

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING November 6, 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 November 6, 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, Assistant City Administrator Ramirez, City Engineer Kottmann, City Clerk Buethe, Finance Director Lindberg, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Assistant Recreation Director Karlson, 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 October 25, 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.

PROCLAMATIONS – NATIONAL CHILDREN'S BOOK WEEK

Mayor Kindig presented a proclamation for National Children's Book Week to Library Director Rose Iwan.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM OCTOBER 16, 2007
3. APPROVAL OF PLANNING COMMISSION MINUTES FROM SEPTEMBER 20, 2007
4. APPROVAL OF PARK & RECREATION ADVISORY COMMITTEE MINUTES FROM
5. AUGUST 15, 2007
6. NEW FIRE STATION NO. 2
- a. PAY REQUEST FROM DOWNS ELECTRIC FOR WORK ON PLYMO VENT FAN
STARTER - \$2,594.00
7. APPROVAL OF CLAIMS

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

A ADVERTISING & SUPPLY, Supplies	216.50
A.S.P. ENTERPRISES, Street Maint.	233.60
AA WHEEL & TRUCK SUPPLY, Vehicle Maint.	25.44
ACTION BATTERIES, Vehicle Supplies	153.90
ADT SECURITY SERVICES, Contract Services	221.69
AKSARBEN HEATING/ARS, Contract Services	915.11
ALAMAR UNIFORMS, Wearing Apparel	388.30
ALL PURPOSE UTILITIES, Sports Complex	4,995.00
ALUMINUM ATHLETIC EQUIPMENT, Equipment	895.00
AMSAN, Supplies	469.45
AQUILA, Utilities	2,975.97
ARAMARK UNIFORM SERVICES INC, Contract Services	384.41
ASPHALT & CONCRETE MATERIALS, Street Maint.	152.73
ASSOCIATED FIRE PROTECTION, Contract Services	71.50
BAKER & TAYLOR BOOKS, Books	1,196.56
BAKER, MARCUS, Auto Allowance	50.00
BATTERY ZONE, Batteries	119.84
BCDM-BERINGER CIACCIO DENNELL, Professional Services	3,560.00
BEACON BUILDING SERVICES, Contract Services	6,737.00
BENNINGTON IMPLEMENT, Vehicle Maint.	308.11
BETTER BUSINESS EQUIPMENT, Rentals	37.00
BIRCH, ANN, Auto Allowance/Travel	146.00

