

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING February 17, 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 February 17, 2009. Present were Councilmembers: Sell, Ronan Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Absent: Quick. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, 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 February 5, 2009. 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.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM FEBRUARY 3, 2009
3. MONTHLY FINANCIAL REPORT – JANUARY 2009
4. PAY REQUEST FROM CONTROL MASTERS FOR REPLACEMENT OF ACCESS
CONTROL SYSTEM - \$12,950.00
5. APPROVAL OF CLAIMS

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

ACI-NEBRASKA CHAPTER, Dues	60.00
ACTION BATTERIES, Vehicle Supplies	79.95
ALADDIN CUSTOM SPORTSWEAR, Wearing Apparel	56.50
ALAMAR UNIFORMS, Wearing Apparel	1,438.63
ALL MAKES, Supplies	65.00
AMERICAN LEGAL, Contract Services	2,663.00
ANN TROE, Printing	760.00
ARAMARK UNIFORM, Contract Services	386.98
ASPEN EQUIPMENT, Equipment	75.94
AUSTIN PETERS GROUP, Training	2,800.00
AVI SYSTEMS, Equip. Repair	240.00
BAKER & TAYLOR BOOKS, Books	627.35
BATTERY ZONE, Supplies	140.95
BENNINGTON EQUIPMENT, Vehicle Supplies/Maint.	637.30
BENSON RECORDS, Contract Services	63.98
BKD LLP, Professional Services	8,000.00
BLACK HILLS ENERGY, Utilities	3,734.00
BRENTWOOD AUTO WASH, Vehicle Maint.	229.00
BUETHE, PAMELA, Travel/Supplies/Bldg & Grnds/Banquet	517.23
BUILDERS SUPPLY, Vehicle Maint.	126.63
CARDMEMBER SERVICE, Travel/Training/Supplies	3,285.41
CENTERING CORPORATION, Books	24.95
CHASE AUTO TRANSMISSION REPAIR, Vehicle Maint.	1,430.00
CITY OF BELLEVUE, Training	490.00
CITY OF OMAHA, Contract Services	615.13
CIVIC PLUS, Contract Services	1,625.00
CJ'S HOME CENTER, Bldg & Grnds/Vehicle Maint.	618.40
CLARITUS, Printing	55.60
COMP CHOICE, Professional Services	171.50

MINUTE RECORD

February 17, 2009

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

CORNHUSKER INTL TRUCKS, Vehicle Maint.	34.57
COSGRAVE COMPANY, Bldg & Grnds	217.16
COX, Contract Services	140.10
CUMMINS CENTRAL POWER, Vehicle Maint.	189.71
D & D COMMUNICATIONS, Vehicle Maint.	258.00
DEMCO, Supplies	295.72
DON'S PIONEER UNIFORMS, Wearing Apparel	786.71
DOUGLAS COUNTY SHERIFF, Contract Services	200.00
DULTMEIER SALES & SERVICE, Bldg & Grnds	184.33
EBSCO SUBSCRIPTION SERVICES, Books	15.15
ED M. FELD EQUIPMENT, Wearing Apparel/Contract Services	2,367.55
EDGEWEAR SCREEN PRINTING, Wearing Apparel	109.25
ELECTRONIC ENGINEERING, Vehicle Maint.	106.00
ELIM GROUP, Training	3,471.96
EMBASSY SUITES, Banquet	2,695.95
FASTENAL COMPANY, Vehicle Maint.	10.35
FBINAA-FBI NATL ACAD ASSOCS, Training	75.00
FEDEX KINKO'S, Professional Services	601.84
FERRELLGAS, Utilities	1.00
FILTER CARE, Vehicle Maint.	24.45
FIREGUARD, Squad Supplies	44.72
FLEETPRIDE, Vehicle Maint.	77.53
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,249.00
FREDERIKSEN, CORY, Training	150.00
G I CLEANER & TAILORS, Uniform Cleaning	143.80
GALE, Books	112.30
GALL'S, Wearing Apparel	274.22
GASSERT, CORTNEY, Contract Services	15.00
GATEWAY HOTEL, Travel	421.12
GENUINE PARTS COMPANY, Vehicle Maint.	1,523.74
GOLDMAN, JOHN, Travel	25.00
GRAYBAR ELECTRIC, Bldg & Grnds	179.00
GREAT PLAINS ONE-CALL, Contract Services	86.43
GRUTEL, PAM, Refund	40.00
HANEY SHOE STORE, Wearing Apparel	120.00
HEARTLAND TIRES AND TREADS, Vehicle Supplies/Maint.	525.11
HELGET GAS, Squad Supplies	99.00
HENKE MANUFACTURING, Equipment	1,425.00
HOLIDAY INN, Travel	201.00
HY-VEE, Supplies	25.94
IA NE SD PRIMA CHAPTER, Dues	40.00
IACP, Dues	240.00
ICMA-INTL CITY/COUNTY MANAGE, Dues	708.00
ICSC-INTL COUNCIL OF SHPG CTRS, Travel	100.00
INTERSTATE ALL BATTERY CENTER, Supplies	59.94
IOWA STATE UNIVERSITY, Training	240.00
IVERSON, DENNIS, Travel	25.00
J Q OFFICE EQUIPMENT, Contract Services	215.70
JOHNSON FARM EQUIP, Vehicle Maint.	37.36
KAPCO-KENT ADHESIVE, Supplies	60.58
LA VISTA FIREFIGHTERS ASSN, Donation	100.00
LA VISTA PHARMACY, Squad Supplies	24.75
LAUGHLIN, KATHLEEN, Payroll Withholdings	372.00
LEAGUE ASSN OF RISK MGMT, Insurance	2,064.00
LIEN TERMITE & PEST CONTROL, Contract Services	1,373.00
LIFE ASSIST, Squad Supplies	499.69
LINWELD, Supplies	111.85
LODES, CHRIS, Contract Services	75.00
LOU'S SPORTING GOODS, Equipment	41.95
MALLARD SAND & GRAVEL, Maintenance	7,003.34
MARSHALL CAVENDISH, Books	356.33
MENARDS, Bldg & Grnds	205.33
MES-MIDAM, Wearing Apparel	746.62
MICHAEL TODD AND CO, Vehicle Maint.	853.91
MID CON SYSTEMS, Bldg & Grnds	173.43
MID-STATES UTILITY TRAILER, Vehicle Maint.	354.05
MUD, Utilities	23.27
NE CONCRETE & AGGREGATES, Training	180.00

MINUTE RECORD

February 17, 2009

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

NE DEPT OF LABOR, Contract Services	396.00
NE FOREST TREE SERVICE, Training	90.00
NE LIBRARY COMMISSION, Training/Books	984.00
NE LIQUOR CONTROL COMMISSION, Renewal	45.00
NE SALT & GRAIN, Ice Control Salt	1,328.90
NMC EXCHANGE, Vehicle Maint.	119.02
NOTARY PUBLIC UNDERWRITERS, Contract Services	100.00
NUTS AND BOLTS INCORPORATED, Vehicle Maint.	123.81
OABR PRINT SHOP, Printing	166.47
OFFICE DEPOT, Supplies	1,947.53
OMAHA STANDARD DISTRIBUTION, Vehicle Maint.	282.70
OMAHA WORLD HERALD, Legal Advertising	247.76
OMB EXPRESS POLICE SUPPLY, Wearing Apparel	28.98
OPPD, Utilities	39,822.56
PAPILLION SANITATION, Contract Services	200.09
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	401.22
PAYLESS, Supplies	327.23
PITNEY BOWES, Supplies	141.56
PLUTA, DON, Travel	148.00
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	225.00
QWEST, Phone	48.97
RALSTON AUTOMOTIVE, Supplies	115.20
RATHMAN, STEVE, Training	150.00
REGAL AWARDS, Plaque	36.59
RUFFNER, JAMES, Travel	92.00
RUSH, TIMOTHY, Travel	148.00
RUSTY ECK FORD, Vehicle Maint.	246.46
SAM'S CLUB, Supplies	395.43
SAPP BROS, Vehicle Supplies	570.50
SHEPPARD'S BUSINESS INTERIORS, Repair	63.00
SMALL, BRADY, Travel	92.00
SMITH, MELANIE, Training	500.00
SOFTCHOICE, Software	658.35
STATE STEEL, Vehicle Maint.	49.30
STOP TECH, Supplies	60.55
SUBURBAN NEWSPAPERS, Legal Advertising	469.81
SUBWAY SANDWICHES, Refund	100.00
SUN LIFE & HEALTH, Payroll Withholding	2,036.44
SUSPENSION SHOP, Vehicle Maint.	78.72
TED'S MOWER SALES & SERVICE, Equipment	480.90
THERMO KING CHRISTENSEN, Vehicle Maint.	186.05
THOMPSON DREESSEN & DORNER, Professional Services	22,481.53
TRACTOR SUPPLY, Vehicle Maint.	52.56
TRANE U S, Bldg & Grnds	88.09
UNIVERSAL HOSPITAL SVCS, Contract Services	2,480.82
UPS, Postage	49.93
VACEK, LISA, Refund	13.75
WHITE CAP CONSTRUCTION, Supplies	37.40

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council of the Strategic Planning Session on Saturday, February 28, 2009.

City Clerk Buethe informed Council that due to the current economic situation, the Web Conference that was scheduled for March had been canceled. Buethe informed Council of statutory updates, which they would receive in the near future.

Police Chief Lausten informed Council of the death of a 22 year old at the Recreation Center on Sunday. Lausten stated a suspect has been arrested in the tree vandalism and there was a domestic violence situation recently at 84th and Harrison.

Lausten informed Council that there is \$4 billion in the stimulus plan for police, with 3 year funding of new police officers.

Public Works Director Soucie informed Council that the traffic signals at 66th and Harrison Street are complete. Beginning March 1st, work will begin on Harrison Street from 60th Street going east.

MINUTE RECORD

February 17, 2009

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

Soucie informed Council that most stimulus package projects will run through MAPA. A list of projects was submitted to the State, and both short and long term projects are back to MAPA.

Soucie informed Council that the salt supply for the City is at a comfortable level.

Councilmember Crawford asked Public Works Director Soucie if the lights on Harrison Street at 66th Street are synchronized. Soucie stated he would follow-up with the contractors to get a definite answer.

Community Development Director Birch presented the annual building report for 2008 to Council.

Recreation Director Stopak informed Council the Park and Recreation Advisory Board will meet on Wednesday, February 19, 2009 at 7:00 p.m. Stopak reminded Council of the re-scheduled Senior Valentine Lunch on February 20, 2009 at 11:30 a.m. He reminded anyone who is helping during the lunch to arrive by 10:45 a.m.

Library Director Iwan informed Council that a review of inventory at the Library will begin soon. She informed Council that toddler storytime has increased due to its popularity.

B. ZONING TEXT AMENDMENTS - DEFINITIONS

1. PUBLIC HEARING

At 7:16 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Zoning Text Amendments - Definitions.

At 7:17 p.m. Councilmember Gowan made a motion to close the public hearing. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

2. ORDINANCE TO APPROVE REVISION

Councilmember Ellerbeck introduced Ordinance No. 1083 entitled: AN ORDINANCE TO AMEND SECTION 2.02 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02 OF ORDINANCE NO. 848 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Ellerbeck moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sell 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, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 Gowan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. Councilmember Sheehan asked if trucks and buses as used in Section 2.02.98 [Car Wash Industrial] proposed for deletion are located in another definition, noting that there had been discussion in the past about the possible need for this type of facility at some point. City Planner Baker stated that there is currently no use which allows this definition so it will be removed until such time as the Mayor and Council decide there is a need to amend the zoning to permit the use. The Mayor then stated the question was, "Shall Ordinance No. 1083 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 City Clerk attested the passage/approval of the same and affixed her signature thereto.

C. CODE AMENDMENTS – STORM WATER MANAGEMENT

1. PUBLIC HEARING

At 7:21 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Code Amendments for Storm Water Management.

At 7:22 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

MINUTE RECORD

February 17, 2009

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

2. ORDINANCE TO APPROVE AMENDMENT TO ARTICLE 3.03.20 OF THE SUBDIVISION REGULATIONS

Councilmember Ellerbeck introduced Ordinance No. 1084 entitled: AN ORDINANCE TO AMEND SECTION 3.03.20 OF ORDINANCE 906 (SUBDIVISION REGULATIONS); TO REPEAL SECTION 3.03.20 OF ORDINANCE 906 AS PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell moved that the statutory rule requiring reading on three different days be suspended. Councilmember Sheehan 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, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1084 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 City Clerk attested the passage/approval of the same and affixed her signature thereto.

