

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING June 5, 2007

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 June 5, 2007. Present were Mayor Kindig and Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Absent: None. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Community Development Director Birch, Library Director Iwan, Finance Director Lindberg, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, 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 May 24, 2007. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection within 10 days after said meeting and prior to the next convened meeting of said body.

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

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

### SPECIAL REPORTS - TOBY CHURCHILL - SARPY COUNTY EDC

Toby Churchill of the Sarpy County EDC addressed Council to review the first Quarter Report. Some of the highlights included; net taxable sales increased in the 4th quarter of 2006 as compared to the 4th quarter of 2005; single family housing, with nearly 263 permits issued the 1st quarter of 2007, is down about 126 from 2006; and Banner County was the fastest growing county in 2006, with a 3% increase (population grew from 754 to 783), while Sarpy County's population increased 2.4%.

#### A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. MINUTES OF THE MAY 15, 2007 CITY COUNCIL MEETING
3. MINUTES OF THE MAY 17, 2007 PLANNING COMMISSION MEETING
4. MINUTES OF THE MAY 7, 2007 LA VISTA/METROPOLITAN COMMUNITY COLLEGE  
CONDOMINIUM OWNERS ASSOCIATION, INC. MEETING
5. PAY REQUEST FROM TAB HOLDING COMPANY, INC. FOR SOUTHPORT WEST 126<sup>TH</sup>  
6. & GILES ROAD IMPROVEMENTS-SECTION 1 - \$189,099.59
7. PAY REQUEST FROM CITY OF OMAHA FOR DESIGN WORK - HARRISON STREET  
IMPROVEMENTS FROM 47<sup>TH</sup> TO 71<sup>ST</sup> STREET - \$5,213.92
8. PAY REQUEST FROM FELSBURG HOLT & ULLEVIG FOR QUIET ZONE STUDY -  
9. \$876.83
10. NEW FIRE STATION NO. 2
  - a. PAY REQUEST FROM AVI SYSTEMS FOR AUDIO/VISUAL EQUIPMENT - \$2,412.90
  - b. PAY REQUEST FROM AVI SYSTEMS FOR AUDIO/VISUAL EQUIPMENT - \$2,500.00
  - c. PAY REQUEST FROM CONTROL MASTERS INC. FOR HVAC SYSTEM - \$381.00
  - d. PAY REQUEST FROM FGM FOR PROFESSIONAL SERVICES - \$3,256.05
11. APPROVAL OF CLAIMS

Councilmember McLaughlin made a motion to approve the consent agenda as presented. Seconded by Councilmember Ellerbeck. Councilmember McLaughlin reviewed the claims for this period and reported that he found everything to be in order. Councilmember Sheehan asked Public Works Director Soucie about the final plans on the Harrison Street Improvements from 47<sup>th</sup> to 71<sup>st</sup> Street. Soucie will bring those plans for viewing to the next meeting. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

A & D TECHNICAL SUPPLY, Bldg & Grnds	280.00
A.S.P. ENTERPRISES, Bldg & Grnds	376.60
ACCURATE TESTING, Bldg & Grnds/Utilities	499.65
ACTION BATTERIES, Vehicle Maint./Electric Cart/Vehicle Supplies	694.07
ALAMAR UNIFORMS, Wearing Apparel	408.82
ALEGENT HEALTH SYSTEMS, Training	60.00
AMsan, Supplies	642.65

