

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING May 15, 2012

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 15, 2012. Present were Councilmembers: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, Deputy City Clerk Garrod, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Community Development Director Birch, Finance Director Lindberg, Recreation Director Stopak, Public Building and Grounds Director Archibald, Library Director Barcal, and City Engineer Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on May 2, 2012. 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 regarding the agenda policy statement providing for an expanded opportunity for public comment on the agenda items.

SERVICE AWARD – STACY BRAGG – 5 YEARS

Mayor Kindig recognized Stacy Bragg for 5 years of service to the City.

PROCLAMATIONS – NATIONAL PUBLIC SAFETY WEEK; EMERGENCY MEDICAL SERVICES WEEK

Mayor Kindig read proclamations for National Public Safety Week and Emergency Medical Services Week.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM MAY 1, 2012
3. APPROVAL OF LIBRARY ADVISORY BOARD MINUTES FROM MARCH 8, 2012
4. APPROVAL OF PLANNING COMMISSION MINUTES FROM APRIL 19, 2012
5. MONTHLY FINANCIAL REPORT APRIL 2012
6. PAY REQUEST - THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – APPLEWOOD CREEK IMPROVEMENT PROJECT - \$4890.77
7. PAY REQUEST NO. 5 - MELVIN SUDBECK HOMES, INC. – APPLEWOOD CREEK IMPROVEMENTS PROJECT - \$43,761.89
8. APPROVAL OF CLAIMS

3CMA MEMBERSHIP, dues	550.00
4 SEASONS AWARDS, services	30.00
911 CUSTOM, supplies	155.99
AAT INC, supplies	3700.00
ADT SECURITY, services	274.63
ALADDIN SCREEN PRINTING, services	208.00
ALAMAR, apparel	844.16
ANN TROE, printing	2240.00
ARAMARK, apparel	153.25
AVI SYSTEMS, supplies	139.00
BAKER & TAYLOR, books	516.09
BANKERS TRUST, fees	500.00
BARONE SECURITY SYSTEMS, bld&grnds	240.38
BCDM-BERINGER CIACCIO DENNELL, services	1496.25

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BEAUMONT, M., travel	201.20
BIRCH, A. travel	416.00
BLACK HILLS ENERGY, utilities	26.44
BUILDERS SUPPLY, bld&grnds	6295.00
CARDMEMBER SERVICE-ELAN	13840.10
CARLISLE, B., travel	58.83
CENTURY LINK, phone	48.87
CENTURY LINK BUSN SVCS, phone	37.50
CITY OF OMAHA, services	614.00
OMAHA SHOW MOBILE, rental	1160.00
OMAHA-CLIMBING WALL, rental	487.50
CJ'S HOME CENTER, supplies	1133.03
CLIA LABORATORY, supplies	150.00
COMMERCIAL TURF, maint.	1015.00
CONSOLIDATED MANAGEMENT, training	13.75
CONTROL MASTERS, bld& grnds	448.21
COX, phone	207.30
DIAMOND VOGEL, supplies	149.71
DIGITAL ALLY, maint.	394.00
DOUGLAS COUNTY SHERIFF, services	100.00
DREWEL, R., services	250.00
DULTMEIER, maint.	403.19
EASTERN LIBRARY SYSTEM, training	10.00
EBSCO SUBSCRIPTION, books	18.69
EDGEWEAR SCREEN PRINTING, apparel	28.50
ELKHORN FENCE, services	5296.00
FASTENAL COMPANY, bld&grnds	249.46
FELD FIRE, equip.	596.00
FELSBURG HOLT & ULLEVIG, services	157.50
FIREGUARD, equip.	1301.82
FOCUS PRINTING, services	142.50
FRED PRYOR SEMINARS, training	199.00
G I CLEANER & TAILORS, services	134.75
GALE, books	445.75
GARROD, M., travel	128.32
GCR TIRE CENTERS, supplies	617.07
GENUINE PARTS, maint.	1343.74
GRAINGER, apparel	22.74
GREAT PLAINS WELL, bld& grnds	7230.00
GREENKEEPER, supply	1410.00
GRENZEBECK, M., services	25.00
GUNN, B., travel	416.00
HAMILTON COLOR LAB, services	793.60
HANEY SHOE STORE, apparel	240.00
HARM'S CONCRETE, services	78.00
HEARTLAND TIRES AND TREADS, supplies	1243.80
HELGET GAS, supplies	140.00
HERITAGE CRYSTAL CLEAN, services	359.41
HOBBY LOBBY, supplies	29.46
HOLIDAY INN, travel	637.00
HOME DEPOT, supplies	599.00
HOPE HEALTH, dues	173.40
HOSE & HANDLING, maint.	277.47
INDUSTRIAL SALES, bld&grnds	30.43
INLAND TRUCK PARTS, maint.	63.23
IOWA SPORTS TURF MGRS, training	250.00
J Q OFFICE, services	76.37
KENNY'S SERVICES, bld&grnds	3095.00
KINDIG, D., travel	183.00
KRIHA FLUID POWER, maint.	544.84