3. ORDINANCE TO APPROVE AMENDMENT TO CHAPTER 154 OF THE MUNICIPAL CODE REGARDING STORM WATER MANAGEMENT

Councilmember Gowan introduced Ordinance No. 1085 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTIONS 154.03 AND 154.19 TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Sell 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, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 Gowan. The Mayor then stated the question was, "Shall Ordinance No. 1085 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: Quick. 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 City Clerk attested the passage/approval of the same and affixed her signature thereto.

D. RESOLUTION – HELL CREEK AT HARRISON STREET – INTERLOCAL AGREEMENT

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 09-012: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE AN INTERLOCAL AGREEMENT WITH DOUGLAS COUNTY AND SARPY COUNTY FOR THE REPAIR AND STABILIZATION OF HELL CREEK AT HARRISON STREET.

WHEREAS, in order to promote the health and safety of the residents of all parties to his Agreement pursuant to the authority granted to the parties per the Nebraska Interlocal Cooperation Act, the parties desire to effectuate the stabilization of Hell Creek at Bridge No. 03010 near Harrison Street, and;

WHEREAS, this project is known as Douglas County Project No. SP-2008(03) and;

MINUTE RECORD

February 17, 2009

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

WHEREAS, Douglas County, Sarpy County, and the City of La Vista wish to outline their respective duties and responsibilities and the sharing of costs for the design and construction costs for this improvement.

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, authorize the Mayor to execute an Interlocal Agreement with Douglas County and Sarpy County for the repair and stabilization of Hell Creek at Harrison Street.

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

E. RESOLUTION – COUNCIL POLICY STATEMENT – CITY COUNCIL MEETING AGENDA PROCEDURE

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-013: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING REPLACEMENT OF AN EXISTING COUNCIL POLICY STATEMENT.

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

WHEREAS, a Council Policy Statement entitled Preparation of City Council Meeting Agendas has been reviewed and replacement of this Council Policy Statement with a Council Policy Statement entitled City Council Meeting Agenda Procedure is recommended by the City Clerk to the City Administrator.

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

Seconded by Councilmember Sell. City Clerk Buethe gave an overview of the changes from the previous policy statement. Mayor Kindig explained the desire to increase the opportunity for public comment on agenda items at Council meetings; and that this was the sole purpose of the proposed changes. A form also is being proposed to handle additional public comment at meetings in an efficient manner. Those wishing to comment would complete the form upon arriving at the meeting. The Mayor then would know at which points in the meeting someone in the audience would like to address the Mayor and Council on a particular agenda item, and be able to invite the person forward at the proper times. It has been past experience that members of the public desiring to speak on a particular agenda item often miss the opportunity to speak because they are unfamiliar with the flow and procedures of the meeting and fail to recognize when the opportunity to speak arises. It is hoped that using the form would reduce the chance of someone missing the opportunity to comment, while still allowing the meeting to progress in an efficient manner. Discussion was held. The Mayor said his inclination would be to allow a member of the public to speak on an agenda item even if a form is not completed [the sign-in sheet still will be used for anyone addressing the Mayor and Council]. It was noted that the policy is not an exclusive statement on public comment at meetings, and recognized that various rules of order, decorum and procedure still will apply in any given situation. It was determined that the form which the public will complete will not ask if they are a proponent, opponent or neutral. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

F. RESOLUTION – NEW STANDARD OPERATION POLICY – PREPARATION OF AGENDA ITEMS FOR CITY COUNCIL PACKETS

Councilmember Gowan introduced and moved for the adoption of Resolution No. 09-014: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING A NEW STANDARD OPERATION POLICY.

WHEREAS, the City Council has determined that it is necessary and desirable to establish Standard Operation Policies as a means of establishing guidelines and direction to the members of the City Council and to the City administration in regard to various issues which regularly occur; and

MINUTE RECORD

February 17, 2009

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

WHEREAS, a new Standard Operation Policy has been prepared outlining guidelines for preparation of agenda items for City Council packets.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Standard Operation Policy regarding preparation of agenda items for City Council packets.

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

G. SPECIAL ASSESSMENTS

1. PUBLIC HEARING

At 7:37 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments.

At 7:38 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

2. RESOLUTION

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 09-015: 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
10515 Hillcrest Drive, Lot 8, Val Vista \$116.49 and
10509 Hillcrest Drive, Lot 9, Val Vista \$116.49
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, 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.

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

H. COUNCIL POLICY STATEMENT – CODE OF CONDUCT

City Administrator Gunn stated that this policy has been in place but in order to be sure all newly elected officials and appointed staff and board members receive and sign for the statement, this will be brought to the Council every two years at the first meeting in December.

I. DISCUSSION – COUNCIL POLICY STATEMENT - PAY FOR PERFORMANCE

Assistant City Administrator Ramirez gave an overview of the Council Policy Statement regarding Pay for Performance. She stated that this is a draft of the policy statement and will most likely change some once the evaluation tool is in place. The expected date for implementation of this new policy is October 2009.

Councilmember Crawford stated he would reserve comments until he is more informed on pay for performance.

MINUTE RECORD

February 17, 2009

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor; and stated that anyone having comments should limit them to three minutes. There were no comments from the floor.

COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sheehan stated that Council needs to give their opinion to the City Administrator on various legislative bills. Councilmember Carlisle asked if there were any specific bills that should be reviewed. Councilmember Sheehan stated we should watch LB526 and LB485.

Mayor Kindig stated these are large issues and the City needs concise direction. He will be in Lincoln on Friday to testify.

City Administrator Gunn stated staff is reviewing the Natural Gas bill to understand exactly how it works. She stated that the City of Gretna loses about \$11,000 by the change.

Mayor Kindig informed Council that he recently spoke at an Economic Development Luncheon in Grand Island. He gave special thanks to Cathy Lupomech for her hard work on the powerpoint presentation.

At 7:53 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: Quick. Motion carried.

PASSED AND APPROVED THIS 3RD DAY OF MARCH 2009.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Bueth, CMC
City Clerk

**CITY OF LA VISTA
PLANNING COMMISSION MINUTES
FEBRUARY 19, 2009**

DRAFT

The Planning Commission meeting of the City of La Vista was convened at 7 p.m. on Thursday, February 19, 2009, at the La Vista City Hall, 8116 Park View Boulevard. Members present were: Krzywicki, Malmquist, Nielsen, Alexander, Circo, Horihan, Hewitt, Andsager, Kramolisch and Gahan. Also in attendance was Marcus Baker, City Planner; and John Kottmann, City Engineer, as well as Ann Birch, Community Development Director.

Legal notice of the public meeting and hearing was posted, distributed and published according to Nebraska law. Notice was simultaneously given to all members of the Planning Commission and a copy of the acknowledgement of the receipt of notice is attached to the minutes. All proceedings shown were taken while the convened meeting was open to the attendance of the public.

1. Call to Order

The meeting was called to order by Chairman Krzywicki at 7:02 p.m. Copies of the agenda and staff report were made available to the public.

Chairperson Krzywicki introduced and welcomed newly appointed commissioner, Jay Kramolisch.

Alternate member, Jason Nielsen, will be a non-voting commissioner tonight.

2. Approval of Meeting Minutes – January 22, 2009

Hewitt pointed out a correction in which Andsager should be included in the "aye" vote and a duplicate instance of Gahan's "aye" vote should be deleted.

Hewitt motioned to approve the minutes of January 22, 2009 with the above change. Andsager seconded the motion. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, and Gahan. Nays: None. Motion carried. Kramolisch & Malmquist abstained.

3. Old Business

None.

4. New Business

A. Public Hearing for the 150.03 Housing Code adopted by reference - to repeal the Uniform Housing Code, 1997 Edition and adopt the International Property Maintenance Code, with amendments, 2006 Edition

i. Staff Report: Jeff Sinnett, City of La Vista Chief Building Official is requesting review of the proposed code revision to Section 150.03 of the Housing Code Adopted by Reference of the City Municipal code. This revision would replace the existing Uniform Housing Code, 1997 Edition with the International Property Maintenance Code (IPMC) 2006 Edition which is the current edition available. Also, included is a list of proposed amendments to the code, they were intended to match existing city ordinances, building and zoning codes and existing design criteria.

ii. Public Hearing: Malmquist motioned to open public hearing. Horihan seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Nielsen, Kramolisch and Gahan. Nays: None. Public hearing opened at 7:08 p.m.

No comments were received.

Circo motioned to close the public hearing. Horihan seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Kramolisch and Gahan. Nays: None. Public hearing closed at 7:09 p.m.

Gahan asked about private swimming pools and whether the fencing was required around the pool itself or around the yard. Baker said it is generally around the backyard perimeter; however, with a hot-tub it is often closer to the structure itself.

DRAFT

Gahan asked about weeds growing in excess of 12 inches. Specifically, was there a previous height requirement by the City of La Vista? Baker said the proposed height matches up with municipal code which references 12 inches.

Krzywicki wondered if a clarification to the definition of weeds was necessary, with regards to ornamental grasses. Baker said he had asked Chief Building Official, Jeff Sinnett a similar question prior to the Planning Commission hearing. At that time, Sinnett said he would exempt native grasses and treat them as a garden. However, Baker said it was at the Planning Commission's discretion to make this definition clearer.

iii. Recommendation: Hewitt motioned to recommend approval of the 150.03 Housing Code be adopted by reference to repeal the existing Uniform Housing Code and adopt the 2006 Edition International Property Maintenance Code with the amendments and changes proposed tonight. Malmquist seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Kramolisch, and Gahan. Nays: None. Motion carried.

B. Public Hearing for the review of the One & Six Year Road Plan

i. Staff Report: Joe Soucie, Public Works Director opened recognizing John Kottman, City Engineer and Cindy Norris, Public Works Administrative Secretary for their contributions to the plan. He introduced Greg Goldman, Public Works Streets Foreman as the presenter.

Goldman presented the first two years of project plans in detail.

ii. Public Hearing: Malmquist motioned to open public hearing. Horihan seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Kramolisch, and Gahan. Nays: None. Public hearing opened at 7:15 p.m.

Joe Soucie explained that the stimulus package currently in the news would affect road work. It is broken into two different packages: short term and long term projects. MAPA, who runs the Federal funding currently on such projects, is looking to receive approximately \$32 million in the metro area for road projects. They would use the normal split with Douglas (78%) and Sarpy (22%) Counties. This equates to approximately \$7.5 million to the area. All the cities in the area have submitted priority lists to MAPA for this funding. On the short-term list, La Vista has submitted: quiet zone improvements; 108th and Chandler Road warning lights; Giles Road retrofit. The long-term priority list includes: 66th and Giles re-construction, Giles Road interconnect, 84th and Summer Drive reconstruct. If the aquatic center should get scratched, this last project may be scrapped and we would have an opportunity to re-submit another item. If La Vista cannot come up with another federal aide item, we would at least try to keep the funds in a Sarpy County project.

With no further public comments, Malmquist motioned to close the public hearing. Gahan seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Kramolisch, and Gahan. Nays: None. Public hearing closed at 7:35 p.m.

iii. Recommendation: Malmquist motioned to forward to City Council a recommendation to adopt the One and Six Year Road Plan as presented. Circo seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Kramolisch and Gahan. Nays: None. Motion carried.

5. Comments from the Floor
None

8. Comments from the Planning Commission
Malmquist thanked Public Works for tonight's presentation of the One and Six Year Road Plan.

Baker asked the Commissioners to bring in their zoning code books to the next meeting to receive an updated code.

Baker also noted that *The Commissioner* newsletter, included with the Planning Commission packets this week, had an article on page 3 about the International Property Maintenance Code (IPMC). This article tied in with tonight's request for review of the IPMC, so Baker asked them to please note that article specifically.

Baker announced to the Commission that Marv Carcich's reception for his dedicated years of service would be held on March 3rd at 6 p.m. in the outer lobby prior to the City Council meeting. Baker said official invitations should be in the mail soon.

Krzywicki said that there would be an election at the March 19th Planning Commission meeting for the Vice-Chairperson.

9. Adjournment

Malmquist motioned to adjourn. Hewitt seconded. Ayes: Hewitt, Krzywicki, Alexander, Circo, Andsager, Horihan, Malmquist, Kramolisch and Gahan. Nay: None. Motioned carried. Nays: None. Meeting was adjourned at 8:02 p.m.