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AQUA-CHEM, Supplies	347.60
AQUILA, Utilities	2,881.83
ARAMARK UNIFORM SERVICES, Contract Services	318.29
ASPHALT & CONCRETE MATERIALS, Street Maint.	4,656.19
ATLANTIC TACTICAL, Equipment	359.90
BAKER & TAYLOR BOOKS, Books	366.83
BARONE SECURITY SYSTEMS, Contract Services	648.00
BCDM-BERINGER CIACCIO DENNELL, Professional Services	442.50
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNINGTON IMPLEMENT, Equipment Maint.	559.03
BENSON RECORDS MANAGEMENT, Contract Services	50.00
BEST ACCESS SYSTEMS DIVISION, Equipment	45.23
BETTER BUSINESS EQUIPMENT, Contract Services	57.76
BIRCH, ANN, Auto Allowance	50.00
BOBCAT, Vehicle Maint.	1,765.74
BRAND, STEVEN, Contract Services	31.25
BRODART, Books	1,240.84
BUETHE, PAM, Auto Allowance/Travel/Concessions/Training	599.24
BUILDERS SUPPLY, Bldg & Grnds	95.05
BURESH GOLF & EQUIPMENT, Cart Rental	448.00
BUSINESS INTERIORS GROUP, Furniture	5,403.32
CARROLL DISTRIBUTING, Bldg & Grnds	199.16
CDW GOVERNMENT, Equipment	11,295.47
CENTER POINT PUBLISHING, Books	77.88
CIACCIO ROOFING, Complex Improvements	43,080.00
CITY OF OMAHA, Contract Services	28,644.40
COMPUTER NETWORK SERVICES, Contract Services	80.00
CONTROL MASTERS, Contract Services	1,773.82
CORBIT, JEFF, Auto Allowance	100.00
COURTESY CLEANERS, Cleaning	116.34
COX, Contract Services	43.95
DANIELSON EQUIPMENT/SUPPLY, Bldg & Grnds	1,056.00
DANKO EMERGENCY EQUIPMENT, Vehicle Maint.	251.74
DAYSPRING PRINTING, Professional Services	59.00
DEIML, KEITH, Disaster Exercise	300.00
DEMCO, Supplies	38.61
DULTMEIER SALES & SERVICE, Vehicle Maint.	114.38
ED M. FELD EQUIPMENT, Supplies/Wearing Apparel	2,577.00
EDGEWEAR SCREEN PRINTING, Wearing Apparel/Supplies	694.75
ELECTRONIC CONTRACTING COMPANY, Repairs	567.00
ENTERPRISE LOCKSMITHS, Bldg & Grnds	97.00
ERICKSON, RANDALL, Auto Allowance	100.00
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL COMPANY, Supplies/Bldg & Grnds	82.60
FAVORABLE IMPRESSIONS, Books	39.96
FEDEX, Postage	42.63
FEDEX KINKO'S, Supplies/Printing	453.58
FELSBURG HOLT & ULLEVIG, Quiet Zone Study	3,110.84
FILTER CARE, Vehicle Maint.	103.15
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	48.50
FIREGUARD, Equip Maint.	37.50
FITZGERALD SCHORR BARMETTLER, Professional Services	12,187.19
FLEETPRIDE, Vehicle Maint.	158.14
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,106.00
FUTUREWARE DISTRIBUTING, Contract Services	145.00
GALL'S, Wearing Apparel	162.10
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	98.81
GENWORTH LIFE AND HEALTH, Employee Benefits	8,536.63
GOLDMAN, JOHN, Telephone	40.00
GROLIER PUBLISHING COMPANY, CD Rom	415.00
GUNN, BRENDA, Auto Allowance	300.00
H & H CHEVROLET, Vehicle Maint.	64.25
HAMILTON COLOR LAB, Professional Services	966.10
HANEY SHOE STORE, Wearing Apparel	120.00
HARTS AUTO SUPPLY, Vehicle Maint.	120.00
HELGET GAS, Squad Supplies	67.00
HENRY, MARK, Contract Services	18.00
HIGHSMITH CO, Supplies	376.45