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LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LINCOLN NATIONAL LIFE INS CO	10632.02
LINDBERG, S., travel	416.00
LOU'S SPORTING GOODS, supplies	380.92
LOVELAND GRASS PAD, maint.	11.96
MARTIN, A., travel	11.75
MATHESON TRI-GAS, maint.	254.03
MELVIN SUDBECK HOMES, services	48818.76
MAT, services	612.00
MCC, utilities	13198.00
MID CON SYSTEMS, maint.	127.75
MID CONTINENT SAFETY, equip.	703.00
MID-CONTINENT IRRIGATION, maint.	63.30
MIDWEST TURF & IRRIGATION, bld&grnds	87.26
MPH INDUSTRIES INC., maint.	68.37
NATIONAL PAPER COMPANY, supplies	312.28
NE DEPT OF LABOR-WORKFORCE DEV	100.00
NE IA INDL FASTENERS, bld&grnds	81.88
NE LIBRARY, books	466.00
NE LIFE MAGAZINE, books	460.00
NE WELDING, bld&grnds	133.66
NINTENDO POWER, books	19.95
NLA, training	15.00
NOBBIES, supplies	139.96
NPZA, training	405.00
ODB COMPANY, maint.	593.38
OFFICE DEPOT, supplies	988.32
OPPD, utilities	43983.21
OMAHA TACTICAL, apparel	39.00
OMAHA WINNELSON, maint.	497.09
OMNIGRAPHICS, maint.	81.85
O'REILLY AUTO, maint.	1750.36
PAPILLION SANITATION, services	304.11
PAPIO-MO RVR NRD, services	5000.00
PARAMOUNT, apparel	328.91
PATTERN RESEARCH, training	500.00
PAYLESS OFFICE, supplies	263.63
PERFORMANCE CHRYSLER JEEP, maint.	2144.36
PERFORMANCE FORD, maint.	113.37
PETTY CASH	176.79
PETTY CASH	300.00
PLAINS EQUIPMENT GROUP, maint.	499.03
PREMIER-MIDWEST BEV., supplies	1109.20
PROJECT HARMONY, services	150.00
PAPILLION RECREATION, services	1140.00
QUALITY BRANDS, supplies	1198.90
R T MOORE, supplies	45.00
RAMIREZ, R., travel	416.00
RAPPLEY, M., travel	25.00
RAY ALLEN, supplies	183.90
READY MIXED, bld&grnds	544.10
RECLAIM YOUR SPACE, services	75.00
RETRIEVEX, services	522.08
RUFFNER, J., services	31.00
S & W HEALTHCARE, supplies	84.14
SAM'S CLUB, supplies	969.82
SAPP BROS PETROLEUM, supplies	13829.87
SARPY COUNTY CHAMBER, training	15.00
SARPY COUNTY TREASURER, services	26974.61
SIGN IT, services	5.25

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SNITILY CARR, services	1125.00
SOLBERG, C., travel	368.21
STERIL MANUFACTURING, maint.	74.97
STOLTENBERG NURSERIES, supplies	225.00
STOPAK, S., travel	416.00
TED'S MOWER, equip.	990.55
TELIN TRANSPORT., maint.	402.38
THOMPSON DREESSEN & DORNER, services	3184.90
TOMSU, L., travel	88.80
TRI-TECH INC., supplies	285.32
VAN-WALL EQUIP., maint.	1077.58
VERNON, services	434.40
WASTE MANAGEMENT NE., services	1095.07
WICK'S STERLING TRUCKS, maint.	35.11
WORLD BOOK, books	1396.00
ZIMCO SUPPLY COMPANY, supplies	3531.70

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

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported that it was Police Memorial Week and Officers were wearing black bands over their badges in honor of those who had lost their lives in the line of duty.