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BUETHE, PAM, Auto Allowance/Travel/Printing/Supplies	221.64
BUILDERS SUPPLY, Bldg & Grnds	223.50
CARSTENSEN, RICH, Supplies	48.16
CENTER POINT PUBLISHING, Books	116.82
CHASTAIN-OTIS, Insurance	55.12
CHILD'S WORLD, Books	1,596.90
CITY OF BELLEVUE, Training	400.00
CITY OF OMAHA, Contract Services	30,164.99
COMP CHOICE, Professional Services	175.00
CORBIT, JEFF, Auto Allowance	100.00
CORNHUSKER INTL TRUCKS, Vehicle Maint.	62.79
COX COMMUNICATIONS, Contract Services	237.80
DANKO EMERGENCY EQUIPMENT, Vehicle Maint.	249.85
DEMCO, Supplies	174.11
DENNIS, SHARON, Travel	49.00
DIAMOND VOGEL PAINTS, Bldg & Grnds	226.90
DON'S PIONEER UNIFORMS, Wearing Apparel	16.95
DOUGLAS COUNTY SHERIFF'S OFC, Contract Services	50.00
DULTMEIER SALES & SERVICE, Vehicle Maint.	21.41
E & A CONSULTING, Professional Services	45.40
EASTERN LIBRARY SYSTEM, Training	70.00
EDGEWEAR SCREEN PRINTING, Equipment/Wearing Apparel	1,417.75
ELECTRIC SPECIALTIES, Contract Services	120.00
ELECTRONIC ENGINEERING, Vehicle Maint/Pages	611.82
ERICKSON, RANDALL, Auto Allowance	100.00
FARQUHAR, MIKE, Auto Allowance	100.00
FEDEX, Squad Supplies/Postage	22.31
FEDEX KINKO'S, Printing	13.50
FILTER CARE, Vehicle Maint.	113.45
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	41.30
FIREGUARD, Ladder	35.00
FITZGERALD SCHORR BARMETTLER, Professional Services	16,073.90
FORT DEARBORN LIFE INSURANCE, Employee Benefits	1,186.00
FOSTER, TERRY, Travel	35.00
GALL'S, Wearing Apparel	695.31
GATEWAY COMPANIES, Contract Services	954.00
GAYLORD BROS, Supplies	235.41
GCR OMAHA TRUCK TIRE CENTER, Vehicle Supplies	276.95
GENWORTH LIFE AND HEALTH, Payroll Withholdings	1,649.02
GOLDMAN, JOHN, Telephone	40.00
GRAYBAR ELECTRIC COMPANY, Bldg & Grnds	577.25
GREAT AMERICAN LEASING CORP, Contract Services	358.50
GUNN, BRENDA, Auto Allowance/Travel	642.00
HANEY SHOE STORE, Wearing Apparel	246.95
HELENA CHEMICAL COMPANY, Equip Maint.	272.00
HELGET GAS PRODUCTS, Squad Supplies	67.00
HOCKENBERGS, Equipment	136.01
HONEYMAN RENT-ALL, Equipment	43.23
HY-VEE, Supplies	78.00
IWAN, ROSE, Auto Allowance	45.00
J Q OFFICE EQUIPMENT, Supplies/Contract Services	650.24
JOHNSON CONTROLS, Bldg & Grnds	1,051.30
KEY MASTERS, Bldg & Grnds	96.00
KINDIG, DOUGLAS, Telephone/Auto Allowance	200.00
KLINKER, MARK, Professional Services	312.00
KRIHA FLUID POWER, Vehicle Maint.	181.92
KRIZ-DAVIS, Bldg & Grnds	67.35
KROGER, Supplies	408.81
KUSTOM SIGNALS, Equip Repair	959.00
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	257.00
LAUGHLIN, KATHLEEN, Payroll Withholding	744.00
LAUSTEN, ROBERT, Travel	278.12
LEAGUE ASSN OF RISK MGMT, Insurance	9,164.00
LIFE ASSIST, Squad Supplies	1,329.96
LINWELD, Supplies	66.69
LOGAN CONTRACTORS SUPPLY, Bldg & Grnds	400.04
LUEDERS LOCK & KEY, Bldg & Grnds	148.00
LUKASIEWICZ, BRIAN, Telephone	40.00