Reviewed by Planning Commission: John Gahan

Recorder

Planning Commission Chair

Approval Date

Meeting of Board of Directors

LA VISTA/METROPOLITAN COMMUNITY COLLEGE
CONDOMINIUM OWNERS ASSOCIATION, INC.

MINUTES OF MEETING

February 2, 2009

3:00 p.m.

Members Present: Pat Archibald Brenda Gunn Rich Hanneman
Rose Iwan Arlene Jordan Dave Koebel

Others in Attendance: Jim Thibodeau, Tom McKeon, Bernie Sedlacek

Agenda Item #1: Announcement of Location of Posted Meetings Act:

A copy of the Open Meetings Act is posted on the North wall of the conference room for public access and reference. A copy of the act is also available.

Agenda Item #2: Approval of the Notice of Meeting.

Notice of Meeting was published by the City and College in the Times and the Omaha World-Herald. Moved by Hanneman and seconded by Gunn to approve. Ayes: all. Nays: none. Motion approved.

Agenda Item #3: Approval of the Minutes From November 3, 2008 Meeting.

Moved by Hanneman and seconded by Gunn to approve the November 3, 2008 meeting minutes. Ayes: all. Nays: none. Motion approved.

Agenda Item #4: Consideration of Closed Session to Discuss Review and Evaluation of Strategy to Remediate the Under Capacity of the Geothermal Well Field.

At 3:08 p.m. Gunn made a motion to go into executive session for protection of the public interest for discussion review and evaluation of strategy to remediate the under capacity of the geothermal well field. Seconded by Archibald. Ayes: all. Nays: none. Motion approved. Jordan stated the executive session would be limited to the subject matter contained in the motion.

At 4:02 p.m. the Board came out of executive session. Gunn made a motion to reconvene in open and public session. Seconded by Koebel. Ayes: all. Nays: none. Motioned approved.

Agenda Item #5: Other Business.

The food service available through Chatty Squirrel continues to be offered and open Tuesdays and Thursdays from 9:30-12:30.

The next Board of Directors's Meeting is on Monday, May 4, 2009 at 3:00 p.m. La Vista/MCC Sarpy Center Conference Room #142.

It was moved by Gunn and seconded by Hanneman to adjourn the meeting at 4:05 p.m.

Minutes respectfully submitted by Rose Iwan

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL

1	Bank of Nebraska (600-873)								
		46011			Payroll Check				
		46012			Gap in Checks				
Thru		95511							
		95512	2/18/2009	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	372.00			**MANUAL**
		95513	2/18/2009	468	CONTROL MASTERS INCORPORATED	12,950.00			**MANUAL**
		95514	3/03/2009	571	ALAMAR UNIFORMS	485.00			
		95515	3/03/2009	3730	ALEX, MARY	138.92			
		95516	3/03/2009	106	ALL MAKES OFFICE EQUIPMENT CO	78.00			
		95517	3/03/2009	1271	AMERICAN PLANNING ASSOCIATION	319.00			
		95518	3/03/2009	81	AMSAN	616.28			
		95519	3/03/2009	536	ARAMARK UNIFORM SERVICES INC	348.68			
		95520	3/03/2009	3685	ASAP SOFTWARE	1,016.81			
		95521	3/03/2009	188	ASPHALT & CONCRETE MATERIALS	114.68			
		95522	3/03/2009	2945	AVI SYSTEMS INC	496.91			
		95523	3/03/2009	201	BAKER & TAYLOR BOOKS	1,033.67			
		95524	3/03/2009	929	BEACON BUILDING SERVICES	6,437.00			
		95525	3/03/2009	3965	BEAUMONT, MITCH	1,100.00			
		95526	3/03/2009	1784	BENNINGTON EQUIPMENT INC	659.11			
		95527	3/03/2009	228	BEST CARE EMPLOYEE ASST PROGRM	.00	**CLEARED**	**VOIDED**	
		95528	3/03/2009	228	BEST CARE EMPLOYEE ASST PROGRM	2,175.00			
		95529	3/03/2009	196	BLACK HILLS ENERGY	18.17			
		95530	3/03/2009	4051	BOLEY, ANN	100.00			
		95531	3/03/2009	117	BRODART	237.09			
		95532	3/03/2009	3760	BUETHE, PAM	20.00			
		95533	3/03/2009	76	BUILDERS SUPPLY CO INC	51.66			
		95534	3/03/2009	4024	CALENTINE, JEFFREY	30.00			
		95535	3/03/2009	4058	CALENTINE, JEFFREY	726.28			
		95536	3/03/2009	2285	CENTER POINT PUBLISHING	79.08			
		95537	3/03/2009	152	CITY OF OMAHA	33,320.58			
		95538	3/03/2009	836	CORNHUSKER INTL TRUCKS INC	326.29			
		95539	3/03/2009	2158	COX COMMUNICATIONS	52.00			
		95540	3/03/2009	4073	CREATIVE PRODUCT SOURCING INC	1,551.38			
		95541	3/03/2009	3136	D & D COMMUNICATIONS	7,110.00			
		95542	3/03/2009	2433	DANIELSON/TECH SUPPLY INC	1,766.60			
		95543	3/03/2009	619	DELL MARKETING L.P.	4,444.57			
		95544	3/03/2009	111	DEMCO INCORPORATED	96.89			
		95545	3/03/2009	77	DIAMOND VOGEL PAINTS	152.83			
		95546	3/03/2009	59	DITCH WITCH OF OMAHA	68.57			
		95547	3/03/2009	3666	DOSTALS CONSTRUCTION COMPANY	45,650.00	**CLEARED**	**VOIDED**	**replaced with check #95648
		95548	3/03/2009	364	DULTMEIER SALES & SERVICE	36.60			
		95549	3/03/2009	632	EASTERN LIBRARY SYSTEM	30.00			
		95550	3/03/2009	4049	ECCLES, PAT	100.00			
		95551	3/03/2009	4012	EMBASSY SUITES HOTEL	.00	**CLEARED**	**VOIDED**	
		95552	3/03/2009	4012	EMBASSY SUITES HOTEL	.00	**CLEARED**	**VOIDED**	
		95553	3/03/2009	4012	EMBASSY SUITES HOTEL	4,336.50			
		95554	3/03/2009	3463	FARQUHAR, MIKE	100.00			
		95555	3/03/2009	1245	FILTER CARE	9.10			

10.16.06

ACCOUNTS PAYABLE CHECK REGISTER

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CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
95556	3/03/2009	439	FIREGUARD INC	25.50			
95557	3/03/2009	142	FITZGERALD SCHORR BARMETTLER	24,223.83			
95558	3/03/2009	2121	FLOHR ELECTRIC SERVICE INC	175.58			
95559	3/03/2009	4050	FROEHLICH, RORY	100.00			
95560	3/03/2009	1161	GALL'S INCORPORATED	55.99			
95561	3/03/2009	3495	GAMETIME	545.74			
95562	3/03/2009	4078	GASSERT, ADAM	60.00			
95563	3/03/2009	1248	GASSERT, MIKE	364.00			
95564	3/03/2009	35	GOLDMAN, JOHN G	85.00			
95565	3/03/2009	3508	GRAPHIC IMAGINATION INC	439.00			
95566	3/03/2009	285	GRAYBAR ELECTRIC COMPANY INC	188.94			
95567	3/03/2009	1624	GUNN, BRENDA	45.00			
95568	3/03/2009	1403	HELGET GAS PRODUCTS INC	110.50			
95569	3/03/2009	433	HIGHSMITH CO INC	204.84			
95570	3/03/2009	1612	HY-VEE INC	70.17			
95571	3/03/2009	1896	J Q OFFICE EQUIPMENT INC	286.72			
95572	3/03/2009	2420	JINECO EQUIPMENT COMPANY	49.00			
95573	3/03/2009	3645	JUSTIN THYME CAFE	601.71			
95574	3/03/2009	3687	KIMBALL MIDWEST	93.45			
95575	3/03/2009	788	KINDIG, DOUGLAS	40.00			
95576	3/03/2009	1054	KLINKER, MARK A	200.00			
95577	3/03/2009	2864	KORTUS, LEE	342.00			
95578	3/03/2009	2394	KRIHA FLUID POWER CO INC	312.61			
95579	3/03/2009	2057	LA VISTA COMMUNITY FOUNDATION	70.00			
95580	3/03/2009	84	LARRY'S BOILER SERVICE INC	144.21			
95581	3/03/2009	2380	LEXIS NEXIS MATTHEW BENDER	920.35			
95582	3/03/2009	2327	LIEN TERMITE & PEST CONTROL	230.00			
95583	3/03/2009	1288	LIFE ASSIST	174.70			
95584	3/03/2009	877	LINWELD	185.81			
95585	3/03/2009	3920	LIVE OAK MEDIA	20.99			
95586	3/03/2009	2142	LODES, CHRIS	97.50			
95587	3/03/2009	2124	LUKASIEWICZ, BRIAN	50.00			
95588	3/03/2009	1539	MALLARD SAND & GRAVEL COMPANY	2,106.14			
95589	3/03/2009	872	METROPOLITAN COMMUNITY COLLEGE	10,653.33			
95590	3/03/2009	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
95591	3/03/2009	553	METROPOLITAN UTILITIES DIST.	.00	**CLEARED**	**VOIDED**	
95592	3/03/2009	553	METROPOLITAN UTILITIES DIST.	820.64			
95593	3/03/2009	2497	MID AMERICA PAY PHONES	100.00			
95594	3/03/2009	3921	MID-STATES UTILITY TRAILER	315.56			
95595	3/03/2009	1526	MIDLANDS LIGHTING & ELECTRIC	197.16			
95596	3/03/2009	1046	MIDWEST TURF & IRRIGATION	305.80			
95597	3/03/2009	1050	MILLER PRESS	605.00			
95598	3/03/2009	383	MIRACLE RECREATION EQUIPMENT	401.50			
95599	3/03/2009	2300	MORGAN MANUFACTURING INC	86.00			
95600	3/03/2009	918	MPH INDUSTRIES INCORPORATED	51.79			
95601	3/03/2009	911	NEBRASKA AIR FILTER INC	393.00			
95602	3/03/2009	469	NEBRASKA FURNITURE MART	198.97			
95603	3/03/2009	2883	NEBRASKA LANDSCAPE SOLUTIONS	1,964.00			
95604	3/03/2009	2685	NEBRASKA TURF PRODUCTS	7,285.08			
95605	3/03/2009	3294	NEFSMA-NE FLOODPLAIN/STORMWTR	35.00			
95606	3/03/2009	653	NEUMAN EQUIPMENT COMPANY	.00	**CLEARED**	**VOIDED**	
95607	3/03/2009	653	NEUMAN EQUIPMENT COMPANY	952.66			
95608	3/03/2009	2631	NEXTEL COMMUNICATIONS	531.88			