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HOOK-FAST SPECIALTIES, Wearing Apparel	34.94
HOST COFFEE SERVICE, Concessions	61.20
HP EXPRESS SERVICES, Contract Services	1,772.00
HUNTEL COMMUNICATIONS, Equipment	196.37
HURST, JEAN, Training,	560.50
HY-VEE, Supplies	152.02
ICMA-INTL CITY/COUNTY MANAGE, Supplies	119.00
IDENTICOMM, Supplies	28.80
INDUSTRIAL SALES COMPANY, Bldg & Grnds	126.67
INSIGHT TECHNOLOGY, Contract Services	4,170.95
IOMA-INST MGMT/ADMINSTRTN, Dues	333.03
IWAN, ROSE, Auto Allowance/Travel	301.00
J Q OFFICE EQUIPMENT, Supplies/Contract Services	856.03
JOHNSON HARDWARE, Equipment	25.32
KAPCO-KENT ADHESIVE PRODS, Supplies	49.40
KELLY INN, Travel	10.88
KELLY'S AWARDS, Bldg & Grnds	9.10
KEYSTONE GLASS, Bldg & Grnds	120.00
KIMBALL MIDWEST, Vehicle Maint.	93.34
KINDIG, DOUGLAS, Telephone/Auto Allowance	180.00
KLINKER, MARK, Professional Services	200.00
KRIHA FLUID POWER, Vehicle Maint.	93.12
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	257.00
LANDS' END BUSINESS OUTFITTERS, Wearing App/Professional Serv.	659.44
LANGLEY ANIMAL HOSPITAL, Contract Services	287.00
LAUGHLIN, KATHLEEN, Payroll Withholdings	744.00
LEAGUE ASSN OF RISK MGMT, Insurance	4,544.00
LEAGUE OF NEBRASKA MUN., Books	56.89
LEXIS NEXIS MATTHEW BENDER, Books	191.50
LIBRARY STORE, Supplies	80.89
LIFE ASSIST, Squad Supplies	498.61
LINDBERG, SHEILA, Travel	78.00
LINWELD, Street Maint./Bldg & Grnds	233.38
LOGAN CONTRACTORS SUPPLY, Bldg & Grnds/Street Maint.	306.24
LOVELAND LAWNS, Street Maint./Bldg & Grnds	2,635.50
LUKASIEWICZ, BRIAN, Telephone	40.00
LYNN PEAVEY, Supplies	16.99
M & M PORTABLES, Rentals/Bldg & Grnds	215.21
MASA, Bldg & Grnds	1,992.17
MAXIMUS, Contract Services	150.00
METAL SUPERMARKETS, Bldg & Grnds	53.54
METRO AREA TRANSIT, Contract Services	522.00
METROPOLITAN COMM. COLLEGE, Utilities/Phone/Contract Services	8,936.07
METROPOLITAN TEE TIMES, Advertising	145.00
MICHAEL TODD AND COMPANY, Street Maint.	290.00
MID AMERICA PAY PHONES, Telephone	100.00
MILLER BRANDS, Concessions	480.55
MONARCH OIL, Street Maint.	231.00
MOORE WALLACE, Printing	496.82
MUD, Utilities	569.75
MULHALL'S, Bldg & Grnds	453.53
NE DEPT OF LABOR-WORKFORCE, Bldg & Grnds	100.00
NEBRASKA CRIME COMMISSION, Training	6.00
NEBRASKA NATIONAL BANK, Cart Lease	660.00
NEBRASKA TURF PRODUCTS, Bldg & Grnds	23.80
NEUMAN EQUIPMENT COMPANY, Vehicle Maint./Bldg & Grnds	453.26
OFFICE DEPOT, Supplies	1,433.95
OMAHA COMPOUND COMPANY, Supplies	595.95
OMAHA SLINGS, Bldg & Grnds	90.72
OMAHA WORLD HERALD, Legal Advertising	338.24
OMB EXPRESS POLICE SUPPLY, Supplies	230.86
ON YOUR MARKS, Professional Services	977.94
OPPD, Utilities	1,657.97
OVERHEAD DOOR, Bldg & Grnds	533.00
PAPILLION SANITATION, Contract Services	214.60
PAPILLION TIRE, Vehicle Maint.	60.55
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	502.42
PAUL CONWAY SHIELDS, Wearing Apparel	44.00