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M E SHARPE INC PUBLISHER, Books	135.75
MAPA-METRO AREA PLANNING AGNCY, Travel	140.00
MAX I WALKER CLEANERS, Uniform Cleaning	308.35
MENARDS, Bldg & Grnds	349.86
METAL SUPERMARKETS, Traffic Signs	112.43
METRO AREA TRANSIT, Contract Services	468.00
METROPOLITAN COMMUNITY COLLEGE, Utilities/Contract Serv/Phone	8,837.49
MID AMERICA PAY PHONES, Telephone	150.00
MID CON SYSTEMS, Bldg & Grnds/Vehicle Maint.	460.73
MID-LAND EQUIPMENT, Vehicle Maint.	305.34
MIDWEST RADIATOR, Bldg & Grnds	35.00
MIDWEST TURF & IRRIGATION, Vehicle Maint.	5.22
MILLER PRESS, Printing	680.00
MUD, Utilities	2,562.41
N PITLOR & SON, Bldg & Grnds	6,720.65
NATIONAL RESEARCH CENTER, Dues	1,100.00
NATIONAL SAFETY COUNCIL, Professional Services	285.00
NE DEPT OF REVENUE-LOTT/51, Lottery Taxes	69,214.17
NEBRASKA GOLF & TURF, Insurance Reimburse/Repair	3,435.00
NEBRASKA RENTS, Street Maint.	632.00
NEBRASKALAND CONF BLDG OFFCL, Training	25.00
NEXTEL, Telephone	96.83
NFPA, Dues	75.00
NOBBIES, Supplies	14.96
NSAWWA, Training	360.00
OABR PRINT SHOP, Printing	1,082.60
OFFICE DEPOT, Supplies	422.96
OMAHA COMPOUND COMPANY, Supplies	43.42
OMAHA SLINGS, Equipment	10.85
OMAHA WORLD HERALD, Legal Advertising	846.24
OPPD	19,771.44
OPPD, Utilities	2,155.68
PAPILLION TIRE INCORPORATED, Vehicle Maint.	445.19
PARAMOUNT LINEN & UNIFORM, Cleaning	480.87
PAYLESS, Supplies	592.45
PLUTA, DON, Travel	45.00
POKORNY, KEVIN, Travel	118.00
POWER PLAN, Vehicle Maint.	18.34
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	155.25
PROPERTY SERVICES, Supplies	198.00
QUILL CORPORATION, Supplies	211.67
QWEST, Telephone	2,377.90
RAINBOW GLASS & SUPPLY, Bldg & Grnds	57.07
RALSTON AUTOMOTIVE SERVICE, Supplies	100.00
RAMIREZ, RITA, Auto Allowance/ Travel	291.00
RAPID GRAPHICS & SIGNS, Printing	56.28
READY MIXED CONCRETE, Street Maint/Bldg & Grnds	1,071.94
SAM'S CLUB, Concessions	663.98
SAR TRAINING-TERRY KLOOSTER, Training	225.00
SARPY COUNTY CHAMBER OF, Travel/Travel	710.00
SARPY COUNTY COURTHOUSE, Contract Services	3,234.94
SARPY COUNTY REGISTER OF DEEDS, legal Advertising	511.50
SCARPA, DAN, Travel	35.00
SKILLPATH SEMINARS, Training	149.00
SMITH, MELANIE, Auto Allowance	100.00
SMOOTHER CUT ENTERPRISES, Contract Services	1,320.00
SOUCIE, JOSEPH, Telephone	30.00
SPRINT, Telephone	88.90
SUBURBAN NEWSPAPERS, Legal Advertising	1,143.62
SUPERIOR TRANSIT SALES, Vehicle Maint.	215.99
TARGET BANK, Wearing Apparel	27.05
THOMSON GALE, Books	265.38
TRACTOR SUPPLY, Supplies	86.38
TURFWERKS, Vehicle Maint.	11.09
UHL, RICHARD, Moving Exp.	432.67
UNITED WAY OF THE MIDLANDS, Payroll Withholdings	140.00
UPS, Postage	30.73
USPS, Postage	1,296.91

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UTILITY EQUIPMENT CO. Bldg & Grnds/Storm Sewer	522.47
V & V MANUFACTURING, Wearing Apparel	63.94
VERIZON, Telephone	65.93
VEST ELECTRIC, Bldg & Grnds	140.00
VIERS, STEVE, Auto Allowance	100.00
VITALSIGNS, Printing	70.00
WAL-MART, Supplies/Bldg & Grnds/Squad Supplies	248.07
WASTE MANAGEMENT, Bldg & Grnds/Contract Services	906.82
WICK'S STERLING TRUCKS, Vehicle Maint.	88.69
WILDER, JONI, Auto Allowance	33.00
WITMER ASSOCIATES, Wearing Apparel	38.98
ZOLL, AMY, Refund	90.00

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Assistant City Administrator Ramirez informed Council they have a memo in the mailboxes concerning possible dates for the Strategic Planning session. She asked them to check the dates and get back with City Administrator Gunn.

Public Works Director Soucie informed Council the Annual Fall Leaf Collection Day will be held this Saturday, November 10th, from 8:00 a.m. – 3:00 p.m.

Soucie stated he received a letter from a Mr. Sawyer concerning "slits" in the road in Southwind. He stated these were originally put in to prevent "street creep", but were not maintained over the years. The Public Works Department is in the processing for re-filling the slits.

Soucie informed Council that Eagle Scouts did a project at the City Golf Course.

Soucie stated that Greg Goldman and he will be attending the AWA Fall Conference in Kearney starting tomorrow, November 7th.

B. ORDINANCE - AMEND SECTION 11.05 OF MUNICIPAL CODE – WARD IV BOUNDARY

Councilmember Carlisle introduced Ordinance No. 1049 entitled: AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 11.05; 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, 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.

Said ordinance was then read by title and thereafter Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Sell. The Mayor then stated the question was, "Shall Ordinance No. 1049 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. ORDINANCE – BOND ISSUANCE – PUBLIC SAFETY BONDS (FIRE EQUIPMENT)

Councilmember McLaughlin motioned to table Ordinance No. 1050, Bond Issuance – Public Safety Bonds (Fire Equipment). Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

D. RESOLUTION – AMENDMENT TO PENSION PLANS

Councilmember Carslisle introduced and moved for the adoption of Resolution No. 07-110: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING THE APPOINTMENT OF VANTAGE TRUST COMPANY AS SUCCESSOR TRUSTEE OF CITY OF LA VISTA RETIREMENT PLANS AND AUTHORIZING CORRESPONDING PLAN AMENDMENTS.

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WHEREAS, the City maintains retirement plans for the employees of the City, including:

Plan No. 107200 - The City of La Vista, NE Defined Contribution Pension Plan and Trust,
Plan No. 106162 – The City of La Vista, NE City Administrators' Defined Contribution Pension
Plan and Trust,
Plan No. 106442 – The City of La Vista, NE Firefighters Pension Plan and Trust ("Firefighters
Plan"), and
Plan No. 107185 - The City of La Vista, NE Police Officers Pension Plan and Trust (collectively
the "Plans"); and

WHEREAS, Investors Bank & Trust is trustee of the Plans; and

WHEREAS, The City also maintains two additional plans - Plan No. 300510 - The City of La
Vista, NE City Administrators' 457 Deferred Compensation Plan and Trust, and
Plan No. 304703 - The City of La Vista, NE Civilian Employees Supplemental 457
Deferred Compensation Plan and Trust – for which the City of La Vista serves as
trustee, which duties are carried out by the City Treasurer; and

WHEREAS, the City has been notified that the State Street Bank and Trust Company acquired
Investors Bank and Trust Company by merger, and as a result is successor
trustee of the Plans, and will resign as trustee of the Plans effective as of January
1, 2008; and

WHEREAS, the City desires to appoint the Vantage Trust Company to serve as successor
trustee of the Plans, effective as of January 1, 2008.

NOW, THEREFORE, BE IT RESOLVED, that Vantage Trust Company is hereby appointed to
serve as the trustee of the above named retirement plans and trusts effective
January 1, 2008;

BE IT RESOLVED FURTHER that the Mayor and City Clerk are authorized to execute the
approved amendments for the Plans and to take any and all other action on behalf
of the City as is necessary or appropriate to carry out the actions approved in this
Resolution and to maintain the qualified status of the Plans.

Seconded by Councilmember Sell. Councilmember McLaughlin asked about the changes to the pension plans. Assistant City Administrator stated the ICMA informed the City of recent changes in the trustee due to a change at ICMA which needs to be applied to a portion of the plans. Councilmember Sheehan asked about Vantage, a subsidiary of ICMA. He would like the City to review the Company prior to a vote. Councilmember Carlisle amended her motion to table Resolution No. 07-110, Amendment to Pension Plans. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

E. RESOLUTION – PURCHASE OF POLICE CRUISERS

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-111: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO PERFORMANCE DODGE, LINCOLN, NEBRASKA FOR THE PURCHASE OF THREE (3) 2008 DODGE CHARGER POLICE PACKAGE CRUISERS AND ONE (1) 2008 DODGE MAGNUM POLICE PACKAGE CRUISER IN AN AMOUNT NOT TO EXCEED \$108,229.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of four (4) new police cruisers is necessary, and

WHEREAS, the FY 2008 General Fund budget does include funds for the purchase of said cruisers, and

WHEREAS, the Police Department recommends that the new cruisers being proposed for purchase should be Dodge Police Package vehicles, and

WHEREAS, the State of Nebraska did receive bids for 2008 Dodge police cruisers, and

WHEREAS, Performance Dodge, Lincoln, Nebraska, was awarded the state bid for Nebraska for the 2008 Dodge Police Package cruisers and will extend that price to the City of La Vista, and

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

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NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby accept the Nebraska state bid of Performance Dodge, Lincoln, Nebraska and authorize the purchase of three (3) 2008 Dodge Charger Police Package cruisers and one (1) 2008 Dodge Magnum Police Package cruiser in an amount not to exceed \$108,229.