ACCOUNTS PAYABLE CHECK REGISTER

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95609	3/03/2009	2631 NEXTEL COMMUNICATIONS	87.43			
95610	3/03/2009	408 NOBBIES INC	90.39			
95611	3/03/2009	179 NUTS AND BOLTS INCORPORATED	27.84			
95612	3/03/2009	3415 OABR PRINT SHOP	3,990.09			
95613	3/03/2009	3978 ODB COMPANY	1,818.23			
95614	3/03/2009	1014 OFFICE DEPOT INC-CINCINNATI	112.95			
95615	3/03/2009	79 OMAHA COMPOUND COMPANY	40.30			
95616	3/03/2009	109 OMNIGRAPHICS	61.63			
95617	3/03/2009	3413 ON YOUR MARKS	423.56			
95618	3/03/2009	3477 ORIZON CPAS LLC	3,095.75			
95619	3/03/2009	2686 PARAMOUNT LINEN & UNIFORM	382.46			
95620	3/03/2009	1769 PAYLESS OFFICE PRODUCTS INC	155.05			
95621	3/03/2009	3058 PERFORMANCE CHRYSLER JEEP	21.00			
95622	3/03/2009	74 PITNEY BOWES INC-KY	.00	**CLEARED**	**VOIDED**	
95623	3/03/2009	74 PITNEY BOWES INC-KY	.00	**CLEARED**	**VOIDED**	
95624	3/03/2009	74 PITNEY BOWES INC-KY	440.42			
95625	3/03/2009	159 PRECISION INDUSTRIES INC	277.38			
95626	3/03/2009	1921 PRINCIPAL LIFE-FLEX SPENDING	208.50			
95627	3/03/2009	219 QWEST	1,154.44			
95628	3/03/2009	427 RAMIREZ, RITA M	43.00			
95629	3/03/2009	3090 REGAL AWARDS OF DISTINCTION	504.90			
95630	3/03/2009	4037 RUSTY ECK FORD	91.09			
95631	3/03/2009	487 SAPP BROS PETROLEUM INC	640.50			
95632	3/03/2009	2240 SARPY COUNTY COURTHOUSE	3,487.34			
95633	3/03/2009	3925 SINNETT, HELEN	105.00			
95634	3/03/2009	533 SOUCIE, JOSEPH H JR	60.00			
95635	3/03/2009	3838 SPRINT	90.00			
95636	3/03/2009	332 SUSPENSION SHOP INCORPORATED	161.83			
95637	3/03/2009	264 TED'S MOWER SALES & SERVICE	149.59			
95638	3/03/2009	1122 TURF CARS LTD	47.50			
95639	3/03/2009	4079 TURNER, WILEY C	117.00			
95640	3/03/2009	167 U S ASPHALT COMPANY	279.72			
95641	3/03/2009	33 UNIVERSITY OF NEBRASKA LINCOLN	190.00			
95642	3/03/2009	559 UNIVERSITY OF NEBRASKA LINCOLN	500.00			
95643	3/03/2009	809 VERIZON WIRELESS, BELLEVUE	120.16			
95644	3/03/2009	1174 WAL-MART COMMUNITY BRC	.00	**CLEARED**	**VOIDED**	
95645	3/03/2009	1174 WAL-MART COMMUNITY BRC	562.69			
95646	3/03/2009	78 WASTE MANAGEMENT NEBRASKA	858.02			
95647	3/03/2009	968 WICK'S STERLING TRUCKS INC	763.79			
95648	3/03/2009	3666 DOSTALS CONSTRUCTION COMPANY	37,350.00	**replaces check #95547		
BANK TOTAL			199,131.45			
OUTSTANDING			199,131.45			
CLEARED			45,650.00			
VOIDED			45,650.00			
FUND	TOTAL		OUTSTANDING	CLEARED	VOIDED	
01	GENERAL FUND	112,383.18	112,383.18	.00	.00	
02	SEWER FUND	41,749.11	41,749.11	.00	.00	
05	CONSTRUCTION	558.00	558.00	.00	.00	
08	LOTTERY FUND	3,037.75	3,037.75	.00	.00	
09	GOLF COURSE FUND	3,999.35	3,999.35	.00	.00	
15	OFF-STREET PARKING	37,404.06	37,404.06	.00	45,650.00	

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO BANK NAME

CHECK NO

DATE

VENDOR NO VENDOR NAME

CHECK AMOUNT

CLEARED

VOIDED

MANUAL

REPORT TOTAL 199,131.45

OUTSTANDING 199,131.45

CLEARED 45,650.00

VOIDED 45,650.00

+ Gross Payroll 2/20/09 198,456.96GRAND TOTAL \$397,588.41APPROVED BY COUNCIL MEMBERS 3/3/09_____
COUNCIL MEMBER_____
COUNCIL MEMBER_____
COUNCIL MEMBER_____
COUNCIL MEMBER_____
COUNCIL MEMBER

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 3, 2009 AGENDA**

Subject:	Type:	Submitted By:
1 AND 6 YEAR STREET IMPROVEMENT PLAN	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A public hearing has been scheduled and a resolution prepared to approve the 1 and 6 Year Street Improvement Plan for highway, road and street improvements for the City of La Vista.

FISCAL IMPACT

The 1 and 6 Year Plan establishes prioritization and cost estimates for street improvements. Annually, during budget preparation, the Council is asked to fund the priorities for that particular year. Staff has worked to have the Capital Improvement Plan (CIP) mirror the 1 and 6 Year Street Improvement Plan. Both of these plans are living documents that can and do change as unforeseen problems or opportunities arise.

RECOMMENDATION

Approval

BACKGROUND

A copy of the proposed 1 and 6 Year Plan is attached. On February 19, 2009, the Planning Commission reviewed the Plan and recommended approval to the City Council.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE ONE-AND-SIX-YEAR PLAN FOR HIGHWAY, ROAD AND STREET IMPROVEMENTS FOR THE CITY OF LA VISTA AS SUBMITTED BY THE CITY PUBLIC WORKS DIRECTOR.

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

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

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

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

WHEREAS, projects in the One-and-Six-Year Street Plan have been incorporated into the City of La Vista's Capital Improvement Plan.

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

PASSED AND APPROVED THIS 3RD DAY OF MARCH 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

Board of Public Roads Classifications and Standards
Form 11 Report of Previous Year
Highway or Street Improvement

Year Ending 2009 Sheet 1 of 1

COUNTY:	CITY: LA VISTA	VILLAGE:		
PROJECT NUMBER & DESCRIPTION	LENGTH Nearest Tenth (MILES)	PROJECTED COST (THOUSANDS)	CONTRACT PROJECT	DATE COMPLETED (ACTUAL OR ESTIMATED)
M376 (163) Keystone Trail (La Vista Soccer Complex to Connect With Keystone Trail at 62 nd Street at Seymour Smith Park) Grade and Pave 10' Wide Hiking and Biking Trail	1.22	408.0	YES	IN PROGRESS
M376 (187) Intersection of 89th Street and Granville Parkway Reconstruct Intersection	0.01	100.5	YES	SEPTEMBER 2008
M376 (190) Intersection of 132nd Street and West Giles Road Short Term Road Improvements	0.20	1,800.0	YES	IN PROGRESS
M376 (157) Josephine Street (7421 Josephine Street to 7321 Josephine Street) Replace Concrete Panels in Various Areas	0.05	100.5	YES	SEPTEMBER 2008
M376 (175) 74th Street (Harrison Street to Joseph Avenue) Mill and 2" Asphalt Overlay, Repair Concrete as Needed	0.29	106.0	YES	SEPTEMBER 2008
M376 (173) Harrison Street (355' East of 70 th Street to La Vista Drive) Construct 3 Lane Concrete Roadway	0.17	270.0	YES	IN PROGRESS
M376 (194) Heather Avenue (Giles Road to Edgewood Boulevard) Mill and 2" Asphalt Overlay, Repair Concrete as Needed	0.13	40.0	YES	AUGUST 2008
M376 (195) Rail Crossings (At 130th Street and West Giles Road; 126th Street South of West Giles Road; 132nd Street South of Centech Road) Railroad Quiet Zone Improvements	0.50	220.0	YES	IN PROGRESS
M376 (196) Harrison Street (South Right of Way on South Side of Harrison Street; from 7802 to 7908 Emiline Street) Reconstruct Concrete Block Retaining Wall	0.04	89.0	YES	SEPTEMBER 2008
SIGNATURE:	TITLE: STREET SUPERINTENDENT (S-1137)		DATE: 03/03/2009	

**Board of Public Roads Classifications and Standards
Form 8 Summary of One- Year Plan**

Year Ending 2010 Sheet 1 of 1

COUNTY:		CITY: LA VISTA		VILLAGE:	
PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)	
1	M376 (163)	Keystone Trail (La Vista Sports Complex to the Southeast Corner of 66 th St. and Harrison St.) Grade and Pave 10' Wide Hiking and Biking Trail	1.22	408.0	
2	M376 (190)	Intersection of 132nd Street and West Giles Road Short Term Road Improvements	0.20	1,800.0	
3	M376 (173)	Harrison Street (355' East of 70 th Street to La Vista Drive) Construct 3 Lane Concrete Roadway	0.17	270.0	
4	M376 (195)	Rail Crossings (At 130th Street and West Giles Road.; 126th Street South of West Giles Road; 132nd Street and Centech Road) Railroad Quiet Zone Improvements	0.50	220.0	
5	M376 (197)	96th Street (From Harrison Street to Giles Road) Traffic Signal Study	1.00	3.5	
6	M376 (198)	108th Street and Chandler Road Installation of Warning Lights to Serve La Vista Fire Station #2	0.01	30.0	
7	M376 (192)	Giles Road (108th Street to West Giles Road) Repair Approach Slabs and Expansion Joints at Various Bridges	1.17	150.0	
8	M376 (199)	Intersection of Park Crest Drive and Harrison Street Installation of Liner in Storm Sewer Pipe Joint Project with City of Ralston	0.01	20.0	
9	M376 (193)	Giles Road (108 th Street to West Giles Road) Install Drainage System, Dowel Bar Retrofit and Diamond Grind Pavement	1.17	1,000.0	
SIGNATURE:		TITLE: STREET SUPERINTENDENT (S-1137)		DATE: 03/03/2009	

Board of Public Roads Classifications and Standards
Summary of Six- Year Plan
Six-Year Period Ending – 2015

COUNTY:		CITY: LA VISTA		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2009/10	1	M376 (163)	Keystone Trail (La Vista Sports Complex to the Southeast Corner of 66 th St. and Harrison St.) Grade and Pave 10' Wide Hiking and Biking Trail	1.22	408.0
2009/10	2	M376 (190)	Intersection of 132nd Street and West Giles Road Short Term Road Improvements	0.20	1,800.0
2009/10	3	M376 (173)	Harrison Street (355' East of 70 th Street to La Vista Drive) Construct 3 Lane Concrete Roadway	0.17	270.0
2009/10	4	M376 (195)	Rail Crossings (At 130th Street and West Giles Road.; 126th Street South of West Giles Road; 132nd Street South of Centech Road) Railroad Quiet Zone Improvements	0.50	220.0
2009/10	5	M376 (197)	96th Street (From Harrison Street to Giles Road) Traffic Signal Study	1.00	3.5
2009/10	6	M376 (198)	108th Street and Chandler Road Installation of Warning Lights to Serve La Vista Fire Station #2	0.01	30.0
2009/10	7	M376 (192)	Giles Road (108th Street to West Giles Road) Repair Approach Slabs and Expansion Joints at Various Bridges	1.17	150.0
2009/10	8	M376 (199)	Intersection of Park Crest Drive and Harrison Street Installation of Liner in Storm Sewer Pipe Joint Project with City of Ralston	0.01	20.0
2009/10	9	M376 (193)	Giles Road (108 th Street to West Giles Road) Install Drainage System, Dowel Bar Retrofit and Diamond Grind Pavement	1.17	1,000.0
SIGNATURE:			TITLE: STREET SUPERINTENDENT (S-1137)	DATE: 03/03/2009	

Board of Public Roads Classifications and Standards
Summary of Six- Year Plan
Six-Year Period Ending – 2015

COUNTY:		CITY: LA VISTA		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2010/11	10	M376 (189)	66th Street (Harrison Street to Giles Road) Construct 3 Lanes of Concrete Roadway Giles Road (66 th Street to 69 th Street) Construct 3 Lanes of Concrete Roadway Intersection of 66th Street and Giles Rd. Reconstruct Intersection	1.30	1,000.0
2010/11	11	M376 (176)	Intersection of Lillian Avenue and James Avenue Reconstruct Intersection	0.01	94.5
2010/11	12	M376 (200)	96th Street (From Harrison Street to Portal Road) Replace Concrete Panels in Various Locations	1.00	220.0
2010/11	13	M376 (177)	Lillian Avenue (James Avenue to Terry Drive) Replace Concrete Panels in Various Locations	0.12	118.0
2010/11	14	M376 (209)	Giles Road (From Interstate 80 to Eastport Parkway) Interconnect the Traffic Signals from Interstate 80 to Eastport Parkway	1.00	75.0
2010/11	15	M376 (203)	103rd Street and Giles Road Install Storm Inlets on Both Sides of Giles Road	0.01	20.0
2010/11	16	M376 (207)	84th Street and Summer Drive Reconstruct West Leg of Intersection to Allow for Westbound Travel	0.50	500.0
2011/12	17	M376 (184)	Park View Boulevard (87 th Street to Thornapple Lane) 89th Street (Park View Boulevard to Granville Parkway) 88th Street (Park View Boulevard to Granville Parkway) Replace Concrete Panels in Various Locations.	0.50	106.5
SIGNATURE:			TITLE: STREET SUPERINTENDENT (S-1137)	DATE: 03/03/2009	

Board of Public Roads Classifications and Standards
Summary of Six- Year Plan
Six-Year Period Ending – 2015

COUNTY:		CITY: LA VISTA		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2011/12	18	M376 (146)	69th Street (Emiline Street to La Vista Drive) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.51	450.0
2011/12	19	M376 (136)	La Vista Drive (Emiline Street to 69 th Street) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.51	450.0
2011/12	20	M376 (170)	Josephine Street (69 th Street to 72 nd Street) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.25	236.0
2011/12	21	M376 (191)	Intersection of 132nd Street and West Giles Road Long Term Improvements Including New Bridge Over Creek and Railroad Tracks	0.20	12,100.0
2011/12	22	M376 (185)	Plaza Boulevard (Harrison Street to 85 th Street) 86th Street (Park View Boulevard to Plaza Boulevard) Valley View Drive (Park View Boulevard to Elm Drive) 89th Street (Park View Boulevard to Valley View Drive) Replace Concrete Panels in Various Locations.	0.50	106.5
2011/12	23	M376 (188)	87th Street (Giles Road to Bayberry Road) 87th Street (Park View Boulevard to Granville Parkway) Granville Parkway (Brentwood Drive to Elm Drive) Replace Concrete Panels in Various Locations	0.51	130.0
2012/13	24	M376 (168)	71st Street (Florence Street to Josephine Street) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.18	141.5
SIGNATURE:			TITLE: STREET SUPERINTENDENT (S-1137)	DATE: 03/03/2009	

Board of Public Roads Classifications and Standards
Summary of Six- Year Plan
Six-Year Period Ending – 2015

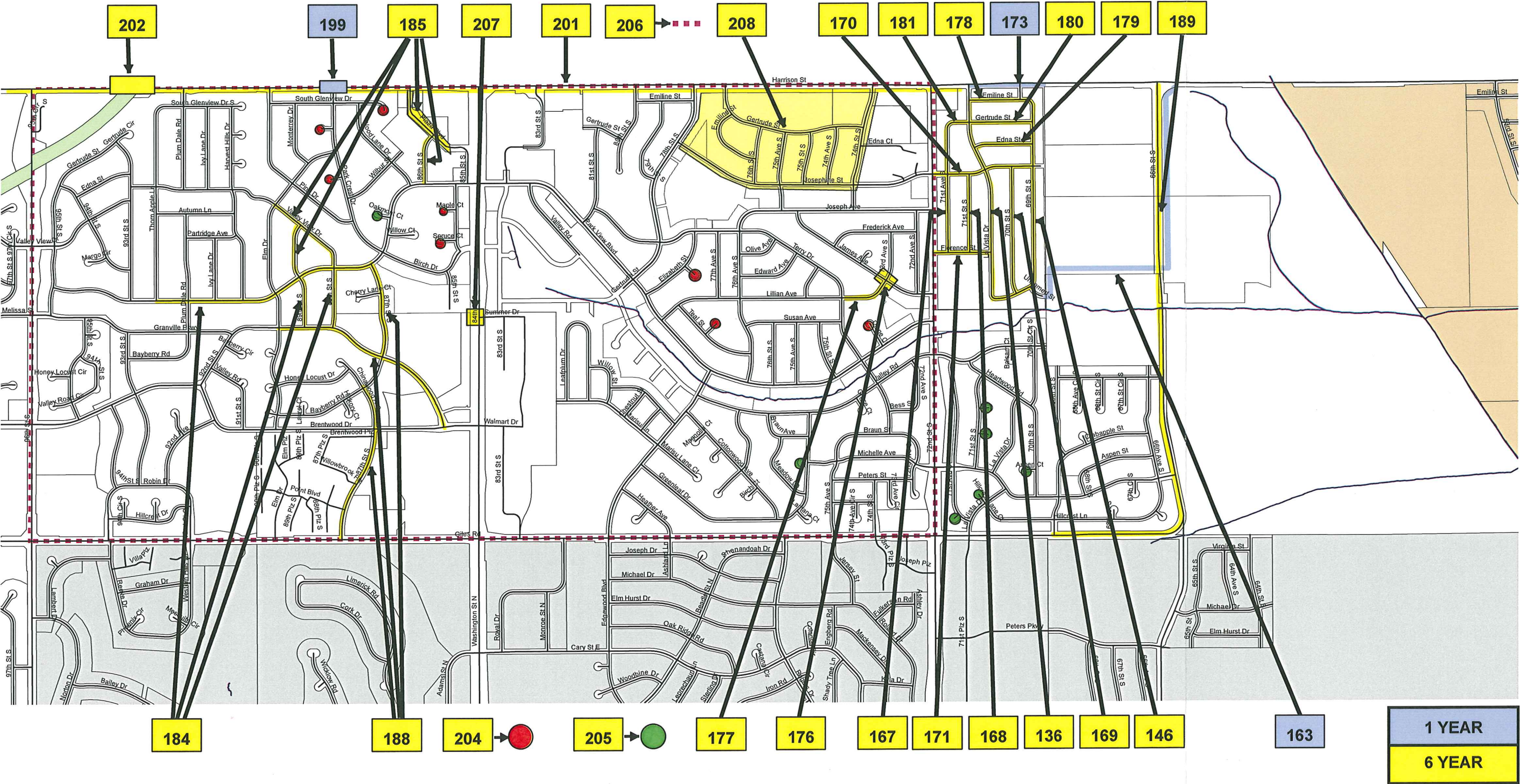
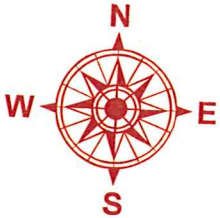
COUNTY:		CITY: LA VISTA		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2012/13	25	M376 (181)	Gertrude Street (71 st Avenue to La Vista Drive) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.05	100.0
2012/13	26	M376 (171)	Florence Street (72 nd Street to La Vista Drive) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.13	118.0
2012/13	27	M376 (167)	71st Avenue (Florence Street to Gertrude Street) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.29	177.0
2012/13	28	M376 (204)	Island Removal (Aspen Court, Hillcrest Lane Court, Primrose Circle, Crabapple Court, Wildwood Court, Michelle Circle, Oakmont Court) Remove Raised Islands and Pave With Concrete	0.02	200.0
2013/14	29	M376 (169)	70th Street (69 th Street to Josephine Street) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.29	189.0
2013/14	30	M376 (202)	Harrison Street (At Approximately 92 nd Street) Concrete Bridge Repair	0.02	100.0
2013/14	31	M376 (201)	Harrison Street (La Vista Drive to Interstate 80 Right of Way) Replace Concrete Panels in Various Locations	2.80	250.0
2013/14	32	M376 (180)	Gertrude Street (69 th Street to La Vista Drive) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.14	100.0
SIGNATURE:			TITLE: STREET SUPERINTENDENT (S-1137)	DATE: 03/03/2009	

Board of Public Roads Classifications and Standards
Summary of Six- Year Plan
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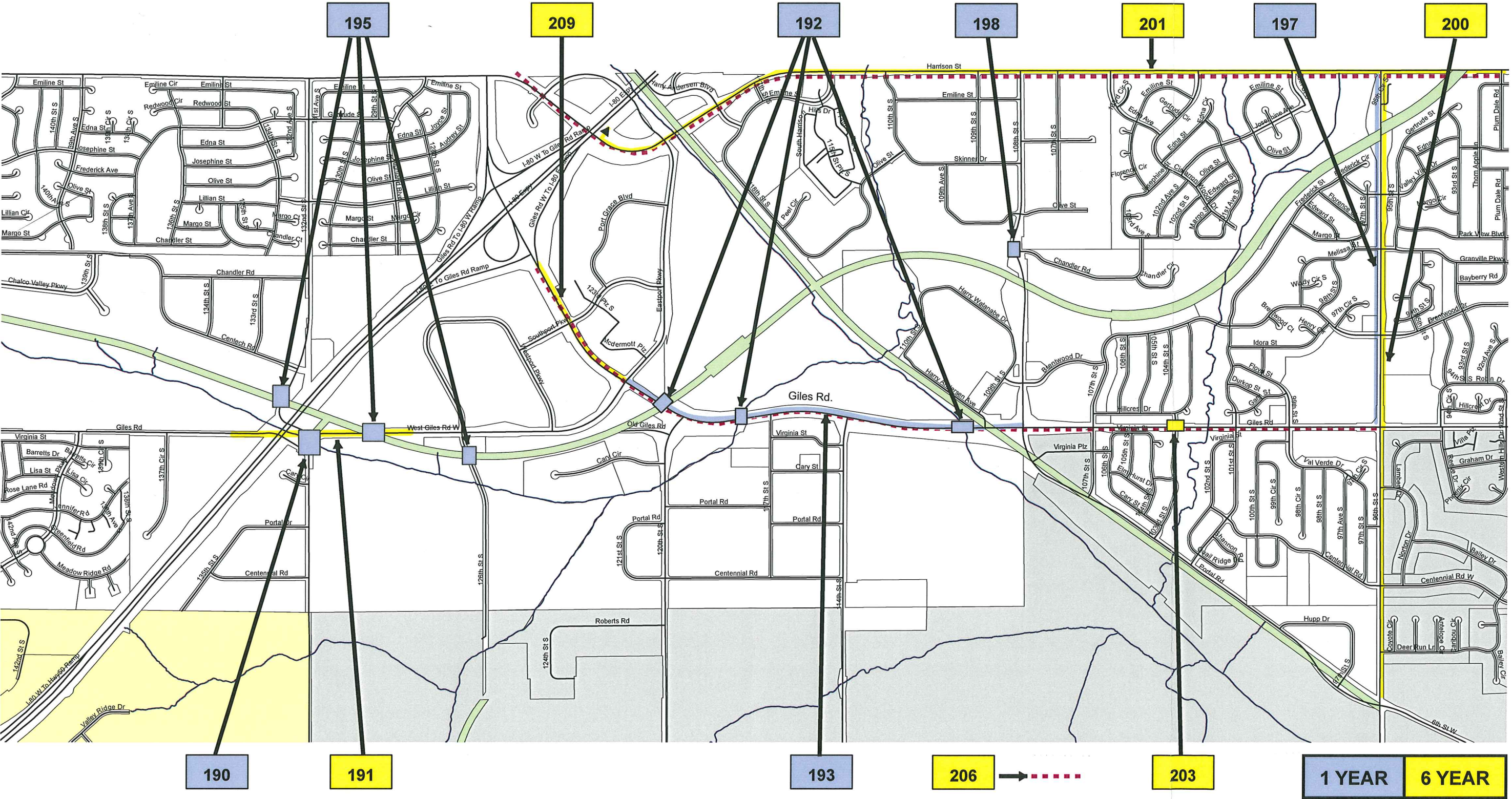
COUNTY:		CITY: LA VISTA		VILLAGE:	
PROJECT YEAR	PRIORITY NUMBER	PROJECT NUMBER	PROJECT DESCRIPTION	LENGTH Nearest Tenth (MILES)	ESTIMATED COST (THOUSANDS)
2013/14	33	M376 (179)	Edna Street (69 th Street to La Vista Drive) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.14	100.0
2013/14	34	M376 (178)	Emiline Street (69 th Street to La Vista Drive) Replace Curb and Gutter, Drive Approaches, Mill and 2" Asphalt Overlay	0.14	100.0
2013/14	35	M376 (205)	Island Removal – Phase II (Diane Court, Ava Court, Susan Court, South Glenview Drive, Redwood Court, Walnut Court, Maple Court, Spruce Court) Remove Islands and Pave With Concrete. Relocate Fire Hydrants.	0.02	150.0
2014/15	36	M376 (206)	Storm Sewer Inlet Top Repair (72nd Street, 96th Street, Harrison Street, Giles Road) Replace Damaged and Deteriorated Storm Inlet Tops	0.02	50.0
2014/15	37	M376 (208)	Crestview Heights (From Harrison Street to Josephine Street, 74 th Street to Gertrude Street) Repair Concrete Panels in Various Locations	0.50	250.0
SIGNATURE:			TITLE: STREET SUPERINTENDENT (S-1137)	DATE: 03/03/2009	

City of La Vista

Page 1 of 2



City of La Vista
Page 2 of 2



**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 3, 2009 AGENDA**

Subject:	Type:	Submitted By:
FIREWORKS PERMITS	◆ RESOLUTIONS ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

Two resolutions have been prepared for approval of issuing conditional 2009 retail fireworks sales permits. The first resolution establishes the number of permits the City will issue. The second resolution conditionally grants permits to the organizations approved by Council.

Applications have been received from:

- La Vista Youth Football and Cheerleading
- La Vista Area Chamber of Commerce
- La Vista Youth
- La Vista Lancers Soccer Club
- La Vista Vipers Wrestling Club
- La Vista Youth Baseball Association
- St. Columbkille Shepherds, Inc.

FISCAL IMPACT

A \$2,500 permit fee is required of each applicant. Additionally, a tent permit fee of \$150, temporary sign permit fee of \$30/sign (maximum of four), and an explosive materials storage permit fee of \$100 are required. The City has received a \$500 application deposit and the additional required permit fees from each of the applicants. For each permit issued, the remaining \$2,000 fireworks sales permit fee balance is due no later than noon on June 25, 2008.

RECOMMENDATION

Approval of the applications submitted by the La Vista Youth Football and Cheerleading, La Vista Area Chamber of Commerce, La Vista Youth, La Vista Lancers Soccer Club, and La Vista Vipers Wrestling Club, stipulating their compliance with requirements made by the Chief Building Official regarding their site plan and compliance with City Code.

Denial of the application submitted by La Vista Youth Baseball Association as their location is within a Light Industrial (I-1) zoning district which does not allow fireworks stands as a temporary use.

Denial of the application submitted by St. Columbkille Shepherds, Inc. as they are not in compliance with Municipal Code Section 111.17 (C) (2) which states in part, that the use of the net proceeds from the sale of fireworks shall be for community betterment purposes within the city.

BACKGROUND

The Municipal Code Section 111.17 (A) states in part, that "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued, however this number shall not in any event exceed six.

In September of 2006 a criteria/point system was created as part of the evaluation of the applications. There were no deductions to the five applications based on this point system. The two applications recommended for denial were in violation of the City Zoning regulations and City Code.

Permits will be subject to receipt of all appropriate application materials and compliance with recommendations made by City Staff.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ESTABLISHING THE MAXIMUM NUMBER OF FIREWORKS STANDS TO BE PERMITTED IN THE CITY OF LA VISTA FOR CALENDAR YEAR 2009.

WHEREAS, Section 111.17 and Section 111.18 of the Municipal Code establish criteria that must be met for the issuance of fireworks stand permits, and

WHEREAS, Section 111.17 (A) of the Municipal Code states in part that, "Each year the City Council shall, by resolution, establish the maximum number of permits to be issued."

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, that the maximum number of fireworks stand permits to be issued in calendar year 2008 shall not exceed five (5).

BE IT FURTHER RESOLVED, that per Section 111.17 (C) (10) of the Municipal Code, permit holders shall provide the City of La Vista with a certificate of insurance for their fireworks stand in the type and amount outlined.

BE IT FURTHER RESOLVED, that the written statement of income and expenses, which is required by Section 111.17 (C) (3) of the Municipal Code, be detailed and provide the City with a breakdown of specific expenditures related to the fireworks operation, income from the sale of fireworks, net profit, and specific community betterment expenditures.

BE IT FURTHER RESOLVED, that the issuance of a fireworks permit is conditional upon compliance with the Municipal Code, the Zoning Ordinance, and any other applicable regulations.

PASSED AND APPROVED THIS 3RD DAY OF MARCH 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Bueth, CMC
City Clerk

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE FIREWORKS STAND PERMIT APPLICATION OF THE, LA VISTA YOUTH FOOTBALL AND CHEERLEADING, LA VISTA AREA CHAMBER OF COMMERCE, LA VISTA YOUTH, LA VISTA LANCERS SOCCER CLUB, LA VISTA VIPERS WRESTLING CLUB

WHEREAS, the City of La Vista requires City approval of the sale of fireworks within the City limits, and

WHEREAS, the guidelines for application and sale of fireworks in La Vista are specified in the La Vista Municipal Code, Section 111.17 and Section 111.18; and

WHEREAS, five (5) non-profit organizations have applied for permission to sell fireworks in the City of La Vista in conformance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and

WHEREAS, City staff has reviewed all applications received in 2009 for the purpose of determining which applications were compliant with the Municipal Code, the Zoning Ordinance or any other applicable regulations.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby conditionally grant a permit to:

La Vista Youth Football and Cheerleading, La Vista Area Chamber of Commerce, La Vista Youth, La Vista Lancers Soccer Club, La Vista Vipers Wrestling Club

to sell fireworks within the City of La Vista for the 2009 calendar year subject to receipt of all appropriate application materials and compliance with recommendations made by the Chief Building Official regarding their site plan; compliance with the Municipal Code, the Zoning Ordinance and any other applicable regulations; and attendance by an official of the nonprofit organization which applied for the permit at a meeting with City staff (date and time to be established).

PASSED AND APPROVED THIS 3RD DAY OF MARCH 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk

2009 Fireworks Application Review

La Vista Youth Football and Cheerleading (20 points) (7302 Harrison Street)

- Police Chief stated that the site has been used in the past and concerns have been with access to the site. No traffic collisions reported last year at the sight. Concern with proximity of their tent to the La Vista Lancers Soccer Club tent.
- No complaints reported in 2008
- Building Official did not state any concerns.
- Fire Chief did not state any concerns

La Vista Area Chamber of Commerce (20 points) (7200 So. 84th Street – Mortgage Express)

- Police Chief had no concerns with the proposed site.
- No complaints reported in 2008.
- Building Official stated that it is mandatory and they must verify the signage is off the 84th Street Right-of-Way.
- Fire Chief did not state any concerns

La Vista Youth (20 points) (8011 S 83rd Street)

- Police Chief had no concerns with the proposed site.
- No complaints reported in 2008.
- Building Official stated that it is mandatory they keep parking off 83rd Street and off of the grass.
- Fire Chief did not state any concerns

La Vista Lancers Soccer Club (20 points) (7302 Harrison Street)

- Police Chief stated the site has been used in the past and concerns have been with access to the site. No traffic collisions were reported last year at the site. He is concerned with proximity of the tent to the La Vista Youth Football tent.
- No complaints reported in 2008.
- Building Official did not state any concerns.
- Fire Chief did not state any concerns

La Vista Vipers Wrestling Club (20 points) (8110 So. 84th Street – Brentwood Square)

- Police Chief had no concerns with the proposed site.
- No complaints reported in 2008.
- Building Official stated that it is mandatory they must keep signage off of the 84th Street Right-of-Way and maintain all required setbacks.
- Fire Chief did not state any concerns

La Vista Youth Baseball Association (20 points) (108th & Giles Road, Lot 40 Brook Valley Business Park)

- Location is within a Light Industrial (I-1) zoning district which does not allow fireworks stands as a temporary use. Therefore denial is recommended.

Other review comments:

- Did not sell fireworks in La Vista previous to this year.
- Police Chief had no concerns with the proposed site.
- Building Official stated that parking needs some sort of surfacing – gravel/rock.
- Building Official stated that they need a 25' setback between storage trailers and any other structure.
- Fire Chief did not state any concerns

St. Columbille Shepherds, Inc. (20 points) (8501 Granville Parkway – Reruns Event Center)

- Application is not in compliance with Municipal Code Section 111.17 (C) (2) which states in part that the use of the net proceeds from the sale of fireworks shall be for community betterment purposes within the city. Therefore denial is recommended.

Other review comments:

- Did not sell fireworks in La Vista previous to this year.
- Police Chief had no concerns with the proposed site.
- Building Official stated that the proposed strobe lights are prohibited.
- Building Official stated that it is mandatory that there be a 10' setback on all signs.
- Fire Chief did not state any concerns

(C) No provisions hereof shall be construed to authorize the use of mailboxes for the depositing of handbills, samples or other materials prohibited by federal postal law or regulations. ('79 Code, § 10-203) (Ord. 466, passed 9-20-88) Penalty, see § 10.99

Cross-reference:

For related provisions, see § 130.02

FIREWORKS

§ 111.15 DEFINITIONS.

For the purpose of this subchapter, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

FIREWORKS. Any composition or device designed for the purpose of producing a visible or audible effect by combustion, deflagration or detonation and which meets the definition of common or special fireworks set forth by the United States Department of Transportation in Title 49, Code of Federal Regulations.

PERMISSIBLE FIREWORKS. Sparklers, vesuvius fountains, spray fountains, torches, color fire cones, star and comet type color aerial shells without explosive charge for the purpose of making a noise, color wheels and lady fingers not exceeding seven-eighths inch in length or one-eighth inch in diameter and which do not contain more than 50 milligrams each in weight of explosive material. The provisions of this section shall not apply to any fireworks to be used for purpose of public exhibitions or display under authorization of the city or to fireworks furnished for agricultural purposes pursuant to written authorization from the State Fire Marshal.

(Neb. RS 28-1241) ('79 Code, § 10-312) (Ord. 75, passed - -; Am. Ord. 470, passed 10-18-88)

§ 111.16 SALE AND DISCHARGE OF NONPERMISSIBLE FIREWORKS PROHIBITED.

It shall be unlawful for any person to sell, hold for sale or offer for sale, ignite or cause to be exploded within the corporate limits of the city any fireworks or any other dangerous or combustible substance; provided, however, permissible fireworks may be sold and discharged in accordance with the following sections of this subchapter; and provided further that the City Council may authorize fireworks displays at special public gatherings under such circumstances that they will do no damage to person or property upon issuance of a display permit.

('79 Code, § 10-312) (Ord. 75, passed - -) Penalty, see § 10.99

Statutory reference:

Statutory provisions, see Neb. RS 28-1237, 28-1239.01, 28-1241, 28-1244, 28-1245, and 28-1249

§ 111.17 SALE OF PERMISSIBLE FIREWORKS; PERMIT REQUIRED; APPLICATION; PERMIT FEE.

(A) Each year the City Council shall determine whether or not to allow fireworks stands to operate in the city. If the City Council determines that fireworks stands will be permitted, the Council shall, by resolution, establish the maximum number of permits to be issued, however this number shall not in any event exceed six.

(B) It shall be unlawful for any person to sell, hold for sale or offer for sale any permissible fireworks within the corporate limits of the city unless such person has first obtained a permit from the City Council to do so.

(C) Application for said permit shall be made in the following manner:

(1) Application shall be made on such form as shall be prescribed by the City Council and shall be filed with the City Clerk by noon on January 15 of the year for which the permit is sought. If January 15 falls on a weekend or a holiday when city offices are closed, the deadline will move to noon on the next business day. The city shall, by publication, give notice each November of the procedure and deadline for submitting a permit application.

(2) Only nonprofit organizations and associations using volunteer sales persons and which will use the net proceeds from the sale of fireworks for community betterment purposes within the city shall be eligible for a permit.

(3) If the applicant organization has held a permit in any of the three preceding years, it must file with its application a written statement of the income and expenses from the sale of its fireworks within the city for each of such years, together with a statement of its community betterment type expenditures made from the net proceeds from the sale of fireworks in each said year.

(4) The applicant shall state the nature of the community betterment purpose for which the net proceeds from the current year's sale of fireworks will be utilized if the permit be granted.

(5) The application organization must identify the proposed location for the retail fireworks stand in the permit application. A signed statement from the property owner granting the application organization permission to utilize the property must accompany the application.

(6) All applications for permits must be approved by the City Council. The City Clerk shall be responsible for reviewing applications, tallying points and making recommendations to the Council for permits. Applications will be evaluated on the following criteria/point system:

(a) Each year all applications will start out with a total of 20 points.

(b) Applications shall be automatically disqualified if they are received after the application deadline of January 15; if they are incomplete based on the checklist that is included on the application form; or if the applicant organization is a prior-year permit holder that has displayed and/or sold or attempted to sell illegal fireworks or has otherwise violated the law regarding the operation of their fireworks stand.

(c) 1. Applications that are not disqualified will be reviewed by the City Clerk and will lose points according to the following schedule:

<i>Point Deduction</i>	<i>Infraction</i>
2	Information missing from the fireworks application permit
2	Information missing from the tent permit application
2	Information missing from the sign permit application
2	Information missing from the explosive materials storage permit application
2	Information missing from the site plan
5	Lack of sufficient detail regarding proposed community betterment expenditures
5	Lack of sufficient detail regarding previous years income and expenditures
5 - 20	Concerns with proposed location based on recommendation from public safety personnel

2. In the event of a tie(s) after ranking, first preference shall be given to those eligible organizations that identify community betterment acquisitions, services or programs which will benefit the city as a whole. Those that benefit only particular areas or neighborhoods of the city shall have second preference. If all other application requirements are met, special consideration will be given to organizations agreeing to co-locate and operate a fireworks stand.

(7) Permits will be valid only for the period specified on the face of the permit and will automatically terminate on the specified ending date. Permit holders shall not have any right to or expectation of receiving a permit or operating a fireworks stand in the city in any future year or period. Notwithstanding anything herein to the contrary, permits are revocable at the will of the city, at anytime, with or without cause.

(8) As used herein, the following terms have the following meaning:

(a) **COMMUNITY BETTERMENT** shall mean that which generally betters or enhances the community of the city, such as:

1. The acquisition, improvement and maintenance of parks and recreational facilities, public equipment and other items for community use and enjoyment or to be used by the city in service to the community;
2. The recruitment and attraction of new businesses and jobs to the city community;
3. Athletic programs for the community; and
4. Other acquisitions, services or programs of general benefit to the city community.

(b) **NET PROCEEDS** shall mean gross sales less the cost of fireworks, permit fee, rental or lease expense, advertising and similar costs of operation of the fireworks stand. Volunteer salespersons shall be used and any remuneration paid or given to persons performing services in connection with the sale of fireworks shall not be deemed a cost of operation.

(9) A permit fee to sell, hold for sale or offer for sale permissible fireworks in such amount as set from time to time by the Mayor and City Council and a current record of which shall be maintained by the City Clerk, shall be collected by the city. A permit application deposit of \$500 must accompany the permit application; and, if a permit is issued, the remaining balance shall be due and payable no later than June 25 of the year for which the permit has been issued. If the permit is denied, \$400 of the deposit will be refunded.

(10) Prior to issuance of the permit, applicant shall supply to the city a copy of a certificate of insurance issued by an insurance company in good standing, authorized to do business in Nebraska, providing combined liability coverage for bodily injury and property damage in a minimum amount of \$300,000 per occurrence and \$1,000,000 in aggregate coverage and naming the City of La Vista as an additional insured.

('79 Code, § 10-313) (Ord. 75, passed - -; Am. Ord. 721, passed 3-17-98; Am. Ord. 777, passed 5-18-99; Am. Ord. 792, passed 10-19-99; Am. Ord. 885, passed 11-19-02; Am. Ord. 1005, passed 9-5-06) Penalty, see § 10.99

§ 111.18 SALE OF PERMISSIBLE FIREWORKS REGULATED.

Persons holding a permit to sell permissible fireworks:

(A) May only sell the same beginning 12:01 a.m. June 25 and ending midnight on July 4 of the year for which the permit is issued. Within this period, permissible fireworks may be sold only between the hours of 8:00 a.m. and 11:00 p.m.

(B) Shall at no time sell within the city limits any fireworks or other pyrotechnics other than permissible fireworks.

(C) Shall during such times as fireworks are being sold have an adult in charge of his or her stand or retail outlet and shall display therein the required permit in a conspicuous manner and place.

(D) Shall at all times comply with all regulations passed by the City Council pertaining to the permissible size, location, equipping and operation of fireworks stands and retail outlets.

(E) Shall at no time sell any fireworks or other pyrotechnics to any person under 12 years of age. ('79 Code, § 10-314) (Am. Ord. 792, passed 10-19-99) Penalty, see § 10.99

§ 111.19 DISCHARGE OF PERMISSIBLE FIREWORKS REGULATED.

(A) *Prohibition as to time of discharge.* Except as may be otherwise provided herein or authorized by special permit approved by the City Council, no person shall ignite or discharge any permissible fireworks except between the hours of 7:00 a.m. to 10:00 p.m. from June 25 through July 3 inclusive and between the hours of 7:00 a.m. and midnight on July 4 of each year.

(B) *Dangerous environmental conditions.* In the event that in the determination of the Fire Chief, general weather or ground cover conditions are such as create an unacceptable risk of fire should there be discharge of fireworks, including permissible fireworks, within the city limits, then in such event the Fire Chief shall advise the City Administrator and Mayor of such determination and shall communicate a recommendation to them for any preventative action or measures the Fire Chief deems necessary, including what limitations should be placed upon the time period for discharge of fireworks or the extent to which the discharge of fireworks should be prohibited. The Mayor, with the advice of the Council President, the City Administrator, the Fire Chief, and the Chief of Police, or such of them as may be readily available, shall order such action, if any, the Mayor shall deem necessary or appropriate in the situation, including partial or total bans on discharge of fireworks on such dates and during such times as the Mayor may determine necessary or appropriate. Should the Mayor determine that prohibitive or preventative action is required, the Mayor shall issue a proclamation to that effect and shall advise the City Administrator, who shall advise the members of the City Council, the Fire Chief, the Chief of Police, and the media of the Mayor's proclamation and shall cause same to be conspicuously posted throughout the city. Discharge of fireworks in violation of such proclamation shall constitute a violation of this section and shall be punishable as such. As used herein, references to the Mayor and other officials shall, in the case of their absence or inability to act, include persons empowered to act in their stead.

(C) *Prohibition as to manner and place of discharge.* In no event shall any person ignite or discharge any fireworks, even though same be permissible fireworks:

- (1) In or from any motor vehicle;
- (2) On any street, highway, or sidewalk;
- (3) Near any person or group of persons;
- (4) In any building;
- (5) In any public park, except as may be authorized by special permit;
- (6) In any public building;
- (7) In any school or on any school grounds; and

(8) In any other manner or place that is likely to inflict or increase the risk of property damage or bodily harm to any person or persons or place any of them in danger of bodily harm.

(D) *Special permit for community fireworks show.*

(1) The City Clerk may authorize the issuance of special permits for fireworks displays to be conducted by or under the auspices of the city or by or under the auspices of a nonprofit organization, organized for purposes of service to or betterment of the city, its businesses, or residents, for the purpose of putting on an admission-free public fireworks display for the benefit of the residents of the city at such place, during such times and under such terms, conditions, and security measures as the City Clerk may prescribe for such display.

(2) The permit holder shall obtain the required approval of the State Fire Marshal. By way of specification and not of limitation, as a condition of any permit hereunder, the permit holder shall obtain and maintain in effect, for the maximum limitations and repose periods under any and all products liability or tort laws in the State of Nebraska, insurance for any and all liabilities arising out of or resulting from any permitted fireworks or fireworks display, written by an insurer authorized to do business in the state, in such amount and upon such other terms as satisfactory to the city in its sole discretion. The city shall be an additional named insured on each such policy provided.

('79 Code, § 10-315) (Ord. 75, passed - - ; Am. Ord. 340, passed 6-21-83; Am. Ord. 571, passed 8-17-93 Am. Ord. 792, passed 10-19-99; Am. Ord. 813, passed 7-18-00) Penalty, see § 10.99

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 3, 2009 AGENDA**

Subject:	Type:	Submitted By:
PURCHASE SPRAY RIG – GOLF COURSE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

SYNOPSIS

A resolution has been prepared for the purchase of (1) one Toro Workman 3200 Spray Rig from Midwest Turf & Irrigation, 14201 Chalco Valley Parkway, Omaha, Nebraska 68138 for an amount not to exceed \$29,293.00.

FISCAL IMPACT

The FY 2008/09 Golf Fund provides funding for financing the purchase through the golf operating budget. \$30,000 was approved at the budget hearings for the purchase.

RECOMMENDATION

Approval

BACKGROUND

Council approved the purchase of this unit on October 8, 2008. At that time, Public Works did not recognize that the funding approved for financing this purchase was only for the last 6-months of the fiscal year. The price on this unit increased \$265.00 at the beginning of the new calendar year. The unit will be delivered on April 1, 2009.

The purchase of this unit is off of the National Intergovernmental Purchasing Alliance (National IPA) price list. National IPA was established through a collaborative effort of public agencies across the United States with the specific purpose of reducing procurement costs by leveraging group volume. The City of La Vista has enrolled as a member of this organization. The new unit will replace vehicle #7747, a 1992 Cushman Turf Choice spray unit.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF A TORO WORKMAN 3200 SPRAY RIG FROM MIDWEST TURF & IRRIGATION, 14201 CHALCO VALLEY PARKWAY, OMAHA, NEBRASKA, FOR AN AMOUNT NOT TO EXCEED \$29,293.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a spray rig is necessary; and

WHEREAS, the FY 2008/09 Golf Fund Budget provides funding for said purchase; and

WHEREAS, the purchase will be made from the National Intergovernmental Purchasing Alliance (National IPA); which Midwest Turf & Irrigation is a participating agency; 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, that the Mayor and City Council of the City of La Vista, due hereby award the purchase of a Toro Workman 3200 Spray Rig to Midwest Turf & Irrigation, Omaha, Nebraska, for an amount not to exceed \$29,293.00.

PASSED AND APPROVED THIS 3RD OF MARCH 2009.

CITY OF LA VISTA

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC
City Clerk



14201 CHALCO VALLEY PARKWAY
OMAHA, NE 68138-6193
(402) 895-8900
FAX (402) 895-8913

September 11, 2008

LaVista Falls Golf Course
Jeff Calontine
1604 S Grandview Ave #32
Papillion, NE 68046

Jeff,

Enclosed please find information on the Requested Equipment.

Item	Description	Suggested List	National IPA Pricing
07361	Workman 3200 with a full size box	\$21,738.00	
105-9498	Tachometer/Speedometer	\$162.00	
07420	Hand Throttle	\$165.00	
07419	Rear PTO	885.00 \$620.00	
41235	200 Gal Sprayer	\$12,693.00	
41228	Pro Foam Marking Kit	\$1,742.00	
		<u>\$37,120.00</u>	<u>\$29,028.00</u> 29,293.00

If I can be of further assistance, please call.

Sincerely,

Dan Parr, Commercial Turf Sales

**CITY OF LA VISTA
MAYOR AND CITY COUNCIL REPORT
MARCH 3, 2009 AGENDA**

Subject:	Type:	Submitted By:
RECONSIDER ASSESSMENT PER RESOLUTION 09-007	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

SYNOPSIS

A resolution has been prepared to reconsider and adjust the original assessment filed with the Sarpy County Treasurer for property clean up at 7107 Monterrey Dr., Lot 167 Park View Heights 2nd Addition.

FISCAL IMPACT

N/A

RECOMMENDATION**BACKGROUND**

The Council passed Resolution 09-007 on January 20, 2009 to authorize the clerk to file special assessments with the Sarpy County Treasurer for unpaid charges for property cleanup on various properties. 7107 Monterrey Drive was one of the properties.

Since that time, the property owner has sent a letter asking that the Council reconsider the assessment.

The City gave proper notification with regard to the violation. Once the work was completed the bill was sent via certified mail which gives the property owner time to protest the bill prior to or at the Council meeting at which the assessment is presented. The Certified Letter sent to the property owner was returned to the City after the post office made three attempts to have the certified letter claimed.

Staff has reviewed similar requests from other property owners regarding the tree trimming violations and has waived the assessment. Because of the similarity of situations this is being brought back for Council reconsideration. This assessment has already been filed with the Sarpy County Treasurer and therefore if Council wants to adjust the assessment it requires action through the approval of a resolution with the amount of adjustment stated.

We have supplied the information presented at the time of the original assessment, the letter received from the property owner, and the memo from our Public Works Director regarding this clean up.

RESOLUTION NO. _____

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RECONSIDERING AND ADJUSTING THE ORIGINAL ASSESSMENT OF A PROPERTY PURSUANT TO RESOLUTION 09-007 AND AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER AN ADJUSTMENT TO THE SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT THE LOCATION AND IN AMOUNT CITED HEREIN.

WHEREAS, the Mayor and City Council passed Resolution 09-007 on January 20, 2009 authorizing the City Clerk to file with the Sarpy County Treasurer a special assessment for property clean up at 7107 Monterrey Dr., Lot 167 Park View Heights 2nd Addition in the amount of \$179.18 ("7107 Monterrey Dr. Assessment"); and

WHEREAS, the City Clerk received a written protest from the property owner on February 13, 2009 requesting the Council's action and 7107 Monterrey Dr. Assessment be reconsidered and adjusted; and

WHEREAS, the City has verified that the owner did make an attempt to trim the branches in compliance with notice of the code enforcement officer; and

NOW THEREFORE BE IT RESOLVED, that, in consideration of the foregoing, exceptional circumstances and interests of equity:

1. Resolution 09-007 is hereby reconsidered to the extent of the 7107 Monterrey Dr. Assessment.
2. Resolution 09-007 is hereby ratified, affirmed and approved, with the exception of the 7107 Monterrey Dr. Assessment, which is hereby adjusted and set at the following amount \$_____.
3. The La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer an adjustment to the 7107 Monterrey Dr. Assessment in accordance with the actions approved herein.

PASSED AND APPROVED THIS 3RD DAY OF MARCH, 2009

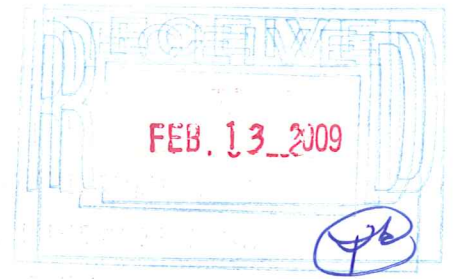
CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Bueche, CMC
City Clerk

January 30, 2009



Kaylynn Rau

7107 Monterrey Drive

Lavista, Ne 68128

Re: SID # 270020902 Lavista City Weed Lien

Dear Pam,

Several weeks ago I received a notice on my door regarding the trimming of branches in front of my home. After receiving this notice my fiancé and I trimmed all of the low hanging branches and hauled them away. A few weeks later, two city employees pulled up in front of the house and were measuring the branches on our tree that we had already trimmed. There was only one small branch that was even questionable. They decided to trim it and I said I would rather do it myself, especially since we had done the rest of the tree anyway. The worker claimed that it would only be about \$15 dollars to trim it anyway (he said they have to charge their hourly wage at least). My fiancé and I agreed to let him cut the one branch and they left. They were there about a total of 3 minutes.

Since then, I just received a statement for cutting that branch to the sum of \$181.72. Needless to say we are quite shocked to see such a large amount for cutting one branch off of our tree. I have no problem paying the \$15 dollars (which is what he told me) but if I knew this was going to cost almost \$200 dollars for one branch, we would have done it ourselves. We thought we did the right thing and had all of the branches cut in accordance with the city's specs. The branch he trimmed was even questionable as it barely touched his measuring

pole. We hired a company to cut down a dead tree this past summer and it cost us \$200 for the entire tree. We are frustrated and hoping that you will be able to help us clear this matter up.

Please let me know if there is anything else I can do. I greatly appreciate your time and effort regarding this matter.

Thank you,

Kaylynn Rau

USA FIRST-CLASS FOREVER



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City of LaVista
Attention: Pam
8116 Parkview Blvd.
LaVista, NE 68128

BOOK REVIEW

February 23, 2009

TO: Pam Buethe
City Clerk

FROM: Joe Soucie
Public Works Director

RE: Tree Trimming Charges: 7107 Monterrey Drive

I spoke with the Public Works crew that performed the tree trimming operations on Monterrey Drive. The employees do remember having a conversation with Ms. Rau. They stated that it did appear that the homeowner had made an attempt to trim the branches; however the branches still did not meet code. The senior employee on the crew informed Ms. Rau that the charge should be at the minimum rate since they would be there only 15 minutes. The employee stated that at no time did the provide a dollar amount associated with performing the work since they had no idea what those charges are.

RESOLUTION NO. 09-007

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
8016 Park View Blvd., Lot 1279 La Vista, \$182.06,
7410 Park View Blvd., Lot 757 La Vista, \$182.06,
7332 Frederick Ave., Lot 412 La Vista Replat, \$181.90,
8812 Pine Dr., Lot 183 Park View Heights 2nd Addition, \$176.43,
7501 S 76th Ave., Lot 559 La Vista Replat, \$179.15,
7425 Josephine St., Lot 120 Crestview Heights, \$179.15,
7222 Joseph Ave., Lot 358 La Vista Replat, \$181.90,
6905 Josephine St., Lot 171 La Vista Replat, \$177.78,
6905 Gertrude St., Lot 85 La Vista Replat, \$182.06,
7107 Monterrey Dr., Lot 167 Park View Heights 2nd Addition, \$179.18 and
7505 Diane Ct., Lot 740 La Vista, \$189.81
were notified to clean up their property as they were in violation of the City Municipal Code, Section 94.06, 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

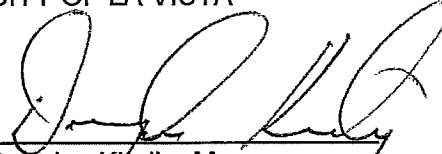
WHEREAS, the City sent the property owners bills for said clean up which have not been paid, and

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

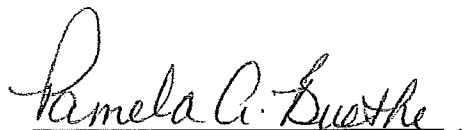
NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska.

PASSED AND APPROVED THIS 20TH DAY OF JANUARY, 2009

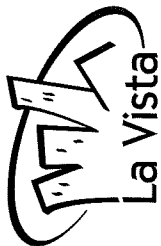
CITY OF LA VISTA


Douglas Kindig, Mayor

ATTEST:


Pamela A. Buethe, CMC
City Clerk

	Motion	Second	Aye	Nay	Abstain	Absent
Kindig						
Carlisle	√		√			
Crawford			√			
Ellerbeck		√	√			
Gowan			√			
Quick			√			
Ronan			√			
Sheehan			√			
Sell			√			



City of La Vista
8116 Park View Blvd.
La Vista, NE 68128

CERTIFIED MAIL™



7006 0810 0001 6713 8433



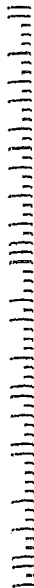
DEC 29 2008

KayLynn M Rau
7107 Monterrey Dr
La Vista, NE 68128

561 4E 1 B4 12/27/08

RETURN TO SENDER
UNCLAIMED
UNABLE TO FORWARD

BC: 68128219899 *1095-03119-27-23



NAME 12-5-8 AK UNC
1st Notice 12-10
2nd Notice 12-20

7006 0810 0001 6713 8433

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Return Receipt Fee (Endorsement Required)	
Restricted Delivery Fee (Endorsement Required)	
Total Postage & Fees	\$

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Street, Apt.
or PO Box
City, State

KayLynn M Rau
7107 Monterrey Dr
La Vista, NE 68128

PS Form

ctions

December 4, 2008

KayLynn M Rau
7107 Monterrey Dr
La Vista, NE 68128



RE: Lot 167/Park View Heights 2nd Addition

Dear Ms. Rau:

On October 23, 2008, your property on Monterrey Dr in La Vista was in violation of the City of La Vista's Municipal Code, Sections 94.06 and a yellow tag was left at the above address that stated the trees on the property needed to be trimmed within 14 days or the City would correct the violation at the owner's expense. On November 18, 2008 the Public Works Department trimmed and disposed of the tree branches that were over the street and/or the sidewalk. A total cost of \$179.18 was incurred by the City for the clean up. The cost breakdown is as follows:

Administrative Fee	\$	50.00
Tree Trimming and Disposal		
Two Workers, 1 Hour Each		36.43
Equipment Cost		42.75
Chipping		50.00
TOTAL	\$	<u>179.18</u>

Please remit \$179.18, payable to the City of La Vista, 8116 Park View Blvd., La Vista, Nebraska 68128, within 30 days. If payment is not received within 30 days of issuance of this statement, the City Council will, on January 20, 2009, take action to file the above referenced cost with the Sarpy County Treasurer as a special assessment for improvements against your property.

Thank you for your attention to this matter.

Sincerely,

Pamela A. Buethe, CMC
City Clerk

City Hall
8116 Park View Blvd.
La Vista, NE 68128-2198
p: 402-331-4343
f: 402-331-4375

Community Development
8116 Park View Blvd.
p: 402-331-4343
f: 402-331-4375

Fire
8110 Park View Blvd.
p: 402-331-4748
f: 402-331-0410

Golf Course
8305 Park View Blvd.
p: 402-339-9147

Library
9110 Giles Rd.
p: 402-537-3900
f: 402-537-3902

Police
7701 South 96th St.
p: 402-331-1582
f: 402-331-7210

Public Works
9900 Cornhusker Rd.
p: 402-331-8927
f: 402-331-1051

Recreation
8116 Park View Blvd.
p: 402-331-3455
f: 402-331-0299

November 21, 2008

To: Valerie Houloose
Code Enforcement Officer

Fr: Joe Soucie
Public Works Director

Re: Tree Trimming
7107 Monterrey Dr.

The following is a list of expenses incurred by the Public Works Department on November 18, 2008 while trimming and disposing of the tree branches over the street and/or sidewalk at 7107 Monterrey Dr., per your instructions.

LABOR:

	<u>Rate</u>	<u>Hours</u>	<u>Total</u>
Employee #1	23.17	1	23.17
Employee #2	13.26	1	13.26
			<hr/>
			\$ 36.43

EQUIPMENT:

<u>Description</u>	<u>Rate</u>	<u>Hours</u>	<u>Total</u>
1 pickup truck	20.00	1	20.00
1 trailer	15.00	1	15.00
1 power pruner	7.75	1	7.75
			<hr/>
			\$ 42.75

CHIPPING:

Standardized fee for chipping tree branches	\$ 50.00
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TOTAL LABOR, EQUIPMENT and CHIPPING: \$ 129.18

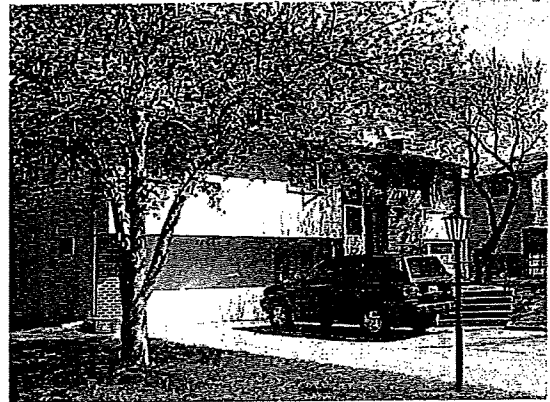
owned ✓

Date 10/23/08
Location 7107 Monterey
Violation 94.06 tree branches
Time to Comply 11/10/08
Vehicle Description not
Follow-up Officer Valerie Ambrose
Due: 11/18/08

took pictures
turned in pictures

Active

Parcel Number: 010565795
 Location: 07107 MONTERREY DR
 Owner: RAU/KAYLYNN M
 C/O
 Mail Address: 7107 MONTERREY DR
 LA VISTA NE 68128-
 Legal: LOT 167 PARK VIEW HEIGHTS 2ND ADD
 Tax District: 27002
 Map #: 2959-15-0-30006-000-0200



Click Picture/Sketch for Larger View.

Residential Information for 1 January Roll Year 2008			
Style:	Split Entry		
Year Built:	1963	Bedrooms	3
Bathrooms	1.5	Total Sqft	1184
Total Bsmt Finish Sqft	540	Bsmt Total Sqft	1104
Garage Type		Garage Sqft	0
Lot Depth	125	Lot Width	70
Misc			
Description	Sqft or Quantity		
OPEN SLAB PORCH	240		
BSMT GARAGE FINISH	456		
BSMT OUTSIDE ENTRY	2		
CONCRETE STOOP	30		
WOOD DECK	36		
SGLE 1/S FIREPLA	1		
DRIVEWAY	1		

Sales Information (Updated 12/2/2008)			
Sale Date B & P	Grantor	Grantee	Sale Price
4/16/1999	KRISHNA/MOHAN SILVIO	KRISHNA/SUSANNE M & MOHAN S	\$0
99-11301	7107 MONTERREY DR LA VISTA NE 68128-0000	717107 MONTERREY DR LA VISTA NE 68128-0000	
9/20/2002	KRISHNA/SUSANNE M & MOHAN S	RAU/KAYLYNN M	\$112,000
02-39891	717107 MONTERREY DR LA VISTA NE 68128-0000	7107 MONTERREY DR LA VISTA NE 68128-	

Valuation Information					
Valuation					
PV = Partial Valuation					
Roll Year	Land Value	Impr Value	Outbuildings	Total Value	PV
2008	\$22,000	\$103,537	\$0	\$125,537	NO
2007	\$22,000	\$98,082	\$0	\$120,082	NO
2006	\$22,000	\$92,992	\$0	\$114,992	NO
2005	\$22,000	\$89,423	\$0	\$111,423	NO
2004	\$20,000	\$85,018	\$0	\$105,018	NO
2003	\$20,000	\$82,575	\$0	\$102,575	NO
2002	\$20,000	\$80,347	\$0	\$100,347	NO
2001	\$18,000	\$76,666	\$0	\$94,666	NO
2000	\$17,460	\$70,415	\$0	\$87,875	NO
1999	\$17,280	\$67,043	\$0	\$84,323	NO