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PEPSI COLA, Concessions	689.50
PRECISION INDUSTRIES, Vehicle Maint.	67.13
PREMIER-MIDWEST BEVERAGE, Concessions	238.70
PRIME TIME SPORTING GOODS, Wearing Apparel	825.00
PROPERTY SERVICES, Supplies	592.00
QUALITY AUTO REPAIR & TOWING, Contract Services	70.00
QUALITY BRANDS, Concessions	909.90
QUIXTAR, Supplies	92.65
QWEST, Telephone	2,369.33
R & R PRODUCTS, Bldg & Grnds	129.95
RAINBOW GLASS & SUPPLY, Bldg & Grnds	118.36
RECREONICS INC ETAL, Bldg & Grnds	1,626.90
ROSE EQUIPMENT, Vehicle Maint.	245.62
RUTHERFORD, BECKY, Refund	40.00
SAFE KIDS WORLDWIDE, Training	60.00
SAM'S CLUB, Concessions/Supplies	392.59
SAPP BROS PETROLEUM, Vehicle Maint.	170.00
SARPY COUNTY COURTHOUSE, Contract Services	3,099.17
SCHOLASTIC BOOK FAIRS, Books	778.33
SIGN SOLUTIONS, Equipment	30.00
SIMON, KENNETH, Refund	165.11
SMITH, MELANIE, Auto Allowance	100.00
SMOOTHER CUT ENTERPRISES, Contract Services	990.00
SNITILY CARR, Printing	2,816.00
SOUCIE, JOSEPH, Telephone	30.00
STANDARD DIGITAL IMAGING, Squad Supplies	118.10
STATE CHEMICAL MFG, Supplies	158.48
SUBURBAN NEWSPAPERS, Legal Advertising	1,094.71
SUSPENSION SHOP, Vehicle Maint.	379.28
TARGET BANK, Wearing Apparel	186.30
TED'S MOWER SALES & SERVICE, Equip. Maint.	629.63
THOMPSON DREESSEN & DORNER, Professional Services	12,644.55
THOMSON GALE, Books	44.93
TRACTOR SUPPLY COMPANY, Street Maint./Bldg & Grnds	358.19
TREAT AMERICA FOOD SERVICES, Travel	397.75
UAP DISTRIBUTION, Supplies	5,067.50
UNITED WAY, Payroll Withholdings	120.00
UNIVERSAL HOSPITAL SVCS, Squad Supplies	413.00
UNIVERSAL POLICE SUPPLY, Equipment	553.25
UPSTART, Supplies	35.85
V & V MANUFACTURING, Equip. Maint.	65.70
VERIZON WIRELESS, Telephone	71.23
VIERS, STEVE, Auto Allowance	100.00
WAL-MART, Supplies/Equipment	650.52
WASTE MANAGEMENT, Contract Services/Bldg & Grnds	1,097.02
WF TINGEY AND ASSOCIATES, Books	350.00
WICK'S STERLING TRUCKS, Vehicle Maint.	1,361.38
WILDER, JONI, Auto Allowance	33.00
WILSON, BARRY, Contract Services	18.00
WITT, ROB, Supplies	22.68
WOODHAVEN COUNSELING, Contract Services	380.00

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn informed Council of an opportunity to put a web video on the City's website to promote the City. This would be at no cost to the city. The video could feature an introduction to the City by the Mayor, information on the City, healthcare, etc. City Council members felt this would be good for the website.

Gunn reminded Council of the budget workshop on July 16<sup>th</sup> and 18<sup>th</sup> and suggested that the City Council meeting start an hour earlier on the 17<sup>th</sup>, at 6:00 p.m., to allow time for a short budget workshop session. Council was in favor.

Gunn spoke about the introduction of the swimming pool concept and stated the committee is continuing to work on plans. The Swimming Pool Advisory Committee will meet on June 13, 2007.

Police Chief Lausten informed Council that La Vista Days went well with no major incident.

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Lausten stated that members of the motorcycle force have been involved in five funeral processions in the last eight weeks.

Public Works Director Soucie informed Council that HGM illustration will be available at the next City Council meeting.

Soucie stated that La Vista Days went well for his department also.

Council members commented to Public Works Director Soucie that they had positive feedback regarding the advance notice on the 84<sup>th</sup> Street reconstruction project.

Building and Grounds Director Archibald introduced the newest addition to his department, Tim Keller.

Recreation Director Stopak informed Council of the La Vista Chamber Scavenger Hunt. The hunt targets people to businesses, with 20 businesses participating. The event will be held on June 25th, after hours, with prizes of \$300 and \$100. The La Vista Falls Golf Course is participating in the event.

Stopak informed Council the senior van will be delivered next week.

## **B. ORDINANCE – AMEND MUNICIPAL CODE SECTION 134.03**

Councilmember Sell introduced Ordinance No. 1037 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 134.03; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

Councilmember Gowan asked why the change to the municipal code was needed. Police Chief Lausten informed Council that Cabela's is planning an exhibition, which could not be allowed if the code is not changed.

Said ordinance was then read by title and thereafter Councilmember Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question was, "Shall Ordinance No. 1037 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. The following voted nay: None. The following were absent: None. 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. RESOLUTION – AWARD LEASE CONTRACT – DIGITAL IMAGING/FAX SYSTEM**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 07-054: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A 36 MONTH LEASE AGREEMENT WITH JQ OFFICE EQUIPMENT, OMAHA, NEBRASKA, FOR A DIGITAL IMAGING/FAX SYSTEM FOR THE LA VISTA POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$2,868.00 PER YEAR.

WHEREAS, the City Council of the City of La Vista has determined that the acquisition of a digital imaging/fax system is necessary to replace a 15 year old copy machine at the police station, and

WHEREAS, expenditure savings in the FY06-07 Police Department General Fund budget will provide for the leasing of said equipment, and

WHEREAS, JQ Office Equipment submitted the lowest, most responsible bid for this equipment, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the 36 month lease of a digital imaging/fax system for the La Vista police department from JQ Office Equipment, Omaha, Nebraska in an amount not to exceed \$2,868.00 per year.

Seconded by Councilmember Quick. Councilmember McLaughlin asked about the cost to purchase, rather than lease the machine. City Administrator Gunn and Police Chief Lausten explained the benefits of leasing include the ability to update to newer machines and staying current with available products. Councilmember Sheehan asked about the cost for overage use on the machine. Police Chief Lausten informed Council the cost would be approximately \$15 - \$20 per month. Councilmember Carlisle asked if the price of the lease was fair. City Administrator Gunn stated the City received a competitive price. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **D. RESOLUTION – PURCHASE AUTHORIZATION - MOBILE DATA MODEM/TERMINAL**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-055: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE PURCHASE OF (1) MOBILE DATA MODEM/TERMINAL FROM MOBILE COMMUNICATIONS, OMAHA, NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$6,100.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a mobile data modem/terminal for the City's marked police cars is necessary, and

WHEREAS, funding for the purchase was approved and included in the City's FY06-07 municipal budget, and

WHEREAS, Mobile Communications, Omaha, Nebraska, is the sole source Motorola provider of the equipment, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of one (1) mobile data modem/terminal for the police department from Mobile Communications, Omaha, Nebraska, in an amount not to exceed \$6,100.00.

Seconded by Councilmember Quick. Councilmember Sheehan inquired as to whether we would be purchasing the fourth terminal this year. Police Chief Lausten stated that we may get the entire final setup from a UASI grant and that would eliminate any cost to the city. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **E. RESOLUTION – FIREFIGHTERS TRUST – ESTABLISH AND DESIGNATE MEMBERS OF THE RETIREMENT COMMITTEE**

Councilmember Quick introduced and moved for the adoption of Resolution No. 07-056: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING AND DESIGNATING MEMBERS OF THE RETIREMENT COMMITTEE FOR THE CITY OF LA VISTA FIREFIGHTERS RETIREMENT PLAN AND TRUST.

WHEREAS, the City of La Vista has adopted the City of La Vista Firefighters Retirement Plan and Trust ("Plan"); and

WHEREAS, Section 16-1034 of the Nebraska Statutes requires the City to establish a retirement committee; and

WHEREAS, Section 16-1035 of the Nebraska Statutes provides that the retirement committee shall have six members, four of whom shall be selected by the active paid firefighters of the City, and two of whom shall be designated by the City Council.

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NOW, THEREFORE, BE IT RESOLVED that the City Council hereby establishes the retirement committee of the City of La Vista Firefighters Retirement Plan and Trust and designates the following two members of said retirement committee to serve a term of four years pursuant to Neb. Rev. Stat. Section 16-1035:

Rita Ramirez  
Sheila Lindberg

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

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

## **F. RESOLUTION – POLICE OFFICERS TRUST – APPOINT NEW MEMBERS TO THE RETIREMENT COMMITTEE**

Councilmember Sell introduced and moved for the adoption of Resolution No. 07-057 as amended: A RESOLUTION OF THE CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO APPOINT NEW MEMBERS OF THE RETIREMENT COMMITTEE OF THE CITY OF LA VISTA POLICE OFFICER'S RETIREMENT PLAN AND TRUST.

WHEREAS, the City of La Vista, maintains the City of La Vista Police Officers Retirement Plan and Trust; and

WHEREAS, the Plan and Trust require a retirement committee; and

WHEREAS, Section 16-1015 of the Nebraska Statutes provides that the retirement committee shall have six members, four of whom shall be selected by the police officers from the police force of the City, and two of whom shall be designated by the City Council

NOW, THEREFORE, BE IT RESOLVED, that the Council hereby appoints the following two individuals to serve a term of four years on the retirement committee pursuant to Neb. Rev. Stat. Section 16-1015:

Rita Ramirez  
Sheila Lindberg

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

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

## **G. RESOLUTION – SPECIAL DESIGNATED LICENSE – BRYCO, INC DBA SS TOBACCO/LIQUOR, 8052 S 84<sup>TH</sup> STREET – JUNE 23, 2007 AND JULY 14, 2007**

Councilmember Sell introduced and moved for the adoption of Resolution No. 07-058: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A WINE & SPIRITS TASTING EVENT AT SS TOBACCO/LIQUOR OF 8052 SOUTH 84<sup>TH</sup> STREET, LA VISTA, NEBRASKA ON JUNE 23, 2007 AND JULY 14, 2007

WHEREAS, SS Tobacco/Liquor is located within the City of La Vista; and

WHEREAS, Bryco, Inc dba SS Tobacco/Liquor has requested approval of a Special Designated License to have a wine & spirit tasting event on June 23, 2007 and July 14, 2007 from 3:00 p.m. to 6:00 p.m.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize Bryco, Inc dba SS Tobacco/Liquor to proceed with the application for a "Special Designated License" from the Nebraska Liquor Control Commission to have a wine & spirit tasting event on June 23, 2007 and July 14, 2007.

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Seconded by Councilmember Carlisle. Councilmember Sell asked if this event posed any problems for the police. Police Chief Lausten informed Council that they saw no issues with this application. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

## **H. SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS**

### **1. PUBLIC HEARING**

At 7:33 p.m. Mayor Kindig stated the floor was now open for discussion on a Special Assessment for Property Improvements.

There was no additional information presented by City staff.

At 7:33 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried

### **2. RESOLUTION**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 07-059: 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  
Lot 69/Park View Heights \$118.03  
were notified to clean up their property as they were in violation of the City of La Vista's Municipal Code, Section 93.015, or the City would do so and bill them accordingly, and

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

WHEREAS, the City sent the property owner a bill for said clean up which has 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 property specified above, located within Sarpy County, La Vista, Nebraska.

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

There were no comments from the floor.

### **COMMENTS FROM THE FLOOR**

Brian Ford at 7206 Valley Road addressed Council to express his concern on the speed and noise control on 72nd Street. He used to see speed control, but he is not seeing those controls now. The noise from motorcycles is loud. Mr. Ford asked the Mayor and Council to look at the noise ordinance

### **COMMENTS FROM MAYOR AND COUNCIL**

Mayor Kindig thanked Councilmember Carlisle for attending the Annual Awards Luncheon at the Safety and Health Summit on May 17th.

Councilmember Gowan asked about the deafening noise on motorcycles.

Police Chief Lausten informed Council the City has a noise ordinance, but the infraction would have to be viewed by police to go to court. Lausten stated that the police resources are taxed, but they can still cover increased traffic on 66th, 72nd, and 96th.

# MINUTE RECORD

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

June 5, 2007

Councilmember Ellerbeck thanked Police Chief Lausten for the police representation in last weeks prayer walk.

Councilmember Sell thanked Police Chief Lausten for the recent police academy. He felt it was very educational. Lausten informed Council a new academy is scheduled for this fall.

Mayor Kindig thanked Councilmember Ellerbeck for his participation in the prayer walk.

Mayor Kindig felt La Vista Days went well. At the Community Cookout, \$300 and approximately 300 cans were collected for the Food Bank. Kindig commented on the softball game which ended in a 14-14 tie.

Mayor Kindig commented on the ICSC Convention the City recently attended in Las Vegas. A discussion was held by Mayor and Council on the convention and its potential benefits to the City's growth. City Administrator Gunn informed Council that many contacts were made and networking done which is beneficial to the City as we continue to look for business and look at the revitalization of the 84<sup>th</sup> Street corridor.

## ADJOURNMENT

At 8:05 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 19TH DAY OF JUNE 2007.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

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