Library Director Barcal reported that a tree had been planted for Arbor Day and that the children who attended enjoyed the book read by Council Member Gowan. Barcal also reported that the Summer Reading Program kicks off on May 30th 2012, and that the completion of the mural designed by the Ideal school students would be celebrated on May 18th, 2012.

B. CALL FOR REDEMPTION OF BONDS AND GO REFUNDING SERIES 2012 BOND ISSUE

Dan Smith with DA Davidson addressed the Council regarding the three resolutions being presented to call for the redemption of bonds. Smith stated that by redeeming these bonds the current present savings value would be 13% and would not exceed 9.5 million dollars. Councilmember Sheehan asked why this was not in the budget. Smith responded that you can not anticipate the market in order to allow for budgeting.

1. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-052; BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. The following obligations of the City of La Vista, Nebraska in accordance with their option provisions are hereby authorized to be called for redemption on October 1, 2012, (the "Call Date") as determined in the Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Bonds, Series 2007, date of original issue – October 1, 2007, originally issued by Sanitary and Improvement District No. 239 of Sarpy County, Nebraska ("SID 239"), in the principal amount of One Million Four Hundred Eighty-five Thousand Dollars (\$1,485,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date:</u>	<u>Interest Rate</u>	<u>CUSIP</u>
\$ 45,000	2013	4.650%	80377E AF3
45,000	2014	4.700	80377E AG1
50,000	2015	4.750	80377E AH9
50,000	2016	4.800	80377E AJ5
55,000	2017	4.900	80377E AK2

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55,000	2018	4.950	80377E AL0
60,000	2019	5.000	80377E AM8
65,000	2020	5.050	80377E AN6
65,000	2021	5.100	80377E AP1
70,000	2022	5.150	80377E AQ9
70,000	2023	5.150	80377E AR7
75,000	2024	5.200	80377E AS5
80,000	2025	5.200	80377E AT3
85,000	2026	5.250	80377E AU0
90,000	2027	5.250	80377E AV8
95,000	2028	5.300	80377E AW6
100,000	2029	5.350	80377E AX4
105,000	2030	5.400	80377E AY2
110,000	2031	5.450	80377E AZ9
115,000	2032	5.450	80377E BA3

Said bonds are hereinafter referred to as the "SID 239 Refunded Bonds."

The SID 239 Refunded Bonds are subject to redemption at any time on or after October 1, 2012, at par and accrued interest, and said interest is payable semiannually. The proceeds of the SID 239 Refunded Bonds were used for the purpose of redeeming \$1,484,186.07 of outstanding principal amount of the District's construction fund warrants previously issued by SID 239 in connection with the installation of public improvements in the District.

Section 2. The SID 239 Refunded Bonds are to be paid at the principal corporate trust in office of Bankers Trust Company, in Des Moines, Iowa, successor to Teambank N.A., in Bellevue, Nebraska, as Paying Agent and Registrar (the "Paying Agent").

Section 3. The Mayor or Clerk of the City (each, an "Authorized Officer") are each individually hereby authorized at any time prior to November 1, 2012, to call said Bonds for redemption on the Call Date on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and Council of the City. After such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of the Direction for Call shall be filed at least thirty days prior to the Call Date with the Paying Agent for the SID 239 Refunded Bonds, and the Paying Agent is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the SID 239 Refunded Bonds.