Seconded by Councilmember Quick. Councilmember McLaughlin asked the difference between the Magnum and the Charger. Police Chief Lausten stated the Magnum is a station wagon type vehicle. Councilmember Gowan stated that he assumes the Charger performs well. Lausten stated that the Charger performs very well and the Magnum has the same engine. Councilmember Sheehan asked what was done with the back seats that are taken out and replaced with a plastic liner seat. Lausten stated that the seats are stored and put back in the vehicle before it is sold at the end of its useful life. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

F. RESOLUTION – AUTHORIZATION TO PURCHASE SINGLE AXLE DUMP TRUCK

Councilmember Gowan introduced and moved for the adoption of Resolution No. 07-112: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ONE (1) 2008 STERLING L7500 SINGLE AXLE DUMP TRUCK FROM WICK'S STERLING TRUCKS, INC., OMAHA, NEBRASKA, FOR THE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$104,991.20.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of one (1) 2008 L7500 Single Axle Dump Truck for the Public Works Department is necessary; and

WHEREAS, the FY 2007/08 General Fund budget includes funds for the purchase of said truck; and

WHEREAS, Wick's Sterling Truck, Inc., Omaha, Nebraska was awarded the State Bid for Single Axle Dump Trucks of the size and model being requested; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of one (1) 2008 Sterling L7500 Single Axle Dump Truck from Wick's Sterling Truck, Inc., Omaha, Nebraska, for the Public Works Department, in an amount not to exceed \$104,991.20.

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

G. RESOLUTION – PURCHASE OF 10' MILD STEEL V-BOX SANDER WITH PRE-WET SYSTEM

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-113: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF (1) 10' MILD STEEL V-BOX SANDER WITH PRE-WET SYSTEM FROM ASPEN EQUIPMENT COMPANY, OMAHA, NEBRASKA, FOR THE PUBLIC WORKS DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$7,070.00.

WHEREAS, the City Council of the City of La Vista has determined that it is necessary to purchase a 10' Mild Steel V-Box Sander with Pre-Wet System; and

WHEREAS, two bids were received in response to the City's request for bids and the Public Works Director has reviewed those bids; and

WHEREAS, it is recommended the City designate Aspen Equipment Company, as the low compliant bidder in an amount not to exceed \$7,070.00; and

WHEREAS, funds are provided in the FY 2007/08 General Fund Budget for the proposed purchase; and

WHEREAS, Subsection (C) (9) of Section 31.23 of the La Vista Municipal Code requires that the City Administrator secure council approval prior to authorizing any purchases over \$5,000.

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NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska designate Aspen Equipment Company, Omaha, Nebraska as the low compliant bidder for (1) 10' Mild Steel V-Box Sander with Pre-Wet System in an amount not to exceed \$7,070.00.

Seconded by Councilmember Quick. Councilmember Sheehan asked if there was any better wear with the Carbon Steel versus the Mild Steel. Public Works Director Soucie stated that he did not see much difference between wear in Carbon Steel versus Mild Steel. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

H. RESOLUTION – PURCHASE USED PICKUP TRUCK - GOLF COURSE

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-114: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF (1) ONE USED PICKUP TRUCK FOR USE AT THE GOLF COURSE IN AN AMOUNT NOT TO EXCEED \$10,000.

WHEREAS, the City Council of the City of La Vista has determined that the acquisition of (1) one used pickup for use at the Golf Course is necessary, and

WHEREAS, the 2007/08 Golf Course Maintenance budget did include funds for the purchase of said vehicle, and

WHEREAS, the Public Works Department has drafted general specifications for the purchase of said truck, 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 La Vista, Nebraska, do hereby authorize the purchase of (1) one used pickup truck for use at the Golf Course in an amount not to exceed \$10,000.

Seconded by Councilmember Sell. Councilmember McLaughlin asked the cost of a new transmission. Public Works Director Soucie stated transmission repair would cost about \$900.00, but there are other problems with the current vehicle. Councilmember Gowan asked where the Public Works Departments looks for a used vehicle. Public Works Director Soucie said the options are open. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Ellerbeck, and Gowan. Nays: McLaughlin. Absent: None. Motion carried.

I. RESOLUTION – PURCHASE – UPGRADE TO WIRELESS COMMUNICATION SYSTEM

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 07-115: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF A WIRELESS COMMUNICATION SYSTEM UPGRADE FROM HUNTEL COMMUNICATIONS, OMAHA NEBRASKA, IN AN AMOUNT NOT TO EXCEED \$8,745.97.

WHEREAS, it has been determined that an upgrade to the wireless communication system between several municipal facilities is necessary; and

WHEREAS, funds were included in the FY08 Public Buildings and Grounds Budget for a wireless system upgrade; and

WHEREAS, a proposal was submitted by HunTel Communications Services, Omaha, Nebraska, the City's current wireless communications and telephone system provider, determined to be the sole source provider for this system upgrade; and

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

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of a wireless communication system upgrade in an amount not to exceed \$8,745.97

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

J. RESOLUTION – CHANGE CITY COUNCIL MEETING DATE FROM JANUARY 1, 2008 TO JANUARY 2, 2008

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-116: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING A CHANGE IN THE JANUARY 2008 REGULAR MEETING DATE OF THE CITY COUNCIL

WHEREAS, the City Council has determined that a regularly scheduled meeting of the City Council falls on January 1, 2008; and

WHEREAS, January 1st is a National holiday and the City Council desires to change this meeting date to January 2, 2008.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council that the regularly scheduled meeting of the City Council be moved from January 1, 2008 to January 2, 2008 and that City Clerk be directed to publish notice of the meeting accordingly.

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

K. SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS

1. PUBLIC HEARING

At 7:20 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on Special Assessments for Property Improvements.

At 7:21 p.m. Councilmember McLaughlin made a motion to close the public hearing. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

2. RESOLUTION

Councilmember McLaughlin introduced and moved for the adoption of Resolution No. 07-117: 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 owner of 10425 Hillcrest Drive, Lot 11, Val Vista Subdivision, \$259.12, and was 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 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.

Councilmember McLaughlin made a motion to move "Comments from the Floor" up on the agenda ahead of Item L, "Executive Session". Seconded by Councilmember Gowan.

MINUTE RECORD

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

November 6, 2007

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

COMMENTS FROM THE FLOOR

Mayor Kindig asked if there were any comments from the floor, and asked that each individual limit his or her comments to 5 minutes. Martin Ware, a resident of La Vista addressed Council concerning the clean up on properties in the City. He stated the City is spending its money to send someone out to cut a yard. He feels the City needs to give a citation, and then charge when they do the clean up.

L. EXECUTIVE SESSION - STRATEGY SESSION/NEGOTIATING GUIDANCE – FOP COLLECTIVE BARGAINING UNIT; PERSONNEL PERFORMANCE

At 7:28 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a strategy session/negotiating guidance – FOP Collective Bargaining Unit; and to prevent needless injury to the reputation of an individual to discuss personnel performance. Seconded by Councilmember Quick. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion and repeated the motion.

At 7:45 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember McLaughlin. Mayor Kindig stated the discussion in executive session was limited to the subject matter contained in the original motion. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

COMMENTS FROM MAYOR AND COUNCIL

Mayor Kindig stated that Halloween Safe Night went very well. The Fire Department did get a call during the event and had to leave. A total of 680 attended the event. Councilmember Quick and Chief Uhl dressed up for the event.

Mayor Kindig stated that City Administrator Gunn and he attended a meeting of the United Cities of Sarpy County last week to talk about issues that may go to the legislature. The Council will be provided further information at a later date.

Mayor Kindig informed Council that pricing was checked for the soup feed, and the cost will be \$25.00 per Councilmember, which is optional. The Bank of Nebraska has donated \$200 and Stylehouse has donated \$100 for the event. The Recreation Department is coordinating the event.

Mayor Kindig informed Council that City Administrator Gunn and he met with Senator Flood at Paypal.

ADJOURNMENT

At 7:52 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, McLaughlin, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF NOVEMBER 2007.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk