROSE, Auto Allowance	40.00
SCHREINER, KELLY, Auto Allowance	100.00
SCHUSTER, JAMIE, Refund	20.00
SEARLE PETROLEUM, Vehicle Supplies	353.90
SECURITY LAND TITLE & ESCROW, Equip.	7,130.00
SHEEHAN, RON, Travel	128.00
SID 195 – MAYFAIR, Sewer Fees	1,320.00
SID 198 - VAL VERDE, Sewer Fees	660.00
SID 200 – SOUTHWIND, Sewer Fees	3,960.00
SIMPLEX GRINNELL LP, Vehicle Maint.	31.75
SINNETT, JEFF, Travel	38.06
SMITH, MELANIE, Travel	89.00
SOUCIE, JOSEPH, Telephone	30.00
SOUTHEAST AREA CLERKS ASSN, Travel	120.00
STERIL MANUFACTURING, Bldg & Grnds	75.00
STEVENS, MARK, Auto Allowance	100.00
STOPAK, SCOTT, Travel	206.00
SWANSON, Travel	1,776.72
TANGIER SHRINE NOMADS, Refund	550.00
TED'S MOWER SALES & SERVICE, Vehicle Maint.	23.84
TERRYL'S FLOWER GARDEN, Reserve	55.00
THIELE GEOTECH, Professional Services	2,220.00
TITLEIST, Supplies	658.77
TURFBUILDERS LAWN CARE, Bldg & Grnds	65.00
U S ASPHALT COMPANY, St. Maint.	153.91
UAP DISTRIBUTION, Bldg & Grnds	172.00
ULRICH, JAKE, Contract Services	43.75
UPS, Postage	65.03
UPSTART, Supplies	17.85
VERIZON, Telephone	69.42

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WAL-MART, Supplies, Equip.	586.32
WILDER, JONI, Auto Allowance	30.00
ZIMCO SUPPLY, Supplies	598.70

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten displayed the Seat Belt Compliance award that was presented to the City this past week. Lausten and three members of the City's Safety Committee traveled to Lincoln to receive the award. The award signifies that at least 80% of City employees were wearing their seat belts when arriving at work during two random checks.

Lausten reported that two La Vista police officers were now certified to operate the police motorcycle, which was recently acquired. The officers completed an intensive training course to receive the certification.

New Police Department equipment, including the police motorcycle and the Dodge Charger cruiser, will be on display in the parking lot at City Hall prior to the City Council meeting on May 16, 2006.

Public Works Director Soucie updated Council on various road construction projects. The southbound lane of 96<sup>th</sup> Street between Giles Road and Cornhusker Road remains closed. It is anticipated that La Vista's section will be open to local traffic by mid-June. The intersection of 96<sup>th</sup> Street and Cornhusker Road will then be closed for approximately seventy-five days to complete work in that area. The road work at 72<sup>nd</sup> & Giles being completed in conjunction with the Market Pointe development is continuing and completion is expected in early June.

Soucie reported on repair work at the City Swimming Pool. The fencing concerns that were pointed out in the study done by Water's Edge have been addressed. The diving board has been removed and the new slide has been delivered. Soucie indicated the pool will be ready for opening later in May.

Soucie informed Council that the Snow Plow Roadeo Finals are being held this week and several La Vista Public Works employees will be participating in the event.

Community Development Director Birch reported on her recent attendance at the National APA Conference in San Antonio. Birch stated that valuable information had been received regarding shopping center design, watershed design, etc. She thanked Council for the opportunity to attend the conference.

Recreation Director Stopak informed Council that the annual Arbor Day celebration was held on Monday, May 1, 2006 at City Park. Mayor Kindig and a second grade class from La Vista West were in attendance for the planting of a new tree. Stopak thanked the Public Works Department for their assistance in making the celebration a success.

Stopak reported on the golf leagues at La Vista Falls. He indicated that overall league numbers are up by 35 players which will result in an additional 500+ rounds of golf at the course this year. There will also be several new tournaments the course this year.

Stopak stated the Recreation Department will be hosting an "Ice Cream Social" at the Community Center on the last day of school, May 25, 2006. All area youth are welcome to attend to kick off the summer season.

## B. DISCUSSION/PRESENTATION – PAPILLION CREEK WATERSHED PARTNERSHIP

Paul Woodward, an engineer with the Papio – Missouri River NRD, presented a report on the Papillion Creek Watershed Partnership. The City of La Vista has been a member of the Partnership since 2001 and the NRD is the administrator of the Partnership. Woodward stated the focus of the Partnership is water quality, flood control, and green area preservation.

Woodward's presentation included a review of the Partnership mission, watershed facts regarding our area, and permit requirements. He indicated that a request will be coming to the City Council in August of this year to adopt an ordinance that would give cities enforcement authority over water quality issues, require grading permits for new development, and approve the design manual. The timeline for adoption, policies, and fee recommendations were also discussed.

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## **C. RESOLUTION – FIRST AMENDMENT TO SUBDIVISION AGREEMENT – SOUTHPORT EAST REPLAT ONE**

Councilmember Quick introduced and moved for the adoption of Resolution No. 06-066: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIRST AMENDMENT TO THE SUBDIVISION AGREEMENT FOR SOUTHPORT EAST REPLAT ONE IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, the City did on August 21, 2002, approve the plat for Lots 1-3, Southport East Replat One; and

WHEREAS, the City has proposed an amendment for tracking purposes only.

NOW THEREFORE, BE IT RESOLVED, that the First Amendment to the Subdivision Agreement presented at the May 2, 2006, City Council meeting for Southport East Replat One 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 Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Nays: None. Motion carried.

## **D. RESOLUTION – INTERLOCAL COOPERATION AGREEMENT – LEAGUE ASSOCIATION OF RISK MANAGEMENT (LARM)**

Councilmember Sell introduced and moved for the adoption of Resolution No. 06-067: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RELATING TO THE TERM OF PARTICIPATION IN THE LEAGUE ASSOCIATION OF RISK MANAGEMENT.

WHEREAS the City of La Vista is a member of the League Association of Risk Management (LARM); and

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Director of Insurance at least 90 days prior to the desired termination date and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates, and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter; and

WHEREAS, the Mayor and City Council have determined that it is in the best financial interest of the City to extend the term of agreement by three years and establish notice of termination terms in order to receive participation discounts.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2009, and hereby authorize the Mayor to execute the necessary agreements to implement the action authorized herein.

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

## **E. RESOLUTION – AMENDMENT TO CITY ADMINISTRATOR 457 DEFERRED COMPENSATION PLAN**

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 06-068: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA

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TO PROVIDE FOR PARTICIPANT LOANS UNDER THE CITY OF LA VISTA DEFERRED COMPENSATION PLAN AND TRUST.

WHEREAS, the City of La Vista maintains a retirement plan and trust for the City Administrator and Assistant City Administrator that is intended to satisfy the requirements of Internal Revenue Code Section 457 and is named the City of La Vista Deferred Compensation Plan and Trust, as amended and restated effective January 1, 2002 ("Plan"); and

WHEREAS, Article XII of the Plan authorizes the City of La Vista to amend the Plan; and

WHEREAS, Article VIII allows the City to elect to allow participant loans from the Plan. Pursuant to VII of the Plan, as modified by Exhibit "A" attached to and incorporated into the Plan by reference, the City has a current election not to make loans from the Plan available to Participants; and

WHEREAS, the City desires to change said election and allow Participants to obtain loans from the Plan.

NOW, THEREFORE, BE IT RESOLVED, that the City elects to allow Participants to obtain loans from the Plan.

FURTHER RESOLVED, that Amendment No. 2 to the Plan to allow Participant loans is presented at this meeting, and said Amendment No. 2 is hereby adopted and approved.

FURTHER RESOLVED, that a Loan Policy establishing written guidelines for Participant loans from the Plan is presented at this meeting, and said Loan Policy is hereby adopted and approved.

FURTHER RESOLVED, the Mayor and City Clerk are hereby authorized to execute said Amendment No. 2 and Loan Policy and to take such further actions as are necessary or appropriate to carry out the resolution approved herein. The City Clerk shall send copies of this resolution, Amendment No. 2 and Loan Policy to the Plan Administrator.

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

## **F. RESOLUTION – AMENDMENT TO ADMINISTRATIVE SERVICES AGREEMENT WITH PRINCIPAL FINANCIAL GROUP FOR SECTION 125 PLAN**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-069: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AMENDING THE SECTION 125 PRE-TAX SALARY REDUCTION PLAN (FSA) AND THE ADMINISTRATIVE SERVICES AGREEMENT WITH PRINCIPAL FINANCIAL GROUP REGARDING SAID PLAN.

WHEREAS, the City of La Vista has a Section 125 Pre-Tax Salary Reduction Plan (FSA) in place for employees; and

WHEREAS, Principal Life Insurance Company ("Principal") and City of La Vista have entered into an Administrative Services Agreement whereby Principal has agreed to perform certain services for City of La Vista on behalf of its employee benefit plan ("Plan"); and

WHEREAS, the Administrative Services Agreement sets for the rights and obligations of the parties pursuant to the Health Insurance Portability and Accountability Act of 1996, ("HIPAA") and its implementing regulations (collectively, the "Privacy Rule"); and

WHEREAS, HIPAA and its implementing regulations (collectively the "Security Rule") require the Plan to implement administrative, physical, and technical safeguards to protect the confidentiality, integrity and availability of electronic protected health information that it creates, maintains, receives or transmits; and

WHEREAS, under the Security Rule, Principal is considered a Business Associate of the Plan by reason of the duties it has undertaken pursuant to the Original Agreement; and

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WHEREAS, the Security Rule requires Business Associate and the Plan to enter into a Business Associate Agreement in order to permit Business Associate to create, maintain, receive and transmit electronic protected health information on behalf of the Plan.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council, in order to comply with the requirements of the Security Rule, Business Associate, City of La Vista, and the Plan, hereby amend the Plan and the Administrative Services Agreement with Principal Life Insurance Company as outlined in the Amendments presented at this meeting.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to execute said Amendments and to take such further actions as are necessary or appropriate to carry out the resolution approved herein.

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

## **G. RESOLUTION – APPROVAL OF BOND – OFFICE MANAGER**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 06-70: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE OFFICIAL BOND OF MARY C. LUPOMECH.

WHEREAS, the City Clerk presents at this meeting an individual bond previously filed with her.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council make and approve the following findings: The Bond is in joint and several form, payable to the City of La Vista in the penalty amount of \$5,000, conditioned for the faithful discharge of the duties of the office of the person giving said Bond; the corporate sureties of said Bond are legally authorized to transact business in the State of Nebraska; the Bond has been executed by the principal and sureties thereof and the required oath has been endorsed thereon and executed by the principal; the Bond has been previously filed with the City Clerk; and all applicable legal requirements with respect to said Bond have been satisfied.

BE IT FURTHER RESOLVED, that the Bond, including, but not limited to the penalty amount and all other terms and conditions thereof, is hereby approved, and the Mayor and City Clerk are hereby authorized to endorse the approval of the City Council and surety in writing on the Bond or by attachment incorporating or incorporated into the Bond by reference, which shall be effective as and constitute endorsement of approval upon said Bond.

BE IT FURTHER RESOLVED, that the City shall pay the premium for the Bond.

BE IT FURTHER RESOLVED, that the Mayor and City Clerk are hereby authorized to take any other action as is necessary or appropriate to carry out the actions approved herein.

Seconded by Councilmember McLaughlin. Councilmember Sheehan questioned the need for a bond for the Executive Assistant position and was informed a bond was not needed for said position. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Nays: None. Motion carried.

## **H. MOTION – APPOINT ACTING CITY COUNCIL PRESIDENT– MAY 20-24, 2006**

Councilmember McLaughlin made a motion to appoint Councilmember Ronan as acting City Council President from May 20 – 24, 2006. Seconded by Sheehan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Motion carried.

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

## **COMMENTS FROM THE FLOOR**

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There were no comments from the floor.

## I. EXECUTIVE SESSION – PERSONNEL, LITIGATION, LAND ACQUISITION, CONTRACT NEGOTIATIONS AND NEGOTIATING STRATEGY

At 7:53 p.m. Councilmember McLaughlin made a motion to go into executive session to discuss contract negotiations and negotiating strategies. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Motion carried.

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

## COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig reported on the annual "Mayor for a Day" program sponsored by the Optimist's Club. A 5<sup>th</sup> grade student from La Vista West spent the morning with Mayor Kindig, visiting City Departments and learning about the operation of the City. Kindig thanked the Fire Department for their help on this day.

Kindig informed Council of upcoming carnivals at the City's elementary schools. He stated that volunteers were needed at Park View Heights.

Kindig informed Council of the June 4, 2006 golf tournament at La Vista Falls to benefit the D.A.R.E. program. In addition to the D.A.R.E. donation, some of the money raised will be donated to a La Vista youth who is battling cancer.

City Administrator Gunn reminded Council of an upcoming tour of the City scheduled for June 26, 2006 and that budget workshops were scheduled for July 11<sup>th</sup> and 12<sup>th</sup>, 2006.

Councilmember Sheehan informed Council that he would be attending a prayer service for elected officials on the Mayor's behalf on May 5.


Information will be provided to Council regarding an upcoming MAPA dinner

## ADJOURNMENT

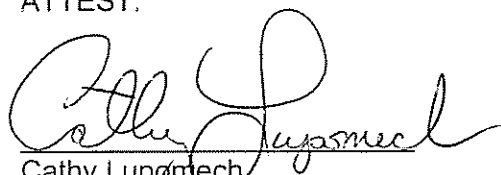
At 8:40 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Nays: None. Motion carried.

PASSED AND APPROVED THIS 16TH DAY OF MAY 2006.

CITY OF LA VISTA

  
Douglas Kindig, Mayor

ATTEST:

  
Cathy Lupometch  
Deputy City Clerk

K:\APPS\CITYHALL\06 COUNCIL MINUTES\MAY 2