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

2. RESOLUTION

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-053; BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. The following obligations of the City of La Vista, Nebraska (the "City") in accordance with their option provisions are hereby authorized to be called for redemption on July 15, 2013, (the "Call Date") as determined in the Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Various Purpose Refunding Bonds, Series 2008, date of original issue – July 15, 2008, in the principal amount of Four Million Ninety-five Thousand Dollars (\$4,095,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date:</u> October 15	<u>Interest Rate</u>	<u>CUSIP</u>
\$610,000	2014	3.750%	505318 LS2
650,000	2015	3.750	505318 LT0
425,000	2016	3.750	505318 LU7
450,000	2017	3.650	505318 LV5

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465,000	2018	3.750	505318 LW3
480,000	2019	3.875	505318 LX1
500,000	2020	4.000	505318 LY9
515,000	2021	4.125	505318 LZ6

Said bonds are hereinafter referred to as the "2008 Refunded Bonds."

The 2008 Refunded Bonds are currently subject to redemption at any time on or after July 15, 2013, at par and accrued interest, and said interest is payable semiannually. The proceeds of the 2008 Refunded Bonds were used for the purpose of paying the costs of refunding a portion of the City's Various Purpose Bonds, Series 2001 and Various Purpose Bonds, Series 2002, and the General Obligation Bonds, 2001 Series, of Sanitary and Improvement District No. 198 of Sarpy County, Nebraska and the General Obligation Bonds, Series 2002, of Sanitary Improvement District No. 200 of Sarpy County, Nebraska, which Sanitary and Improvement Districts have been annexed by the City.

Section 2. The 2008 Refunded Bonds are to be paid at the office of the City Treasurer of the City of La Vista, Nebraska, as Paying Agent and Registrar (the "Paying Agent").

Section 3. The Mayor or Clerk of the City (each, an "Authorized Officer") are each individually hereby authorized at any time prior to November 1, 2012, to call said Bonds for redemption on the Call Date on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and Council of the City. After such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of the Direction for Call shall be filed at least thirty days prior to the Call Date with the City Treasurer of the City of La Vista, Nebraska as Paying Agent for the 2008 Refunded Bonds, and the Paying Agent is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the 2008 Refunded Bonds.

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

3. RESOLUTION

Councilmember Sheehan introduced and moved for the adoption of Resolution No. 12-054; BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska:

Section 1. The following obligations of the City of La Vista, Nebraska (the "City") in accordance with their option provisions are hereby authorized to be called for redemption on September 19, 2013, (the "Call Date") as determined in the Direction for Call (as defined below), after which date interest on the bonds will cease:

General Obligation Refunding Bonds, Series 2008A, date of original issue – September 19, 2008, in the principal amount of Two Million Eight Hundred Ninety-five Thousand Dollars (\$2,895,000), numbered as shown on the books of the Paying Agent and Registrar, in denomination of \$5,000 each, becoming due and bearing interest as follows:

<u>Principal Amount</u>	<u>Maturity Date:</u> November 15.	<u>Interest Rate</u>	<u>CUSIP</u>
\$ 140,000	2014	4.000%	505318 MF9
145,000	2015	4.125	505318 MG7
150,000	2016	4.375	505318 MH5
155,000	2017	4.500	505318 MJ1
165,000	2018	4.500	505318 MK8
170,000	2019	4.625	505318 ML6
180,000	2020	4.500	505318 MM4
190,000	2021	4.600	505318 MN2
195,000	2022	4.700	505318 MP7
205,000	2023	4.750	505318 MQ5
1,200,000*	2028	5.000	505318 MR3

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Said bonds are hereinafter referred to as the "2008A Refunded Bonds."

The 2008A Refunded Bonds are subject to redemption at any time on or after September 19, 2013, at par and accrued interest, and said interest is payable semiannually. The proceeds of the 2008A Refunded Bonds were used for the purpose of paying off warrant indebtedness which became a legal liability of the City upon the annexation by the City of Sanitary and Improvement District No. 253 of Sarpy County, Nebraska.

Section 2. The 2008A Refunded Bonds are to be paid at the office of the City Treasurer of the City of La Vista, Nebraska, as Paying Agent and Registrar (the "Paying Agent").

Section 3. The Mayor or Clerk of the City (each, an "Authorized Officer") are each individually hereby authorized at any time prior to November 1, 2012, to call said Bonds for redemption on the Call Date on behalf of the City and such determination, when made in writing (the "Direction for Call"), shall constitute the action of the City without further action of the Mayor and Council of the City. After such date the Authorized Officers shall have no authority to make any such determination hereunder without further action of the Mayor and Council of the City and this resolution shall be of no further force and effect.

Section 4. A true copy of the Direction for Call shall be filed at least thirty days prior to the Call Date with the City Treasurer of the City of La Vista, Nebraska, as Paying Agent for the 2008A Refunded Bonds, and the Paying Agent is hereby instructed to mail notice to each registered owner of said bonds not less than thirty days prior to the date fixed for redemption, all in accordance with the ordinance authorizing the 2008A Refunded Bonds.

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

4. ORDINANCE – AUTHORIZING REFUNDING OF BONDS

Councilmember Carlisle introduced and moved for adoption of Ordinance 1174 entitled: AN ORDINANCE AUTHORIZING THE ISSUANCE OF GENERAL OBLIGATION REFUNDING BONDS, SERIES 2012, OF THE CITY OF LA VISTA, NEBRASKA, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED NINE MILLION FIVE HUNDRED THOUSAND DOLLARS (\$9,500,000) FOR THE PURPOSE OF PROVIDING FUNDS WHICH WILL PAY AND REDEEM A PORTION OF THE GENERAL OBLIGATION BONDS, SERIES 2007, ISSUED BY SANITARY AND IMPROVEMENT DISTRICT NO. 239 OF SARPY COUNTY, NEBRASKA, GENERAL OBLIGATION VARIOUS PURPOSE REFUNDING BONDS, SERIES 2008, OF THE CITY, AND GENERAL OBLIGATION REFUNDING BONDS, SERIES 2008A, OF THE CITY; AUTHORIZING THE OFFICERS OF THE CITY TO APPROVE FINAL TERMS OF THE BONDS; DIRECTING THE APPLICATION OF THE PROCEEDS OF SAID BONDS; PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF TAXES TO PAY THE SAME; PROVIDING FOR THE SALE OF THE BONDS; AUTHORIZING THE DELIVERY OF THE BONDS TO THE PURCHASER; AND ORDERING THE ORDINANCE PUBLISHED IN PAMPHLET FORM.

Councilmember Ellerbeck moved that the statutory rule requiring reading on three different days be suspended. Councilmember Carlisle seconded the motion to suspend the rules and upon roll call vote on the motion the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Quick and Gowan. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. The Mayor then stated the question, "Shall Ordinance No. 1174 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Quick and Gowan. The passage and adoption of said ordinance having been concurred on by a majority of all members of the Council, the Mayor declared the ordinance adopted and the Mayor, in the presence of the Council, signed and approved the ordinance and the Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

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C. APPLICATION FOR REPLAT AND SUBDIVISION AGREEMENT APPROVAL – LOT 1-3 MAYFAIR, 2ND ADDITION, REPLAT 5 (NW OF 96TH AND GILES)

1. PUBLIC HEARING

At 7:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Application for Replat and Subdivision Agreement Approval – Lot 1-3 Mayfair, 2nd Addition, Replat 5 (NW of 96th and Giles).

Councilmember Carlisle made a motion to continue the public hearing until June 5th, 2012. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

D. RESOLUTION – THOMPSON CREEK, PHASE 2 – CONSULTANT SERVICES

Councilmember Crawford introduced and moved for the adoption of Resolution No. 12-055; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING SUPPLEMENTAL SERVICES TO THE CIVIC CENTER PARK MASTER PLAN CONTRACT WITH RDG PLANNING AND DESIGN OMAHA, NEBRASKA, FOR WORK ASSOCIATED WITH PART 2, PHASE VI OF THE THOMPSON CREEK PROJECT IN AN AMOUNT NOT TO EXCEED \$47,500.00.

WHEREAS, the City Council of the City of La Vista has determined that the preparation of grant applications to the Nebraska Department of Environmental Quality and the Nebraska Environmental Trust Fund are necessary for the next phase of the Thompson Creek Project; and

WHEREAS, the FY 2011/12 Capital Improvement Program contains funding for this project; and

WHEREAS, the City and RDG Planning & Design entered into a contract on November 1, 2011, for the Civic Center Park Master Plan; and

WHEREAS, Section 6.4 of the contract provides that the agreement may be amended by a written instrument signed by both parties; and

WHEREAS, a Scope of Work has been prepared which includes completion of grant application forms, including conceptual plans and cost estimates for the channel improvements, methods to improve watershed management and water quality, and techniques for public education and involvement; 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 purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, authorizing supplemental services to the Civic Center Park Master Plan contract with RDG Planning & Design, Omaha, Nebraska in a form satisfactory to the City Administrator and City Attorney, for work associated with Part 2, Phase VI of the Thompson Creek project in an amount not to exceed \$47,500.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

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

E. RESOLUTION – AUTHORIZE CONTRACT FOR TIME AND LABOR

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-056; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF TIME AND ATTENDANCE CLOCKS AND CONTRACT FOR THE INTERFACE BETWEEN THIS SYSTEM AND THE CITY'S PAYROLL SYSTEM FROM PAYROLL MAXX, OMAHA NE.

WHEREAS, the City Council of the City of La Vista has determined that the purchase time and attendance clocks for city departments to make this process more efficient is necessary; and

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WHEREAS, the City Council has also determined that a contract is necessary for the interface between the city's payroll system and the time and labor system along with the implementation fee and monthly service fee; and

WHEREAS, the FY 2011/12 General Fund Budget provides funding for the purchase; 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 purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of time and attendance clocks and contract for the interface between this system and the city's payroll system from Payroll Maxx, Omaha NE.

Seconded by Councilmember Ellerbeck. Councilmember Sheehan asked how secure the system would be and if someone from outside the City could manipulate the date. Finance Director Lindberg stated that the system was secure and a confidentiality agreement would be addressed as well as that the vendor would not be entering the hours worked. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

F. RESOLUTION – APPROVE CHANGE ORDER – APPLEWOOD CREEK IMPROVEMENTS – CHANGE ORDER 2

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 12-057; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING A CHANGE ORDER TO THE CONTRACT WITH MELVIN SUDBECK HOMES, INC., OMAHA, NEBRASKA, TO INCREASE THE CONTRACT PRICE TO \$322,728.43.

WHEREAS, the City has determined it is necessary to increase the site clearing work; and

WHEREAS, this change is necessary to allow access for removal of debris from the creek that would block drainage at the culvert under Giles Road; and

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Mayor is authorized to execute the necessary documents for a change order with Melvin Sudbeck Homes, Inc., Omaha, Nebraska, for an increase in the site clearing work for an increase in the original contract price from \$311,241.48 to \$322,728.43.

Seconded by Councilmember Ellerbeck. Councilmember Crawford asked why these changes weren't included in the original bid and City Engineer Kottmann stated that these were wants that had turned into needs to complete the project. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

G. RESOLUTION – CAPITAL IMPROVEMENT PROJECT - RADIOS

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 12-058; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE PROPOSAL SUBMITTED BY D & D COMMUNICATIONS, OMAHA, NE FOR PURCHASE OF MOTOROLA 800 MHZ P25 DIGITAL RADIOS.

WHEREAS, the City Council of the City of La Vista has determined that purchasing the Motorola 800 MHz P25 digital radios is necessary; and

WHEREAS, said purchase of Motorola 800 MHz P25 digital radios is in the best interest of the citizens of La Vista.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, accept the proposal submitted by D & D Communications Omaha, NE for the purchasing of the Motorola 800 MHz P25 digital radios in an amount not to exceed \$80,827.41.

MINUTE RECORD

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

May 15, 2012

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

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

COMMENTS FROM THE FLOOR

No Comments from the Floor.

H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; LAND ACQUISITION; PERSONNEL

At 7:29 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for contract negotiations and negotiating guidance regarding land acquisition and for the protection of the reputation of an individual to discuss personnel matters. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:10 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan congratulated Councilmember Carlisle on her lead in that night's election for the Sarpy County Board seat.

At 8:12 p.m. Councilmember Ellerbeck made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, and Ellerbeck. Nays: None. Abstain: None. Absent: Quick and Gowan. Motion carried.

PASSED AND APPROVED THIS 5TH DAY OF JUNE, 2012.

CITY OF LA VISTA

Douglas Kindig
Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk