



**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

A CERTIFICATE OF APPRECIATION PRESENTED TO JEFFREY THORNBURG,  
of the La Vista Public Works Department, FOR 10 YEARS OF FAITHFUL AND  
EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, Jeff Thornburg, has served the City of La Vista since April 30, 2001, and

WHEREAS, Jeff Thornburg's input and contributions to the City of La Vista have  
contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED, that this Certificate of Appreciation is hereby  
presented to Jeff Thornburg on behalf of the City of La Vista for 10 years of  
service to the City.

DATED THIS 3RD DAY OF MAY, 2011.

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Ronald Sheehan  
Councilmember, Ward I

\_\_\_\_\_  
Brenda L. Carlisle  
Councilmember, Ward I

\_\_\_\_\_  
Mike Crawford  
Councilmember, Ward II

\_\_\_\_\_  
Terrilyn Quick  
Councilmember, Ward II

\_\_\_\_\_  
Mark D. Ellerbeck  
Councilmember, Ward III

\_\_\_\_\_  
Alan W. Ronan  
Councilmember, Ward III

\_\_\_\_\_  
Kelly R. Sell  
Councilmember, Ward IV

\_\_\_\_\_  
Anthony J. Gowan  
Councilmember, Ward IV

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk





**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

A CERTIFICATE OF APPRECIATION PRESENTED TO **BRIAN STOLLEY**, of the **La Vista Police Department**, FOR 5 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Brian Stolley**, has served the City of La Vista since April 24, 2006, and

WHEREAS, **Brian Stolley's** input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED, that this Certificate of Appreciation is hereby presented to **Brian Stolley** on behalf of the City of La Vista for 5 years of service to the City.

DATED THIS 3RD DAY OF MAY, 2011.

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Ronald Sheehan  
Councilmember, Ward I

\_\_\_\_\_  
Brenda L. Carlisle  
Councilmember, Ward I

\_\_\_\_\_  
Mike Crawford  
Councilmember, Ward II

\_\_\_\_\_  
Terrilyn Quick  
Councilmember, Ward II

\_\_\_\_\_  
Mark D. Ellerbeck  
Councilmember, Ward III

\_\_\_\_\_  
Alan W. Ronan  
Councilmember, Ward III

\_\_\_\_\_  
Kelly R. Sell  
Councilmember, Ward IV

\_\_\_\_\_  
Anthony J. Gowan  
Councilmember, Ward IV

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk





**CITY OF LA VISTA**

**CERTIFICATE OF APPRECIATION**

A CERTIFICATE OF APPRECIATION PRESENTED TO JAMIE SCHUSTER, of the La Vista Police Department, FOR 5 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, Jamie Schuster, has served the City of La Vista since April 24, 2006, and

WHEREAS, Jamie Schuster's input and contributions to the City of La Vista have contributed to the success of the City.

NOW, THEREFORE BE IT RESOLVED, that this Certificate of Appreciation is hereby presented to Jamie Schuster on behalf of the City of La Vista for 5 years of service to the City.

DATED THIS 3RD DAY OF MAY, 2011.

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Ronald Sheehan  
Councilmember, Ward I

\_\_\_\_\_  
Brenda L. Carlisle  
Councilmember, Ward I

\_\_\_\_\_  
Mike Crawford  
Councilmember, Ward II

\_\_\_\_\_  
Terrilyn Quick  
Councilmember, Ward II

\_\_\_\_\_  
Mark D. Ellerbeck  
Councilmember, Ward III

\_\_\_\_\_  
Alan W. Ronan  
Councilmember, Ward III

\_\_\_\_\_  
Kelly R. Sell  
Councilmember, Ward IV

\_\_\_\_\_  
Anthony J. Gowan  
Councilmember, Ward IV

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk





**PROCLAMATION  
BUILDING SAFETY MONTH 2011**

WHEREAS, our city's continuing efforts to address the critical issues of safety, energy efficiency, and sustainability in the built environment that affect our citizens, both in everyday life and in times of natural disaster, give us confidence that our structures are safe and sound; and

WHEREAS, building safety and fire prevention officials are at work year round to guide the safe construction of buildings; and

WHEREAS, Building Safety Week is sponsored by the International Code Council Foundation® to remind the public about the critical role of our community's largely unknown guardians of public safety – our local code officials – who assure us of safe, efficient and livable buildings; and

WHEREAS, the theme, "*Building Safety Month: An International Celebration of Safe and Sensible Structures*" encourages all Americans to raise awareness of the importance of building safety; green and sustainable building; and new technologies in the construction industry. Building Safety Month 2011 encourages appropriate steps everyone can take to ensure that the places where we live, learn, work and play are safe and sustainable, and recognizes that countless lives have been saved due to the implementation of safety codes by local and state agencies.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby proclaim the month of May, 2011 as Building Safety Week in La Vista. Accordingly our citizens are encouraged to join communities across America to participate in Building Safety Month activities.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 3rd day of May, 2011.



\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk





**PROCLAMATION  
MUNICIPAL CLERKS' WEEK**

- WHEREAS, the Office of the Municipal Clerk, a time honored and vital part of local government, exists throughout the world; and
- WHEREAS, the Office of the Municipal Clerk is the oldest among public servants; and
- WHEREAS, the Office of Municipal Clerk provides the professional link between the citizens, the local governing bodies, and agencies of government at other levels; and
- WHEREAS, Municipal Clerks have pledged to be ever mindful of their neutrality and impartiality, rendering equal service to all; and
- WHEREAS, the Municipal Clerks continually strives to improve the administration of the affairs of the Office of the Municipal Clerk through participation in education programs, seminars, workshops, and the annual meetings of their state, province, county, and international professional organizations; and
- WHEREAS, it is most appropriate that we recognize the accomplishments of the Office of Municipal Clerk.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby proclaim the week of May 1 – 7, 2011 as **MUNICIPAL CLERKS' WEEK** in La Vista and further extend appreciation to our Municipal Clerk, Pam Buethe, and to all Municipal Clerks for the vital services they perform and their exemplary dedication to the communities they represent.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 3rd day of May, 2011.



\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**PROCLAMATION  
NATIONAL PUBLIC WORKS WEEK**

WHEREAS, public works services provided in the City of La Vista are an integral part of our citizens' everyday lives; and

WHEREAS, the support of an understanding and informed citizenry is vital to the efficient operation of public works systems and programs such as sewers, streets and highways, public buildings, snow removal, park maintenance; and

WHEREAS, the health, safety and comfort of La Vista citizens greatly depend on these facilities and services; and

WHEREAS, the quality and effectiveness of these facilities, as well as their planning, design, and construction are dependent upon the efforts and skill of public works officials; and

WHEREAS, the efficiency of the qualified and dedicated personnel who staff the public works department is influenced by the public's attitude and understanding of the importance of their work.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, do hereby proclaim the week of May 15 through May 21, 2011 as **NATIONAL PUBLIC WORKS WEEK** with the theme, *Public Works: Serving you and your community*, and call upon all citizens and civic organizations to acquaint themselves with the challenges involved in providing our public works and to recognize the contributions that public works staff and officials make every day to our health, safety and comfort.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 3rd day of May, 2011.



\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



**PROCLAMATION  
NATIONAL POLICE WEEK**

WHEREAS, The Congress and President of the United States have designated May 15<sup>th</sup> as Peace Officers' Memorial Day, and the week in which May 15<sup>th</sup> falls as National Police week; and

WHEREAS, the members of the La Vista Police Department play an essential role in safeguarding the rights and freedoms of La Vista; and

WHEREAS, it is important that all citizens know and understand the duties, responsibilities, hazards, and sacrifices of their law enforcement agency, and that members of our law enforcement agency recognize their duty to serve the people by safeguarding life and property, by protecting them against violence and disorder, and by protecting the innocent against deception and the weak against oppression; and

WHEREAS, the men and women of the La Vista Police Department unceasingly provide a vital public service.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, call upon all citizens of La Vista and upon all patriotic, civic, and educational organizations to observe the week of May 15 - 21, 2011 as **NATIONAL POLICE WEEK** in La Vista and call upon all citizens and civic organizations to observe this week with appropriate ceremonies commemorating law enforcement officers, past and present, who, by their faithful and loyal devotion to their responsibilities, have rendered a dedicated service to their communities and, in so doing, have established for themselves an enviable and enduring reputation for preserving the rights and security of all citizens. I further call upon all citizens of La Vista to observe Sunday, May 15, 2011 as Peace Officers' Memorial Day in honor of those law enforcement officers who, through their courageous deeds have made the ultimate sacrifice in service to their community or have become disabled in the performance of duty, and let us recognize and pay respect to the survivors of our fallen heroes.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 3<sup>rd</sup> day of May, 2011.



\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buehe, CMC  
City Clerk



**PROCLAMATION  
EMERGENCY MEDICAL SERVICES WEEK**

WHEREAS, emergency medical service is a vital public service; and

WHEREAS, the members of emergency medical services teams are ready to provide lifesaving care to those in need 24 hours a day, seven days a week; and

WHEREAS, access to quality emergency care dramatically improves the survival and recovery rate of those who experience sudden illness or injury; and

WHEREAS, the emergency medical services systems consists of emergency physicians, emergency nurses, emergency medical technicians, paramedics, firefighters, educators, administrators, and others; and

WHEREAS, the members of emergency medical services teams, whether career or volunteer, engage in thousands of hours of specialized training and continuing education to enhance their lifesaving skills; and

WHEREAS, it is appropriate to recognize the value and the accomplishments of emergency medical services providers by designating Emergency Medical Services Week.

NOW, THEREFORE, I, Douglas Kindig, Mayor of the City of La Vista, in recognition of this event, do hereby proclaim the week of May 15 - 21, 2011 as **EMERGENCY MEDICAL SERVICES WEEK** with the theme, *EMS: Everyday Heroes*, and I encourage the community to observe this week with appropriate programs, ceremonies, and activities.

IN WITNESS WHEREOF, I have set my hand and caused the official Seal of the City of La Vista to be affixed this 3rd day of May, 2011.



\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk



# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING April 19, 2011

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 April 19, 2011. Present were Councilmembers: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Finance Director Lindberg, Public Works Director Soucie, Public Buildings and Grounds Director Archibald, and Recreation Director Stopak.

A notice of the meeting was given in advance thereof by publication in the Times on April 6, 2011. Notice was simultaneously given to the Mayor and all members of the City Council and a copy of the acknowledgment of the receipt of notice attached to the minutes. Availability of the agenda was communicated to the Mayor and City Council in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection at City Hall during normal business hours.

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

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

### SWEAR IN POLICE OFFICER – CALEB CLARK

Mayor Kindig administered the oath of office to Police Officer Caleb Clark.

### CONSENT AGENDA

#### 1. APPROVAL OF CITY COUNCIL MINUTES FROM APRIL 5, 2011

#### 2. MONTHLY FINANCIAL REPORT – MARCH 2011

#### 3. PAY REQUEST NO. 1 – ANDERSON EXCAVATING CO. - THOMPSON CREEK DEMOLITION SERVICES - \$48,444.12

#### 4. PAY REQUEST – DOUGLAS COUNTY TREASURER – HELL CREEK STREAM STABILIZATION PHASE I - \$3,037.35

#### 5. APPROVAL OF CLAIMS

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

3E-ELECTRICAL ENGINEERING, bld & grnds	223.81
AAT (US) INC., supplies	990.00
ACTION BATTERIES UNLTD, supplies	91.95
ADAMSON INDUSTRIES CORP, equip.	464.26
ALAMAR UNIFORMS, apparel	1396.83
AQS ENVIRONMENTAL, services	8717.00
ARAMARK UNIFORM SERVICES, apparel	471.89
AUSTIN PETERS GROUP, training	1700.00
BAKER & TAYLOR BOOKS, books	902.19
BAKER, J., refund	380.48
BENNETT REFRIGERATION, bld & grounds	171.65
BENNINGTON EQUIP, maint.	2970.08
BETTER BUSINESS EQUIPMENT, rentals	47.92
BIBLIONIX, equipment	3150.00
BKD LLP, services	3750.00
BLACK HILLS ENERGY, utilities	1791.32
BOLER WOOD & ASSOCIATES, disability ins.	4954.35
BRENTWOOD AUTO WASH, maint.	84.00
BRYAN ROCK PRODUCTS, bld & grnds	7024.99
BUILDERS SUPPLY, bld & grnds	216.45
BYNUM, T., refund	150.00
CAPSTONE PRESS, books	841.00
CENTER POINT PUBLISHING, books	165.36
COLOMBO/HELPS, concession supplies	431.07

# MINUTE RECORD

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

April 19, 2011

CONTROL MASTERS, services	988.00
CORNHUSKER INTL TRUCKS, maint.	75.98
COVENTRY HEALTHCARE NE., refund	387.50
COX COMMUNICATIONS, services	192.85
D & D COMMUNICATIONS, equip.	306.00
DANKO EMERGENCY EQUIPMENT CO, maint.	385.30
DEMCO INC., supplies	471.33
DIAMONDS GROUNDSKEEPER, maint.	348.00
DOOR EXPRESS INC., bld & grnds	1269.00
DOUGLAS CNTY SHERIFF, services	100.00
DULTMEIER SALES & SERVICE, maint.	74.89
EASTERN LIBRARY SYSTEM, training	15.00
EASYWAY INTERNATIONAL, grant	65113.00
ELAN, training, travel, phone, misc.	14049.61
ELLIOTT EQUIPMENT COMP., supplies	1379.76
EMBASSY SUITES HOTEL, training	743.82
FILTER CARE, maint.	66.50
FOCUS PRINTING, supplies	399.90
FORT DEARBORN LIFE INS	1296.50
FUTUREWARE DISTRIBUTING INC, supplies	212.00
GALE, books	88.48
GCR TIRE CENTER, supplies	768.96
GENUINE PARTS COMPANY-OMAHA, maint.	850.42
GRAINGER, supplies	133.42
GREAT PLAINS ONE-CALL SVC, services	308.66
GREENKEEPER COMPANY, supplies	623.75
HARBOR FREIGHT TOOLS, supplies	91.47
HEARTLAND PAPER, supplies	170.00
HERITAGE CRYSTAL CLEAN, services	412.00
HIGHSMITH, supplies	191.27
HUNDEN STRATEGIC PARTNERS, services	1656.75
HUNTEL COMMUNICATIONS, services	342.00
HUSKER MIDWEST PRINTING, printing	230.10
HY-VEE, supplies	41.08
IMIG, L., refund	30.00
J Q OFFICE EQUIPMENT, supplies	1071.64
KIMBALL MIDWEST, maint.	438.62
KOTTMANN, J., auto allowance	97.41
LAUGHLIN, KATHLEEN A, TRUSTEE, misc.	648.00
LEAGUE OF NEBR MUNI., training & travel	455.00
LEXIS NEXIS, books	77.71
LIBRARY STORE, supplies	136.83
LINCOLN NATIONAL LIFE INS CO	9266.84
LOGAN CONTRACTORS SUPPLY, maint.	346.63
LOU'S SPORTING GOODS, supplies	249.92
MARTIN, A., services	120.40
MATHESON TRI-GAS, supplies	394.56
MENARDS, maint	17.96
MAT, services	511.00
MIDWEST RIGHT OF WAY SVCS, services	2788.00
MIDWEST TAPE, supplies	42.48
MIDWEST TURF & IRRIGATION, maint.	37.05
NATIONAL PAPER COMPANY, supplies	408.11
NE LIQUOR CONTROL COMMISSION, supplies	80.00
NE GOLF SUPER., training	35.00
NE LIBRARY COMM., supplies	1995.00
NE NATIONAL BANK, rental	695.00

# MINUTE RECORD

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

April 19, 2011

NEBRASKA WELDING LTD, supplies	73.44
NLA-YOUNG ADULT ROUND TABLE , training	10.00
NUTS AND BOLTS, maint.	15.66
ODB COMP., maint.	432.07
OFFICE DEPOT, supplies	665.83
OPPD, utilities	40824.03
OMAHA WINNELSON, supplies	149.39
OMAHA WORLD HERALD, services	447.00
OMB EXPRESS POLICE SUPPLY, wearing apparel	50.58
OMNIGRAPHICS, books	163.70
O'REILLY AUTOMOTIVE, supplies	525.30
PAPILLION PARKS/RECR, services	35.00
PAPILLION SANITATION, services	333.01
PARAMOUNT LINEN & UNIFORM, services	433.40
PAYLESS OFFICE PRODUCTS, supplies	137.08
PERFORMANCE CHRYSLER JEEP, maint.	415.49
BUETHE,P., petty cash	268.00
PREMIER-MIDWEST BEVERAGE, supplies	326.35
PROGRESSIVE BUSINESS, supplies	245.00
PROJECT HARMONY, services	150.00
QUALITY BRANDS OF OMAHA, supplies	482.60
RAINBOW GLASS & SUPPLY, maint.	843.40
RAY ALLEN MANUFACTURING CO, supplies	1027.90
READY MIXED CONCRETE COMP., maint.	1196.59
ROY, R., services	31.00
SAM'S CLUB, supplies	583.92
SAPP BROS SERVICE CENTERS, supplies	448.00
SARPY COUNTY TREASURER, services	32334.38
SEAT COVER CENTER OF NE, maint.	385.00
SIRCHIE FINGER PRINT LABS, supplies	71.17
SOUTHEAST LIBRARY SYSTEM, training	40.00
SUBURBAN NEWSPAPERS, books	50.00
SUPERIOR VISION SVCS	318.40
SUSPENSION SHOP, maint.	44.60
THOMPSON DREESSEN & DORNER, services	60.50
TURF CARS, supplies	1155.35
U S ASPHALT COMPANY, maint.	1221.87
UPS, postage	67.88
USI EDUCATION/GOVT SALES, sales	81.99
WASTE MANAGEMENT NE., bldg & grnds	429.97
WICK'S STERLING TRUCKS, maint.	574.16

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported Officer Brenda Jacobs has retired to pursue a career in fraud investigations. The La Vista Motorcycle patrol was in attendance for the practice run at the TD Ameritrade Park.

Fire Chief Uhl thanked the Mayor and Council for allowing him to attend the LEAD training. The Citizens Fire Academy was held April 9-10. Members of LVFD attended Operation First Pitch.

Public Works Director Soucie reported that the Water feature was started this week. Annual clean up days was April 15-16. The Keystone Trail project is set to go for bid on May 12, 2011.

Community Development Director Birch gave the 2010 Building permit/inspection report.

Recreation Director Stopak reported that the City received a 20 year award for Tree City USA. The Easter Egg hunt is scheduled for April 23, 2011.

Library Director Barcal reported that she attended the Annual Library Conference in Montana. Next fall the conference will be at the La Vista Conference Center.

# MINUTE RECORD

## **B. CITIZEN ADVISORY REVIEW COMMITTEE – EDP REPORT** **PUBLIC HEARING**

At 7:18 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Citizen Advisory Review Committee – EDP Report. Anyone desiring to comment was asked to keep their comments to three minutes.

Lynda Schafer was present to answer any questions.

At 7:19 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## **C. EXECUTIVE SESSION – STRATEGY SESSION /NEGOTIATING GUIDANCE – POSSIBLE** **REAL ESTATE PURCHASE**

At 7:20 p.m. Councilmember Carlisle made a motion to go into executive session for the protection of the public for a strategy session/negotiating guidance for a possible real estate purchase. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:00 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None.

## **D. THOMPSON CREEK HAZARD MITIGATION PROJECT – PURCHASE OF REAL PROPERTY** **1. PUBLIC HEARING**

At 8:00 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the Thompson Creek Hazard Mitigation Project – purchase of real property. Anyone desiring to comment was asked to keep their comments to three minutes.

At 8:01 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## **2. RESOLUTION – APPROVE PURCHASE**

Councilmember Quick introduced and moved for adoption of Resolution 11-047: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF ONE HOUSE FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THIS SITE

WHEREAS, the owners of the house located at 7225 Park View Blvd (referred to herein as "Site"), desire to sell the Site to the City, and the City desires to purchase the Site from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Site; and
- (iii) Proposed purchase agreements for the Site have been presented to the City Administrator by the owners of the Site in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price approved by the City Administrator, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Site or is otherwise acceptable, in addition to other terms and conditions; and



# MINUTE RECORD

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

April 19, 2011

- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Site, to be held during the regular City Council meeting on April 19, 2011; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Site from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Site as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

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

**E. ANNEXATIONS – SID 239 (GILES CORNER), SID 82 (CROSSROADS INDUSTRIAL PARK) & ADJOINING MISC. LOT, PERFORMANCE AUTO PLAZA & ATTIC STORAGE, PORTIONS OF SID 59 (BROOK VALLEY II BUSINESS PARK) & ADJOINING STREET ROWS.**

City Clerk Buethe stated that formal compliance with the provisions of Section 16-130(6) of the state statutes (notice to utility companies) will be made for each of these ordinances for annexation.

**1. ORDINANCE 1138 – FINAL READING**

City Clerk Buethe read Ordinance No. 1138 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (GILES CORNER, SID #239 AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. The Mayor then stated the question was, "Shall Ordinance No. 1138 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, 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.

**2. ORDINANCE 1139 – FINAL READING**

City Clerk Buethe read Ordinance No. 1139 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (CROSSROADS INDUSTRIAL PARK, SID #82 AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

Councilmember Crawford moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question was, "Shall Ordinance No. 1139 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, 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.

**3. ORDINANCE 1140 – FINAL READING**

City Clerk Buethe read Ordinance No. 1140 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOT 10B, LOCATED IN THE SE ¼ OF

# MINUTE RECORD

SECTION 21, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

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. 1140 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, 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.

#### **4. ORDINANCE 1141 – FINAL READING**

City Clerk Buethe read Ordinance No. 1141 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (TAX LOT 1B, TAX LOT 1C, TAX LOT 2, LOCATED IN THE NE ¼ OF SECTION 18, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; LOTS 2A, 3 AND 4, PERFORMANCE AUTO PLAZA; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Sheehan. The Mayor then stated the question was, "Shall Ordinance No. 1141 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, 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.

#### **5. ORDINANCE 1142 – FINAL READING**

City Clerk Buethe read Ordinance No. 1142 entitled: AN ORDINANCE TO ANNEX CERTAIN REAL ESTATE TO THE CITY OF LA VISTA, NEBRASKA (BROOK VALLEY II BUSINESS PARK; TAX LOT 1A1A1A LOCATED IN THE SE ¼ OF SECTION 17, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA; TAX LOT 2B2 LOCATED IN THE SW ¼ OF SECTION 17, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA, ALL PART OF SID #59; AND CERTAIN ADJACENT LAND), AS MORE FULLY DESCRIBED HEREIN; TO MAKE PROVISION FOR EXTENSION OF SERVICES TO INHABITANTS OF TERRITORY ANNEXED; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF. Said ordinance was read by title.

Councilmember Carlisle moved for final passage of the ordinance which motion was seconded by Councilmember Crawford. The Mayor then stated the question was, "Shall Ordinance No. 1142 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, 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.

#### **F. RESOLUTION – CONSULTANT SELECTION – 84<sup>TH</sup> STREET BLIGHT & SUBSTANDARD STUDY**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 11-048; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SELECTION OF AND NEGOTIATION OF A CONTRACT WITH HANNA:KEELAN ASSOCIATES, P.C. LINCOLN, NEBRASKA, FOR THE PREPARATION OF A DETERMINATION OF BLIGHTED AND SUBSTANDARD CONDITIONS FOR THE 84<sup>TH</sup> STREET REDEVELOPMENT STUDY AREA IN AN AMOUNT NOT TO EXCEED \$12,000.00.

WHEREAS, the City Council of the City of La Vista has determined that the preparation of a determination of blighted and substandard conditions for the 84<sup>th</sup> Street Redevelopment Study Area is necessary; and

WHEREAS, the FY 2010/11 Capital Improvement Program contains funding for this project; and

WHEREAS, the FY 2010/11 Capital Improvement Program contains funding for the preparation of a redevelopment plan; and

# MINUTE RECORD

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

April 19, 2011

WHEREAS, proposals were received on March 25, 2011; and

WHEREAS, a three-member staff committee has reviewed the proposals and recommends the selection of the firm Hanna:Keelan Associates, P.C., Lincoln, Nebraska, as the most qualified bidder; 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 selection of and the negotiation of a contract with Hanna:Kellan Associates, P.C., Lincoln, Nebraska in a form satisfactory to the City Administrator and City Attorney, for the preparation of a determination of blighted and substandard conditions for the 84<sup>th</sup> Street Redevelopment Study Area in an amount not to exceed \$12,000.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

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

## **G. RESOLUTION – CONSULTANT SELECTION – INFORMATION TECHNOLOGY STRATEGIC PLAN**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-049: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE SELECTION OF AND NEGOTIATION OF A CONTRACT WITH BERRY, DUNN, MCNEIL & PARKER (BDMP) PORTLAND, MAINE, FOR THE PREPARATION OF AN INFORMATION TECHNOLOGY STRATEGIC PLAN IN AN AMOUNT NOT TO EXCEED \$49,755.00.

WHEREAS, the City Council of the City of La Vista has determined that the preparation of an Information Technology Strategic Plan is necessary; and

WHEREAS, the FY 2010/11 Capital Improvement Program contains funding for this project; and

WHEREAS, proposals were received on February 4, 2011; and

WHEREAS, the IT committee has reviewed the proposals and conducted interviews and recommends the selection of the firm Berry, Dunn, McNeil, & Parker (BDMP), Portland, Maine, as the most qualified bidder; 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 selection of and the negotiation of a contract with Berry, Dunn, McNeil, & Park in a form satisfactory to the City Administrator and City Attorney, for the preparation of an Information Technology Strategic Plan in an amount not to exceed \$49,755.00, and that the Mayor is hereby authorized to execute said contract and the City Clerk is further directed to attest to the same.

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

## **H. RESOLUTION – ADVERTISEMENT OF BIDS – LED TRAFFIC SIGNAL MODULES EECBG AWARD NO. 9/10-E062**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-050: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR LED TRAFFIC SIGNAL MODULES.

WHEREAS, the City Council has determined that the replacement of existing incandescent lamps with LED traffic signal modules is necessary, and

WHEREAS, the FY 2010/11 General Fund budget provides funding for the LED traffic signals, and

# MINUTE RECORD

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

April 19, 2011

WHEREAS, 80% of this purchase will be grant funded from the U.S. Department of Energy and the American Recovery and Reinvestment Act of 2009 and 20% is the local share from the Streets Operation budget; and

WHEREAS, the City Engineer, has prepared specifications to obtain bids.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the replacement of existing incandescent lamps with LED traffic signal modules with specifications prepared by the City Engineer and said bids are to be opened and publicly read aloud at 10 a.m. at the office of the City Clerk, 8116 Park View Boulevard, La Vista, Nebraska on May 9, 2011.

Publish Notice to Contractors	April 28, 2011 and May 5, 2011
Open Bids	May 9, 2011
Award Bid	May 17, 2011

Seconded by Councilmember Quick. Councilmember Sheehan asked if this would put LED's in all the signals. Public Works Director Soucie stated that it would. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None. Motion carried.

## **I. RESOLUTION – STOP SIGN MODIFICATION – 76<sup>TH</sup> AVENUE; TERRY DRIVE; JOSEPH AVENUE**

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-051; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CHANGE TO THE EXISTING STOP SIGNS AT THE INTERSECTION OF TERRY DRIVE, JOSEPH AVENUE, AND SOUTH 76<sup>TH</sup> AVENUE

WHEREAS, the Mayor and City Council of the City of La Vista have determined that changing the existing stop signs at the intersection of Terry Drive, Joseph Avenue, and South 76<sup>th</sup> Avenue will enhance traffic and pedestrian safety; and

WHEREAS, the Manual of Uniform Traffic Control Devices (2009 Edition) requires that auxiliary plates such as 2-Way and 3-Way be eliminated and replaced with All Way auxiliary plates; and

WHEREAS, the City Engineer has recommended these changes; and

WHEREAS, Section 70.072 of the La Vista Municipal Code requires City Council approval prior to the placement of any regulatory traffic sign, signal or mechanical devices.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby authorize changing the existing stop signs at the intersection of Terry Drive, Joseph Avenue, and South 76<sup>th</sup> Avenue from a 3-way configuration to a 4-way configuration.

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

## **J. RESOLUTION – STOP SIGN MODIFICATION – 73<sup>RD</sup> AVENUE; LILLIAN AVENUE; JAMES AVENUE**

Councilmember Gowan introduced and moved for the adoption of Resolution No. 11-052; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE CHANGE TO THE EXISTING STOP SIGNS AT THE INTERSECTION OF LILLIAN AVENUE, JAMES AVENUE, AND SOUTH 73<sup>RD</sup> AVENUE

WHEREAS, the Mayor and City Council of the City of La Vista have determined that changing the existing stop signs at the intersection of Lillian Avenue, James Avenue, and South 73<sup>rd</sup> Avenue will enhance traffic and pedestrian safety; and

WHEREAS, the Manual of Uniform Traffic Control Devices (2009 Edition) requires that auxiliary plates such as 2-Way and 3-Way be eliminated and replaced with All Way auxiliary plates; and

WHEREAS, the City Engineer has recommended these changes; and

WHEREAS, Section 70.072 of the La Vista Municipal Code requires City Council approval prior to the placement of any regulatory traffic sign, signal or mechanical devices.



# MINUTE RECORD

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

April 19, 2011

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby authorize changing the existing stop signs at the intersection of Lillian Avenue, James Avenue, and South 73<sup>rd</sup> Avenue from a 3-way configuration to a 4-way configuration.

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

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## K. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS; PERSONNEL; LITIGATION

At 8:21 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for Contract Negotiations and Litigation and for the protection of an individual for personnel. Seconded by Councilmember Ellerbeck. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 9:06 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None.

## COMMENTS FROM MAYOR AND COUNCIL

At 9:08 p.m. Councilmember Sell made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Gowan and Ellerbeck. Nays: None. Abstain: None. Absent: None.

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2011

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**LA VISTA CIVIL SERVICE COMMISSION  
MEETING MINUTES  
September 23, 2010**

A meeting of the Civil Service Commission of the City of La Vista, Nebraska was convened at 4:00 p.m. on September 23, 2010. Present were Chairman Filbrandt, and Commissioners Birkey, Christensen, Lewis and Vendetti. Also in attendance were: City Administrator Gunn, Police Chief Lausten, Cpt. Pokorny, Cpt. Barcal and Civil Service Secretary Pam Buethe.

A notice of the meeting was given in advance by advertising in the Times Newspaper on September 16 2010. Notice was simultaneously given to the Chairman and all members of the Civil Service Commission and a copy of the acknowledgement of the receipt of notice was attached to the minutes. Availability of the agenda was communicated to the Civil Service Commission members 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.

**I. CALL TO ORDER**

Chairman Filbrandt called the meeting to order at 4:00 p.m.

**II. APPROVAL OF AUGUST 12, 2010 CIVIL SERVICE COMMISSION MEETING**

Commissioner Christensen made a motion to approve the minutes of the August 12, 2010 Civil Service Commission meeting. Seconded by Commissioner Birkey. Ayes: Birkey, Christensen, Filbrandt, and Vendetti. Nays: None. Absent: Lewis. Motion carried.

**III. STRATEGIC PLAN UPDATE – CITY ADMINISTRATOR**

City Administrator Gunn gave an overview of the Strategic Plan to the Commissioners.

At 4:15 Commissioner Lewis arrived to take her seat on the Commission.

**IV. INTERVIEW CANDIDATES FOR POLICE SERGEANT**

The following candidates were interviewed for Police Sergeant: Pablo Jimenez, Randy Ruhge, Brian Stolley, Scott Collett, Brad Wood, James Thompson, John York, and Mark Flash.

**V. CERTIFY ELIGIBILITY LIST FOR POLICE SERGEANT**

The Civil Service Secretary compiled the scores and presented them to the Commission. Commissioner Vendetti made a motion to certify a list of three eligible candidates—John York, James Thompson, and Brian Sotley. Seconded by Commissioner Christensen. Ayes: Birkey, Christensen, Filbrandt, Lewis and Vendetti. Nays: None. Absent: None. Motion carried.

**VI. COMMENTS FROM THE FLOOR**

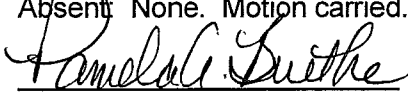
There were no comments from the floor.

**VII. COMMENTS FROM THE COMMISSION**

There were no comments from the Commission.

### VIII. ADJOURNMENT

At 8:14 p.m. Commissioner Birkey made a motion to adjourn the meeting. Seconded by Commissioner Christensen. Ayes: Birkey, Christensen, Filbrandt, Lewis and Vendetti. Nays: None. Absent: None. Motion carried.

A handwritten signature in cursive script, reading "Pamela A. Buethe".

Pamela A. Buethe, CMC  
Civil Service Secretary

City of La Vista  
Park & Recreation Advisory Committee Minutes  
March 16, 2011

DRAFT

A meeting of the Park and Recreation Advisory Committee for the City of LaVista convened in open and public session at 7:00 p.m. on March 16, 2011. Present were Assistant Recreation Director David Karlson, Members Jeff Kupfer, George Forst and Shannon Wiig. Absent were Members Vice-Chairman Pat Lodes, Corey Jeffus and Recreation Director Scott Stopak.

A notice of the meeting was given in advance thereof by publication in the Papillion Times on March 10, 2011. Simultaneously given to the members of the Park and Recreation Advisory Committee and a copy of their acknowledgment of receipt of the notice are attached to the minutes. Availability of the agenda was communicated in the advance notice to the members of the Park and Recreation Advisory Committee of this meeting. All proceedings hereafter were taken while the convened meeting was open to attendance of the public. Further, all the subjects included in said proceedings were contained in the agenda for inspection within ten working days after said meeting, prior to the convened meeting of said body.

**CALL TO ORDER**

Assistant Recreation Director Karlson called the meeting to order.

Seconded by Member Kupfer.

Assistant Director Karlson led the audience in the Pledge of Allegiance.

Assistant Director Karlson made an announcement of the location of the posted copy of the Open Meetings Act for public reference and read the Emergency Procedures Statement.

**A. CONSENT AGENDA**

Assistant Director Karlson made the motion to approve the consent agenda. Seconded by Member Kupfer. Motion carried.

Member Forst made the motion to approve the minutes from the February 16, 2011 Advisory Board meeting. Seconded by Member Kupfer. Motion carried.

**REPORTS FROM RECREATION DIRECTOR AND STAFF**

Assistant Director Karlson reported that the Kansas City Barbeque Judging class will be held on Saturday, March 26. Eighty-two students participated last year.

Karlson also reminded the Board that the annual Easter Egg Hunt will be held on Saturday, April 23 at 10:00 at the La Vista Sports Complex. This year, all four baseball/softball fields will be utilized for the different age groups.

Program Coordinator Rich Carstensen reported on activities from the Senior Center. In March, the Seniors hosted the Show Choir from La Vista Junior High, had a St. Patrick's celebration catered by Hy-Vee, and made a trip to the new restaurant Stadium Dawgs in La Vista. Later in the month, they will be taking a trip to Kearney to see the Arch and view the cranes. At the beginning of April, they will be going to Stella's Restaurant in Bellevue to try out their famous hamburgers!

Program Coordinator Eddie Burns reported the basketball clinic has wrapped up. Also, youth basketball will be ending soon. A tournament is currently going on with the 5/6 girls in the championship. Soccer Academy will begin the first week in April. Women's volleyball is on-going, and Adult softball will begin April 10.



#### B. PARK NAME SELECTION

A public hearing was held on naming Val Verde/Centennial Park and Children's Vista Memorial Park. Ralph Healy from Val Verde Homeowners Association, reported that the majority of residents in Val Verde would like the park to be named Val Verde instead of Centennial. It identifies where the park is, and Papillion also has a park on Centennial Road. Karlson said that Vice-Chairman Lodes expressed that he would like to go with Val Verde via e-mail. Kupfer, Wiig and Forst all voted to name the park Val Verde.

Kupfer, Wiig and Forst all voted to name the park Children's Memorial Park.

This will be forwarded on to City Council for final approval.

#### COMMENTS FROM THE FLOOR

Ben Kato, who is stationed at Offutt and lives in La Vista, stated that he has lived in four states while in the service. He wanted to compliment the City and the public works department for keeping the city looking good. He said this City is a well-greased machine, and he enjoys living in La Vista.

Rob George, Public Works, discussed the age of the park equipment at Triangle Park, and the difficulty in not being able to get parts for it.

#### COMMENTS FROM COMMITTEE MEMBERS

Member Forst made a motion to adjourn. Seconded by Member Kupfer. Motion carried. Adjourned at 7:20 p.m.

**LA VISTA FALLS GOLF COURSE**  
**Revenue Comparison 2010-11 and 2009-10**

Month	Rounds	Green Fees	Carts	Merchandise	Concessions	Total	Difference from prior year
Oct-10	1,678	11,019.10	4,488.03	314.09	1,925.49	17,746.71	\$8,468.15
Oct-09	832	5,696.63	2,094.95	86.70	1,400.28	9,278.56	
Nov-10	558	3,644.56	1,158.93	73.61	645.31	5,522.41	(\$3,145.50)
Nov-09	990	5,799.29	1,870.09	136.69	861.84	8,667.91	
Dec-10	68	494.37	124.36	4.68	29.02	652.43	(\$179.20)
Dec-09	67	688.35	107.43	7.01	28.84	831.63	
Jan-11	2	15.88	0.00	0.00	0.00	15.88	(\$63.56)
Jan-10	0	79.44	0.00	0.00	0.00	79.44	
Feb-11	139	964.05	56.16	33.41	120.70	1,174.32	\$1,174.32
Feb-10	0	0.00	0.00	0.00	0.00	0.00	
Mar-11	712	9,623.25	1,537.80	138.84	829.07	12,128.96	\$1,874.61
Mar-10	601	7,994.77	1,386.61	186.89	686.08	10,254.35	
Apr-11							
Apr-10							
May-11						0.00	
May-10						0.00	
Jun-11						0.00	
Jun-10						0.00	
Jul-11						0.00	
Jul-10						0.00	
Aug-11						0.00	
Aug-10						0.00	
Sep-11						0.00	
Sep-10						0.00	

	2010-11	2009-10	%Difference
Oct	\$17,746.71	9,278.56	91.3%
Nov	\$5,522.41	8,667.91	-36.3%
Dec	\$652.43	831.63	-21.5%
Jan	\$15.88	79.44	-80.0%
Feb	\$1,174.32	0.00	0.0%
Mar	\$12,128.96	10,254.35	18.3%
Apr			
May			
Jun			
Jul			
Aug			
Sep			
<b>Total</b>	<b>\$49,699.42</b>	<b>68,135.07</b>	<b>-27.1%</b>

**Total Rounds (Fiscal Year 2010-2011)** 3,884  
**Total Rounds (Fiscal Year 2009-2010)** 24,361

	Cash (within) LV/R	Extra Cash	Cash (outside) LV/R \$3	Cash (outside) LV/R \$6	Tickets (within) LV/R	Tickets (outside) LV/R	N/C Customers (Within)	N/C Customers (Outside)
3/1/11	\$2	\$0	\$21	\$0	0	4	0	0
3/2/11	\$0	\$0	\$9	\$0	2	9	0	0
3/3/11	\$2	\$0	\$36	\$0	0	6	0	0
3/4/11	\$0	\$0	\$0	\$0	0	10	0	0
3/7/11	\$0	\$0	\$9	\$0	2	8	0	0
3/8/11	\$4	\$0	\$21	\$0	0	8	0	0
3/9/11	\$1	\$0	\$9	\$0	2	11	0	0
3/10/11	\$2	\$1	\$21	\$0	0	8	0	0
3/11/11	\$0	\$0	\$6	\$0	2	10	0	0
3/14/11	\$0	\$0	\$3	\$0	2	11	0	0
3/15/11	\$4	\$0	\$3	\$0	0	2	0	0
3/16/11	\$1	\$0	\$18	\$0	2	13	0	0
3/17/11	\$2	\$0	\$21	\$0	0	8	0	1
3/18/11	\$1	\$0	\$6	\$0	2	10	0	0
3/21/11	\$2	\$0	\$3	\$0	4	11	0	0
3/22/11	\$2	\$0	\$9	\$12	0	3	0	0
3/23/11	\$1	\$0	\$9	\$0	1	11	0	0
3/24/11	\$2	\$0	\$30	\$0	0	8	0	0
3/25/11	\$0	\$0	\$0	\$0	0	12	0	0
3/28/11	\$4	\$0	\$3	\$0	1	9	0	0
3/29/11	\$2	\$0	\$9	\$0	0	5	0	0
3/30/11	\$1	\$0	\$3	\$0	1	11	0	0
3/31/11	\$5	\$0	\$9	\$0	0	6	0	0

<b>Total</b>	\$36.00	\$1.00	\$237.00	\$12.00	20	172	0	1
--------------	---------	--------	----------	---------	----	-----	---	---

	\$			
Total Passengers	Tickets Sold	Total \$ Amt. Collected	La Vista Passengers	Ralston Passengers
13	\$0	\$23	1	12
14	\$30	\$39	4	10
20	\$60	\$98	2	18
10	\$30	\$30	2	8
13	\$0	\$9	5	8
19	\$60	\$85	5	14
17	\$60	\$70	8	9
17	\$60	\$84	5	12
14	\$0	\$6	6	8
14	\$30	\$33	8	6
7	\$0	\$7	3	4
22	\$0	\$19	9	13
18	\$0	\$23	8	10
15	\$30	\$37	7	8
18	\$60	\$65	10	8
10	\$0	\$23	3	7
16	\$30	\$40	7	9
20	\$0	\$32	7	13
12	\$30	\$30	4	8
15	\$30	\$37	9	6
10	\$60	\$71	3	7
14	\$0	\$4	7	7
14	\$0	\$14	6	8

342 \$510.00 \$790.00 129 213

=

342



**La Vista Youth Soccer Academy**

The Soccer Academy began on Tuesday, April 5. We currently have sixty-five 4/5 yr. olds, and fifty-six 6/7 yr. olds registered for the program. It is being held at the Soccer Complex.

**Spring Flag Football League**

Most teams for flag football got the season underway on Saturday, April 9. There are a couple teams that will begin their season on April 16.

**LA VISTA FALLS GOLF COURSE**

**Submitted by Denny Dinan, Golf Course Services Manager**

March 2011 rounds = 712 (+ 111 rounds from March 2010)

March 2010 rounds = 601

Fiscal year 2010/11 rounds (thru March) = 3158 (+668 rounds from fiscal year 09/10 thru March)

Fiscal year 2009/10 rounds (thru March) = 2490

The first 10 days of March were pretty slow as the temperature averaged around 38 degrees. The last 9 days were also slow with temps averaging around 40 degrees. The middle part of March was pretty nice with temps averaging around 59 degrees and that's when we had about 85% of our rounds for the month.

League registrations are starting to come in. I have spoken and or emailed league captains and league members and I have yet to hear from anyone to say they are not returning.

On March 31, we received our 5 new golf carts and traded in 5 of our older carts. We currently have 5 new 2011 golf carts, 9 – 2009 golf carts and 5- 2006 carts.

**CITY OF LA VISTA  
FY 2010-11  
GOLF COURSE REVENUES**

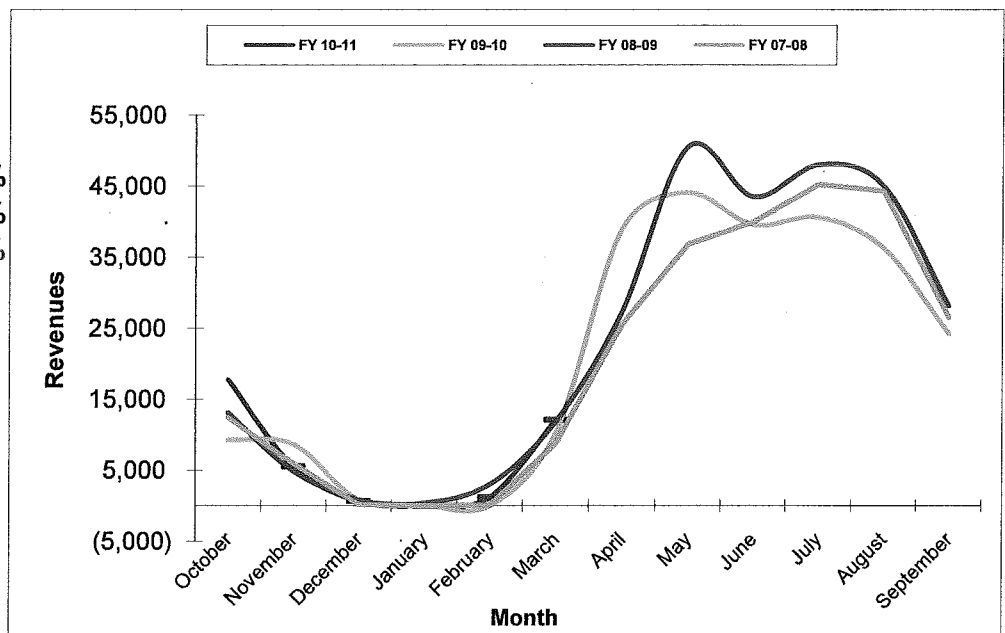
Revenues for Month of	Budget FY 10-11 Amount	Current FY 10-11 Amount	Budget Surplus (Shortfall)	Last Year FY 09-10 Amount	Last Year FY 08-09 Amount	Prior FY 07-08 Amount
October	18,650	17,747	(903)	9,279	13,148	12,404
November	18,650	5,522	(13,128)	8,668	4,893	5,911
December	18,650	652	(17,998)	832	875	167
January	18,650	16	(18,634)	79	404	0
February	18,650	1,174	(17,476)	0	3,007	136
March	18,650	12,129	(6,521)	10,254	11,851	8,755
April			0	39,023	27,319	25,543
May			0	44,064	50,548	36,844
June			0	39,566	43,506	39,967
July			0	40,595	48,022	45,253
August			0	36,275	45,041	44,334
September			0	24,237	28,151	26,518
<b>TOTAL</b>	<b>\$ 111,900</b>	<b>\$ 37,241</b>	<b>\$ (74,659)</b>	<b>\$ 252,872</b>	<b>\$ 276,764</b>	<b>\$ 245,832</b>

**FY 10-11 Budget**                      **\$ 223,800**

**% of Budget Received**                      **17%**

**% of FY Complete**                      **50%**

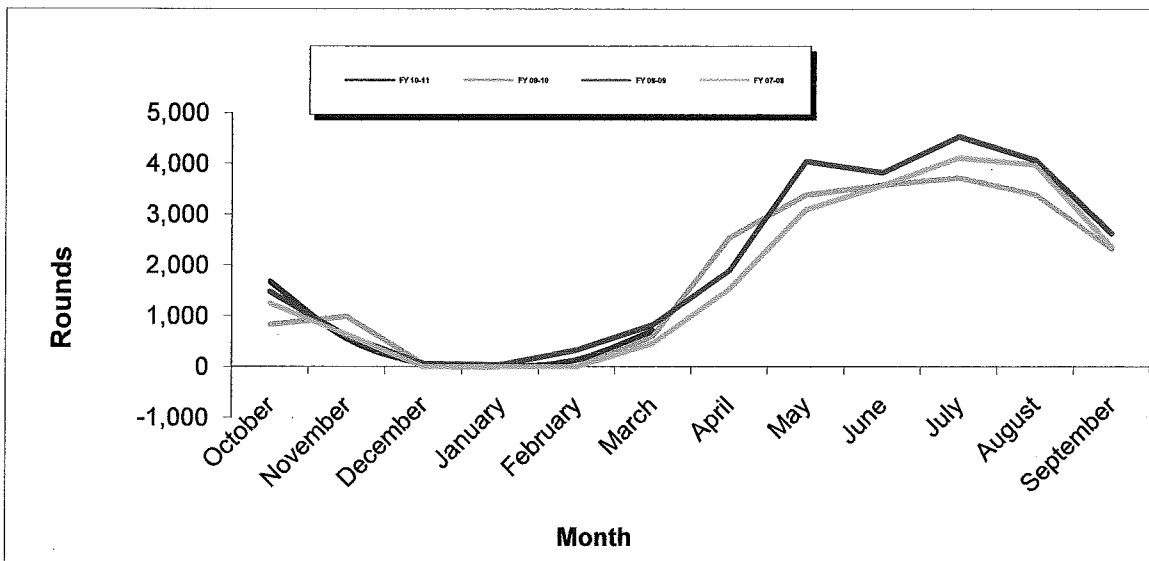
**% of FY Surplus**                      **-67%**



\* Revenues include green fees, merchandise, carts and concessions.

**CITY OF LA VISTA  
FY 2010-11  
GOLF COURSE ROUNDS**

Month	FY 10-11 Rounds	FY 09-10 Rounds	FY 08-09 Rounds	FY 07-08 Rounds
October	1,678	832	1,482	1,244
November	558	990	605	635
December	68	67	62	8
January	2	0	42	0
February	139	0	328	0
March	712	601	827	459
April		2,546	1,898	1,531
May		3,387	4,044	3,100
June		3,580	3,829	3,577
July		3,729	4,540	4,115
August		3,393	4,072	3,979
September		2,329	2,632	2,365
<b>TOTAL ROUNDS</b>	<b>3,157</b>	<b>21,454</b>	<b>24,361</b>	<b>21,013</b>



# **LA VISTA PARK & RECREATION ADVISORY COMMITTEE MEETING AGENDA**

**April 20, 2011**

**7:00 P.M.**

**Harold "Andy" Anderson Council Chamber  
La Vista City Hall  
8116 Park View Blvd.**

- **Call to Order**
- **Pledge of Allegiance**
- **Announcement of Location of Posted Open Meetings Act**
- A. CONSENT AGENDA**
  - 1. Minutes of the March 16, 2011 Park & Recreation Advisory Committee Meeting**
  - 2. Program Information**
    - **Reports from Recreation Director and Staff**
  - **Comments from the Floor**
  - **Comments from Park & Recreation Advisory Committee**
  - **Adjournment**

The public is welcome and encouraged to attend all meetings. If special accommodations are required please contact the Recreation Director prior to the meeting at 402-331-3455. A copy of the Open Meeting Act is posted in the Council Chamber and available in the public copies of the Park & Recreation Advisory Committee packet. Citizens may address the Park & Recreation Advisory Committee under "Comments from the Floor." Comments should be limited to three minutes. We ask for your cooperation in order to provide for an organized meeting.

# MIDWEST

Right of Way Services, Inc.

April 1, 2011

Ms. Pam Buethe, City Clerk  
City of LaVista  
8116 Parkview Blvd.  
LaVista, Nebraska 68128

**Invoice No.: 2854**

Midwest Right of Way Services #273

**Right of Way Services in connection with  
Thompson Creek/LaVista FEMA Buyout**

For the period of March 1, 2011 through March 31, 2011

Total Contract	\$ 129,800.00
Total Billed through February 28, 2011	\$ 51,352.00

Project Manager	-	hours at	\$80 per hour	\$	-
Acquisition Agent	10.00	hours at	\$68 per hour	\$	680.00
Relocation Agent		hours at	\$68 per hour	\$	-

**Total Amount Due for this Invoice**

**\$ 680.00**

Total Remaining on Contract

**\$ 77,768.00**

**Past Due Invoices:**

MROW Invoice #2823 (March 1, 2011) *Paid* \$ 2,788.00

**Total Amount for Past Due Invoices** *Paid* **\$ 2,788.00**

**Total Amount Currently Due**

**\$ 3,468.00**

For questions regarding this invoice, please call Jack Borgmeyer at 955-2900.

*Consent  
Agenda*  
*05.71.0645.09*  
*OK to Pay*  
*4/20/11*  
*Buethe*

**Invoice**

Thompson, Dreessen & Dörner, Inc.  
Consulting Engineers & Land Surveyors  
10836 Old Mill Road  
Omaha, NE 68154  
Office: (402) 330-8860 Fax: (402) 330-5866  
www.td2co.com



**COPY**

APR 19 2011  
April 18, 2011

Project No: 0171-392

Invoice No: 90741

John Kottmann  
CITY OF La VISTA  
8116 PARKVIEW BOULEVARD  
LA VISTA, NE 68128

Project 0171-392 APPLEWOOD CREEK IMPROVEMENTS #11-0087

Professional Services from January 20, 2011 to April 3, 2011

**Professional Personnel**

Inspect Existing Channel and Perform Hydraulic Studies to Determine Baseline Flows

**Total this Invoice**

**\$5,000.00**

Consistent with fee  
letter from TD2 attached.

O.K. to pay \$5,000

05.71.0815.02

JMK  
4/22/2011

Consent  
agenda

March 1, 2011

Mr. John Kottmann  
City Engineer  
City of La Vista  
9900 Portal Road  
La Vista, Nebraska 68128

Re: Applewood Creek Channel Improvements  
Engineering Services Estimate  
TD2 File No. 171-392.1

Dear Mr. Kottmann:

We appreciate the opportunity to provide engineering services for the Applewood Creek Channel Improvement Project. We understand that you desire to have a plan developed for improving Applewood Creek Channel from the BNSF Railroad Crossing (approximately 101<sup>st</sup> Street and Brentwood Drive) to Giles Road (approximately 102nd Street and Giles Road). The objective of the project is to clear the channel of debris consisting mostly as downed trees and branches and address the segment of the stream experiencing severe bank erosion sloughing and cutting. "Green" stabilization techniques are intended to be utilized to the extent practical when developing the improvement plans.

The engineering services for the project shall be completed in steps and the estimated cost of engineering services for each is as follows:

1. Provide existing topographic survey (completed 12-10-10)
  - a. Invoiced - \$13,000.00
2. Evaluate existing drainage studies and upstream run-off to determine baseline flows along the Channel. Inspect the Channel and surrounding area to determine the extent of wetlands.
  - a. Estimated Fee - \$5,000.00
3. Provide assistance in preparing necessary Corps of Engineer's Application for work in the Channel. Wetlands delineation of the Channel and adjacent uplands shall be performed by a qualified person. Such work to include meeting with representatives from the City of La Vista, Corps of Engineers, and Papio-Missouri Natural Resources District to present results of the Drainage Study and recommendation for Channel improvements.
  - a. Estimated Fee - \$8,500.00



Mr. John Kottmann  
City of La Vista  
March 1, 2011  
Page 2

4. Prepare the construction drawings and bidding documents for proposed Channel improvements and stabilization. Wetlands mitigation shall be included in the construction drawings, if required, as the result of the wetlands delineation. Prepare a Statement of Probable Cost of Construction for the work set forth in construction drawings. Submit all drawings and supporting documentation for review and approval to governmental agencies having jurisdiction. Provide assistance in soliciting bids for construction, evaluate bids received, and make recommendation as to Award of the Construction Contract.
  - a. Estimated Fee – \$27,000.00
5. Provide services during construction for project administration, construction staking, materials quality control testing, and observation during construction for compliance with the drawings and specifications.
  - a. Estimated Fee - \$25,000.00
6. Project expense directly related to the project such as reproduction costs and mileage for travel to and from the project site.
  - a. Estimated Expenses - \$1,500.00

The total estimated fee for engineering and surveying services is \$80,000.00.

For services during construction outlined above, we propose to complete the work at the hourly rate for employees accomplishing the work, plus expenses. A copy of the Thompson Dreessen & Dorner, Inc. rate schedule is included for your information.

We propose to bill our services on a monthly basis for the work completed. All invoices shall be due within thirty days from the date of the invoice.

The scope of services outlined above represents the extent of professional services that TD2 proposes to provide as part of this proposal. Any services provided beyond those outlined above will first be negotiated with you before proceeding.

The following is a partial list of additional services that are sometimes involved with projects of this nature, however, **have not** been included in our scope of work at this time. If, during the life of the project, some of these additional services become necessary or desired, we would be happy to negotiate a change in our fees to include them.

- a. Environmental Assessments
- b. Traffic Impact Study
- c. Soils investigation, reports, or testing

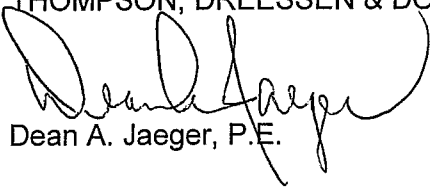
Mr. John Kottmann  
City of La Vista  
March 1, 2011  
Page 3

- d. Payment of fees, permits, etc.
- e. Hazardous waste investigation, removal, and/or handling
- f. Post Construction Stormwater Management Plan
- g. Retaining Wall Design
- h. LEED Certification

If there are any questions, please don't hesitate to contact us.

Prepared by,

THOMPSON, DREESSEN & DORNER, INC.

A handwritten signature in black ink, appearing to read "Dean A. Jaeger", is written over the printed name.

Dean A. Jaeger, P.E.

DAJ/bam

THOMPSON, DREESSEN & DORNER, INC.

RATE SCHEDULE

<u>TITLE</u>	<u>HOURLY RATE</u>
Civil/Structural Principal	\$140.00
Senior Engineer	\$100.00-\$130.00
Staff Engineer	\$85.00-\$95.00
Engineer	\$65.00-\$80.00
Senior Engineering Technician	\$70.00
Staff Engineering Technician	\$50.00-\$60.00
Senior Computer Aided Drafting Technician and Equipment	\$85.00
Staff Computer Aided Drafting Technician and Equipment	\$70.00-\$80.00
Computer Aided Drafting Technician and Equipment	\$65.00
Construction Observer	\$50.00-\$70.00
Survey Principal	\$130.00
Chief of Surveys	\$115.00
Registered Land Surveyor	\$85.00 - \$100.00
3-Person Survey Crew	\$165.00
2-Person Survey Crew	\$140.00
Clerical	\$50.00-\$60.00
Mileage	\$.75/Mile
Electronic Data Collection Equipment	\$25.00-\$43.00
Drillrig and Operator	\$175.00

February 14, 2011

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

1 Bank of Nebraska (600-873)

Payroll Check

Gap in Checks

46122 Thru 103486

103487	4/20/2011	2705	ANDERSON EXCAVATING COMPANY	48,444.12		**MANUAL**
103488	4/20/2011	355	DOUGLAS COUNTY ENGINEER	3,037.35		**MANUAL**
103489	4/20/2011	4503	KADOW, BENJAMIN	198.48		**MANUAL**
103490	4/20/2011	846	DATA TECHNOLOGIES INC	245.00		**MANUAL**
103491	4/21/2011	4499	CLEARLY BUILDING CORP	5,000.00		**MANUAL**
103492	4/21/2011	480	UNITED STATES POSTAL SERVICE	1,473.69		**MANUAL**
103493	4/27/2011	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	648.00		**MANUAL**
103494	4/28/2011	944	NE DEPT OF REVENUE-LOT/51	90,250.00		**MANUAL**
103495	5/03/2011	762	ACTION BATTERIES UNLTD INC	136.90		
103496	5/03/2011	4009	ACW MANUFACTURING INC	116.00		
103497	5/03/2011	3780	ADAMSON INDUSTRIES CORP	232.90		
103498	5/03/2011	4505	ADVANTAGE COUPONS	499.00		
103499	5/03/2011	571	ALAMAR UNIFORMS	.00	**CLEARED**	**VOIDED**
103500	5/03/2011	571	ALAMAR UNIFORMS	.00	**CLEARED**	**VOIDED**
103501	5/03/2011	571	ALAMAR UNIFORMS	.00		
103502	5/03/2011	557	APWA-AMER PUBLIC WORKS ASSN	145.00		
103503	5/03/2011	536	ARAMARK UNIFORM SERVICES INC	150.75		
103504	5/03/2011	706	ASSOCIATED FIRE PROTECTION	53.50		
103505	5/03/2011	3754	AUSTIN PETERS GROUP INC	1,100.00		
103506	5/03/2011	849	BARONE SECURITY SYSTEMS	804.00		
103507	5/03/2011	929	BEACON BUILDING SERVICES	6,712.00		
103508	5/03/2011	1784	BENNINGTON EQUIPMENT INC	893.54		
103509	5/03/2011	410	BETTER BUSINESS EQUIPMENT	47.92		
103510	5/03/2011	196	BLACK HILLS ENERGY	19.54		
103511	5/03/2011	4448	BRAKE, AUSTIN	107.00		
103512	5/03/2011	4454	BRAKE, AUSTIN	100.00		
103513	5/03/2011	4494	BRIDGESTONE GOLF INC	969.60		
103514	5/03/2011	3128	BRYAN ROCK PRODUCTS	1,267.35		
103515	5/03/2011	3760	BURTHE, PAM	20.00		
103516	5/03/2011	76	BUILDERS SUPPLY CO INC	432.01		
103517	5/03/2011	4024	CALENTINE, JEFFREY	30.00		
103518	5/03/2011	1681	CARSTENSEN, RICH	122.37		
103519	5/03/2011	3336	CELEBRITY STAFFING-OMAHA	140.00		
103520	5/03/2011	244	CHILD'S WORLD	323.00		
103521	5/03/2011	152	CITY OF OMAHA	66,058.67		
103522	5/03/2011	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**
103523	5/03/2011	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**
103524	5/03/2011	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**
103525	5/03/2011	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**
103526	5/03/2011	83	CJ'S HOME CENTER	.00	**CLEARED**	**VOIDED**
103527	5/03/2011	83	CJ'S HOME CENTER	1,361.88		
103528	5/03/2011	3126	COCA-COLA BOTTLING COMPANY	606.40		
103529	5/03/2011	3176	COMP CHOICE INC	511.50		
103530	5/03/2011	836	CORNHUSKER INTL TRUCKS INC	92.02		

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

103531	5/03/2011	2158 COX COMMUNICATIONS	20.50		
103532	5/03/2011	2102 CREIGHTON EMS EDUCATION	120.00		
103533	5/03/2011	3136 D & D COMMUNICATIONS	203.98		
103534	5/03/2011	619 DELL MARKETING L.P.	.00	**Cleared**	**VOIDED**
103535	5/03/2011	619 DELL MARKETING L.P.	.00	**Cleared**	**VOIDED**
103536	5/03/2011	619 DELL MARKETING L.P.	4,769.57		
103537	5/03/2011	4076 DIGITAL ALLY INCORPORATED	9,990.00		
103538	5/03/2011	127 DON'S PIONEER UNIFORMS	30.00		
103539	5/03/2011	3205 DOOR EXPRESS INCORPORATED	171.00		
103540	5/03/2011	2149 DOUGLAS COUNTY SHERIFF'S OFC	162.50		
103541	5/03/2011	364 DULMEIER SALES & SERVICE	174.27		
103542	5/03/2011	3334 EDGEWEAR SCREEN PRINTING	1,244.50		
103543	5/03/2011	4012 EMBASSY SUITES HOTEL	298.66		
103544	5/03/2011	1042 FELD FIRE	845.00		
103545	5/03/2011	1245 FILTER CARE	41.45		
103546	5/03/2011	3834 FLEET US LLC	94.57		
103547	5/03/2011	4035 FLORATINE CENTRAL TURF PRODS	335.00		
103548	5/03/2011	3415 FOCUS PRINTING	70.16		
103549	5/03/2011	4500 FOX, AMY	60.00		
103550	5/03/2011	3705 FUTUREWARE DISTRIBUTING INC	16.00		
103551	5/03/2011	3984 G I CLEANER & TAILORS	166.70		
103552	5/03/2011	1344 GALE	187.47		
103553	5/03/2011	1161 GALLS, AN ARAMARK COMPANY	32.00		
103554	5/03/2011	1697 GAYLORD BROS	72.15		
103555	5/03/2011	35 GOLDMAN, JOHN G	252.00		
103556	5/03/2011	4439 GREEN SOLUTIONS EROSION CONTRL	1,320.00		
103557	5/03/2011	1624 GUNN, BRENDA	45.00		
103558	5/03/2011	3657 HEARTLAND PAPER	65.00		
103559	5/03/2011	1403 HELGET GAS PRODUCTS INC	180.50		
103560	5/03/2011	86 HOLIDAY INN-MIDTOWN GI	560.00		
103561	5/03/2011	3646 INTERNATIONAL CODE COUNCIL INC	170.95		
103562	5/03/2011	1760 INTERSTATE ATL BATTERY CENTER	297.00		
103563	5/03/2011	1896 J Q OFFICE EQUIPMENT INC	210.89		
103564	5/03/2011	2653 JONES AUTOMOTIVE INC	1,569.69		
103565	5/03/2011	788 KINDIG, DOUGLAS	80.00		
103566	5/03/2011	1054 KLINKER, MARK A	200.00		
103567	5/03/2011	4328 KOTTMANN, JOHN	65.00		
103568	5/03/2011	2057 LA VISTA COMMUNITY FOUNDATION	75.00		
103569	5/03/2011	4425 LANDPORT SYSTEMS INC	125.00		
103570	5/03/2011	3909 LEO A DALY COMPANY	2,390.77		
103571	5/03/2011	787 LERNER PUBLISHING GROUP	583.16		
103572	5/03/2011	1288 LIFE ASSIST	42.10		
103573	5/03/2011	1573 LOGAN CONTRACTORS SUPPLY	27.84		
103574	5/03/2011	263 LOVELAND GRASS PAD	3,866.40		
103575	5/03/2011	2124 LUKASIEWICZ, BRIAN	65.00		
103576	5/03/2011	838 LYMAN-RICHEY SAND & GRAVEL CO	199.92		
103577	5/03/2011	4456 MARKOWSKY, T J	100.00		
103578	5/03/2011	919 MARTIN MARIBETTA AGGREGATES	211.34		
103579	5/03/2011	4138 MARTIN, ALEX	107.00		
103580	5/03/2011	3770 MATT FRIEND TRUCK EQUIPMENT	281.36		
103581	5/03/2011	94 MCCANN PLUMBING SERVICE INC	62.00		
103582	5/03/2011	3884 METRO LANDSCAPE MATERIALS &	2,772.00		
103583	5/03/2011	553 METROPOLITAN UTILITIES DIST.	.00	**Cleared**	**VOIDED**

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

103584	5/03/2011	553 METROPOLITAN UTILITIES DIST.	1,077.21		
103585	5/03/2011	2497 MID AMERICA PAY PHONES	50.00		
103586	5/03/2011	3921 MID-STATES UTILITY TRAILER	82.64		
103587	5/03/2011	371 MIDWEST SERVICE AND SALES CO	806.50		
103588	5/03/2011	2299 MIDWEST TAPE	73.72		
103589	5/03/2011	1046 MIDWEST TURF & IRRIGATION	44.41		
103590	5/03/2011	2382 MONARCH OIL INC	486.50		
103591	5/03/2011	714 NATIONAL ENTERTAINMENT	360.00		
103592	5/03/2011	3574 NATIONAL PATENT ANALYTICAL	192.15		
103593	5/03/2011	1830 NE DEPT OF LABOR-WORKFORCE DEV	4,983.38		
103594	5/03/2011	31 NEBRASKA STATE VOLUNTEER	300.00		
103595	5/03/2011	2685 NEBRASKA TURF PRODUCTS	435.00		
103596	5/03/2011	2631 NEXTEL COMMUNICATIONS	204.63		
103597	5/03/2011	3973 NIKE USA INC	812.85		
103598	5/03/2011	124 NPZA-NE PLANNING/ZONING ASSN	405.00		
103599	5/03/2011	1808 OCLC INC	30.17		
103600	5/03/2011	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**
103601	5/03/2011	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**
103602	5/03/2011	1014 OFFICE DEPOT INC-CINCINNATI	1,504.11		
103603	5/03/2011	2799 OFFUTT YOUTH CENTER	1,008.00		
103604	5/03/2011	46 OMAHA WORLD HERALD COMPANY	335.38		
103605	5/03/2011	3413 ON YOUR MARKS	384.30		
103606	5/03/2011	1178 OVERHEAD DOOR COMPANY OF OMAHA	56.00		
103607	5/03/2011	976 PAPTILION TIRE INCORPORATED	263.49		
103608	5/03/2011	2686 PARAMOUNT LINEN & UNIFORM	.00	**CLEARED**	**VOIDED**
103609	5/03/2011	2686 PARAMOUNT LINEN & UNIFORM	1,184.24		
103610	5/03/2011	1769 PAYLESS OFFICE PRODUCTS INC	129.64		
103611	5/03/2011	1723 PENWORTHY COMPANY	1,319.43		
103612	5/03/2011	3058 PERFORMANCE CHRYSLER JEEP	258.59		
103613	5/03/2011	1821 BETTY CASH-PAM BUEHNE	89.04		
103614	5/03/2011	1821 BETTY CASH-PAM BUEHNE	158.97		
103615	5/03/2011	3089 PFEIFFER, VICKI	107.00		
103616	5/03/2011	74 PITNEY BOWES INC-PA	.00	**CLEARED**	**VOIDED**
103617	5/03/2011	74 PITNEY BOWES INC-PA	221.00		
103618	5/03/2011	1921 PRINCIPAL LIFE-FLEX SPENDING	216.00		
103619	5/03/2011	219 QWEST	1,076.80		
103620	5/03/2011	2540 QWEST	34.62		
103621	5/03/2011	4308 RAINBOW GIRLS SOFTBALL LEAGUE	1,650.00		
103622	5/03/2011	58 RAINBOW GLASS & SUPPLY	24.95		
103623	5/03/2011	1121 RALSTON ADVERTISING	521.00		
103624	5/03/2011	427 RAMIREZ, RITA M	43.00		
103625	5/03/2011	191 READY MIXED CONCRETE COMPANY	197.38		
103626	5/03/2011	3139 RECORDED BOOKS, LLC	300.79		
103627	5/03/2011	3774 RETRIEVERX	59.13		
103628	5/03/2011	487 SAPP BROS PETROLEUM INC	.00	**CLEARED**	**VOIDED**
103629	5/03/2011	487 SAPP BROS PETROLEUM INC	23,049.59		
103630	5/03/2011	1335 SAPPY COUNTY CHAMBER OF	60.00		
103631	5/03/2011	2240 SAPPY COUNTY COURTHOUSE	3,588.49		
103632	5/03/2011	2927 SEAT COVER CENTER OF NEBRASKA	100.00		
103633	5/03/2011	1864 SINNETT, JEFF	109.29		
103634	5/03/2011	115 SIRCHIE PINGER PRINT LABS	50.75		
103635	5/03/2011	4272 SOLBERG, CHRISTOPHER	382.05		
103636	5/03/2011	533 SOUCIE, JOSEPH H JR	227.00		

ACCOUNTS PAYABLE CHECK REGISTER

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
103637	5/03/2011	3838	SPRINT	120.45	APPROVED BY COUNCIL MEMBERS 5/3/11				
103638	5/03/2011	3499	SQUAD-FITTERS INC	112.90					
103639	5/03/2011	3069	STATE STEEL OF OMAHA	64.89					
103640	5/03/2011	910	STEVENS, MARK	63.50					
103641	5/03/2011	871	STOPAK, SCOTT	50.00					
103642	5/03/2011	3795	SUN COUNTRY DISTRIBUTING LTD	118.94					
103643	5/03/2011	264	TED'S MOWER SALES & SERVICE	744.00	COUNCIL MEMBER				
103644	5/03/2011	143	THOMPSON DRESSSEN & DORNER	5,000.00					
103645	5/03/2011	4179	TITAN MACHINERY	634.19					
103646	5/03/2011	1122	TURF CARS LTD	682.80					
103647	5/03/2011	176	TURFPWERKS	6.69					
103648	5/03/2011	3812	UHL, RICHARD	40.00					
103649	5/03/2011	3052	V & V MANUFACTURING INC	99.95	COUNCIL MEMBER				
103650	5/03/2011	4223	VAIL, ADAM	100.00					
103651	5/03/2011	809	VERIZON WIRELESS	199.46					
103652	5/03/2011	1174	WAL-MART COMMUNITY BRC	775.04					
103653	5/03/2011	968	WICK'S STERLING TRUCKS INC	331.78					
103654	5/03/2011	3497	WITMER PUBLIC SAFETY GROUP INC	48.52					
103655	5/03/2011	3227	WORLD BOOK INCORPORATED	949.00	COUNCIL MEMBER				
103656	5/03/2011	984	ZIMCO SUPPLY COMPANY	1,919.00					
<hr/>									
FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED					
01	GENERAL FUND	91,513.13	91,513.13	.00					
02	SEWER FUND	73,089.25	73,089.25	.00					
05	CONSTRUCTION	63,035.47	63,035.47	.00					
08	LOTTERY FUND	93,812.97	93,812.97	.00					
09	GOLF COURSE FUND	5,403.36	5,403.36	.00					
15	OFF-STREET PARKING	2,942.07	2,942.07	.00					
<hr/>									
REPORT TOTAL					329,796.25	329,796.25			
OUTSTANDING					329,796.25				
CLEARED					.00				
VOIDED					.00				
+ Gross Payroll 4/29/11					228,367.15				
GRAND TOTAL					\$558,163.40				
							COUNCIL MEMBER		



**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MAY 3, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
LAND ACQUISITION - THOMPSON CREEK GRANT PROJECT	◆ RESOLUTIONS ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A public hearing has been scheduled to hear comments, support, opposition or criticism with respect to the proposed purchase of properties located at 7217 Park View Boulevard and 7221 Park View Boulevard. Resolutions have been prepared to approve the purchase of the sites and to authorize and approve the execution of documents for the purchase of these sites located in the Thompson Creek grant project area.

**FISCAL IMPACT**

The FY 10/11 Budget contains funding for this project. Costs to acquire these properties will be reimbursed as part of the Federal Thompson Creek Hazard Mitigation Grant.

**RECOMMENDATION**

Approval.

**BACKGROUND**

At the February 2, 2010 City Council meeting the Council accepted a FEMA grant award of \$2,040,930.00 to facilitate the acquisition of up to 24 homes along Thompson Creek. In March and April agreements were approved for the appraisal, review appraisal, and acquisition services.

Upon completion of the appraisals the City Council designated the City Administrator to negotiate the purchase of the homes in the project area.

These are the final two properties to be purchased as part of the Federal Thompson Creek Hazard Mitigation Grant Project.

Pursuant to state statute, before purchasing an interest in real property, the acquisition must be authorized by City Council action at a public meeting after notice and public hearing which requirements will be satisfied at or before the meeting.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF ONE HOUSE FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THIS SITE

WHEREAS, the owners of the house located at 7217 Park View Blvd (referred to herein as "Site"), desire to sell the Site to the City, and the City desires to purchase the Site from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Site; and.
- (iii) Proposed purchase agreements for the Site have been presented to the City Administrator by the owners of the Site in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price approved by the City Administrator, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Site or is otherwise acceptable, in addition to other terms and conditions; and
- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Site, to be held during the regular City Council meeting on April 19, 2011; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Site from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Site as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

PASSED AND APPROVED THIS 3RD DAY OF MAY 2011.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA TO AUTHORIZE AND APPROVE THE PURCHASE OF ONE HOUSE FOR THE THOMPSON CREEK HAZARD MITIGATION PROJECT AND TO AUTHORIZE THE EXECUTION AND DELIVERY OF DOCUMENTS NECESSARY TO PURCHASE THIS SITE

WHEREAS, the owners of the house located at 7221 Park View Blvd (referred to herein as "Site"), desire to sell the Site to the City, and the City desires to purchase the Site from the owners.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council find and determine that:

- (i) By action at the August 3, 2010 City Council meeting, the City Council authorized the City Administrator to negotiate for the voluntary purchase and sale of homes in the Thompson Creek Hazard Mitigation area; and
- (ii) The City Administrator subsequently negotiated the purchase of the Site; and.
- (iii) Proposed purchase agreements for the Site have been presented to the City Administrator by the owners of the Site in form and content the City Administrator finds satisfactory and recommends; and
- (iv) Each purchase agreement provides for a purchase price approved by the City Administrator, plus certain closing and other costs that the City Administrator has determined the City is required to pay pursuant to the federal grant for the purchase of the Site or is otherwise acceptable, in addition to other terms and conditions; and
- (v) Neb. Rev. Stat. Section 18-1755 requires that the City, before purchasing an interest in real property, authorize the acquisition by action at a public meeting after notice and public hearing; and
- (vi) The City published notice of public hearing on the proposed purchase of the Site, to be held during the regular City Council meeting on April 19, 2011; which notice is hereby approved, and public hearing was held and completed prior to consideration of this Resolution; and
- (vii) The City obtained appraisals of the Site from a certified real estate appraiser, which appraisals established each Site's fair market value at an amount equal to or greater than the price stated in the documents referred to in (iii) above, and which appraisals the City Administrator found satisfactory.

BE IT FURTHER RESOLVED, that, in consideration of the foregoing, the Mayor and City Council hereby adopt and approve the purchase of the Site as described above and on such other terms and conditions satisfactory to the City Administrator.

BE IT FURTHER RESOLVED, that the Mayor or his designee is hereby authorized to execute purchase agreements and other documents and take such other actions as are necessary or appropriate to carry out the Resolutions approved herein.

PASSED AND APPROVED THIS 3RD DAY OF MAY, 2011.

CITY OF LA VISTA

ATTEST:

\_\_\_\_\_  
Douglas Kindig, Mayor

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MAY 3, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND SECTION 95.05 OF THE MUNICIPAL CODE	◆ RESOLUTION ORDINANCES RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

An ordinance have been prepared to amend Section 95.05 of the La Vista Municipal Code.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

These changes are a result of American Legal Publishing Corporation incorporating the legislative changes from the previous legislative session into our Code.

ORDINANCE NO. \_\_\_\_\_

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 95.05; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

BE IT ORDAINED BY THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA:

SECTION 1. Section 95.05. Section 95.05 of the La Vista Municipal Code is amended to read as follows:

**§ 95.05 PITTING ANIMALS; DEFINITIONS; PROHIBITIONS.**

(A) *Definitions.* For the purpose of this section, the following definitions shall apply unless the context clearly indicates or requires a different meaning.

**BEARBAITING.** The pitting of any animal against a bear.

**COCKFIGHTING.** The pitting of a fowl against another fowl.

**DOGFIGHTING.** The pitting of a dog against another dog.

**PITTING.** Bringing animals together in combat.  
(Neb. RS 28-1004)

(B) ~~Pitting prohibited.~~ (1) No person shall knowingly:

(a) ~~promote, engage in or be employed at dogfighting, cockfighting, bearbaiting or pitting an animal against another;~~

(b) ~~Nor shall any person knowingly receive money for the admission of another person to a place kept for such purpose;~~

(c) ~~Nor shall any person knowingly own, use, train, sell or possess an animal for the such purpose; of animal pitting;~~

(d) ~~Nor shall any person knowingly permit~~ Permit any act as described in this section division (B)(1) to occur on any premises owned or controlled by him or her.  
(Neb. RS 28-1005)

~~(C) Spectators prohibited.~~ (2) No person shall knowingly and willingly be present at and witness as a spectator dogfighting, cockfighting, bearbaiting or the pitting of an animal against another as prohibited in division (B)(1) of this section.

(3) Any person who violates division (B)(1) or (B)(2) shall be guilty of a Class IV felony.  
(Neb. RS 28-1005)  
(‘79 Code, § 6-206) Penalty, see § 95.99

(C) (1) No person shall knowingly or intentionally own or possess animal fighting paraphernalia with the intent to commit a violation of this section.

(2) (a) For purposes of this section, except as provided in division (C)(2)(b) of this section, ANIMAL FIGHTING PARAPHERNALIA means equipment, products, and materials of any kind that are used, intended for use, or designed for use in the training, preparation, conditioning, or furtherance of the pitting of an animal against another as defined in division (A) of this section. ANIMAL FIGHTING PARAPHERNALIA includes, but is not limited to, the following:

1. A breaking stick, which means a device designed for insertion behind the molars of a dog for the purpose of breaking the dog’s grip on another animal or object;

2. A cat mill, which means a device that rotates around a central support with one arm designed to secure a dog and one arm designed to secure a cat, rabbit, or other small animal beyond the grasp of the dog;



3. A treadmill, which means an exercise device consisting of an endless belt on which the animal walks or runs without changing place;

4. A fighting pit, which means a walled are designed to contain an animal fight;

5. A springpole, which means a biting surface attached to a stretchable device, suspended at a height sufficient to prevent a dog from reaching the biting surface while touching the ground;

6. A heel, which means any edged or pointed instrument designed to be attached to the leg of a fowl;

7. A boxing glove or muff, which means a fitted protective covering for the spurs of a fowl; and

8. Any other instrument commonly used in the furtherance of pitting an animal against another.

(b) ANIMAL FIGHTING PARAPHERNALIA does not include equipment, products, or materials of any kind used by a verterinarian licensed to practice veterinary medicine an dsurgery in this state.

(3) Any person violating division (C)(1) of this section is guilty of a Class I misdemeanor. (Neb. RS 28-1005.01 Penalty, see § 95.99

**SECTION 2. Repeal of Conflicting Ordinances.** All ordinances and parts of ordinances as previously enacted that are in conflict with this Ordinance or any part hereof are hereby repealed.

**SECTION 3. Severability.** If any section, subsection, sentence, clause or phrase of this Ordinance is, for any reason, held to be unconstitutional or invalid, such unconstitutionality or invalidity shall not affect the validity or constitutionality of the remaining portions of this Ordinance. The Mayor and City Council of the City of La Vista hereby declare that it would have passed this Ordinance and each section, subsection, sentence, clause or phrase thereof, irrespective of the fact that any one or more sections, subsections, sentences, clauses or phrases be declared unconstitutional or invalid.

**SECTION 4. Effective Date.** This Ordinance shall be in full force and effect from and after passage, approval and publication in pamphlet form as provided by law.

PASSED AND APPROVED THIS 3RD DAY OF MAY 2011.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MAY 3, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
SUPPLEMENTAL AGREEMENT #2 – HELL CREEK STABILIZATION INTERLOCAL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared authorizing the execution of Supplemental Agreement Number Two to the Interlocal Agreement for the Hell Creek Stabilization Project.

**FISCAL IMPACT**

They FY 2010/11 Capital Fund provides funding for the proposed project.

**RECOMMENDATION**

Approval

**BACKGROUND**

Douglas County, Sarpy County and the City of La Vista are parties to an agreement dated August 11, 2009 for the analysis of Hell Creek stabilization (Douglas County Project No. C-28-(498)A). The analysis was completed by WLA Consulting Inc. Supplemental Agreement No. One dated August 3, 2010, which provided for Engineering Services by Lamp, Rynearson Associates, Inc., to prepare designs, plans and specifications for Phase I Construction Plans. Additional engineering services to prepare designs, plans and specifications for construction and other miscellaneous tasks not included as part of the original scope of services are required. Lamp, Rynearson Associates, Inc., selected thru a "Qualification Based Selection" process to provide these additional engineering services for a fee not to exceed \$30,700.

Douglas County	50%	\$15,350.00
Sarpy County	25%	\$ 7,675.00
City of La Vista	25%	<u>\$ 7,675.00</u>
TOTAL		\$30,700.00

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF SUPPLEMENTAL AGREEMENT NUMBER TWO TO THE INTERLOCAL AGREEMENT OF THE HELL CREEK STABILIZATION FOR ADDITIONAL ENGINEERING SERVICES.

WHEREAS, the City of La Vista, Sarpy County, and Douglas entered into an Interlocal Cooperation Agreement for the Hell Creek Stabilization; and

WHEREAS, a supplemental agreement number two to the Interlocal Agreement has been prepared to increase the participation of the cities and county to include the additional engineering services not included as part of the original scope of services.

WHEREAS, the City of La Vista additional share is \$7,625.00

NOW, THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, that the Supplemental Agreement Number two to the Interlocal Agreement of the Hell Creek Stabilization dated August 11, 2009 is hereby approved and the Mayor and City Clerk are hereby authorized to execute said supplemental agreement on behalf of the City of La Vista.

PASSED AND APPROVED THIS 3RD DAY OF MAY 2011.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Bueth, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MAY 3, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND COUNCIL POLICY STATEMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	RITA M. RAMIREZ ASSISTANT CITY ADMINISTRATOR

**SYNOPSIS**

A resolution has been prepared approving an update to the Council Policy Statement regarding employee compensation – pay for performance.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The Council Policy Statement regarding Pay for Performance was adopted in August of 2009, when this new compensation system was implemented. A group of employees has been meeting to review the operation of the Pay for Performance program and the policy statement. Several recommendations for changes are being prepared for Council's consideration in conjunction with the FY 2012 budget process.

The current policy statement includes a provision that prohibits employees in their introductory or probationary period from moving to the new minimum of their range when a range adjustment is enacted. We currently have a situation in the police department where a civilian began employment with the City prior to October 1, 2010 and started at the minimum of her range. Council increased the ranges in October and, in conjunction with the existing policy, the employee did not receive an increase, leaving her below the new minimum for her range. This was not an issue until another employee was recently hired in the same position and started at the new minimum, putting the new employee at a higher rate than the employee who has been here for several months.

Obviously, this was an unintended consequence of the statement in the policy and, as such, we are recommending that this provision be removed in order to enable all employees to be paid at least the minimum of their range. As we have an existing employee being affected by this provision of the policy, we felt it was important to recommend the change now rather than waiting until budget time.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING CHANGES AND REVISIONS TO 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 Employee Compensation – Pay for Performance has been reviewed and revisions recommended by a committee of employees to the Assistant City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the changes to Council Policy Statement entitled Employee Compensation – Pay for Performance and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 3RD DAY OF MAY 2011.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
COUNCIL POLICY STATEMENT**

**EMPLOYEE COMPENSATION – PAY FOR PERFORMANCE**

**Issued: August 4, 2009  
Resolution No. 09-071**

**Amended: May 3, 2011  
Resolution No. xx-xxx**

**Purpose**

The City's Pay for Performance compensation program is designed to attract, retain, motivate and reward qualified employees who demonstrate a commitment to the City of La Vista, Nebraska and its mission through the payment of financial compensation that is commensurate with the employee's ability, responsibility and contribution toward the City's goals.

**Objectives**

The primary objectives are to:

- Maintain internal equity by evaluating jobs to assure that a position's duties and responsibilities and the required skills, experience, and education are valued fairly as compared to others within the organization.
- Ensure external competitiveness by developing and maintaining compensation levels that reflect current market rates of pay.
- Promote a pay for performance philosophy by providing incremental pay increases that distinguish between levels of performance.
- Ensure that compensation actions comply with federal, state and local legal requirements.
- Provide employees with information on the compensation process, the overall pay structure and current market pay for each position.
- Provide flexibility to allow the system to remain responsive to changes in the marketplace, the organization and the economic conditions within our industry.

**Applicability**

The Pay for Performance program shall apply to all employment positions in the City with the following exclusions:

- a. Employment positions covered as part of a collective bargaining agreement, except to the extent otherwise provided in the agreement.
- b. Any temporary employment position such as seasonal positions.
- c. Any employment position covered by an express employment contract, except to the extent otherwise provided in the contract.

## **Provisions**

The City Administrator or his/her designated representative shall be responsible for administering the Pay for Performance program according to the following provisions:

- ***Salary Ranges***

Salary ranges will be established for each class of positions and shall be approved by the Governing Body as part of the annual Compensation Ordinance. Each range will be defined by minimum and maximum salary amounts. The range defines the pay opportunities for the class of positions.

The Governing Body shall annually consider adjustments to the salary ranges. Recommendations for adjustments to the salary ranges shall be based on information compiled from multiple sources including but not limited to national surveys conducted by the Society for Human Resource Management (SHRM) or Workforce Management, the U.S. Bureau of Labor Statistics, World at Work, and the Consumer Price Index. Additionally, the City of La Vista will conduct a market study every three years for all positions covered by the pay for performance program to ensure market comparability. Every five years position descriptions will be reviewed to maintain internal equity and relevancy.

Adjustments to the salary ranges do not increase employee pay, but do increase the range maximum. Upon implementation of a salary range adjustment all ranges are adjusted upward. Any employee ~~(other than a probationary employee)~~ who is below the minimum after a salary range adjustment will be moved to the new minimum.

- ***Starting Salaries***

New employees in positions that are part of the Pay for Performance program shall be hired at the minimum of the pay range in which the position is classified. However, a Department Head, with the approval of the Human Resources Department, can recommend to the City Administrator that an exceptionally well-qualified applicant be employed above the minimum, not to exceed the mid-point of the range. The City Administrator shall approve any appointment above the entry level salary. (In accordance with the provisions of the City Personnel Policy and Procedures Manual, the City Administrator may approve a starting rate of compensation above the mid-point of the position grade range in exceptional circumstances.)

- ***Performance Appraisals***

The performance appraisal process provides the basis for determining employment status and performance-based salary increases. Appraisals are considered in determining promotions, used as a factor in determining the order of layoffs, and as a means of identifying employees who should be transferred, rehired, or who, because of their poor performance, should be demoted or dismissed, and for any other purpose related to job performance.

Salary increases will be based exclusively on the performance appraisal system which rewards for job knowledge, citizen/public service, adaptability/flexibility, communication, dependability, initiative, integrity/ethics, teamwork and work place safety as core competencies. As salary increases are dependent upon the performance appraisal, it shall be the responsibility of supervisors to complete an accurate and honest evaluation on employees supervised.

Performance appraisals shall be completed as follows (includes employees whose salary is at the top of the range):

For employees with a hire date prior to October 1, 2009, performance appraisals shall be completed annually based on their existing evaluation date.

For employees with a hire date after October 1, 2009, performance appraisals shall be completed annually based on the employee's anniversary date in his/her current position.

An employee that has received a "Fails to Meet Expectations" performance rating and has been placed on a Performance Improvement Plan shall have a performance appraisal after 90 days.

Prior to the time frame set out above, employees will be required to complete a self-evaluation using the approved performance appraisal instrument, which shall be reviewed with their supervisor. This requirement is meant to provide an opportunity for open communication between the employee and the supervisor on measurements of performance. An important part of the performance appraisal is the establishment of goals for the next year. Goal achievement should, where appropriate, be linked to individual and departmental performance goals and/or measures.

Direct supervisors are responsible for completing employee performance appraisals. The performance appraisal shall be reviewed and approved by additional department/division supervisors, if appropriate, as well as the Department Head. Prior to presenting the appraisal to the employee, it must be submitted to Human Resources for review and approval, along with a Personnel Action Form (PAF) if a salary adjustment is being recommended. After the appraisal and the PAF are reviewed by HR and returned, the appraisal will be presented to the employee.

Recommended salary adjustments shall be one of the following:

- (1) a salary increase in an amount commensurate with the corresponding level of performance consistent with pay for performance guidelines,
- (2) maintain the current rate of pay, or
- (3) reduction of the current salary.

- ***Performance Appraisal Appeal Process***



The City believes that managers and supervisors are in the best position to evaluate an employee's work performance and work behavior. For this reason, Human Resources will not attempt to substitute its judgment for the supervisor's unless an employee can demonstrate that the evaluation was arbitrary, capricious, illegally discriminatory or not factual based on solid data. The appeal process can still be helpful, however because it involves a neutral third party who can help to facilitate a better understanding or resolve a dispute between an employee and a supervisor.

An employee who is dissatisfied with his or her performance appraisal should request a follow-up meeting with his/her supervisor to discuss the appraisal candidly, express any disagreements the employee may have with the review and provide additional information/documentation to support his/her case.

If the employee still disagrees with his/her appraisal after follow-up discussion with the supervisor, the employee may submit a formal, written appeal to the Department Head within 15 working days of the follow-up meeting with the supervisor. The appeal must include (1) a written memo stating the employee's intent to appeal and listing the specific parts of the appraisal with which the employee disagrees, explaining the nature and extent of the disagreement; (2) a copy of the performance appraisal with the employee's comments; and (3) any relevant supporting documentation.

The Department Head will review and respond in writing to the employee within 15 working days.

If the employee continues to disagree with their performance appraisal, he/she may then appeal to Human Resources within 15 working days. The appeal must include all of the information submitted on appeal to the Department Head and the Department Head's written response.

Human Resources' response to appeals of an employee performance appraisal may include some or all of the following actions:

- a. Review the appraisal, appeal, and supporting documentation.
- b. Contact the employee and/or the supervisor to obtain clarification or additional information.
- c. Contact the Department Head to obtain clarification or additional information.
- d. Collect additional information from other relevant sources.
- e. Make a decision and inform the employee in writing with a copy to the supervisor and the Department Head. If applicable, take any necessary action to implement the decision.

Human Resources shall present a final recommendation to the City Administrator for approval. This decision shall be final.

- ***Performance Ratings***

The City's performance appraisal system is based on the following rating system:

*Fails to Meet Expectations (An overall score of 0-1.8):* Does not meet standard job expectations. May not provide an acceptable level of service to citizens, the general public and other employees. Performance is inconsistent; additional training may be needed. May have received one or more warnings during the review period.

*Meets Expectations (An overall score of 1.9-2.6):* Consistently meets minimum job expectations. Is competent in all essential job functions and routinely provides acceptable service to citizens, the general public and other employees. Meets most performance goals within his/her control. The employee does what is necessary and is a valued member of the team.

*Exceeds Expectations (An overall score of 2.7-3.6):* Fully meets all job expectations and routinely exceeds some job expectations; routinely demonstrates initiative, accuracy and reliability; routinely provides service to citizens, the general public and other employees at a high level. Meets most performance goals and surpasses others within his/her control.

*Exemplary (An overall score of 3.7-4.0):* Consistently exceeds most job expectations, including all major expectations. Provides exemplary service to citizens, the general public and other employees. Surpasses most performance goals within his/her control. Actively supports department and City mission.

Note: Receipt of the “Exemplary” level of overall performance rating is rare and should be reserved for only those employees that routinely out perform all others, or where circumstances during the evaluation period allowed an employee to truly distinguish him/herself. Employees receiving this rating would typically be a small percentage of the total workforce.

Any employee who receives a performance appraisal with an overall rating of “Fails to Meet Expectations” will be placed on a Performance Improvement Plan (PIP) for a minimum of 90 days. A PIP is a document that may include, but is not limited to, levels of performance that must be achieved to obtain a “Meets Expectations” rating, current performance deficiencies, support that may be provided by the department or City, actions the employee must take to address the performance deficiencies, and a timeline for completion of the actions. If the employee’s performance does not improve, the employee will be subject to termination. If the employee’s performance does improve to an acceptable level, any salary adjustment forthcoming will not be paid retroactively.

- ***Performance Pay Increases***

Employees may be considered for performance pay increases each year as part of their annual performance appraisal according to the following:

(1) An employee whose overall performance is rated "Meets Expectations" is eligible to receive a merit increase in an amount to be defined annually by the Governing Body. This shall be known as the base factor.

(2) An employee whose overall performance is rated "Exceeds Expectations" is eligible to receive a merit increase in an amount equal to the base factor plus 1%.

(3) An employee whose overall performance is rated "Exemplary" is eligible to receive a merit increase in an amount equal to the base factor plus 2%.

The Governing Body shall annually determine the amount of the base factor for pay for performance increases subject to the City's overall financial state. The goal is to appropriately reward and recognize employees for the overall appraisal rating.

Exceptions:

- ❖ Employees in their introductory period will not be eligible for a base factor increase. (These employees will be maintained within the range established for the position classification they currently hold.)
- ❖ An employee receiving an overall rating of "Fails to Meet Expectations" will not be eligible for an increase.
- ❖ Employees placed on a Performance Improvement Plan will not be eligible for an increase.
- ❖ An employee subject to disciplinary action consisting of suspension, more than one written warning, or more than two oral warnings in the year immediately preceding their evaluation will not be eligible for an increase.
- ❖ An employee subject to disciplinary action consisting of one written warning or two or less oral warnings in the year immediately preceding their evaluation will be eligible for a limited increase.\*\*

\*\* Increases in these situations are the exception and require prior approval from the City Administrator.

Employee salaries shall be maintained within the range established for the position classification they currently hold to include employees in their introductory period. Employees whose salary is at the maximum of the pay range and whose overall performance is rated "Exceeds Expectations" or "Exemplary" may receive additional compensation above the top of the range in an amount not to exceed the base factor established by the Governing Body for that year as a one-time increase that does not calculate into the employee's base salary for subsequent years.

• ***Other Pay Rate Adjustments***

The following actions shall affect the pay status of an employee in the manner provided:

- (1) Transfer: When an employee is transferred to a different position within the same pay classification, the employee shall continue to receive the same salary.

- (2) Promotion: When an employee who meets all established requirements is promoted to a position in a higher pay classification, the employee's salary shall be advanced to the minimum level of the new pay range. If the employee's rate of pay prior to promotion was equal to or greater than the minimum of the new range, the employee shall be advanced to a level which would provide at least the equivalent of a five (5) percent increase.
- (3) Demotion: Upon demotion an employee may receive a decrease in pay. It shall be the responsibility of the City Administrator or his/her designated representative to determine the amount of the pay decrease, if any.

K:\APPS\CITYHALL\SOP\CPS\Pay for Performance Final

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
MAY 3, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INTERLOCAL AGREEMENT – CITY OF PAPILLION/PAPILLION FIRE DEPARTMENT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared authorizing the Mayor to execute an Interlocal Agreement with the City of Papillion to allow the Papillion Fire Department to train in houses acquired by the City of La Vista along Thompson Creek.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval

**BACKGROUND**

The City of La Vista was approached by the Papillion Fire Department to allow them to conduct training exercises in the vacant houses acquired along the Thompson Creek. We have allowed other public safety agencies to use some of the houses as long as proof of insurance is received along with a letter stating the City will not be held liable for any injuries while training at those sites.

The City of Papillion has requested an Interlocal Agreement which would expire on May 31, 2011. The City Attorney and City Administrator will approve the form and content of the Interlocal Agreement.

**RESOLUTION NO. \_\_\_\_\_**

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL AGREEMENT WITH THE CITY OF PAPILLION, FOR THE PAPILLION FIRE DEPARTMENT TO CONDUCT TRAINING EXERCISES IN THE HOUSES ACQUIRED BY THE CITY OF LA VISTA ALONG THOMPSON CREEK IN A FORM SATISFACTORY TO THE CITY ADMINISTRATOR AND CITY ATTORNEY.

WHEREAS, The City of Papillion and the Papillion Fire Department have requested permission to conduct training exercises in the vacant houses the City of La Vista purchased for the Thompson Creek Hazard Mitigation project; and

WHEREAS, The City of La Vista has allowed other public safety agencies to train in some of these houses; and

WHEREAS, The City of Papillion is requesting to enter in to an Interlocal agreement with the City of La Vista and said Interlocal agreement will expire on May 31, 2011;

NOW THEREFORE, BE IT RESOLVED, that an Interlocal Agreement with the City of Papillion for the Papillion Fire Department to conduct training exercises in the houses acquired by the City of La Vista along the Thompson Creek, and that the Mayor and City Clerk be and hereby are, authorized to execute same on behalf of the City with such revisions or amendments thereto that the City Administrator and City Attorney may determine necessary to carry out the intent of the City Council.

PASSED AND APPROVED THIS 3RD DAY OF MAY 2011.

CITY OF LA VISTA

\_\_\_\_\_  
Douglas Kindig, Mayor

ATTEST:

\_\_\_\_\_  
Pamela A. Buethe, CMC  
City Clerk