

MINUTE RECORD

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

LA VISTA CITY COUNCIL MEETING July 7, 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 July 7, 2009. Present were Councilmembers: Sell, Ronan Quick, Sheehan, Carlisle, Crawford, 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, Library Director Iwan, Community Development Director Birch, Police Chief Lausten, Fire Chief Uhl, Recreation Director Stopak, Building and Grounds Director Archibald, and Public Works Director Soucie.

A notice of the meeting was given in advance thereof by publication in the Times on June 25, 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.

Mayor Kindig made an announcement regarding the new agenda policy statement providing for expanded opportunity for public comment on agenda items.

PROCLAMATIONS – SPECIAL RECOGNITION, INTERNATIONAL CLOWN WEEK

Mayor Kindig presented a special recognition proclamation to Alexa Lind, a resident of the City of La Vista. Mayor Kindig and Councilmember Quick presented the International Clown Week proclamation to representatives of the Omaha Wild Clown-Dum Alley #147.

A. CONSENT AGENDA

1. APPROVAL OF THE AGENDA AS PRESENTED
2. APPROVAL OF CITY COUNCIL MINUTES FROM JUNE 16, 2009
3. PAY REQUEST NO. 3 FROM EDAW – 84TH STREET REDEVELOPMENT
VISION - \$12,413.76
4. APPROVAL OF CLAIMS

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

ABANTE MARKETING, Wearing Apparel	871.82
ABE'S PORTABLES, Rentals	210.00
ACCURATE TESTING, Utilities/Bldg & Grnds	802.20
ACTION BATTERIES, Supplies	15.00
ALAMAR UNIFORMS, Wearing Apparel	703.42
ALEX, MARY, Travel	95.32
AMERICAN LEGAL, Contract Services	1,705.00
AMSAN, Supplies	161.61
AQUA-CHEM, Supplies	286.20
ARAMARK UNIFORM SERVICES, Contract Services	339.86
ASPEN EQUIPMENT COMPANY, Vehicle Maint.	221.89
BAKER & TAYLOR BOOKS, Books	1,313.16
BARONE SECURITY SYSTEMS, Contract Services	142.50
BCDM-BERINGER CIACCIO DENNELL, Professional Services	50.00
BEACON BUILDING SERVICES, Contract Services	7,237.00
BENNINGTON EQUIPMENT, Vehicle Maint/Repair	817.24
BEST ACCESS SYSTEMS DIVISION, Contract Services	27.99
BETTER BUSINESS EQUIPMENT, Rental	43.93
BLACK HILLS ENERGY, Utilities	1,389.88
BOBCAT, Vehicle Maint.	301.15

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BOB'S RADIATOR REPAIR, Vehicle Maint.	78.00
BOLEY, ANN, Auto Allowance	100.00
BRENTWOOD AUTO WASH, Vehicle Maint.	174.00
BUETHE, PAM, Travel/Supplies/Postage/ Phone	164.11
BUILDERS SUPPLY, Bldg & Grnds	40.87
BURT, STACIA, Training	432.00
CAHILL, KAROLYN, Contract Services	80.00
CAHILL, THOMAS, Contract Services	80.00
CALENTINE, JEFFREY, Phone	30.00
CENTER POINT PUBLISHING, Books	240.84
CHAMBERS, NICOLE, Travel	62.00
CHRISTIE, CLAYTON, Refund	50.00
CIVIC PLUS, Contract Services	12,200.04
COCA-COLA, Concessions	376.80
COLOMBO/PHELPS, Utilities	111.29
CORNHUSKER INTL TRUCKS, Vehicle Maint.	228.00
COX, Contract Services	97.65
CREW OMAHA METRO, Dues	138.00
CROSBY, RENEE, Rental	100.00
D & D COMMUNICATIONS, Radio	1,506.50
DE LAGE LANDEN FINANCIAL SVCS, Contract Services	268.33
DEMCO, Supplies	120.09
DENNY JONES, Contract Services	1,104.00
DIAMOND VOGEL PAINTS, Traffic Signs	525.40
DISPLAY SALES, Bldg & Grnds	320.00
EASTERN LIBRARY SYSTEM, Training	20.00
ECCLES, PAT, Auto Allowance	100.00
EDGEWEAR SCREEN PRINTING, Wearing Apparel	1,545.50
FARQUHAR, MIKE, Auto Allowance	100.00
FASTENAL, Street Maint.	26.56
FEDEX, Professional Services	70.18
FILTER CARE, Vehicle Maint.	39.85
FIRE-EXTRICATION-HAZMAT, Rescue Revenue	79.50
FIREGUARD, Equip/Repair	145.35
FITZGERALD SCHORR BARMETTLER, Professional Services	7,957.00
FORT DEARBORN LIFE INSURANCE, Employee Benefits	2,626.50
FOX, ANDREA, Professional Services	183.75
FROELICH, RORY, Auto Allowance	100.00
G I CLEANER & TAILORS, Uniform Cleaning	160.70
GALE, Books	98.21
GALL'S, Equipment	79.99
GASSERT, MIKE, Contract Services	596.00
GCR OMAHA TRUCK TIRE CENTER, Vehicle Maint.	27.50
GENUINE PARTS, Vehicle Maint.	1,606.85
GOLDMAN, JOHN, Phone	85.00
GREAT PLAINS UNIFORMS, Wearing Apparel	316.75
GREENBLATT & SEAY, Summer Reading Prog	156.00
GREENKEEPER CO, Supplies	309.00
GUNN, BRENDA, Phone	45.00
H & H CHEVROLET, Vehicle Maint.	81.56
HANEY SHOE STORE, Wearing Apparel	120.00
HARDESTY, MARK, Travel	36.00
HEARTLAND PAPER, Supplies/Bldg & Grnds	763.00
HEIMES CORP, Street Maint.	119.85
HELGET GAS, Squad Supplies	88.00
HENRY DOORLY ZOO, Summer Reading Program	50.00
HOCKENBERGS, Concessions	15.71
HOLIDAY INN, Travel	279.80
HOME DEPOT, Repair	79.00
HYDROLOGIC WATER MANAGEMENT, Bldg & Grnds	72.14
HY-VEE, Supplies	266.77
ICMA, Dues	119.00
INDUSTRIAL SALES CO, Bldg & Grnds	138.42
INTERSTATE ALL BATTERY CENTER, Supplies	93.80
J Q OFFICE EQUIPMENT, Supplies	670.04
JOHNSTONE SUPPLY, Bldg & Grnds	48.95
KIMBALL MIDWEST, Vehicle Maint.	129.28
KINDIG, DOUGLAS, Phone	40.00

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KLINKER, MARK, Professional Services	200.00
LA VISTA COMMUNITY FOUNDATION, Payroll Deductions	90.00
LANDS' END, Professional Services	619.95
LAUGHLIN, KATHLEEN, Payroll Withholding	372.00
LEAGUE OF NEBRASKA MUNI, Training/Travel	544.00
LEXIS NEXIS MATTHEW BENDER, Books	34.30
LIFE ASSIST, Squad Supplies	738.54
LINWELD, Street Maint/Supplies	93.79
LOVELAND LAWNS, Street Maint.	66.67
LUKASIEWICZ, BRIAN, Phone	930.00
MARTIN MARIETTA AGGREGATES, Bldg & Grnds	205.38
MARTIN, ALEX, Travel	62.00
MEADOWBROOK, Insurance	1,855.00
MID AMERICA PAY PHONES, Phones	150.00
MID CON SYSTEMS, Bldg & Grnds	312.67
MID-STATES UTILITY TRAILER, Vehicle Supplies	221.44
MIDWEST TURF & IRRIGATION, Bldg & Grnds	341.91
MILLER BRANDS, Concessions	233.50
MUD, Utilities	3,092.45
NACR, Contract Services	2,359.94
NATIONAL PAPER CO, Supplies	117.41
NEBRASKA SOFTBALL ASSN, Supplies	110.00
NEXTEL COMMUNICATIONS, Phone	676.69
NOVA HEALTH EQUIPMENT, Bldg & Grnds	4,668.75
NUTS AND BOLTS, Vehicle Maint.	41.67
OFFICE DEPOT, Supplies	1,190.29
OMAHA COMPOUND CO, Supplies	1,961.33
OMAHA WINNELSON, Repair	170.28
OMB EXPRESS POLICE SUPPLY, Equipment	47.97
OPPD, Utilities	1,667.26
OXMOOR HOUSE, Books	35.91
PAPILLION TIRE, Vehicle Maint.	148.61
PARAMOUNT LINEN & UNIFORM, Uniform Cleaning	573.69
PAYLESS, Supplies	273.74
PERFORMANCE CHRYSLER JEEP, Vehicle Maint.	12.30
PITNEY BOWES, Supplies	221.00
POHLAD, JULIE, Equipment	100.00
POKORNY, KEVIN, Travel	26.00
PRECISION INDUSTRIES, Vehicle Maint.	582.65
PREMIER-MIDWEST BEVERAGE, Concessions	214.00
PRINCIPAL LIFE-FLEX SPENDING, Employee Benefits	216.00
PUBLIC AGENCY TRAINING COUNCIL, Training	885.00
QUALITY BRANDS, Concessions	506.90
QUILL CORPORATION, Supplies	56.18
QWEST, Phone	1,150.95
RAMIREZ, RITA, Phone	43.00
RAPTOR RECOVERY, Summer Reading Program	75.00
READY MIXED CONCRETE, Street Maint./Sewer Repair	2,458.89
RECORDED BOOKS, Media	43.87
RIGHT, TREVOR, Contract Services	80.00
RON TURLEY ASSOCIATES, Contract Services	700.00
ROTELLA'S ITALIAN BAKERY, Supplies	48.24
RUSTY ECK FORD, Vehicle Maint.	338.41
SAM'S CLUB, Supplies/Concessions	1,127.27
SAPP BROS PETROLEUM, Vehicle Maint.	10,297.53
SARPY COUNTY COURTHOUSE, Contract Services	3,487.34
SIGN IT, Supplies	433.50
SIRCHIE FINGER PRINT LABS, Supplies	123.75
SLIVA, STACY, Refund	32.24
SOUCIE, JOSEPH, Phone/Travel	120.71
SPRINT, Phone	98.66
STERLING DISTRIBUTING, Concessions	143.60
STEVENS, MARK, Travel	62.00
STUBBS, ALYSSA, Travel	62.00
STUBBS, MICKEY, Travel	62.00
SUN COUNTRY DISTRIBUTING, Bldg & Grnds	133.24
SUN LIFE & HEALTH INSURANCE, Payroll Withholdings	1,953.38
TED'S MOWER SALES & SERVICE, Equip. Repair	286.09

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THERMO KING CHRISTENSEN, Vehicle Maint.	247.92
THOMPSON DREESSEN & DORNER, Engineering Design	1,533.88
TODCO BARRICADE CO, Equip.	185.00
TRAVELODGE, Travel	621.00
T-SHIRT ENGINEERS, Wearing Apparel	56.25
TURF CARS, Electric Cart	237.97
V & V MANUFACTURING, Wearing Apparel	48.44
VALUATION SERVICES, Appraisal	2,000.00
VERIZON, Phone	364.26
WAL-MART, Supplies/Bldg & Grnds/Equip	952.82
WASTE MANAGEMENT, Bldg & Grnds	262.77
WHITE CAP CONSTR SUPPLY/HDS, Street Maint.	425.00
ZOLL MEDICAL, Squad Supplies	86.01

REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reminded Council of the Budget Workshops which will be held at 6:00 p.m. next Monday and Tuesday.

Police Chief Lausten informed Council that firework complaints were down 30%. There were a total of 39 complaints; but there were no calls or complaints regarding the various fireworks stands. Starting on Wednesday, law enforcement agencies in Sarpy County will help to patrol the portion of the interstate from the 126th Street interchange to the Platte river bridge at the request of the State Patrol. The State Patrol has asked for this assistance as fatalities on the interstate have increased since 2007. Lausten is waiting word on a mini grant to cover some of the time. This will not lessen the patrol in La Vista.

Public Works Director Soucie stated the 4th of July holiday was quiet this year. There was a fire in a trash can at Central Park and at City Park. This is the third year in a row that the permanent restrooms were locked and satellites were used to prevent vandalism to restroom fixtures during the fourth. The new street sweeper and pickup have been delivered to public works and will be brought up before a future council meeting for viewing.

Building and Grounds Director Archibald informed Council the IP phone system has been installed and is working properly.

Recreation Director Stopak informed Council that late last week, the City took delivery of nine new golf carts. Stopak stated the project at the golf course will be completed later this week.

Library Director Iwan informed Council that from April through June, the Library had 19 volunteers, which saved the library \$727.00. Seventeen of the nineteen teens are from the summer reading program.

B. ORDINANCE – ZONING TEXT AMENDMENT – HOME OCCUPATIONS (TABLED AT 6/16/09 MEETING)

Community Development Director Birch introduced the agenda item.

Councilmember Ellerbeck introduced Ordinance No. 1093 entitled: AN ORDINANCE TO AMEND SECTION 2.02.155, SECTION 2.02.156, AND SECTION 7.10 OF ORDINANCE NO. 848 (ZONING ORDINANCE); TO REPEAL SECTION 2.02.155, SECTION 2.02.156, AND SECTION 7.10 OF ORDINANCE NO. 848 AS 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 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, Crawford, 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 Sheehan moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. Councilmember Ellerbeck asked if the change to the ordinance eliminates the signature rule. Community Development Director stated that he was correct. Councilmember Sell asked if the revised ordinance takes care of the issue. Community Development Director Birch stated that it would. The Mayor then stated the question was, "Shall Ordinance No.1093 be passed and adopted?" Upon roll call vote the following Councilmembers voted aye: Sell, Ronan, Quick,

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Sheehan, Carlisle, Crawford, 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 – PERMISSION TO CONSUME ALCOHOL AT RECREATION CENTER ON JULY 11, 2009

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 09-060: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE CONSUMPTION OF ALCOHOL AT THE LA VISTA CITY RECREATION CENTER IN THE EVENT OF INCLEMENT WEATHER ON SATURDAY, JULY 11, 2009, BY CITY EMPLOYEES, VOLUNTEERS AND THEIR GUESTS IN CONJUNCTION WITH THE ANNUAL VOLUNTEER/EMPLOYEE PICNIC.

WHEREAS, the La Vista Employee Activity Committee obtained permission to consume alcohol at the La Vista City Swimming Pool and Sand Volleyball Court in conjunction with the annual volunteer/employee picnic to be held on July 11, 2009, and

WHEREAS, the La Vista Employee Activity Committee is requesting permission to consume alcohol at the La Vista Recreation Center, in the case of inclement weather, in conjunction with the annual volunteer/employee picnic to be held on July 11, 2009, and

WHEREAS, City Council approval must be obtained prior to allowing the consumption of alcoholic beverages on city property.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize the consumption of alcohol at the La Vista Recreation Center, in the case of inclement weather, on July 11, 2009, in conjunction with the annual volunteer/employee picnic.

Seconded by Councilmember Carlisle. Mayor Kindig asked if there was anyone here to speak on this agenda item. There being no one, Mayor Kindig asked for the vote. Councilmembers voting aye: Ronan, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: Sell and Quick. Absent: None. Motion carried.

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 he would like to see a breakdown of calls out of District 1.

At 7:26 p.m. Councilmember Gowan made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 21ST DAY OF JULY 2009.

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

Pamela A. Buethe, CMC
City Clerk