



## CITY OF LA VISTA

### CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO STEVEN WALTER, of the La Vista Police Department, FOR 20 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, Steve Walter, has served the City of La Vista since September 16, 1991, and

WHEREAS, Steve Walter'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 Steve Walter on behalf of the City of La Vista for 20 years of service to the City.

DATED THIS 20TH DAY OF SEPTEMBER, 2011.

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Douglas Kindig, Mayor

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Ronald Sheehan  
Councilmember, Ward I

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Brenda L. Carlisle  
Councilmember, Ward I

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Mike Crawford  
Councilmember, Ward II

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Terrilyn Quick  
Councilmember, Ward II

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Mark D. Ellerbeck  
Councilmember, Ward III

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Alan W. Ronan  
Councilmember, Ward III

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Kelly R. Sell  
Councilmember, Ward IV

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Anthony J. Gowan  
Councilmember, Ward IV

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



## CITY OF LA VISTA

### CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO ROSE BARCAL, the *La Vista Library Director*, FOR 10 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, *Rose Barcal*, has served the City of La Vista since September 10, 2001, and

WHEREAS, *Rose Barcal'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 *Rose Barcal* on behalf of the City of La Vista for 10 years of service to the City.

DATED THIS 20TH DAY OF SEPTEMBER, 2011.

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Douglas Kindig, Mayor

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Ronald Sheehan  
Councilmember, Ward I

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Brenda L. Carlisle  
Councilmember, Ward I

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Mike Crawford  
Councilmember, Ward II

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Terrilyn Quick  
Councilmember, Ward II

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Mark D. Ellerbeck  
Councilmember, Ward III

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Alan W. Ronan  
Councilmember, Ward III

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Kelly R. Sell  
Councilmember, Ward IV

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Anthony J. Gowan  
Councilmember, Ward IV

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



## CITY OF LA VISTA

### CERTIFICATE OF APPRECIATION

A CERTIFICATE OF APPRECIATION PRESENTED TO **TERRY FOSTER**, of the La Vista Public Works Department, FOR 5 YEARS OF FAITHFUL AND EFFICIENT SERVICE TO THE CITY OF LA VISTA.

WHEREAS, **Terry Foster**, has served the City of La Vista since September 18, 2006, and

WHEREAS, **Terry Foster'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 **Terry Foster** on behalf of the City of La Vista for 5 years of service to the City.

DATED THIS 20TH DAY OF SEPTEMBER, 2011.

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Douglas Kindig, Mayor

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Ronald Sheehan  
Councilmember, Ward I

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Brenda L. Carlisle  
Councilmember, Ward I

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Mike Crawford  
Councilmember, Ward II

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Terrilyn Quick  
Councilmember, Ward II

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Mark D. Ellerbeck  
Councilmember, Ward III

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Alan W. Ronan  
Councilmember, Ward III

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Kelly R. Sell  
Councilmember, Ward IV

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Anthony J. Gowan  
Councilmember, Ward IV

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING September 6, 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 September 6, 2011. Present were Councilmembers: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Also in attendance were City Attorney McKeon, City Administrator Gunn, Assistant City Administrator Ramirez, Deputy City Clerk Garrod, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Finance Director Lindberg, Community Development Director Birch, Assistant Public Works Director Kottmann, Street Superintendent Goldman, and Recreation Director Stopak.

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

### SERVICE AWARD – DENNIS DINAN – 5 YEARS

Mayor Kindig recognized Dennis Dinan for 5 years of service to the City.

### APPOINTMENT OF FIRE DEPARTMENT OFFICERS – TROY LITTLE AND VICKI PFEIFER

Mayor Kindig stated, with the approval of the City Council, he would like to appoint the following Fire Department Officers: Troy Little and Vicki Pfeifer. Fire Chief Uhl introduced the candidates and pinned badges on the new officers. Councilmember Crawford motioned the approval, seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

### A. CONSENT AGENDA

#### 1. APPROVAL OF THE AGENDA AS PRESENTED

#### 2. APPROVAL OF CITY COUNCIL MINUTES FROM AUGUST 16, 2011

#### 3. APPROVAL OF PARKS & RECREATION ADVISORY COMMITTEE MINUTES FROM JULY 20, 2011.

#### 4. APPROVAL OF PLANNING COMMISSION MINUTES FROM JULY 21, 2011.

#### 5. PAY REQUEST – BROWN TRAFFIC PRODUCTS – LED TRAFFIC SIGNALS MODULES - \$31,874.75

#### 6. PAY REQUEST – HANNA:KEELEN ASSOCIATES, P.C. – PROFESSIONAL SERVICES - \$6,000.00

#### 7. APPROVAL OF CLAIMS

ACCO, supplies	439.50
ACTION BATTERIES, bld&grnds	37.90
AKSARBEN HEATING, bld&grnds	361.00
ALL SEASONS POOL, supplies	145.00
ANDERSEN ELECTRIC, refund	65.05
APPLIED CONCEPTS, equip.	120.42
ARAMARK, services	588.85
ARCOA, supplies	252.60
ASPHALT & CONCRETE MATERIALS, maint.	205.89
BABER, B., travel	330.00
BAKER & TAYLOR, books	1,322.59
BCDM-BERINGER CIACCIO DENNELL, services	122.00
BEACON BUILDING, services	6,712.00
BENNINGTON EQUIPMENT, maint.	1,319.60
BERRY DUNN, services	6,378.90

# MINUTE RECORD

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

September 6, 2011

BLACK HILLS ENERGY, utilities	1,737.23
BLEACH, L., services	90.00
BOB'S RADIATOR REPAIR, maint.	750.00
BOOKPAGE, books	456.00
BRAKE, A., auto	100.00
BUETHE, P., phone	20.00
BUILDERS SUPPLY, maint.	53.77
BURKLAND, A., refund	95.00
CALENTINE, J., phone	30.00
CENTER POINT PUBLISHING, books	211.50
CENTURY LINK, phone	1,191.46
CHAMLEY, C., refund	95.00
CHERECK, T., refund	50.00
CITY OF OMAHA, services	73,354.57
CITY OF PAPILLION PARKS/RECR, services	20.00
CLARK, KAT, refund	60.00
COLOMBO/PHELPS, supplies	588.85
COMP CHOICE, services	210.00
CONRECO INC., maint.	60.00
CORNHUSKER TRUCKS, maint.	710.42
COX, D., services	125.00
COX, phone	78.04
CREIGHTON EMS EDU., training	4,657.50
CUMMINS CENTRAL POWER, maint.	184.00
DANKO EMERGENCY EQUIPMENT, maint.	44.00
DATASPACE, services	306.77
DEVLIN, T., refund	85.00
DIAMOND VOGEL PAINTS, supplies	505.70
DOUBLE EAGLE PROPERTY MGMT, refund	50.00
DXP, maint.	286.47
EASTERN LIBRARY SYSTEM, training	125.00
ECHO GROUP INC., maint.	985.00
EDGEWEAR SCREEN PRINTING, apparel	299.25
ESPINOZA, G., refund	95.00
FAC PRINT & PROMO, apparel	497.50
FEDEX, services	53.33
FIREGUARD, services	1,350.00
FITZGERALD SCHORR BARMETTLER, services	13,880.10
FOCUS PRINTING, printing	1,086.91
FRED, P., maint.	300.00
FROEHLICH, R., auto	100.00
G I CLEANER & TAILORS, services	200.35
GALE, books	254.95
GCR TIRE CENTERS, supplies	415.56
GIFF PROPERTY, services	1,800.00
GODFATHER'S PIZZA, supplies	48.12
GOLDMAN, J., travel & phone	278.00
GRAHAM, D., refund	20.00
GRAHAM, W., services	75.00
GRAYBAR ELECTRIC COMP., bld&grnds	230.89
GREENKEEPER, supplies	1,627.25
GUNN, B., travel&training	305.00
H & H, maint.	281.33
HANEY SHOE STORE, apparel	207.90
HARM'S CONCRETE, maint.	120.00
HEARTLAND AWARDS, apparel	51.65
HEIMES CORP., maint.	569.21
HELGET GAS, supplies	78.00
HERITAGE CRYSTAL CLEAN, services	427.90
HOCHSTEIN, G., refund	60.00

# MINUTE RECORD

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

September 6, 2011

HOLSTEIN'S HARLEY DAVIDSON, equip.	496.28
HOME DEPOT, supplies	11.86
HULTBERG, A., mileage	98.96
HUMMER, E., refund	50.00
HUNTEL, services	123.50
HY-VEE, supplies	47.50
INDUSTRIAL SALES COMP., supplies	219.39
J Q OFFICE, services	756.60
JOHNSTONE SUPPLY, bld&grnds	5.29
KAR SIM KENNEL, services	88.00
KIMBALL MIDWEST, maint.	50.56
KINDIG, D., phone	80.00
KLINKER, M., services	200.00
KOIS, D., services	15.82
KOTTMANN, J., phone	65.00
KRIHA FLUID POWER, maint.	37.86
LA VISTA CHAMBER, membership	12.00
LA VISTA COMMUNITY FOUNDATION	50.00
LA VISTA PHARMACY, supplies	28.88
LANDPORT SYSTEMS, services	125.00
LARRY'S BOILER, bld&grnds	460.15
LARSEN SUPPLY, supplies	53.00
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LAUGHLIN, KATHLEEN A, TRUSTEE	648.00
LAUGHLIN, PETERSON & LANG, services	2,026.72
LINCOLN NATIONAL LIFE INS CO	9,365.13
LOGAN CONTRACTOR, maint.	178.61
LOU'S SPORTING GOODS, bld&grnds	68.65
LUEDERS LOCK & KEY, bld&grnds	60.00
LUKASIEWICZ, B., phone	65.00
MARING, M., services	125.00
MARKOWSKY, T J, auto	100.00
MAT, services	659.00
MATHESON TRI-GAS, maint.	288.21
MCC, services	10,657.08
MCCANN PLUMBING, bld&grnds	267.00
MES-MIDAM, supplies	1,800.00
MID AMERICA, phones	100.00
MID-STATES UTILITY TRAILER, maint.	19.50
MIDWEST DISTRIBUTING, equip.	178.79
MIDWEST RIGHT OF WAY SVCS, services	1,384.00
MIDWEST TURF & IRRIGATION, bld&grnds	181.50
MUD, utilities	13,469.81
NE DEPT OF ROADS, services	68,537.64
NEBRASKA AIR FILTER, bld&grnds	35.64
NEBRASKA IOWA SUPPLY, supplies	21,155.40
NEBRASKA LIBRARY COMMISSION	2,475.00
NEBRASKA NATIONAL BANK, lease	1,858.43
NEBRASKA TURF, supplies	67.37
NEBRASKA WELDING, maint.	27.78
NEXTEL, phone	204.49
NEXTEL, phone	392.26
NLA/NEMA CONFERENCE, training	160.00
NORRIS, C., postage	189.15
NUTS AND BOLTS, maint.	46.42
OCLC, books	33.27
ODB COMPANY, maint.	199.31
OFFICE DEPOT, supplies	850.89
OFFUTT YOUTH CENTER, fees	576.00
O'KEEFE ELEVATOR, bld&grnds	397.50

# MINUTE RECORD

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

September 6, 2011

OMAHA COMPOUND, supplies	337.81
OMAHA WINNELSON, bld&grnds	83.25
OPPD, utilities	46,644.74
PAPILLION TIRE, maint.	81.15
PARAMOUNT LINEN & UNIFORM, apparel	533.61
PERFORMANCE CHRYSLER JEEP, maint.	202.47
PETERSEN, M., refund	50.00
PITNEY BOWES, supplies	221.00
PREMIER-MIDWEST BEV., supplies	258.30
PREMIER-MIDWEST BEV., supplies	369.00
PRINCIPAL LIFE-FLEX SPENDING	216.00
QUALITY BRANDS, supplies	591.15
QUALITY BRANDS, supplies	695.50
RAMIREZ, J., services	18.00
RAMIREZ, R., travel	368.00
RAPTOR RECOVERY NEBRASKA, services	80.00
READY MIXED CONCRETE, maint.	6,139.11
REED, C., refund	40.00
REINKE, J., refund	60.00
REJDA, K., services	36.00
RUSTY ECK FORD, maint.	121.92
SARPY COUNTY COURTHOUSE, services	3,588.49
SEVERSON, R., refund	95.00
SHAMROCK CONCRETE, maint.	897.40
SIMON, D., travel	330.00
SMOOTHER CUT, services	1,320.00
SOUCIE, J., travel & phone	253.00
SOUSA, F., services	36.00
SOUTHWORTH, N., services	99.36
SPRINT, phone	62.01
STOPAK, S., phone	50.00
SUN COUNTRY DISTRIBUTING, maint.	118.94
SUPERIOR VISION SVCS INC	326.96
THOMPSON DREESSEN & DORNER, services	3,851.73
TITAN MACHINERY, maint.	116.55
TOMSU, L., supplies	78.94
TORNADO WASH, services	165.00
TRANE, bld&grnds	350.00
TURFWERKS, equip	274.57
U S ASPHALT, maint.	3,730.23
UHL, R., travel&training	403.00
UNIVERSAL STEERING HYDRAULIC, maint.	150.72
UPS, postage	8.53
VAIL, A., auto	100.00
VARSITY TRANSPORT., services	218.00
VERIZON, phone	189.78
VIERREGGER ELECTRIC, maint.	89.50
WAL-MART, supplies	978.58
WASTE MANAGEMENT NE., services	1,223.71
WATER'S EDGE AQUATIC DESIGN, services	1,675.00
WICK'S STERLING TRUCKS, maint.	229.06
WILDLIFE LEARNING ENCOUNTERS, services	175.00
ZEE MEDICAL SERVICE, equip.	37.60
ZIMCO SUPPLY COMPANY, supplies	149.40

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

# MINUTE RECORD

## PRESENTATION – IT STRATEGIC PLAN UPDATE – BERRY DUNN

Chad Snow and Seth Hedstrom presented the Mayor and Council with an update on the IT Strategic Plan. Hedstrom stated that they had completed the fact finding meetings and delivered a preliminary list of strategic technology issues as well as a current IT environment assessment report. The next steps will involve prioritizing the list of strategic issues and confirming the initiative with staff. With this information they will develop the Information Technology Strategic Plan and conduct ongoing project management.

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

City Administrator Gunn reported that staff is providing good feedback regarding the HPO training.

Chief Uhl thanked the Mayor and Council for allowing him to attend a recent fire safety training conference. He stated he made good connections, received new ideas and was able to view new equipment. Uhl reminded Councilmembers of the 9/11 10 year memorial on Sunday 9/11/11.

Assistant Public Works Director Kottmann reminded Councilmembers of the tire collection to be held 9/9/11 and 9/10/11. Kottmann also stated that staff has begun attending pre-construction meetings for both the Keystone Trail Project and the Hell Creek Stabilization Project.

Community Development Director Birch stated that they are working with the consultants on the Civic-Center Park Master Plan to develop a time line for the project. Once completed Birch will update the council with those dates.

Library Director Barcal updated the council that residents can now search the Library's Apollo System to check out electronic books on Overdrive.

## B. 2012-2016 CAPITAL IMPROVEMENT PLAN

### 1. PUBLIC HEARING

At 7:23 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the 2012-2016 Capital Improvement Plan.

At 07:24 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

### 2. RESOLUTION

Councilmember Carlisle introduced Resolution No. 11-097; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE 2012-2016 CAPITAL IMPROVEMENT PROGRAM (CIP) FOR INFRASTRUCTURE AND OTHER CAPITAL IMPROVEMENTS FOR THE CITY OF LA VISTA.

WHEREAS, the City of La Vista's Capital Improvement Program (CIP) document has been prepared and presented to Council; and

WHEREAS, the La Vista Planning Commission has reviewed the 2012-2016 Capital Improvement Program (CIP) for the City of La Vista and recommends to Council approval of the Plan, and

WHEREAS, the Mayor and City Council of the City of La Vista, Nebraska held a public hearing on the City of La Vista's 2012-2016 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista; and

WHEREAS, the citizens of the City of La Vista have therefore had an opportunity to comment on the 2012-2016 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the La Vista City Council.

# MINUTE RECORD

NOW THEREFORE, BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska that the 2012-2016 Capital Improvement Program (CIP) for infrastructure and other capital improvements for the City of La Vista as submitted and reviewed by the Mayor and City Council of the City of La Vista be, and the same hereby is, accepted and approved.

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

## **C. FISCAL YEAR 2010/2011 AMENDED MUNICIPAL BUDGET**

### **1. PUBLIC HEARING**

At 7:26 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the 2010/2011 Amended Municipal Budget.

At 07:27 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

### **2. ORDINANCE**

Councilmember Carlisle introduced Ordinance No. 1154 entitled; AN ORDINANCE TO AMEND ORDINANCE NO. 1126 AND APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2010 AND ENDING ON SEPTEMBER 30, 2011; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; TO REPEAL ORDINANCE NO. 1126 CONFLICT HEREWITH; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

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

Said ordinance was then read by title and thereafter Councilmember Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Crawford. The Mayor then stated the question, "Shall Ordinance No. 1154 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Sheehan and Gowan. 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 Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **D. FISCAL YEAR 2011/2012 MUNICIPAL BUDGET**

### **1. APPROPRIATIONS ORDINANCE – FINAL READING**

Deputy City Clerk Garrod read Ordinance No. 1152 entitled: AN ORDINANCE TO APPROPRIATE THE SUMS OF MONEY DEEMED NECESSARY TO DEFRAY ALL OF THE NECESSARY EXPENSES AND LIABILITIES OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA FOR THE FISCAL PERIOD BEGINNING ON OCTOBER 1, 2011 AND ENDING ON SEPTEMBER 30, 2012; SPECIFYING THE OBJECTS AND PURPOSES FOR WHICH SUCH APPROPRIATIONS ARE MADE AND THE AMOUNT TO BE APPROPRIATED FOR EACH OBJECT OR PURPOSE; SPECIFYING THE AMOUNT TO BE RAISED BY TAX LEVY; PROVIDING FOR THE CERTIFICATION OF THE TAX LEVY HEREIN SENT TO THE COUNTY CLERK OF SARPY COUNTY; AND PRESCRIBING THE TIME WHEN THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT.

# MINUTE RECORD

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

September 6, 2011

Councilmember Carlisle made a motion to approve Ordinance No. 1152 on its final reading. Seconded by Councilmember Sell. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

## **2. MASTER FEE ORDINANCE – FINAL READING**

Deputy City Clerk Garrod read Ordinance No. 1153 entitled: AN ORDINANCE TO AMEND ORDINANCE NO. 1127, AN ORDINANCE TO ESTABLISH THE AMOUNT OF CERTAIN FEES AND TAXES CHARGED BY THE CITY OF LA VISTA FOR VARIOUS SERVICES INCLUDING BUT NOT LIMITED TO BUILDING AND USE, ZONING, OCCUPATION, PUBLIC RECORDS, ALARMS, EMERGENCY SERVICES, RECREATION, LIBRARY, AND PET LICENSING; SEWER AND DRAINAGE SYSTEMS AND FACILITIES OF THE CITY FOR RESIDENTIAL USERS AND COMMERCIAL USERS (INCLUDING INDUSTRIAL USERS) OF THE CITY OF LA VISTA AND TO GRANDFATHER EXISTING STRUCTURES AND TO PROVIDE FOR TRACT PRECONNECTION PAYMENTS AND CREDITS; REGULATING THE MUNICIPAL SEWER DEPARTMENT AND RATES OF SEWER SERVICE CHARGES; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

Councilmember Quick made a motion to approve Ordinance No. 1153 on its final reading. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

## **3. INCREASE BASE OF RESTRICTED FUNDS AUTHORITY**

### **A. PUBLIC HEARING**

At 7:30 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on the increasing the base of restricted funds authority.

At 07:31 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

### **B. RESOLUTION**

Councilmember Ellerbeck introduced Resolution No. 11-098; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, TO INCREASE THE BASE OF RESTRICTED FUNDS AUTHORITY IN THE 2011-12 MUNICIPAL BUDGET BY AN ADDITIONAL ONE PERCENT.

WHEREAS, the Mayor and City Council, after notice and public hearing as required by state statute, approved the 2011-12 municipal budget on September 6, 2011; and

WHEREAS, the unused restricted funds authority was included in the notice of budget hearing; and

WHEREAS, an increase in the base of restricted funds authority by an additional one percent in the 2011-12 municipal budget is allowed following the approval of at least 75% of the governing body.

NOW, THEREFORE BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, do hereby authorize an increase in the base of restricted funds authority in the 2011-12 municipal budget by an additional one percent.

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

## **4. SETTING THE PROPERTY TAX LEVY**

### **A. PUBLIC HEARING**

At 7:31 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on setting the property tax levy.

At 07:31 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

# MINUTE RECORD

## B. RESOLUTION

Councilmember Ellerbeck introduced Resolution No. 11-099; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA ESTABLISHING THE PROPERTY TAX REQUEST FOR FY 11/12.

WHEREAS, Nebraska Revised Statute 77-1601.02 provides that the property tax request for the prior year shall be the property tax request for the current year for purposes of the levy set by the County Board of Equalization unless the Mayor and City Council of the City of La Vista passes by a majority vote a resolution or ordinance setting the tax request at a different amount; and

WHEREAS, a special public hearing was held as required by law to hear and consider comments concerning the property tax request; and

WHEREAS, it is in the best interest of the City of La Vista that the property tax request for the current year be a different amount than the property tax request for the prior year.

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of the City of La Vista, Nebraska, by a majority vote, hereby resolve that:

The FY 11/12 property tax request be set at \$5,826,357.12 which would require a mill levy of \$0.5500.

A copy of this resolution be certified and forwarded to the County Clerk prior to October 13, 2011.

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

## E. RESOLUTION – AMEND COUNCIL POLICY STATEMENT

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-100; 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.

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

## F. RESOLUTION – AMENDING THE COMPENSATION RATE AND SETTING THE RATES OF AUTO AND PHONE ALLOWANCES

### 1. ORDINANCE – AMEND THE COMPENSATION ORDINANCE

Councilmember Sell introduced Ordinance No. 1155 entitled; AN ORDINANCE TO FIX THE COMPENSATION OF OFFICERS AND EMPLOYEES OF THE CITY OF LA VISTA; TO PROVIDE FOR THE REPEAL OF ALL PRIOR ORDINANCES IN CONFLICT HEREWITH; ORDERING THE PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM; AND TO PROVIDE THE EFFECTIVE DATE HEREOF.

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

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

Said ordinance was then read by title and thereafter Councilmember Ellerbeck moved for final passage of the ordinance which motion was seconded by Councilmember Carlisle. The Mayor then stated the question, "Shall Ordinance No. 1155 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Sheehan and Gowan. 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 Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

## **2. RESOLUTION – SETTING RATES OF AUTO AND PHONE ALLOWANCE**

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-101; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING MONTHLY VEHICLE AND MOBILE PHONE ALLOWANCES FOR SPECIFIC OFFICERS AND EMPLOYEES OF THE CITY.

WHEREAS, the Mayor and City Council establish by ordinance the compensation for officers and employees of the City of La Vista and said ordinance establishes that the Mayor and Council may additionally fix by resolution such vehicle and other allowances as may from time to time be fixed in the municipal budget; and

WHEREAS, the FY12 municipal budget establishes funds for vehicle and mobile phone allowances for various officers and employees of the City and are recommended by the Finance Director and City Administrator.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the following vehicle and mobile phone allowances:

Tier	Monthly Vehicle Allowance	Tier	Monthly Phone Allowance
Tier 1	\$30	Tier 1	\$24
Tier 2	\$60	Tier 2	\$48
Tier 3	\$90	Tier 3	\$72
Tier 4	\$120	Tier 4	\$96
Tier 5	\$150	Tier 5	\$120

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

## **G. ORDINANCE – AMEND MUNICIPAL CODE §72.19, §72.25, §72.26 – PARKING REGULATIONS**

Councilmember Crawford introduced Ordinance No. 1156 entitled; AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, RELATING TO PARKING OF VEHICLES AND TRAILERS, INCLUDING RECREATIONAL AND COMMERCIAL VEHICLES AND TRAILERS, IN OR ADJACENT TO RESIDENTIAL ZONING DISTRICTS, AND RELATING TO PARKING NONMOTORIZED VEHICLES ON CITY STREETS; TO AMEND SECTIONS 72.19 AND 72.25 OF THE LA VISTA MUNICIPAL CODE; TO ENACT NEW SECTION 72.26 OF THE LA VISTA MUNICIPAL CODE; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

Councilmember Quick moved that the statutory rule requiring reading on three different days be suspended. Councilmember Ellerbeck seconded the motion to suspend the rules and roll call vote on the motion. The following Councilmembers voted aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Sheehan

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and Gowan. The motion to suspend the rules was adopted and the statutory rule was declared suspended for consideration of said ordinance.

Said ordinance was then read by title and thereafter Councilmember Sell moved for final passage of the ordinance which motion was seconded by Councilmember Ellerbeck. The Mayor then stated the question, "Shall Ordinance No. 1156 be passed and adopted?" Upon roll call vote the following Councilmember voted aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. The following voted nay: None. The following were absent: Sheehan and Gowan. 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 Deputy City Clerk attested the passage/approval of the same and affixed her signature thereto.

## H. UNITED CITIES OF SARPY COUNTY

### 1. RESOLUTION

Councilmember Crawford introduced and moved for the adoption of Resolution No. 11-102; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITIES OF GRETNNA, PAPILLION AND SPRINGFIELD TO JOINTLY HIRE A LOBBYIST TO LOBBY ON BEHALF OF THE PARTIES IN THE NEBRASKA LEGISLATURE.

WHEREAS, the cities of Gretna, La Vista, Papillion and Springfield desire to promote the common legislative interest of the four cities which make up the "United Cities of Sarpy County" and

WHEREAS, the cities have agreed that it is in their best interest to hire a joint lobbyist to lobby the Nebraska legislative and executive branches with regard to Nebraska legislation; and

WHEREAS, the parameters of such arrangement have been outlined in the interlocal agreement.

NOW THEREFORE, BE IT RESOLVED, that the Interlocal Cooperation Agreement with the cities of Gretna, Papillion and Springfield to jointly hire a lobbyist to lobby on behalf of the parties in the Nebraska Legislature, is hereby approved, and 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.

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

### 2. RESOLUTION

Councilmember Quick introduced and moved for the adoption of Resolution No. 11-103; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR TO EXECUTE A LOBBYING AGREEMENT BETWEEN THE UNITED CITIES OF SARPY COUNTY AND KISSEL/E&S, L.L.C. FOR LOBBYING SERVICES BEFORE THE NEBRASKA STATE LEGISLATURE AND GOVERNOR.

WHEREAS, the cities of Gretna, La Vista, Papillion and Springfield (UNITED CITIES OF SARPY COUNTY) desire to promote the common legislative interest of the four cities which make up the "United Cities of Sarpy County" and

WHEREAS, the cities have agreed that it is in their best interest to hire a joint lobbyist to lobby the Nebraska legislative and executive branches with regard to Nebraska legislation; and

WHEREAS, the Mayor and City Council have identified the need for a lobbyist as a strategic initiative and did appropriate funds in the FY 11/12 municipal budget for the hiring of a lobbyist; and

WHEREAS, the mayors of the United Cities of Sarpy County have recommended Joe Kohout with Kissel/E&S L.L.C. to continue serve as their joint lobbyist.

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Mayor is hereby authorized to execute a lobbying agreement between the

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United Cities of Sarpy County and Kissel/E&S L.L.C. for lobbying services before the Nebraska State Legislature and Governor.

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

## **I. RESOLUTION – PURCHASE USED VEHICLE – POLICE DEPARTMENT**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-104; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF (1) ONE USED VEHICLE FOR THE POLICE DEPARTMENT IN AN AMOUNT NOT TO EXCEED \$9,385.

WHEREAS, the City Council of the City of La Vista has determined that the acquisition of (1) one used vehicle for the use of the police department is necessary, and

WHEREAS, the FY/11 General Fund budget received reimbursement from insurance claims for damage to two police department vehicles, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of (1) used vehicle for the use of the police department in an amount not to exceed \$9,385.

Seconded by Councilmember Sell. Councilmember Quick asked if we would be awarded our deductible back and Chief Lausten stated that will be up to the judge at the time. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

## **J. RESOLUTION – BID AWARD – THOMPSON CREEK PROPERTY ACQUISITION – PHASE 3 DEMOLITION**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-105; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO ANDERSON EXCAVATING COMPANY, OMAHA NE FOR DEMOLITION OF SEVEN (7) HOUSES ACQUIRED AS PART OF THE THOMPSON CREEK HAZARD MITIGATION PROJECT, IN AN AMOUNT NOT TO EXCEED \$70,190.00.

WHEREAS, the City Council of the City of La Vista has determined that the demolition of houses acquired as part of the Thompson Creek Hazard Mitigation Project is necessary; and

WHEREAS, the FY 10/11 Capital Improvement Program contains funds for this expenditure; and

WHEREAS, the City Council authorized the advertisement of bids for demolition and removal of the third group of seven houses that have been acquired and vacated in the Thompson Creek Voluntary Property Acquisition project on August 2, 2011, and

WHEREAS, Anderson Excavating Company of Omaha, Nebraska, has submitted the low, qualified bid, and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska designate Anderson Excavating Company, Omaha Nebraska as the low qualified bid for the demolition of seven houses acquired as part of the Thompson Creek Hazard Mitigation Project, in an amount not to exceed \$70,190.00.

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

# MINUTE RECORD

## **K. RESOLUTION – NDOR PROGRAM AGREEMENT – GILES ROAD SIGNAL COORDINATION- 1-80 TO 108<sup>TH</sup> STREET**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-106; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING THE EXECUTION OF A PROGRAM AGREEMENT WITH THE STATE OF NEBRASKA, DEPARTMENT OF ROADS FOR INSTALLATION OF SIGNAL COORDINATION AT SIX (6) LOCATIONS ON GILES ROAD FROM INTERSTATE 80 TO 108<sup>TH</sup> STREET

WHEREAS, the City has determined that it is desirable to enter into an agreement with the State of Nebraska Department of Roads for installation of signal coordination at six locations on Giles Road from Interstate 80 to 108<sup>th</sup> Street; and

WHEREAS, the project is eligible for Surface Transportation Program Funds from the Department of Transportation, Federal Highway Administration; and

WHEREAS, the FY 11/12 Capital Improvement Program provides for funding for the project; and

WHEREAS, federal funds will pay for 80% of the project; and

WHEREAS, the project consists of installing upgraded traffic controllers and wireless interconnect equipment; and

WHEREAS, this resolution will be marked Exhibit "B" and a copy attached to each original agreement; and

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the Mayor to execute said agreement on behalf of the City of La Vista, and the City Clerk is authorized to attest said execution.

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

## **L. RESOLUTION – INSTALLATION OF STOP SIGNS – GERTRUDE STREET ALONG HARRISON HEIGHTS SUBDIVISION**

Councilmember Sell introduced and moved for the adoption of Resolution No. 11-107; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE INSTALLATION OF TWO (2) STOP SIGNS ON GERTRUDE STREET ALONG THE HARRISON HEIGHTS SUBDIVISION

WHEREAS, the Mayor and City Council of the City of La Vista have determined that installing two (2) stop signs on Gertrude Street along the Harrison Heights subdivision; and

WHEREAS, the locations of the stop signs will be at the southeast corner of Emilie Street and Gertrude Street and at the southeast corner of South 75<sup>th</sup> Avenue and Gertrude Street; and

WHEREAS, these locations are proposed private roadways into the Harrison Heights development that will result in these two locations becoming a 4-way intersection; and

WHEREAS, stop signs will be required to be installed by the developers on the opposing legs of the intersections

WHEREAS, the City Engineer has recommended these changes on the basis of limited sight distance due to roadway curvature, existing mature vegetation and topography; 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 the installation of two (2) stop signs on Gertrude Street along the Harrison Heights subdivision. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell,

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Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

## **M. RESOLUTION – AUTHORIZE PURCHASE – ICE CONTROL SALT**

Councilmember Carlisle introduced and moved for the adoption of Resolution No. 11-108; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF ICE CONTROL SALT FROM NEBRASKA SALT & GRAIN COMPANY IN AN AMOUNT NOT TO EXCEED \$58,670.00.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of ice control salt is necessary; and

WHEREAS, the purchase will be made from the FY 2010/11 General Fund Street Maintenance Fund; and

WHEREAS, orders for the ice control salt at an earlier than October has become necessary; and

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

NOW, THEREFORE BE IT RESOLVED, by the Mayor and City Council of La Vista, Nebraska authorizing the purchase of ice control salt in an amount not to exceed \$58,670.00.

Seconded by Councilmember Ellerbeck. Councilmember Quick asked why the salt needed to be ordered so early. Street Superintendent Goldman stated that the trucks used to haul salt are also used to haul grain, and it is easier to get the salt before harvest season begins. Goldman also stated that if we have a mild winter we may end up with a stock pile of salt, but to also note that gravel is not often used as it is costlier to clean up. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

## **N. SPECIAL ASSESSMENTS**

### **1. PUBLIC HEARING**

At 7:50 p.m. Mayor Kindig opened the public hearing and stated the floor was now open for discussion on special assessments.

At 7:50 p.m. Councilmember Ellerbeck made a motion to close the public hearing. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

### **2. RESOLUTION**

Councilmember Ellerbeck introduced and moved for the adoption of Resolution No. 11-109; A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of  
7121 Harrison Street/Lot 1C EX PT TO RD La Vista Replat, \$274.00; and  
7358 S 69<sup>th</sup> Street/Lot 155 La Vista Replat, \$169.47;  
were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01 and/or hazard waste removal, or the City would do so and bill them accordingly, and

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

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

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

# MINUTE RECORD

NOW THEREFORE BE IT RESOLVED, that the La Vista City Clerk is hereby authorized to file with the Sarpy County Treasurer Special Assessments for Improvements in the amounts and against the properties specified above, all located within Sarpy County, La Vista, Nebraska. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

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

## COMMENTS FROM THE FLOOR

There were no comments from the floor.

## H. EXECUTIVE SESSION – CONTRACT NEGOTIATIONS

At 7:55 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for Litigation and Contract Negotiations. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried. Mayor Kindig stated the executive session would be limited to the subject matter contained in the motion.

At 8:14 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, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

Councilmember Sell asked that the pool bond issue be drafted for the May primary election.

Councilmember Crawford complimented the city staff as he saw no frivolous spending in the new budget.

Mayor Kindig thanked Councilmember Quick for attending Ribbon Cuttings in his place with short notice this summer. Kindig also thanked Councilmember Crawford for helping serve at the employee ice cream social, and encourage other Councilmembers to attend next year as they had quite a fun time.

At 8:17 p.m. Councilmember Crawford made a motion to adjourn the meeting. Seconded by Councilmember Carlisle. Councilmembers voting aye: Sell, Ronan, Quick, Carlisle, Crawford, and Ellerbeck. Nays: None. Absent: Sheehan and Gowan. Motion carried.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2011

CITY OF LA VISTA

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

ATTEST:

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



**CITY OF LA VISTA**  
8116 PARK VIEW BOULEVARD  
LA VISTA, NE 68128  
P: (402) 331-4343

**DRAFT**

**PLANNING COMMISSION MINUTES**  
**AUGUST 18, 2011**

The City of La Vista Planning Commission held a regular meeting on Thursday, August 18, 2011, in the Harold "Andy" Anderson Council Chamber at La Vista City Hall, 8116 Park View Boulevard. Chairman Krzywicki called the meeting to order at 7:00 p.m. with the following members present: Kramolisch, Krzywicki, Malmquist, Gahan, Andsager, Nielsen Circo, Hewitt, Miller and Alexander. Members absent were: None. Also in attendance were Christopher Solberg, City Planner and John Kottmann, Assistant Public Works Director/City Engineer.

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

**1. Call to Order**

- a. The meeting was called to order by Chairman Krzywicki at 7:00 p.m. Copies of the agenda and staff reports were made available to the public.

**2. Approval of Meeting Minutes – July 21, 2011**

- a. Kramolisch moved, seconded by Malmquist to approve the July 21, 2011 minutes as submitted. **Ayes:** Kramolisch, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** Nielsen, Circo and Hewitt. **Absent:** None **Motion Carried.** (9-0)

**3. Old Business**

**A. Public Hearing regarding 2011-CUP-03 for a Conditional Use Permit for a Home Occupation, Gunsmith, located on Lot 24, Millard Highlands South II, Sarpy County, Nebraska**

- i. **Staff Report:** Solberg stated the applicant has been required to resubmit required documentation in relation to this agenda item. Solberg stated the requested documentation was received, but not in time for consideration at this meeting. Solberg requested to hold the public hearing and continue the recommendation to a future meeting.

The public hearing remained open from the July 21, 2011 meeting.

Chairman Krzywicki asked if anyone would like to speak on the item.

None came forward.

- ii. **Public Hearing Continued:** Hewitt moved, seconded by Malmquist to continue the public hearing to the September 15, 2011, Planning Commission meeting. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)

#### 4. New Business

##### A. 2011-CUP-04 – Public Hearing regarding Home Occupation – Family Child Care Home II, Conditional Use Permit on Lot 226 Val Verde.

- i. **Staff Report:** Solberg stated the owner is requesting to locate and operate a home occupation (family Childcare Home II) not exceeding twelve children. Staff recommends approval of the Conditional Use Permit to allow a Family Childcare Home II Occupation.
- ii. **Public Hearing Opened:** Gahan moved, seconded by Hewitt to open the public hearing. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)

Chairman Krzywicki asked if the applicant was present.

Commissioner Hewitt questioned if Ms. Krebs if the daycare in her home already existed.

Ms. Krebs stated that she was currently licensed for eight children.

Chairman Krzywicki asked if anyone else was present to speak on the item.

Mr. Blake came forward to state that he was in favor of approval of the application.

Ms. Fuccio came forward and stated her son attends daycare with Ms. Krebs and stated she was in favor of approval of the application.

Commissioner Hewitt questioned if Ms. Fuccio experienced any parking problems when picking up or dropping off her child.

Ms. Fuccio stated she has not.

- iii. **Public Hearing Closed:** Malmquist moved, seconded by Gahan to close the public hearing. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)

**Recommendation:** Hewitt moved, seconded by Nielsen to recommend to approval of the Conditional Use Permit to allow a Family Childcare Home II Occupation as it conforms with the City of La Vista Zoning Ordinances. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)

**B. Public Hearing regarding the 2012-2016 Capital Improvement Program.**

- i. **Staff Report:** Rita Ramirez and Joe Soucie came forward to discuss the Capital Improvement Program.
- ii. **Public Hearing Opened:** Malmquist moved, seconded by Circo to open the public hearing. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)  
  
None came forward.
- iv. **Public Hearing Closed:** Gahan moved, seconded by Alexander to close the public hearing. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)  
  
**Recommendation:** Malmquist moved, seconded by Kramolisch to recommend to approval of the Capital Improvement Plan as submitted. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)

**5. Comments from the Floor**

None.

**6. Comments from the Planning Commission.**

Solberg discussed a working group for the Civic Park Plan.

**7. Adjournment**

Gahan moved, seconded by Andsager, to adjourn. **Ayes:** Nielsen, Circo, Kramolisch, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** None  
**Motion Carried.** (9-0)

Reviewed by Planning Commission:

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Recorder

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Planning Commission Chair

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Approval Date

Meeting of Board of Directors

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

MINUTES OF MEETING  
September 12, 2011  
4:05 p.m.

Members Present: Pat Archibald      Rose Barcal      Brenda Gunn  
                    Rich Hanneman      Robin Hixson

Members Absent: Dave Koebel

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

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

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

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

Agenda Item #3: Approval of the Minutes From May 9, 2011 Meeting.

Moved by Archibald and seconded by Gunn to approve the May 9, 2011 meeting minutes. Ayes: all. Nays: none. Motion approved.

Agenda Item #4: Wireless Access.

Discussion was held regarding the issue. The BTOP grant person was e-mailed to see if the hardware could be included in the computer grant the Library will receive. Hixson will check with MCC IT staff to see if there is public access that could be granted for the internet.

Agenda Item #5: Scholastic Book Fair.

The Scholastic Book Fair hosted by the Library was held in July. The Library sold over \$1600 worth of merchandise.

Agenda Item #6: OPPD Geothermal System.

MCC and the City are still waiting on OPPD for a response to the agreement.

Agenda Item #7: Proposed Budget for 2012.

Copies of the latest preliminary budget were distributed. The budget goes before the Board for approval this month.

Agenda Item #8: Other Business.

Question on the computers in the commons area. Are they open to the general public and if so, how are passwords distributed. Hixson with check. Also, can a bulletin board be placed behind them? This will be placed on the next agenda.

Agenda Item #9: Next Meeting.

Monday, November 14, 2011 at 4:00 p.m. La Vista Public Library, Room #142.

It was moved by Archibald and seconded by Hanneman to adjourn the meeting at 4:47 p.m.

Minutes respectfully submitted by Rose Barcal



**CITY OF LAVISTA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES  
 AND CHANGES IN FUND BALANCE, PROPRIETARY FUNDS**

**BUDGET AND ACTUAL**

For the eleven months ended August 31, 2011

92% of the Fiscal Year

	Sewer Fund					Golf Course Fund				
	Budget	MTD Actual	YTD Actual	Over (Under) Budget	% of Budget Used	Budget	MTD Actual	YTD Actual	Over (Under) Budget	% of Budget Used
<b>REVENUES</b>										
User fees	\$ 1,873,922	\$ 169,948	\$ 1,704,190	\$ (169,732)	91%	\$ 190,000	\$ 38,228	\$ 205,868	\$ 15,868	108%
Service charge and hook-up fees	125,000	19,030	349,184	224,184	279%	-	-	-	-	-
Merchandise sales	-	-	-	-	-	33,800	7,554	34,478	678	102%
Grant	-	-	36,154	36,154	n/a	-	-	-	-	-
Miscellaneous	200	16	251	51	125%	300	59	389	-	130%
<b>Total Revenues</b>	<b>1,999,122</b>	<b>188,393</b>	<b>2,089,778</b>	<b>90,656</b>	<b>105%</b>	<b>224,100</b>	<b>45,840</b>	<b>240,734</b>	<b>16,545</b>	<b>107%</b>
<b>EXPENDITURES</b>										
General Administrative	446,776	36,898	388,855	(57,921)	87%	-	-	-	-	-
Cost of merchandise sold	1,500,772	100,454	1,151,488	(349,284)	77%	26,950	25,628	(1,322)	(26,335)	95%
Maintenance	-	-	-	-	-	204,953	178,618	(26,335)	(32,131)	87%
Production and distribution	79,250	-	75,370	(3,380)	95%	141,658	13,818	109,527	(1,068)	77%
Capital Outlay	-	-	-	-	-	7,000	-	5,932	-	85%
Debt Service:	-	-	-	-	-	-	-	-	-	-
Principal	-	-	-	-	-	-	-	-	-	-
Interest	-	-	-	-	-	-	-	-	-	-
<b>Total Expenditures</b>	<b>2,026,798</b>	<b>137,351</b>	<b>1,615,712</b>	<b>(411,086)</b>	<b>80%</b>	<b>513,093</b>	<b>22,533</b>	<b>20,726</b>	<b>452,237</b>	<b>(60,856)</b>
<b>OPERATING INCOME (LOSS)</b>										
	(27,676)	51,642	474,066	(501,742)	-	(288,993)	16,115	(211,503)	77,401	-
<b>NON-OPERATING REVENUE (EXPENSE)</b>										
Interest income	10,000	1,297	5,760	(4,240)	58%	25	8	29	4	115%
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>10,000</b>	<b>1,297</b>	<b>5,760</b>	<b>(4,240)</b>	<b>58%</b>	<b>25</b>	<b>8</b>	<b>29</b>	<b>4</b>	<b>115%</b>
<b>OTHER FINANCING SOURCES (USES)</b>										
Operating transfers in (out)	(17,676)	52,940	479,827	(497,503)	-	(288,968)	16,123	(211,474)	77,494	-
<b>NET INCOME (LOSS)</b>	<b>\$ (17,676)</b>	<b>\$ 52,940</b>	<b>\$ 479,827</b>	<b>\$ (497,503)</b>	<b>-</b>	<b>270,000</b>	<b>-</b>	<b>132,533</b>	<b>(137,467)</b>	<b>-49%</b>
<b>NET ASSETS, Beginning of the year</b>										
						\$ (18,968)	\$ 16,123	\$ (78,941)	\$ 59,973	-
									239,251	
										<b>\$ 160,310</b>
						<b>\$ 5,319,705</b>				



PO Box 1100, 100 Middle Street, Portland, ME 04104-1100

I N V O I C E

08/31/2011

Client #: 110382.00

Invoice #: 327157

City of La Vista  
Sheila Lindberg  
8116 Park View Boulevard  
La Vista, NE 68128

\$ \_\_\_\_\_  
*AMOUNT REMITTED*

**City of La Vista**

**BerryDunn**  
Invoice #: 327157

**08/31/2011**

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Professional services rendered by our Government Consulting Group related to the project to assist the City of La Vista with consulting services for development of an Information Technology Strategic Plan.

<b>Deliverable D1:</b> Project Plan and Schedule (100% Complete)	\$530.00
<b>Deliverable D2:</b> Current Environment Report (80% Complete)	\$4,826.70
<b>Deliverable D2:</b> Preliminary List of Strategic Issues (80% Complete)	\$6,882.00

Current Amount Due      \$ 12,238.70

OK to pay  
Consent Agenda  
9-20-11  
AS  
05.71.0844, D

A late charge of 1.5% per month (18% per annum) is added to the balance after 30 days.  
For your convenience, we accept VISA and MASTERCARD.

(207)775-2387  
[www.berrydunn.com](http://www.berrydunn.com)

John P. Mullen, P.C., LLO

**MULLEN & MULLEN**  
Attorneys at Law  
10050 Regency Circle, Ste. 505  
Omaha, NE 68114

TEL: (402) 341-1080  
FAX: (402) 341-8052

2-Sep-11

Federal Tax ID: 47-0843400

Brenda Sedlacek Gunn, Administrator  
CITY OF LAVISTA  
8116 Park View Blvd.  
LaVista, NE 68128

ATTORNEY WORK PRIVILEGE  
ATTORNEY CLIENT PRIVILEGE

Re: City of La Vista-OTC-Sarpy County Lawsuit and issues  
regarding OTC's bankruptcy

**STATEMENT FOR PROFESSIONAL SERVICES AND COSTS ADVANCED**

<b>Date</b>	<b>Description</b>	<b>TIME</b>
-------------	--------------------	-------------

For professional services rendered from April 1, 2011 through August 31, 2011 regarding the lawsuit of Oriental Trading Co. ("O.T.C.") v. City of LaVista et al, wherein O.T.C. is seeking the return of previously paid sewer fees and related issues involving OTC's Chapter 11 Bankruptcy that it filed in the Delaware Bankruptcy Court.

<b>TOTAL FEE</b>	\$ 24,880.00
<b>DISBURSEMENT - COSTS ADVANCED</b> to attorney Howard Duncan	\$ 1,000.00
<b>TOTAL BALANCE DUE:</b>	<u>\$ 25,880.00</u>

OK  
BZ 9-20-11  
Consent  
Agenda  
2-42-0321

*Law Office of*

HOWARD T. DUNCAN

6910 PACIFIC STREET, SUITE 103  
OMAHA, NEBRASKA 68106  
TELEPHONE 402-934-4221  
FACSIMILE 402-391-0088

August 4, 2011

City of LaVista  
c/o John Mullen & Terry Grennan  
MULLEN & MULLEN LAW FIRM  
10050 Regency Circle, Ste. 505  
Omaha NE 68114

*RE: OTC Bankruptcy; OTC v. City of LaVista*

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SECOND REQUEST

FOR LEGAL SERVICES RENDERED PER ATTACHED SUMMARY

16.5 Attorney hours @ \$250.00 per hour: \$4,125.00  
2.5 Paralegal hours @ \$100.00 per hour: \$250.00

Expenses: \$0.00

Total Fees & Expenses: \$4,375.00

Amount paid to date: \$1,000.00

**TOTAL AMOUNT NOW DUE:**

**\$3,375.00**

*Off  
Blk*

*9-20-11  
Consent  
Agenda*

*2-42-0321*

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Howard T. Duncan  
Attorney at Law

# MIDWEST

Right of Way Services, Inc.

September 1, 2011

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

**Invoice No.: 2985**  
Midwest Right of WayServices #273

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

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

Total Contract		\$ 129,800.00
Total Billed through July 31, 2011		\$ 58,450.00
Project Manager	3.00 hours at	\$80 per hour \$ 240.00
Acquisition Agent	36.00 hours at	\$68 per hour \$ 2,448.00
Relocation Agent	hours at	\$68 per hour \$ -
<b>Total Amount Due for this Invoice</b>		<b>\$ 2,688.00</b>
Total Remaining on Contract (after this invoice)		\$ 68,662.00
<b>Total Amount for Past Due Invoices</b>		<b>\$ -</b>
<b>Total Amount Currently Due</b>		<b><u>\$ 2,688.00</u></b>

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

*Consent Agenda  
Net to Pay  
8/13/11  
05.71.0645.09*



11069 "I" Street  
Omaha, NE 68137

402-593-8100

# Invoice

Date	Invoice #
8/30/2011	A11-0789

Bill To
City of La Vista Mr. John Kottman 9900 Portal Road La Vista, NE 68128

	P.O. No.	Terms	Client Accou...	Project
		Due on receipt		111127

Quantity	Description	Rate	Amount
	ENVIRONMENTAL PRE-DEMOLITION INSPECTION SERVICES Thompson Creek Project La Vista, NE		
- 1	PROJECT #111124 (7602 SOUTH 73RD AVE.) Residential Home Inspection, Testing, and Report of Findings	450.00	450.00
- 7	Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal	7.00	49.00
			499.00
- 1	PROJECT #111125 (7413 PARK VIEW BLVD) Residential Home Inspection, Testing, and Report of Findings	450.00	450.00
- 5	Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal	7.00	35.00
			485.00
- 1	PROJECT #111126 (7417 PARK VIEW BLVD) Residential Home Inspection, Testing, and Report of Findings	450.00	450.00

	<b>Total</b>
--	--------------

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street  
Omaha, NE 68137

402-593-8100

## Invoice

Date	Invoice #
8/30/2011	A11-0789

Bill To
City of La Vista Mr. John Kottman 9900 Portal Road La Vista, NE 68128

	P.O. No.	Terms	Client Accou...	Project
		Due on receipt		111127

Quantity	Description	Rate	Amount
5	Lab Analysis of Additional Bulk Samples for Asbestos Fibers	7.00	35.00
	Subtotal		485.00
1	PROJECT #111127 (7605 PARK VIEW BLVD) Residential Home Inspection, Testing, and Report of Findings	450.00	450.00
6	Lab Analysis of Additional Bulk Samples for Asbestos Fibers	7.00	42.00
	Subtotal		492.00
1	PROJECT #111146 (7225 PARK VIEW BLVD) Residential Home inspection, Testing and Report of Findings	450.00	450.00
16	Lab Analysis of Additional Bulk Samples for Asbestos Fibers	7.00	112.00
	Subtotal		562.00
1	PROJECT #111147 (7221 PARK VIEW BLVD) Residential Home Inspection, Testing, and Report of Findings	450.00	450.00

	<b>Total</b>
--	--------------

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.



11069 "I" Street  
Omaha, NE 68137

402-593-8100

## Invoice

Date	Invoice #
8/30/2011	A11-0789

Bill To
City of La Vista Mr. John Kottman 9900 Portal Road La Vista, NE 68128

	P.O. No.	Terms	Client Accou...	Project
		Due on receipt		111127

Quantity	Description	Rate	Amount
✓ 9	Lab Analysis of Additional Bulk Samples for Asbestos Fibers Subtotal	7.00	63.00
			513.00
		<b>Total</b>	\$3,036.00 ✓

FED ID # 80-0034371

A finance charge of 1.5% will be added to invoices over 30 days.

Consent  
agenda  
Ok to file  
9/13/11  
Busey  
71,064509

**City of La Vista**  
Public Works Department  
9900 Portal Road  
La Vista, NE 68128  
402.331.8927 phone number  
402.331.1051 fax number  
[www.ci.la-vista.ne.us](http://www.ci.la-vista.ne.us)



# memorandum

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**To:** PAM BUETHE **Dept.** CITY HALL

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**From:** JOHN KOTTMANN **Dept.** PUBLIC WORKS

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**Date:** SEPT. 8, 2011

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**Re:** AQS Invoice for Asbestos Testing

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● **Comments:**

**Pam**

**Herewith is Invoice A11-0789 from AQS Environmental for asbestos testing and reports on six of the last seven houses in the Phase 3 Demolition project in the amount of \$3,036.00.**

**I have reviewed the invoice and find the billing to be in accordance with the proposal they submitted dated September 27, 2010.**

**Please process for payment. The account code would be 05.71.0645.09**

**John**

# Douglas County

ENGINEERS

Date 26-AUG-11  
1 of 1

Remit To: Douglas County Treasurer  
RM H03  
1819 Farnam St.  
Omaha NE 68183

Customer No: 28660

Bill To: CITY OF LAVISTA  
8116 PARK VIEW BLVD  
LAVISTA NE 68128

Ship To:

<b>Sales Order Number:</b>	<b>Transaction Type:</b>	ENGINEERS
	<b>Payment Method:</b>	12532
<b>Invoice Number:</b> 22085	<b>Terms:</b> 30 NET	<b>Total Due:</b> 6,963.01

**PLEASE RETURN TOP PORTION WITH REMITTANCE**

Item No.	DESCRIPTION	QTY	UOM	TAX	UNIT PRICE	EXTENDED PRICE
1	CITY OF LAVISTA 25% SHARE OF LAMP RYNEARSON & ASSOCIATES FINAL INVOICE 110088.01-7 FOR DOUGLAS COUNTY PROJECT C-28(498)A - HELL CREEK STREAM STABILIZATION PHASE I	6963.01	6963.01		1.00	6,963.01
<b>SPECIAL INSTRUCTION</b>				<b>DUE DATE</b>	<b>TOTAL DUE</b>	
				25-SEP-11	6,963.01	

O.K. to pay *↗*  
05.71.0842.03  
JMK  
9/13/2011

ENGINEERS



**LAMP RYNEARSON**  
& ASSOCIATES  
ENGINEERS | SURVEYORS | PLANNERS

REQ 143059  
PO 149926

14710 W. Dodge Rd., Ste. 100  
Omaha, NE 68154  
[P] 402.496.2498  
[F] 402.496.2730  
[www.LRA-Inc.com](http://www.LRA-Inc.com)

August 18, 2011

Invoice No: 0110088.01 - 0000007

C-28(488)A

DOUGLAS COUNTY  
ATTN: MR. DAN KUTILEK  
15505 WEST MAPLE ROAD  
OMAHA, NE 68116-5173

Project 0110088.01

Professional Services through July 30, 2011

Task 016 FINAL DESIGN

HELL CREEK STREAM STABILIZATION -PHASE I

\$27,852.04

TOTAL INVOICE AMOUNT

\$27,852.04

OK  
JDK  
8/26/11

Final Invoice for Design

Terms: Due Upon Receipt

## BANK NO BANK NAME

CHECK NO

DATE

VENDOR NO VENDOR NAME

CHECK AMOUNT

CLEARED

VOIDED

MANUAL

1 Bank of Nebraska (600-873)

105021	9/07/2011	830 BROWN TRAFFIC PRODUCTS INC	31,874.75	**MANUAL**
105022	9/07/2011	1016 HANNA:KEELAN ASSOCIATES, P.C.	6,000.00	**MANUAL**
105023	9/08/2011	4604 GENE STEFFY CHRYSLER	32,130.00	**MANUAL**
105024	9/08/2011	4605 LA VISTA AUTO PLEX	9,385.00	**MANUAL**
105025	9/13/2011	4151 HUNDEN STRATEGIC PARTNERS	1,805.00	**MANUAL**
105026	9/13/2011	3702 LAUGHLIN, KATHLEEN A, TRUSTEE	648.00	**MANUAL**
105027	9/20/2011	3983 ABE'S PORTABLES INC	170.00	
105028	9/20/2011	4332 ACCO UNLIMITED CORP	188.80	
105029	9/20/2011	762 ACTION BATTERIES UNLTD INC	76.38	
105030	9/20/2011	571 ALAMAR UNIFORMS	421.52	
105031	9/20/2011	1524 AMERICAN MARKING CORPORATION	65.94	
105032	9/20/2011	1163 ANDERSON ELECTRIC	26.00	
105033	9/20/2011	536 ARAMARK UNIFORM SERVICES INC	150.75	
105034	9/20/2011	4597 ASHBY, STEVE	105.00	
105035	9/20/2011	188 ASPHALT & CONCRETE MATERIALS	252.52	
105036	9/20/2011	2945 AVI SYSTEMS INC	59.89	
105037	9/20/2011	201 BAKER & TAYLOR BOOKS	1,414.29	
105038	9/20/2011	1839 BCDM-BERINGER CIACCIO DENNELL	3,137.00	
105039	9/20/2011	3965 BEAUMONT, MITCH	188.99	
105040	9/20/2011	1784 BENNINGTON EQUIPMENT INC	257.73	
105041	9/20/2011	410 BETTER BUSINESS EQUIPMENT	53.19	
105042	9/20/2011	3235 BLEACH, LARRY	30.00	
105043	9/20/2011	1242 BRENTWOOD AUTO WASH	63.00	
105044	9/20/2011	3760 BUETHE, PAM	55.50	
105045	9/20/2011	76 BUILDERS SUPPLY CO INC	112.88	
105046	9/20/2011	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED** **VOIDED**
105047	9/20/2011	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED** **VOIDED**
105048	9/20/2011	2625 CARDMEMBER SERVICE-ELAN	.00	**CLEARED** **VOIDED**
105049	9/20/2011	2625 CARDMEMBER SERVICE-ELAN	4,998.27	
105050	9/20/2011	2540 CENTURY LINK BUSN SVCS	21.95	
105051	9/20/2011	152 CITY OF OMAHA	59.93	
105052	9/20/2011	83 CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
105053	9/20/2011	83 CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
105054	9/20/2011	83 CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
105055	9/20/2011	83 CJ'S HOME CENTER	644.75	
105056	9/20/2011	3126 COCA-COLA BOTTLING COMPANY	110.66	
105057	9/20/2011	2683 COLOMBO/PHELPS COMPANY	317.91	
105058	9/20/2011	468 CONTROL MASTERS INCORPORATED	448.21	
105059	9/20/2011	836 CORNHUSKER INTL TRUCKS INC	55.92	
105060	9/20/2011	2158 COX COMMUNICATIONS	192.85	
105061	9/20/2011	2102 CREIGHTON EMS EDUCATION	3,707.50	
105062	9/20/2011	4600 CULVER'S OF LA VISTA	30.00	
105063	9/20/2011	3136 D & D COMMUNICATIONS	6,650.00	
105064	9/20/2011	3107 DAVIDSON TITLE INC	470.25	
105065	9/20/2011	270 DECOSTA SPORTING GOODS	674.05	
105066	9/20/2011	77 DIAMOND VOGEL PAINTS	246.65	
105067	9/20/2011	4602 EBERLE, MICHELLE	30.00	
105068	9/20/2011	3334 EDGEWEAR SCREEN PRINTING	1,030.00	
105069	9/20/2011	4598 ETHRIDGE, RUSTY	110.00	
105070	9/20/2011	1042 FELD FIRE	486.00	
105071	9/20/2011	4538 FELLOWSHIP OF CHRISTIAN	500.00	

## BANK NO BANK NAME

CHECK NO

DATE

VENDOR NO

VENDOR NAME

CHECK AMOUNT

CLEARED

VOIDED

MANUAL

105072	9/20/2011	1245 FILTER CARE	70.45			
105073	9/20/2011	4593 FIREWORKS FIRE APPARATUS	2,075.00			
105074	9/20/2011	3834 FLEET US LLC	1,133.54			
105075	9/20/2011	3132 FORT DEARBORN LIFE INSURANCE	1,364.50			
105076	9/20/2011	1248 GASSERT, MIKE	818.00			
105077	9/20/2011	53 GCR TIRE CENTERS	323.27			
105078	9/20/2011	966 GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
105079	9/20/2011	966 GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED**	**VOIDED**	
105080	9/20/2011	966 GENUINE PARTS COMPANY-OMAHA	1,173.64			
105081	9/20/2011	1660 GODFATHER'S PIZZA	75.40			
105082	9/20/2011	285 GRAYBAR ELECTRIC COMPANY INC	259.56			
105083	9/20/2011	4222 GREAT PLAINS GFOA	150.00			
105084	9/20/2011	385 GREAT PLAINS ONE-CALL SVC INC	310.93			
105085	9/20/2011	4086 GREAT PLAINS UNIFORMS	57.00			
105086	9/20/2011	71 GREENKEEPER COMPANY INC	404.00			
105087	9/20/2011	1044 H & H CHEVROLET LLC	92.95			
105088	9/20/2011	2663 HARBOR FREIGHT TOOLS	279.97			
105089	9/20/2011	387 HARM'S CONCRETE INC	212.65			
105090	9/20/2011	3681 HEARTLAND TIRES AND TREADS	22.95			
105091	9/20/2011	2407 HEIMES CORPORATION	200.00			
105092	9/20/2011	797 HOBBY LOBBY STORES INC	94.93			
105093	9/20/2011	3513 HUSKER MIDWEST PRINTING	139.50			
105094	9/20/2011	1612 HY-VEE INC	520.00			
105095	9/20/2011	162 INLAND TRUCK PARTS	293.05			
105096	9/20/2011	1896 J Q OFFICE EQUIPMENT INC	1,135.88			
105097	9/20/2011	4596 JOHN DEERE GOVT/NATL SALES	25,422.96			
105098	9/20/2011	3870 JOHNSON CONTROLS INC	824.10			
105099	9/20/2011	1241 LEAGUE ASSN OF RISK MGMT	238.00			
105100	9/20/2011	3198 LEAGUE OF NEBR MUNICIPALITIES	1,306.00			
105101	9/20/2011	4606 WENDY LIGHT	418.80			
105102	9/20/2011	1573 LOGAN CONTRACTORS SUPPLY	3,349.75			
105103	9/20/2011	2664 LOU'S SPORTING GOODS	1,143.91			
105104	9/20/2011	838 LYMAN-RICHEY SAND & GRAVEL CO	212.13			
105105	9/20/2011	1539 MALLARD SAND & GRAVEL COMPANY	63.51			
105106	9/20/2011	3806 MARKOWSKY, THOMAS J	58.24			
105107	9/20/2011	919 MARTIN MARIETTA AGGREGATES	134.84			
105108	9/20/2011	877 MATHESON TRI-GAS INC	140.06			
105109	9/20/2011	588 MENARDS-BELLEVUE	181.88			
105110	9/20/2011	3061 MES-MIDAM	3,868.85			
105111	9/20/2011	1526 MIDLANDS LIGHTING & ELECTRIC	1,767.50			
105112	9/20/2011	1046 MIDWEST TURF & IRRIGATION	40.43			
105113	9/20/2011	2382 MONARCH OIL INC	427.00			
105114	9/20/2011	288 MOTOROLA SOLUTIONS INC	1,667.40			
105115	9/20/2011	4364 NACR INCORPORATED	.00	**CLEARED**	**VOIDED**	
105116	9/20/2011	4364 NACR INCORPORATED	.00	**CLEARED**	**VOIDED**	
105117	9/20/2011	4364 NACR INCORPORATED	2,687.08			
105118	9/20/2011	1120 NAPE-NE ASSN PROPERTY/EVIDENCE	10.00			
105119	9/20/2011	97 NEBRASKA MIDGET FOOTBALL LEAG	2,100.00			
105120	9/20/2011	440 NMC EXCHANGE LLC	57.56			
105121	9/20/2011	408 NOBBIES INC	80.52			
105122	9/20/2011	179 NUTS AND BOLTS INCORPORATED	17.94			
105123	9/20/2011	1831 O'REILLY AUTOMOTIVE INC	440.72			
105124	9/20/2011	1014 OFFICE DEPOT INC-CINCINNATI	.00	**CLEARED**	**VOIDED**	

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
105125	1014 OFFICE DEPOT INC-CINCINNATI	9/20/2011				1,461.00			
105126	79 OMAHA COMPOUND COMPANY	9/20/2011				402.72			
105127	195 OMAHA PUBLIC POWER DISTRICT	9/20/2011				3,214.87			
105128	319 OMAHA WINNELSON	9/20/2011				217.93			
105129	46 OMAHA WORLD HERALD COMPANY	9/20/2011				763.61			
105130	3935 ORIENTAL TRADING COMPANY	9/20/2011				53.00			
105131	3477 ORIZON CPAS LLC	9/20/2011				2,200.00			
105132	3039 PAPILLION SANITATION	9/20/2011				304.11			
105133	2686 PARAMOUNT LINEN & UNIFORM	9/20/2011				381.16			
105134	1769 PAYLESS OFFICE PRODUCTS INC	9/20/2011				91.98			
105135	4594 PELSTER, JAMES W	9/20/2011				750.00			
105136	3058 PERFORMANCE CHRYSLER JEEP	9/20/2011				24.26			
105137	1713 QUALITY AUTO REPAIR & TOWING	9/20/2011				116.00			
105138	802 QUILL CORPORATION	9/20/2011				89.70			
105139	58 RAINBOW GLASS & SUPPLY	9/20/2011				607.36			
105140	191 READY MIXED CONCRETE COMPANY	9/20/2011				1,365.66			
105141	3774 RETRIEVEX	9/20/2011				85.02			
105142	4603 ROBINSON, JOANNE	9/20/2011				30.00			
105143	1783 RON TURLEY ASSOCIATES INC	9/20/2011				100.00			
105144	4599 ROTHERMUND, GORDY	9/20/2011				110.00			
105145	4037 RUSTY ECK FORD	9/20/2011				29.78			
105146	292 SAM'S CLUB	9/20/2011				623.43			
105147	487 SAPP BROS PETROLEUM INC	9/20/2011				.00	**CLEARED**	**VOIDED**	
105148	487 SAPP BROS PETROLEUM INC	9/20/2011				21,043.47			
105149	4565 SOF SURFACES INC	9/20/2011				300.00			
105150	2111 STAPLES BUSINESS ADVANTAGE	9/20/2011				100.99			
105151	2634 STERIL MANUFACTURING CO	9/20/2011				125.00			
105152	4335 STOLTENBERG NURSERIES	9/20/2011				175.00			
105153	332 SUSPENSION SHOP INCORPORATED	9/20/2011				403.06			
105154	4478 T ROWE TRAINING LLC	9/20/2011				330.00			
105155	264 TED'S MOWER SALES & SERVICE	9/20/2011				6.61			
105156	4507 TERRY'S SMALL ENGINE	9/20/2011				134.80			
105157	143 THOMPSON DREESSEN & DORNER	9/20/2011				13,655.85			
105158	438 THORPE'S BODY SHOP	9/20/2011				1,184.01			
105159	4601 TIGHTON FASTENER & SUPPLY INC	9/20/2011				71.00			
105160	4210 TORREZ, TONY	9/20/2011				110.00			
105161	3633 TRICARE	9/20/2011				271.96			
105162	3812 UHL, RICHARD	9/20/2011				45.00			
105163	2719 UNDERWRITERS LABORATORIES INC	9/20/2011				2,342.50			
105164	2737 UNIVERSAL STEERING HYDRAULIC	9/20/2011				66.00			
105165	78 WASTE MANAGEMENT NEBRASKA	9/20/2011				309.82			
105166	4124 WATER SHED INCORPORATED	9/20/2011				416.21			
105167	258 WATKINS CONCRETE BLOCK CO INC	9/20/2011				6.10			
105168	2813 WESTON WOODS STUDIOS	9/20/2011				88.75			
105169	968 WICK'S STERLING TRUCKS INC	9/20/2011				725.68			

BANK TOTAL	222,256.78
OUTSTANDING	222,256.78
CLEARED	.00
VOIDED	.00

APCHCKRP  
03.30.09

Thu Sep 15, 2011 10:50 AM

\*\*\*\*  
City of LaVista  
ACCOUNTS PAYABLE CHECK REGISTER

OPER: AKH

PAGE 4

BANK NO BANK NAME

CHECK NO DATE VENDOR NO VENDOR NAME

CHECK AMOUNT CLEARED VOIDED MANUAL

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	197,688.20	197,688.20	.00	.00
02 SEWER FUND	8,318.72	8,318.72	.00	.00
05 CONSTRUCTION	6,000.00	6,000.00	.00	.00
08 LOTTERY FUND	5,722.66	5,722.66	.00	.00
09 GOLF COURSE FUND	4,527.20	4,527.20	.00	.00
REPORT TOTAL	222,256.78			
OUTSTANDING	222,256.78			
CLEARED		.00		
VOIDED		.00		
+ Gross Payroll 9/16/11	<u>236,392.60</u>			
GRAND TOTAL	<u>\$458,649.38</u>			

APPROVED BY COUNCIL MEMBERS 9/20/11

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
CONDITIONAL USE PERMIT — FAMILY CHILDCARE HOME II LOT 226, VAL VERDE	◆RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and a resolution prepared for Council to consider an application for a Conditional Use Permit to operate a Family Childcare Home II on Lot 226, Val Verde, located at 8824 S. 100<sup>th</sup> Street.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled for Council to consider an application submitted by Jackie Krebs for a conditional use permit to operate a Family Childcare Home II as a home occupation on Lot 226, Val Verde, located at 8824 S. 100<sup>th</sup> Street.

Staff has reviewed the application for the conditional use permit and has the following comments:

1. The day care will mainly utilize approximately 1000 square feet in the basement.
2. The hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
3. There may be up to two employees in addition to the property owner.
4. The employee and client parking will consist of the owner's driveway.
5. The operation may serve twelve or fewer children at any one time.

A detailed staff report is attached.

The Planning Commission held a public hearing on August 18, 2011 and voted unanimously to recommend approval of the Conditional Use Permit.



**CITY OF LA VISTA  
PLANNING DIVISION**  
**RECOMMENDATION REPORT**

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CASE NUMBER: 2011-CUP-04

FOR HEARING OF: September 20, 2011  
Report Prepared on: September 14, 2011

**I. GENERAL INFORMATION**

- A. APPLICANT:** Jackie K. Krebs
- B. PROPERTY OWNER:** Jackie K. Krebs
- C. LOCATION:** 8824 S. 100<sup>th</sup> Street
- D. LEGAL DESCRIPTION:** Lot 226, Val Verde, a Subdivision of Sarpy County, Nebraska.
- E. REQUESTED ACTION(S):** Approval of a Conditional Use Permit to allow a Family Childcare Home II Occupation.
- F. EXISTING ZONING AND LAND USE:** R-2, Two-Family Residential
- G. PURPOSE OF REQUEST:** The owner is requesting to locate and operate a home occupation (Family Childcare Home II) not exceeding twelve (12) children.
- H. SIZE OF SITE:** The size of the single-family lot is 0.203 acres. The proposed use will primarily be conducted in the 1,000 square foot basement of the single family residence.

**II. BACKGROUND INFORMATION**

- A. EXISTING CONDITION OF SITE:** Ranch style house, with a walkout basement, constructed on a Two-Family Residential lot in the Val Verde subdivision. Lot slopes to the rear of the property, allowing for a walkout basement.
- B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**
  - 1. **North:** R-2, Two-Family Residential
  - 2. **East:** R-2, Two-Family Residential
  - 3. **South:** T-A, Transitional Agriculture
  - 4. **West:** R-2, Two-Family Residential
- C. RELEVANT CASE HISTORY:** N/A

**D. APPLICABLE REGULATIONS:**

1. Section 5.07, Zoning Ordinance, regarding R-2 Zoning District
2. Section 6.01, Zoning Ordinance, Conditional Use Permits
3. Section 7.10, Zoning Ordinance, regarding Home Occupations

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN: N/A**

**B. OTHER PLANS: N/A**

**C. TRAFFIC AND ACCESS:**

1. Ingress/egress to the subdivision is through S 101<sup>st</sup> Street or Centennial Road., utilizing S. 100<sup>th</sup> Street to access the property. Traffic impact is minimal. Parking for the use is required to be on the driveway which can accommodate up to four vehicles at a time.

**D. UTILITIES: All utilities are available on the site.**

**IV. REVIEW COMMENTS:**

1. Permitted use will utilize approximately 1000 square feet in the basement.
2. Hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
3. There are upto two employees in addition to the property owner.
4. Employee and Client parking will consist of owner's driveway.
5. Operation serves twelve (12) or fewer children at any one time.

**V. PLANNING COMMISSION RECOMMENDATION:**

During their August 18, 2011 meeting, the Planning Commission voted unanimously to recommend approval of the Conditional Use Permit.

**VI. RECOMMENDATION TO CITY COUNCIL:**

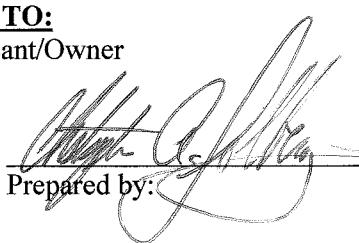
Staff recommends approval of the Conditional Use Permit to allow a Family Childcare Home II Occupation as it conforms with the City of La Vista Zoning Ordinances.

**VII. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Draft Conditional Use Permit
3. Exhibit A – Floor Plan

**VIII. COPIES OF REPORT SENT TO:**

1. Jackie K. Krebs, Applicant/Owner
2. Public Upon Request

 9/15/11  
Prepared by: \_\_\_\_\_

Community Development Director

Date

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE EXECUTION OF A CONDITIONAL USE PERMIT FOR A HOME OCCUPATION II TO OPERATE A FAMILY CHILDCARE HOME AT 8824 SOUTH 100<sup>TH</sup> STREET ON LOT 226, VAL VERDE, LA VISTA NEBRASKA.

WHEREAS, Jackie Krebs the property owner has applied for a conditional use permit for a home occupation II to operate a family childcare on Lot 226, Val Verde, 8824 South 100<sup>th</sup> Street; and

WHEREAS, the La Vista Planning Commission has reviewed the application and recommends approval; and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit for such purposes, subject to the following conditions:

1. Permitted use will utilize approximately 1000 s.f. in the basement.
2. Hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
3. There are up to two employees in addition to the property owner.
4. Employee and Client parking will consist of the owner's driveway.
5. Operation serves twelve (12) or fewer children at any one time.

NOW THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista hereby authorize the execution of a Conditional Use Permit in form and content submitted at this meeting, for Jackie Krebs to operate a Family Childcare home II occupation on Lot 226 in Val Verde, 8824 South 100<sup>th</sup> Street, subject to the conditions listed in the last recital above.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER 2011.

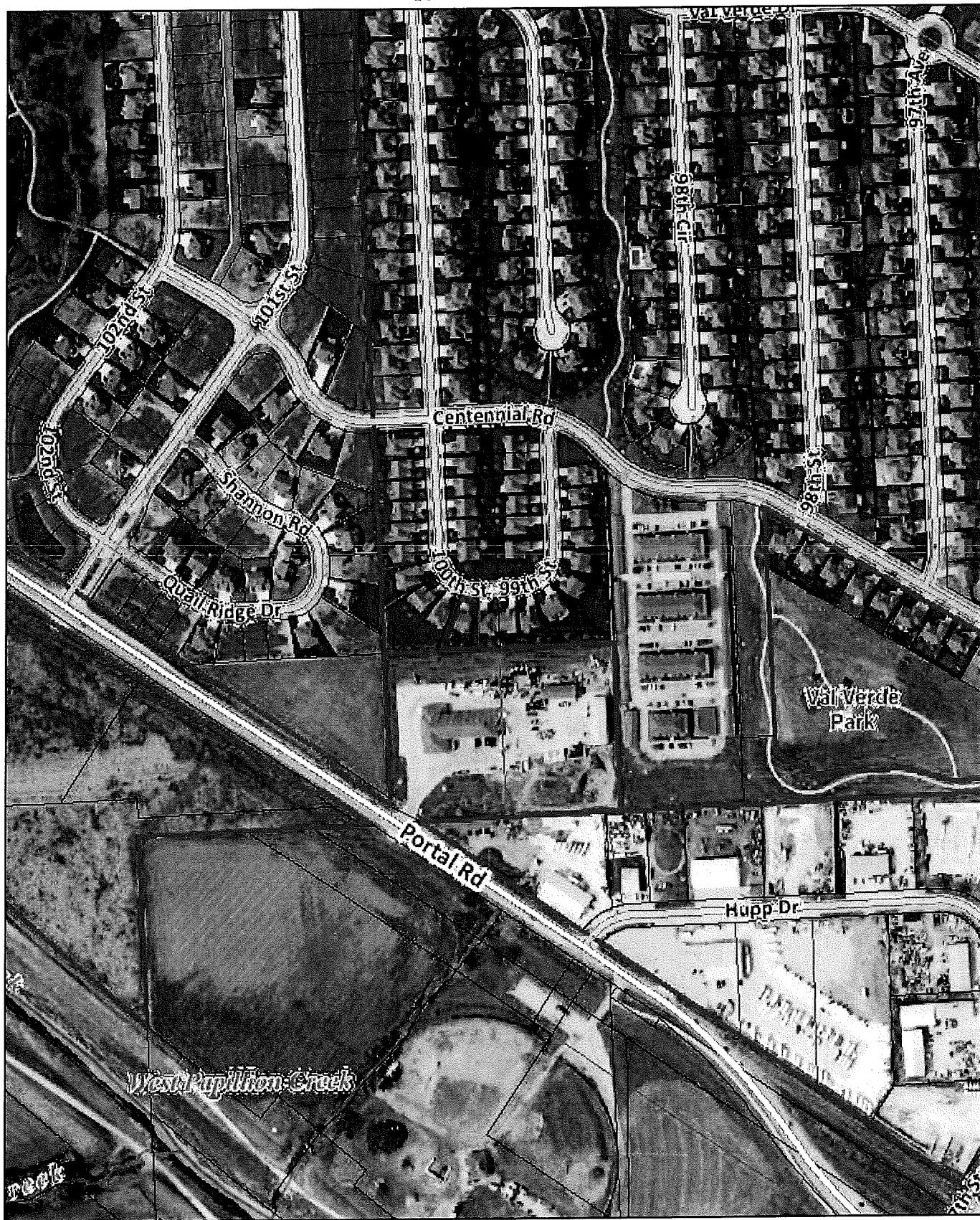
CITY OF LA VISTA

ATTEST:

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

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

## Sarpy County, Nebraska



*Disclaimer: This data is for informational purposes only, and should not be substituted for a true titles search, property appraisal, survey, or for zoning district verification. Sarpy County and the Sarpy County GIS Coalition assume no legal responsibility for the information contained in this data.*

Map Scale  
1 inch = 340 feet

8/12/2011

## City of La Vista Conditional Use Permit

### Conditional Use Permit for Home Occupation (Family Childcare Home II)

This Conditional Use Permit issued this \_\_\_\_\_ day of \_\_\_\_\_, 2011, by the City of La Vista, a municipal corporation in the County of Sarpy County, Nebraska ("City") to, Jackie K. Krebs ("Owner"), pursuant to the La Vista Zoning Ordinance.

WHEREAS, Owner wishes to locate and operate a home occupation (Family Childcare Home II) in a single-family dwelling at 8824 S. 100<sup>th</sup> Street upon the following legally described property of land within the City of La Vista zoning jurisdiction:

Lot 226, Val Verde, a Subdivision of Sarpy County, Nebraska.

WHEREAS, Owner has applied for a conditional use permit for the purpose of locating and operating a home occupation (Family Childcare Home II); and

WHEREAS, the Mayor and City Council of the City of La Vista are agreeable to the issuance of a conditional use permit to the owner for such purposes, subject to certain conditions and agreements as hereinafter provided.

NOW, THEREFORE, BE IT KNOWN THAT subject to the conditions hereof, this conditional use permit is issued to the owner to use the area of the property described herein for a home occupation (Family Childcare Home II), said use hereinafter being referred to as "Permitted Use or Use".

#### Conditions of Permit

The conditions to which the granting of this permit is subject are:

1. The rights granted by this permit are transferable and any variation or breach of any terms hereof shall cause permit to expire and terminate without the prior written consent of the City (amendment to permit) or unless exempted herein.
2. In respect to the proposed Use:
  - a. Permitted use will primarily utilize approximately 1000 square feet in the basement.
  - b. Hours of operation will generally be from 6:00 a.m. to 6:00 p.m. Monday through Friday.
  - c. There are two part-time employees in addition to the property owner.
  - d. Operation serves twelve (12) or fewer children at any one time.
  - e. Fires escapes shall be properly designated.
  - f. Client parking will consist of owner's driveway.
  - g. Owner shall comply (and shall ensure that all, invitees, suppliers, structures, appurtenances and improvements, and all activities occurring or conducted, on the premises at any time comply) with any applicable federal, state and/or local regulations, as amended or in effect from time to time, including, but not limited to, applicable environmental or safety laws, rules or regulations.
  - h. Owner hereby indemnifies the City against, and holds the City harmless from, any liability, loss, claim or expense whatsoever (including, but not limited to, reasonable attorney fees and court cost) arising out of or resulting from the acts, omissions or negligence of the owner, his/her agents,

employees, assigns, suppliers or invitees, including, but not limited to, any liability, loss, claim or expense arising out of or resulting from any violation on the premises of any environmental or safety law, rule or regulation.

3. The applicant's right to maintain the use as approved pursuant to these provisions shall be based on the following:
  - a. An annual renewal of a home occupation license and annual inspection to determine compliance with the conditions of approval. The conditional use permit may be revoked upon a finding by the City that there is a violation of the terms of approval.
  - b. The use authorized by the conditional use permit must be initiated within one (1) year of approval and shall become void two (2) years after the date of approval unless the applicant has fully complied with the terms of approval.
  - c. All obsolete or unused structures and accessory facilities or materials specifically pertaining to such permitted use shall be removed at owner's expense within twelve (12) months of cessation of the conditional use, if required by the City.
4. Notwithstanding any other provision herein to the contrary, this permit, and all rights granted hereby, shall expire and terminate as a permitted use hereunder upon the first of the following to occur:
  - a. Owner's abandonment of the permitted use. Non-use thereof for a period of twelve (12) months shall constitute a presumption of abandonment.
  - b. Cancellation, revocation, denial or failure to maintain any federal, state or local permit required for the Use.
  - c. Owner's breach of any other terms hereof and his/her failure to correct such breach within ten (10) days of City's giving notice thereof.
5. In the event of the owner's failure to promptly remove any safety or environmental hazard from the premises, or the expiration or termination of this permit and the owner's failure to promptly remove any permitted materials or any remaining environmental or safety hazard, the City may, at its option (but without any obligation to the owner or any third party to exercise said option) cause the same to be removed at owner's cost and the owner shall reimburse the City the costs incurred to remove the same. Owner hereby irrevocably grants the City, its agents and employees the right to enter the premises and to take whatever action as is necessary or appropriate to remove the structures or any environmental or safety hazards in accordance with the terms of this permit, and the right of the City to enter the premises as necessary or appropriate to carry out any other provision of this permit.
6. If any provision, or any portion thereof, contained in this agreement is held to be unconstitutional, invalid, or unenforceable, the remaining provisions hereof, or portions thereof, shall be deemed severable, shall not be affected, and shall remain in full force and effect.

### Miscellaneous

The conditions and terms of this permit shall be binding upon owner, his/her successors and assigns.

1. Delay of City to terminate this permit on account of breach of owner of any of the terms hereof shall not constitute a waiver of City's right to terminate, unless it shall have expressly waived said breach, and a waiver of the right to terminate upon any breach shall not constitute a waiver of the right to terminate upon a subsequent breach of the terms hereof, whether said breach be of the same or different nature.
2. Nothing herein shall be construed to be a waiver or suspension of, or an agreement on the part of the City to waive or suspend, any zoning law or regulation applicable to the premises except to the extent and for the duration specifically authorized by this permit.
3. Any notice to be given by City hereunder shall be in writing and shall be sufficiently given if sent by regular mail, postage prepaid, addressed to the owner as follows:

**Contact Name and Address:** Jackie K. Krebs  
8824 S. 100<sup>th</sup> Street  
La Vista, NE 68128

### Effective Date:

This permit shall take effect upon the filing hereof with the City Clerk a signed original hereof.

THE CITY OF LA VISTA

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

Attest:

Pam Buethe  
City Clerk

### CONSENT AND AGREEMENT

The undersigned does hereby consent and agree to the conditions of this permit and that the terms hereof constitute an agreement on the part of the undersigned to fully and timely perform each and every condition and term hereof, and the undersigned does hereby warrant, covenant and agree to fully and timely perform and discharge all obligations and liabilities herein required by owner to be performed or discharged.

Owner:

By: \_\_\_\_\_

Title: owner/operator \_\_\_\_\_ / \_\_\_\_\_

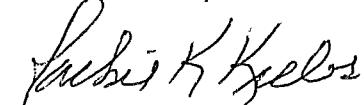
Date: \_\_\_\_\_

6-20-11

Jackie's Daycare – Daily events at daycare

8824 South 100<sup>th</sup> Street- Hours 6:30am to 5:30pm Mon. thru Fri.

Kids are dropped off at different times in the morning, starting at 6:30am. We go to the lower level of the house for most of the day when the kids are awake. I serve a breakfast, morning snack, lunch and afternoon snacks daily. We read books, color pictures and play throughout the day. The back yard is fenced and has a large play area and lots of outside toys for the kids. The kids take a morning nap from 9 till 11a.m. then we have lunch at 11a.m. till 11:30a.m., once we are done with lunch the kids play for a couple of hours and we start laying them down for afternoon naps. The older kids only take afternoon naps. They play in the morning and sometimes will watch a movie while the little ones are resting. The afternoon naps are usually from 1 till 3 p.m. Once they start waking up we change all diapers let them have their afternoon snack then start putting on the sun screen, shoes and let them go out to play in the back yard. Kids start getting picked up at 3:30 till 5:30p.m. When parents drop off and pick up they park in the driveway and sometimes in front of the house on the far side of the street where parking is permitted. When the kids are sleeping they are in pack n plays that the parents provide and are in one of the four bedrooms in the house. There are three restrooms in the house but we only use the main restroom upstairs and the one downstairs for the kids that are potty trained. We have a total of twelve kids and I have one or two helpers during the week. During the school year my 21 year old daughter Christina Soto and her friend - Eleni Sakis help me out. Right now my daughter in law Maureen Soto and myself- Jackie Krebs are running the daycare. I have already had the state come out and issue a license for the daycare and the state fire marshal has been thru the house and approved for business. Thanks for taking the time to review my application for a permit to do daycare out of my home. If you'd like letters from any or all families that I care for I'd be happy to get them for you.



Jackie Krebs

8824 South 100<sup>th</sup> Street

La Vista, NE. 68128

402-933-5122 or 402-515-5124 cell

Main Floor

8834 5 100th St.

Rooms Highlighted

DAY CARE USE + Exits

Bedroom 2

Closet

FRONT  
ENTRANCE

Exit

Exit

GARAGE

Main  
Bathroom

Living  
Room

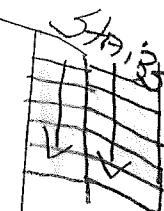
Kitchen

Laundry Room

Exit

Dish/Bedroom

Master  
Bedroom



Basement  
Stairs

Exit

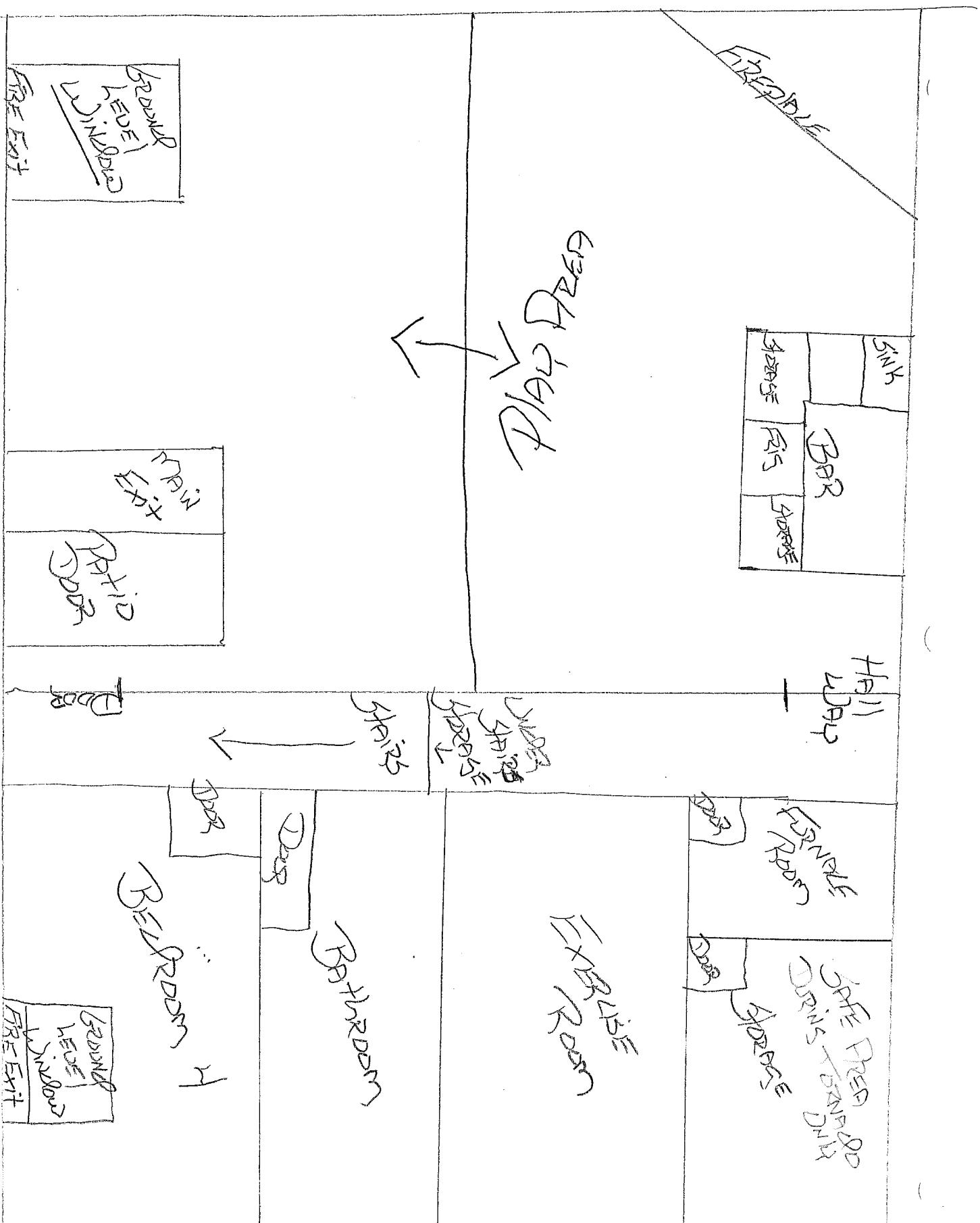
Master  
Bath

LAVista City OFFICE

# Lower Floor:

8824 S. 100<sup>th</sup> St.

Rooms Highlighted Before Use + Exits



LAVISHA CITY OFFICE

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
MUNICIPAL AQUATIC FACILITY — BOND ISSUE	► RESOLUTION ORDINANCE RECEIVE/FILE	JOE SOUCIE PUBLIC WORKS DIRECTOR AND SCOTT STOPAK RECREATION DIRECTOR

**SYNOPSIS**

A resolution has been prepared calling a special election on the proposition for the issuance of general obligation bonds in an amount not to exceed \$8,500,000 for the purpose of demolishing the existing municipal swimming pool, constructing an access road and constructing and equipping a municipal aquatic facility to replace the existing swimming pool.

**FISCAL IMPACT**

Funding for this project would be general obligation bonds. The City's annual principal and interest payments are estimated to be approximately \$602,000. Annual operating expenses are anticipated to be approximately \$361,900, which would be funded through the facility revenues. The owner of a home valued at \$150,000 would pay an additional \$85.50 annually. This is based on the City's current valuation and a 20-year debt schedule projected at an average interest rate of 3.7%

**RECOMMENDATION**

Approval.

**BACKGROUND**

One of the items identified as an early priority in the City's Park & Recreation Master Plan was the need to assess the city's current and future aquatic requirements. La Vista's municipal swimming pool was originally built and owned by a private developer in 1962, just two years after the City was incorporated. Later acquired by the City, the pool is a traditional style of pool and has been renovated and rehabilitated numerous times over the past 40+ years. While the pool has served the community well, it does not meet the needs of La Vista's growing population and warrants significant improvements.

Over the past several years a number of factors, including frequency and types of repairs, compliance with current standards and codes, and meeting the needs of a growing community, made it evident that the City needed a plan for aquatic services. In the summer of 2005, the City utilized the professional services of Water's Edge Aquatic Design (WEAD), Lenexa, Kansas to review and evaluate the City's existing pool facilities and provide recommendations for improvement. Their study and findings were presented to the City Council at the February 7, 2006 City Council meeting.

In 2006 the Mayor appointed a citizen committee to study this issue. The Committee met several times and provided opportunities for citizen input. As a result, a conceptual plan was developed and submitted to voters in 2008. The bond issue was narrowly defeated by 305 votes.

The need to make some determinations regarding the future of the current pool continues become more imminent as expenses and efforts to keep it operational increase each year. Being sensitive to the economic times, Council asked staff to develop a concept in the \$5,000,000.00 range which was presented on July 27, 2011. Based on several considerations including the points below, staff recommendation is to ask voters to consider the initial concept.

- Recommendation of original pool committee consisted of citizens, staff, council members and focus groups.
- Consultant data supports the recommended pool size.
- Citizens survey indicates support.
- A way to bring people back to the Golden Mile (84<sup>th</sup> Street).
- Proposed swimming pool would serve as an amenity to the Civic Park Plan and Vision 84 redevelopment.
- Second option of a \$5,000,000 pool is significantly undersized.
- Phasing of construction will cost more in the long run. No guarantee later phases will be completed.
- Take advantage of current competitive bond rates.
- Bond issue places the decision with the citizens.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DIRECTING THE SARPY COUNTY ELECTION COMMISSIONER TO PLACE ON THE MAY 15, 2012 PRIMARY ELECTION BALLOT THE QUESTION FOR THE ISSUANCE OF GENERAL OBLIGATION BONDS IN AN AMOUNT NOT TO EXCEED EIGHT MILLION FIVE HUNDRED THOUSAND DOLLARS (\$8,500,000) FOR THE PURPOSE OF DEMOLISHING THE EXISTING MUNICIPAL SWIMMING POOL LOCATED AT 7529 S. 85<sup>TH</sup> STREET (LOT 13 PARK VIEW HEIGHTS), CONSTRUCTING AN ACCESS ROAD AND CONSTRUCTING AND EQUIPPING A MUNICIPAL AQUATIC FACILITY TO REPLACE THE EXISTING SWIMMING POOL AT SAID LOCATION, AND PAYING RELATED COSTS.

BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska (the "City") as follows:

Section 1. The Mayor and City Council find and determine that:

(a) it is necessary, desirable, advisable and in the best interest of the City and its residents to submit to the voters the question that the City demolish the existing municipal swimming pool located at 7529 S. 85<sup>th</sup> Street (Lot 13 Park View Heights), construct an access road and construct and equip a municipal aquatic facility to replace the existing swimming pool at said location; and for other related project costs (collectively, the "Project");

(b) there has not been submitted to the electors of the City a proposition for the issuance of bonds pursuant to Section 16-695, Reissue Revised Statutes of Nebraska, 2007, as amended, to pay the costs of the Project for six months last past;

Section 2. The Mayor and City Council of La Vista Nebraska resolve that the following question be submitted to a vote of the qualified electors of the City of La Vista at the primary election to be held May 15, 2012:

"Shall the City of La Vista, Nebraska, issue negotiable bonds of said City in the principal amount of not to exceed Eight Million Five Hundred Thousand Dollars (\$8,500,000) for the purpose of demolishing the existing municipal swimming pool located at 7529 S. 85<sup>th</sup> Street (Lot 13 Park View Heights), constructing an access road and constructing and equipping a municipal aquatic facility to replace the existing swimming pool at said location, said bonds to be dated and become due and payable, both principal and interest, on such date or dates as may be fixed by the Mayor and Council of the City at the time of their issuance and to bear interest at such rate or rates as shall be determined by the Mayor and City Council, and

"Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of the taxable property in the City sufficient to pay the principal and interest on said bonds as such principal and interest become due?"



FOR said bonds and tax.



AGAINST said bonds and tax.

Voters desiring to vote in favor of the question shall blacken the oval preceding the words "FOR said bonds and tax" and voters desiring to vote against the question shall blacken the oval preceding the words "AGAINST said bonds and tax."

Section 3. Notice of said election shall be given to the qualified electors of said City by publication at least one time each week for three successive weeks, as provided by law, prior to such election and a copy of the sample ballot shall be published one time not more than ten days nor less than three days prior to the election, such notice and sample ballot to be published in the Papillion Times a newspaper printed and of general circulation in said City, and the City Clerk of the City be and hereby is directed to cause such notice and sample ballot to be published.

Section 4. The City Clerk of the City shall be and hereby is authorized and directed to certify a copy of this Resolution to the Election Commissioner of Sarpy County, who shall conduct the election as provided by law. The City does hereby agree to reimburse said Election Commissioner for the expenses of conducting the election. As required by Section 32-802, Reissue Revised Statutes of Nebraska, as amended, the Election Commissioner shall provide for publication of the Notice of Election in a newspaper designated by the Election Commissioner no later than forty days prior to the day of said election and such notice shall be posted in the office of the Election Commissioner no later than forty days prior to such date of election.

Section 5. The form of ballot and form of notice of said bond election shall be substantially in the form submitted to this meeting, a copy of which forms shall be made a part of the minutes. The City Clerk is hereby authorized and directed, in conjunction with the Election Commissioner conducting the election, to arrange for the printing of the necessary ballots for said election and to do all other things and take all other action appropriate or necessary in order to cause said proposition to be submitted to the qualified electors of the City as above provided.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2011.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

The foregoing Resolution having been read in its entirety, Council Member \_\_\_\_\_ moved its passage, which motion was seconded by Council Member \_\_\_\_\_. After consideration, the roll was called and the following members voted in favor of the passage and adoption of said Resolution:\_\_\_\_\_. The following members voted against the same:\_\_\_\_\_. The following members were absent or did not vote:\_\_\_\_\_.

The passage of said Resolution having been consented to by a majority of the members of the City Council, the Mayor declared the Resolution duly passed and adopted.

DATED this 20th day of September, 2011.

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Pamela A. Buethe, CMC  
City Clerk

**NOTICE OF ELECTION  
CITY OF LA VISTA, NEBRASKA**

Public Notice is hereby given to the qualified electors of the City of La Vista, Nebraska, that a special election has been called and will be held in conjunction with the statewide primary election in the City of La Vista, Nebraska, on Tuesday, May 15, 2012, at which time there shall be submitted to the qualified electors of said City the following proposition:

"Shall the City of La Vista, Nebraska, issue negotiable bonds of said City in the principal amount of not to exceed Eight Million Five Hundred Thousand Dollars (\$8,500,000) for the purpose of demolishing the existing municipal swimming pool located at 7529 S. 85<sup>th</sup> Street (Lot 13 Park View Heights), constructing an access road and constructing and equipping a municipal aquatic facility to replace the existing swimming pool at said location, said bonds to be dated and become due and payable, both principal and interest, on such date or dates as may be fixed by the Mayor and Council of the City at the time of their issuance and to bear interest at such rate or rates as shall be determined by the Mayor and City Council, and

"Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of the taxable property in the City sufficient to pay the principal and interest on said bonds as such principal and interest become due?"

FOR said bonds and tax.  
 AGAINST said bonds and tax.

Voters desiring to vote in favor of the question shall blacken the oval preceding the words "FOR said bonds and tax" and voters desiring to vote against the question shall blacken the oval preceding the words "AGAINST said bonds and tax."

The polling place will be open continuously from 8:00 a.m. to 8:00 p.m. on said date. The voting places for qualified electors of the City the same as the voting places for the statewide primary election. The polling places are accessible to individuals with physical mobility limitations.

Qualified electors wishing to vote early, as permitted by law, may do so in person or by requesting a ballot for early voting from the Election Commissioner of Sarpy County, at such Election Commissioner's offices in Papillion, Nebraska, 501 Olson Drive, Suite 4, Papillion, Nebraska 68046.

BY ORDER OF THE MAYOR AND CITY COUNCIL OF SAID CITY.

/s/  
City Clerk

/s/  
Mayor

**(SAMPLE BALLOT)  
(OFFICIAL BALLOT)  
(OFFICIAL BALLOT FOR EARLY VOTING)  
BOND ELECTION  
CITY OF LA VISTA, NEBRASKA  
TUESDAY, MAY 15, 2012**

"Shall the City of La Vista, Nebraska, issue negotiable bonds of said City in the principal amount of not to exceed Eight Million Five Hundred Thousand Dollars (\$8,500,000) for the purpose of demolishing the existing municipal swimming pool located at 7529 S. 85<sup>th</sup> Street (Lot 13 Park View Heights), constructing an access road and constructing and equipping a municipal aquatic facility to replace the existing swimming pool at said location, said bonds to be dated and become due and payable, both principal and interest, on such date or dates as may be fixed by the Mayor and Council of the City at the time of their issuance and to bear interest at such rate or rates as shall be determined by the Mayor and City Council, and

"Shall the City cause to be levied and collected annually a special levy of taxes on the taxable value of the taxable property in the City sufficient to pay the principal and interest on said bonds as such principal and interest become due?"



FOR said bonds and tax.



AGAINST said bonds and tax.

Voters desiring to vote in favor of the question shall blacken the oval preceding the words "FOR said bonds and tax" and voters desiring to vote against the question shall blacken the oval preceding the words "AGAINST said bonds and tax."

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
INTERLOCAL COOPERATION AGREEMENT — LEAGUE ASSOCIATION OF RISK MANAGEMENT (LARM)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

A resolution has been prepared to establish that La Vista will continue its participation in the League Association of Risk Management (LARM) the next three years and will agree to provide 180 days notice should it intend to end participation in 2014.

**FISCAL IMPACT**

The City's participation in LARM has allowed stabilization of property and casualty insurance rates as well as worker's compensation insurance rates. Establishment of a three-year commitment will also provide a 5% discount to La Vista on its current year premiums.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The City has been a member of LARM, an insurance pool established under the Intergovernmental Risk Management Act, since 1995. La Vista continues to be satisfied with LARM services and premiums remain stable in comparison to the insurance industry in general.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA RELATING TO THE TERM OF PARTICIPATION IN THE LEAGUE ASSOCIATION OF RISK MANAGEMENT.

WHEREAS the City of La Vista is a member of the League Association of Risk Management (LARM); and

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Director of Insurance at least 90 days prior to the desired termination date and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates, and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM; and

WHEREAS, the Mayor and City Council have determined that it is in the best financial interest of the City to extend the term of agreement by three years and establish notice of termination terms in order to receive participation discounts.

NOW THEREFORE, BE IT RESOLVED that the Mayor and City Council of the City of La Vista, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2014, and hereby authorize the Mayor to execute the necessary agreements to implement the action authorized herein.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER 2011.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



1335 L Street, Suite 200  
Lincoln, NE 68508  
Toll Free: (888) 553-5276  
Phone: (402) 476-6801  
Fax: (402) 476-4089  
[www.larmpool.org](http://www.larmpool.org)

September 6, 2011

City of La Vista  
[pbuethe@cityoflavista.org](mailto:pbuethe@cityoflavista.org)  
8116 Park View Boulevard  
La Vista, NE 68128-2198

RE: League Association of Risk Management 2011-2012 Renewal Summary

Dear City of La Vista:

We are sending this letter to communicate a summary of your property/casualty renewal information for the 2011-2012 Pool Year. October 1, 2011 marks the beginning of sixteen years of operations for the League Association of Risk Management (LARM). We greatly appreciate the support of each member. As we enter our sixteenth year, we have several new initiatives and enhancements that have occurred over the past year and more that are in the works for the upcoming year. We highlight some of those things below.

To assist you with budgeting for next fiscal year, we offer the following summary of your contribution options with LARM. We are pleased to say that for most members, the decreases in contributions are significant. We have attached a summary which lays out contributions by line with various options related to the term of your commitment to LARM. Once you have selected one of the options and communicated that back to us, we will complete and send your renewal file with the accompanying discounts.

**Your current 2010-11 Participation Agreement Discount is: 5 %**

2011-12 Contribution Options	180 day notice, 3 year commitment	180 day notice, 2 year commitment	180 day notice only	90 day notice, 3 year commitment	90 day notice, 2 year commitment	90 day notice only
Discount for Commitment	5%	4%	2%	2%	1%	0%
Property & Liability Total	\$ 225,803	\$ 228,180	\$ 232,933	\$ 232,933	\$ 235,311	\$ 237,687
Workers' Compensation Total	\$ 208,487	\$ 210,682	\$ 215,071	\$ 215,071	\$ 217,265	\$ 219,460
Total Coverage Contributions	\$ 434,290	\$ 438,862	\$ 448,004	\$ 448,004	\$ 452,576	\$ 457,147

*Sponsored and Administered by the League of Nebraska Municipalities*

**BOARD OF DIRECTORS:** Doug Hanson, Chair, City of Hickman | Robert Rager, Vice Chair, City of Holdrege | Dave Boeckner, City of Scottsbluff  
Jan Rise, City of Fremont | James Glover, City of Papillion | Melissa Harrell, City of Wahoo | Jim Hawks, City of North Platte | Sue Moore, City of Imperial  
Joe Patterson, City of Hastings | Rita Ramirez, City of La Vista | Jerry Wilcox, City of Crete | Randy Gates, City of Norfolk

**EX-OFFICIO BOARD MEMBERS:** David Boeckner, LNM President, City of Scottsbluff | L. Lynn Rex, LNM Executive Director

**STAFF:** Michael Nolan, LARM Executive Director | William Harding, Counsel, Harding & Shultz PC, LLO

As you might or might not be aware, we have been very busy over the past year. We have completed numerous new initiatives. There are several other projects currently under way or on the horizon. The following is a brief summary of program enhancements we've completed over the past year.

Online Renewal

LARM has enabled its members to complete their portion of the renewal process online, including updating exposures for buildings, autos, payroll projections, etc. Hopefully, you've found this process to be more efficient than the hard copy process used in the past. The online process will make the task even more efficient next year when you can see the information submitted for the current year as well. To the extent that nothing has changed, you can simply copy the exposures forward for renewal.

New and Improved Coverage Documents

LARM staff and legal counsel have gone through an extensive process to create new, comprehensive coverage documents for liability and property. We gathered policies from numerous sources, including LARM's competitors, to create "state-of-the-art" coverage. These documents are easier to read than normal insurance policy and all of its endorsements. LARM's coverage documents will expand coverage in many areas and are tailored to meet the unique risk management needs of municipalities in Nebraska. The documents are written broadly enough to preclude the need for endorsements. Even coverage for optional items such as sewer back-up, boiler and machinery, etc. is written into the document. These documents have been filed for approval with the Department of Insurance.

Reduced Rates

Last but not least, LARM will offer reduced rates for the 2011-2012 renewal. The LARM Board and staff, along with LARM's actuary have worked long and hard to develop a more aggressive pricing strategy. We have stripped away contingencies in the rates, making them as aggressive as possible. In addition, the LARM Board has approved the anticipated use of a portion of its surplus to reduce rates. Rather than waiting to distribute surplus in the form of dividends, LARM is reducing its pricing up front. We will continue to base member contributions on exposures and prior claims experience. Members with better than average claims will get even lower effective rates.

On behalf of the Board and staff, LARM appreciates your continued commitment to making it a success. As previously mentioned, we have initiatives planned for the upcoming year to further enhance products and services. Certainly, if you have suggestions for how to improve LARM, YOUR program, please do not hesitate to contact staff or the Board as we welcome your feedback with suggestions for



improvements. We are excited about what we've done as well as what is planned, and are pleased for you to be part of it.

Sincerely,

League Association of Risk Management



JL "Pete" Patterson  
Program Manager

Enclosure



League Association of Risk Management

2011-2012 Renewal Resolution

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

WHEREAS, The \_\_\_\_\_ is a member of the League Association of Risk Management (LARM);

WHEREAS, section 8.10 of the Interlocal Agreement for the Establishment and Operation of the League Association of Risk Management provides that a member may voluntarily terminate its participation in LARM by written notice of termination given to LARM and the Nebraska Director of Insurance at least 90 days prior to the desired termination given to and that members may agree to extend the required termination notice beyond 90 days in order to realize reduced excess coverage costs, stability of contribution rates and efficiency in operation of LARM; and

WHEREAS, the Board of Directors of LARM has adopted a plan to provide contribution credits in consideration of certain agreements by members of LARM as provided in the attached letter.

BE IT RESOLVED that the governing body of The \_\_\_\_\_, Nebraska, in consideration of the contribution credits provided under the LARM Board's plan, agrees to:

- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2014. (**180 day and 3 year commitment; 5% discount**)
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2013. (**180 day and 2 year commitment; 4% discount**)
- Provide written notice of termination at least 180 days prior to the desired termination date, which date shall be no sooner than September 30, 2012. (**180 day notice only; 2% discount**)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2014. (**90 day notice and 3 year commitment only; 2% discount**)
- Provide written notice of termination at least 90 days prior to the desired termination date, which date shall be no sooner than September 30, 2013. (**2 year commitment only; 1%**)

Adopted this \_\_\_\_\_ day of \_\_\_\_\_, 2011

Signature: \_\_\_\_\_

Title: \_\_\_\_\_

ATTEST: \_\_\_\_\_

Title: \_\_\_\_\_

Please email ([customerservice@LARMpool.org](mailto:customerservice@LARMpool.org)) or fax (402.476.4089) the completed resolution to LARM.

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
MEMORANDUM OF UNDERSTANDING — SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A resolution has been prepared to approve and authorize the Mayor to sign a Memorandum of Understanding (MOU) with the Metropolitan Area Planning Agency (MAPA) for a Sustainable Communities Regional Planning Grant.

**FISCAL IMPACT**

In-kind match through staff assistance to technical committees and working groups.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The U.S. Department of Housing and Urban Development (HUD) will be offering a Regional Planning Grant in FY 2011 to support the creation of regional plans for sustainable development. Plans must address six "Livability Principles" which include:

- Provide more transportation choices
- Promote equitable, affordable housing
- Enhance economic competitiveness
- Support existing communities
- Coordinate policies and leverage investments
- Value communities and neighborhoods

MAPA intends to apply for the grant and is organizing a consortium of local jurisdictions and organizations to undertake a regional visioning process for sustainable development covering the entire metropolitan area. The aim of the process, called Heartland Vision 2050, will be to conceptualize regional growth and development to mid-century, and to develop the collaborative structures and forums that can concert the various plans, policies, and actions of individual organizations and achieve efficiencies in the use of resources.

The purpose of the MOU is to define the working relationship between the City of La Vista and MAPA in regard to Heartland Vision 2050, and specifically the application for the grant. Attached is a flyer regarding the project and the draft MOU. Jake Hansen from MAPA will be available during the Council meeting to answer any questions.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AND AUTHORIZING THE MAYOR TO SIGN A MEMORANDUM OF UNDERSTANDING (MOU) WITH THE METROPOLITAN AREA PLANNING AGENCY (MAPA) FOR A SUSTAINABLE COMMUNITIES REGIONAL PLANNING GRANT.

WHEREAS, the U.S. Department of Housing and Urban Development (HUD) will be offering its Regional Planning Grant to support creation of regional plans for sustainable development; and

WHEREAS, the MAPA intends to apply for the grant to support "Heartland Vision 2050", a regional visioning process for sustainable development covering the entire Omaha metropolitan area; and

WHEREAS, the purpose of the MOU is to define the working relationship between the City of La Vista and MAPA in regard to Heartland Vision 2050 and specifically the application for the Sustainable Communities Regional Planning Grant administered by HUD; and

WHEREAS, the City of La Vista will be part of a consortium of local governments and other agencies and organizations that commit to assisting in the creation of the regional sustainable development vision in ways that are appropriate and beneficial to the City and to the region.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of the City of La Vista, Nebraska, hereby approve and authorize the Mayor to sign a Memorandum of Understanding (MOU) with the Metropolitan Area Planning Agency (MAPA) for a sustainable communities planning grant.

PASSED AND APPROVED THIS 20<sup>th</sup> DAY OF SEPTEMBER 2011.

CITY OF LA VISTA

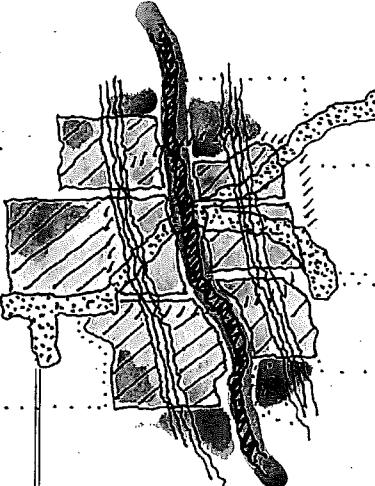
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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



# HEARTLAND VISION 2050

## What is a “regional vision?”

- ...A way to identify the issues and opportunities facing the region and its residents
- ...A chance to define the future of our communities rather than react to problems
- ...A means of opening lines of communication, building consensus, and working together to achieve common goals.
- ...An opportunity to coordinate and achieve efficiencies in public plans, projects, and services.

## Where did this come from?

In early 2010, MAPA met with elected officials from all major jurisdictions in the eight-county Metropolitan Statistical Area (MSA), to hear their perspectives on the major issues facing our region in the long term. A number of common themes emerged, including a desire to do a visioning process that would consider the region's challenges and identify strategies to comprehensively address them, drawing on the region's many assets and strengths.

## What issues will this cover?

The ultimate scope of the vision will be defined by the Heartland Vision 2050 consortium and community stakeholders. It is expected, however, that the core elements of the vision will encompass: **land use and transportation, housing, infrastructure provision, environment, health and human development**, with regional socioeconomic equity and economic growth being cross-cutting themes.

## Who will participate?

Heartland Vision 2050 will be led by a consortium of public and private-sector entities in eight counties of the Omaha-Council Bluffs MSA, and MAPA will in turn lead and support the consortium. The consortium will include **local governments** (counties and cities), specialized **public and quasi-public agencies, donors, non-profit organizations, businesses**, and other regional citizens. The visioning process will be open to and driven by the general public, however, and their input will definitively shape the content of the final vision and associated plan.

## How will it develop?

Heartland Vision 2050 will be a **multi-year process**, resulting in a **regional plan for sustainable development**. The heart of the process will be a series of public visioning workshops. Insights generated from these workshops will inform the work of technical forums convened around the major issue areas and staffed by consortium members and community stakeholders. Oversight will be provided by a core steering committee, which will be ultimately responsible for drafting the final plan and creating the **collaborative structures and policies** to guide implementation of the vision.

### FY 2011 Funding Opportunity: HUD Sustainable Communities Regional Planning Grants

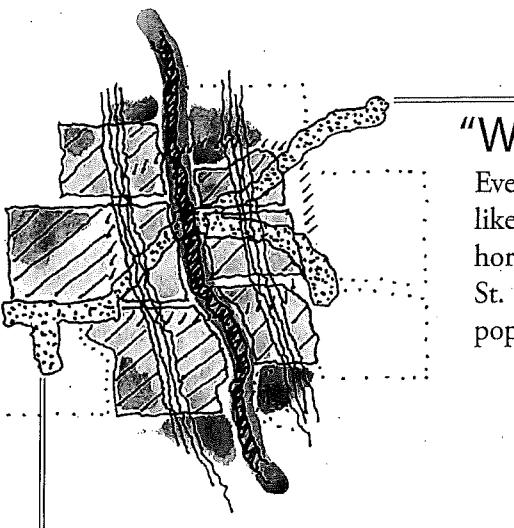
The U.S. Department of Housing and Urban Development (HUD) will be offering its Regional Planning Grant again in FY 2011 to support creation of regional plans for sustainable development. This grant program is one of the outcomes of the innovative Federal **Partnership for Sustainable Communities** (PSC), composed of HUD, DOT, DOE, and EPA.

Plans must address the six **Livability Principles** of the Partnership to be successful. These principles include:

- Provide more transportation choices
- Promote equitable, affordable housing
- Enhance economic competitiveness
- Support existing communities
- Coordinate policies and leverage investments
- Value communities and neighborhoods

MAPA intends to apply once again for a Sustainable Communities Regional Planning Grant to support Heartland Vision 2050. A new memorandum of understanding has been drafted and can be made available to any organization or entity interested in partnering in the effort in the coming months.

For more information, contact Paul Mullen, [paul\\_mullen@mapacog.org](mailto:paul_mullen@mapacog.org), or Sloan Dawson, [sdawson@mapacog.org](mailto:sdawson@mapacog.org). To view and download documents related to Heartland 2050, visit [www.mapacog.org/](http://www.mapacog.org/)



## "What kind of region do we want to be?"

Every regional visioning process starts out with this question. Do we want to be like Portland, Minneapolis-St. Paul, or Denver, where cooperation led to new horizons in equity and prosperity? Or will we eventually become like Detroit or St. Louis, where central cities have struggled to maintain public services, retain population, and create opportunities for further growth?

## How can we learn from other regions?

Fortunately, there is already a wealth of experience nationwide in regional planning initiatives (including regional peers Kansas City and Des Moines) on which we can draw to design a process that is a right fit for our metro. Some initiatives have pioneered new models of public engagement and input in the formulation of a regional vision. Others have focused on specific questions, such as where to locate transit corridors and other infrastructural amenities. Most share a common concern with developing indicators, metrics, and other standards for evaluating progress toward the vision.

Our region is new to thinking at this scale, so the focus of our initiative will by necessity be on developing the right public education and input mechanisms to shape a vision that is legitimate and realistic, and thus able to be set into motion.

## Why should I get involved?

Heartland Vision 2050 will be an unprecedented opportunity to chart a path forward as a region. But as the experiences of other regions show, a **vision is only as strong as the coalition of governments, organizations, and citizens supporting it**. This is true of the formation of the vision itself as well as its ability to take hold and guide future policies, investments, and decisions.

Participation and engagement in the process will give you and your organization a voice in the outcome, provide opportunities to gain a more intimate understanding of the region's strengths and needs, and yield access to new tools for evaluating effectiveness of investments and monitoring progress toward regional goals.

## How can I get involved?

Contact Sloan Dawson, [sdawson@mapacog.org](mailto:sdawson@mapacog.org), or Paul Mullen, [paul\\_mullen@mapacog.org](mailto:paul_mullen@mapacog.org) for more information and to explore opportunities for partnership in the regional visioning initiative.

## What is MAPA?

The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA) is the designated Metropolitan Planning Organization (MPO) and a council of governments serving the 5 core urbanized counties of the Omaha-Council Bluffs region. MAPA performs transportation planning and manages the disbursement of Federal funding to local transportation projects. It also provides technical assistance and programmatic support to local jurisdictions on transportation and community development issues.

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## MEMORANDUM OF UNDERSTANDING

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### Sustainable Communities Regional Planning Grant

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*Between:* City of La Vista, Nebraska

*And:* Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA)

The Omaha-Council Bluffs Metropolitan Area Planning Agency (MAPA), as the designated Metropolitan Planning Organization and regional Council of Governments serving the 5-county Omaha-Council Bluffs Metropolitan Area, is organizing a consortium of local jurisdictions and organizations to undertake a regional visioning process for sustainable development covering the entire Omaha-Council Bluffs Metropolitan Statistical Area (MSA). The aim of the process, called Heartland Vision 2050, will be to conceptualize regional growth and development to mid-century, and to develop the collaborative structures and forums that can concert the various plans, policies, and actions of individual organizations and achieve efficiencies in the use of resources.

MAPA proposes to submit an application to the U.S. Department of Housing and Urban Development (HUD)'s Sustainable Communities Regional Planning Grant. The application will propose use of Federal funds to support the costs of undertaking Heartland Vision 2050.

#### **I. PURPOSE**

The purpose of this Memorandum of Understanding is to define the working relationship between City of La Vista and MAPA in regard to Heartland Vision 2050, and specifically the upcoming application for the Sustainable Communities Regional Planning Grant, administered by the U.S. Department of Housing and Urban Development (HUD).

#### **II. ROLES AND RESPONSIBILITIES**

City of La Vista will be part of a consortium of local governments, specialized agencies, donors, non-profit organizations, and other regional citizens. Membership in the consortium entails a willingness to discharge the terms and conditions listed below, as well as any special terms and conditions concluded through direct agreement with MAPA.

MAPA will serve as the consortium leader, providing project management and administrative support to the regional visioning effort. It will also serve as the lead applicant to the Sustainable Communities Regional Planning Grant Program.

#### **III. TERMS AND CONDITIONS**

City of La Vista, as a member of the Heartland Vision 2050 consortium, commits to assisting in the creation of the regional sustainable development vision in ways that are appropriate and beneficial to its organization and to the region. In particular, City of La Vista and MAPA agree:

- ❖ MAPA will serve as the lead applicant for the HUD Sustainable Communities Regional Planning Grant and will further act as the Heartland Vision 2050 consortium leader, including assuming responsibility for ensuring that the process is carried out in compliance with HUD requirements;
- ❖ City of La Vista will work with MAPA to constitute the formal governance and collaboration structures to deliver the regional visioning process, including duly appointing representatives to technical committees and working groups and contributing resources relevant to the City's interests and competencies;
- ❖ City of La Vista will work with MAPA to maintain robust external communications with citizens and other stakeholders throughout the process and engage them in meaningful decision-making roles;
- ❖ City of La Vista will work with MAPA to execute a formal consortium agreement within one hundred-twenty (120) days after the effective start date of the grant agreement, if funds are awarded to MAPA by HUD.

#### **IV. SIGNATURES**

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**Douglas Kindig**  
Mayor  
City of La Vista, Nebraska

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**Paul Mullen**  
Executive Director  
Metropolitan Area Planning Agency (MAPA)

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**Date**

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**Date**

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
COUNCIL POLICY STATEMENT – FUND BALANCE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

**SYNOPSIS**

A resolution has been prepared for the approval of a Council Policy Statement pertaining to Governmental Accounting Standards Board (GASB) statement #54.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval.

**BACKGROUND**

The City needs to comply with the Governmental Accounting Standards Board (GASB) statement #54 – Fund Balance Reporting and Governmental Fund Type Definitions by adopt a policy by fiscal year-end 2011. This will help provide a stable financial environment for the City of La Vista.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE FUND BALANCE IN ACCORDANCE WITH GASB #54; AND PROVIDING FOR AN EFFECTIVE DATE.

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the fund balance in accordance with GASB #54 and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2011.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
COUNCIL POLICY STATEMENT**

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**FUND BALANCE POLICY IN ACCORDANCE WITH GASB #54**

Issued:  
Resolution No.

The purpose of this is to comply with the Governmental Accounting Standards Board (GASB) statement issued on March 11, 2009, *GASB #54 Fund Balance Reporting and Governmental Fund Type Definitions*. It will also provide a stable financial environment for the City of La Vista's operations that allows the City to provide quality services to its residents in a fiscally responsible manner designed to keep services and taxes as consistent as possible over time. This fund balance policy is meant to serve as the framework upon which consistent operations may be built and sustained.

The following are fund definitions from GASB #54 and the City of La Vista's policy:

**Fund Balance**

Fund Balance is the difference between assets and liabilities in governmental funds (i.e. general fund, special revenue funds, capital project funds, debt service funds).

**Non-Spendable Fund Balance** - Describes the amount of a fund balance that cannot be spent because it is either not in spendable form or there is a legal or contractual requirement for the funds to be remain intact. Typically, a significant portion of the City's resources can be spent only for specified purposes. The following categories define the revenue source and the level of force of the constraint on spending.

*Policy* - At the end of each fiscal year, the City will report the portion of the fund balance that is Non-Spendable.

**Restricted Fund Balance**

The restricted fund balance category includes the portion of the fund balance that reflects constraints on spending because of legal restrictions stipulated by outside parties, constitutional provisions, and enabling legislation including, any legal restrictions based on state statutes or grant requirements placed on the use for specific purposes.

*Policy* - At the end of each fiscal year, the City will report Restricted Fund Balance for amounts that have applicable legal restrictions. In addition, funds restricted by enabling legislation will be reported as restricted.

**Committed Fund Balance**

The committed fund balance classification includes the portion of the fund balance that reflects constraints that the City has imposed upon itself by a formal action of the City Council (for example, an ordinance or resolution passed by the City Council). This constraint must be imposed prior to year end but the amount can be determined at a later date.

*Policy* - Prior to the end of each fiscal year, the City will report Committed Fund Balance for long-term loan receivables such as advances to other funds and similar accounts.

**Assigned Fund Balance**

The assigned fund balance is the portion of the fund balance that reflects funds intended to be used by the City for specific purposes assigned by more informal operational programs (e.g. replacement schedules - the constraint on use is not imposed by external parties or by formal council action). In governmental funds other than the general fund (capital project funds, debt service funds); assigned fund balance represents the amount that is not restricted or limited. The authority to assign fund balance is delegated to the City Administrator or designee.

*Policy* - At the end of each fiscal year, the City will report Assigned Fund Balance for equipment replacement according to the City's Capital Request schedule.

**Unassigned**

This is the residual classification for the City's **General Fund** and includes all remaining amounts not contained in the other classifications and, therefore, not subject to any constraints. Unassigned amounts are available for any purpose. These are the current resources available for which there are no government self-imposed limitations or set budget. Although there is generally no set budget for the unassigned portion, there is a need to maintain a certain funding level. Unassigned fund balance is commonly used for emergency expenditures not previously considered. In addition, the resources classified as unassigned can be used to cover expenditures for revenues not yet received.

*Policy* - At the end of each fiscal year, the City will maintain Spendable – Unassigned portions of the fund balance for Cash Reserve in a range up to 25% of the General Fund operating expenditures. In addition to cash reserve needs this accommodates emergency contingency concerns.

In the event that amounts designated for Cash Reserve fall above or below the desired range, the City Administrator or designee shall report such amounts to the City Council as soon as practical after the end of the fiscal year. Should the actual amount designated for Cash Reserve fall below the desired range, the City shall create a plan to restore the appropriate levels. Should the actual amount designated for cash reserve rise above the desired range, any excess funds will remain unassigned pending the City Council's final decision.

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
COUNCIL POLICY STATEMENT— CELL PHONE USAGE	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

**SYNOPSIS**

A resolution has been prepared for the approval of a Council Policy Statement on Cell Phone Usage.

**FISCAL IMPACT**

N/A

**RECOMMENDATION**

Approval.

**BACKGROUND**

The City needs to have a cell phone policy for employees that are doing City business on their cell phones. This policy establishes the procedures for cell phone authorization, allowance and use.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA APPROVING A COUNCIL POLICY STATEMENT PERTAINING TO THE USE OF CELL PHONE FOR CITY BUSINESS; AND PROVIDING FOR AN EFFECTIVE DATE.

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve the Council Policy Statement pertaining to the use of cell phones for city business and do further hereby direct the distribution of said Council Policy Statement to the appropriate City Departments.

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2011.

**CITY OF LA VISTA**

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
COUNCIL POLICY STATEMENT**

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**CELL PHONE ALLOWANCE POLICY**

Issued:  
Resolution No.

This policy is effective as of October 1, 2011 and supersedes any previous policies and guidelines regarding cell phones.

**Policy**

City of La Vista recognizes the need for certain City personnel to own and use cell phones to complete and enhance their job performance. This policy establishes the procedures for cell phone authorization, allowance and use. Once approved for cell phone allowance a full-time employee will receive a monthly allowance added to payroll as a non-taxable benefit.

For an employee to be eligible for the monthly allowance, at least one of the following must be true:

- This employee is a key staff member needed in the event of an emergency.
- This employee is frequently away from access to traditional land-based phone services.
- This employee is involved in frequent off hours/on-call activity.
- The nature of this employee's work is critical to the operation of the City and immediate response is required.
- This employee's assigned work requires substantial travel.
- The anticipated level of business use is significant.
- The related cost is justified when compared with alternative communication choices.

**Administration of Allowance**

When a supervisor deems it appropriate for an employee to receive a cell phone allowance, the employee needs to complete the "Cell Phone Authorization Request" and the "Cell Phone Usage Agreement" forms. (Attached)

Please note that allowances must be covered by a department's budget.

## City of La Vista Cell Phone Authorization Request

City of La Vista recognizes the need for certain City personnel to own and use cell phones to complete and enhance their job performance. This policy establishes the procedures for cell phone authorization, allowance and use. Once approved for cell phone allowance an employee will receive a monthly allowance added to payroll as a non-taxable benefit.

The application form below must be completed and signed by the employee, then submitted to the employee's immediate supervisor/ director. The supervisor will submit the application for approval. Please allow adequate time for completion of this process.

**A cell phone is justified for these reasons (mark all that apply)**

*(How the cell phone will support the City's business and improve the employee's ability to do his/her job)*

- This employee is a key staff member needed in the event of an emergency.
- This employee is frequently away from access to traditional land-based phone services.
- This employee is involved in frequent off hours/on-call activity.
- The nature of this employee's work is critical to the operation of the City and immediate response is required.
- This employee's assigned work requires substantial travel.
- The anticipated level of business use is significant.
- The related cost is justified when compared with alternative communication choices.
- Other: \_\_\_\_\_

Print Name:	
Department:	Cell phone number: ( )
Date:	Provider of cell phone:

I have read the above information regarding the City of La Vista cell phone policy and had the opportunity to discuss any usage questions with my supervisor. I understand that my cell phone number may be published. I understand that I may be required to submit a copy of the cell phone billing statement for audit purposes. I have read and signed the City of La Vista Cell Phone Usage Agreement.  
I also understand that I am financially responsible for any and all charges for this cell phone plan.

Employee signature

\_\_\_\_\_

Approval signatures

Department Head

Finance Director

**City of La Vista  
Cell Phone Usage Agreement  
While Driving City Vehicles  
And While Conducting City Business**

Employee drivers must adhere to all federal, state or local rules and regulations regarding the use of cell phones while driving either a City-owned vehicle or non-City-owned vehicle. Accordingly, employees must not use a cell phone if such conduct is prohibited by law, regulation or other ordinance.

Employee drivers must not use cell phones for City business purposes while driving any vehicle, including City owned vehicles or their personal vehicle, or any borrowed or rented vehicle. Should an employee need to make or receive a City business call while driving any vehicle, he or she must locate a lawfully designated area to park and make or receive the call at that time.

This policy forbidding the use of cell phones while driving includes ALL uses of the cell phone, i.e. voice calling, message texting, internet surfing, etc. ALL of these activities fall under this policy.

*The ONLY exception to this policy is Police personal when they are acting in an official capacity.*

**I have read the above information regarding the City of La Vista Cell Phone Usage Agreement While Driving City Vehicles and While Conducting City Business policy and had the opportunity to discuss any questions with my supervisor. I understand that by signing this policy statement I am agreeing to abide by its stipulations and that if I violate the provisions of this policy I accept personal liability for any personal injuries or property damages that may result from any incident or accident that I may be determined to have caused while conducting City business on a cell phone, regardless of whether the cell phone usage is reimbursed by the City or not.**

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Employee signature

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Date

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
SEPTEMBER 20, 2011 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
DISCUSSION — TEMPORARY SIGNAGE REGULATIONS	RESOLUTION ORDINANCE ◆ RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

Council member Sheehan requested a review of the City's temporary signage regulations.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Discussion.

**BACKGROUND**

Council member Sheehan requested staff review the City's regulations regarding temporary signage. Attached is a copy of the current regulations. Staff has prepared a PowerPoint presentation which will be given during the Council meeting.

\\Lvdcfp01\Users\Administration\BRENDA\COUNCIL\11 Memos\Temp Signage - Discussion.Doc

#### 7.03.01 **Temporary Signs**

A permit for temporary signs shall be issued only in accordance to the Master Fee Schedule and for signs meeting the following criteria:

1. *Construction and real estate signs are exempt from a temporary sign permit provided they meet the requirements set forth hereafter and in Section 7.01.05(5) of this Ordinance.*
2. Such signs shall not be in place for more than fourteen (14) consecutive days, *except that Real Estate signs may be in place until the property sale is finalized and construction signs may be in place until that construction phase is completed;*
3. No more than four (4) temporary permits shall be issued to an individual use in a calendar year;
4. *Construction Signs shall be located on the property being constructed. Advertisement on business trailers or vehicles are exempt from a temporary sign permit and size restriction, except that such trailers or vehicles must be removed when construction by that company on said property is completed.*
5. Any violation of this Section may void any future requested permits; and
6. No temporary sign shall be of such size, message, or character so to harm the public, health, safety or general welfare. *Temporary signs shall not exceed thirty-two (32) square feet.*

*(Ordinance No. 874, 10-15-02) (Ordinance No. 898, 2-04-03)*

I

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE LA VISTA CITY CLERK TO FILE WITH THE SARPY COUNTY TREASURER A SPECIAL ASSESSMENT FOR PROPERTY IMPROVEMENTS AT LOCATIONS AND IN AMOUNTS CITED HEREIN.

WHEREAS, the property owners of 7421 Ivy Lane Drive/Lot 124 S & S'S Harvest Hill, \$260.09; were notified to clean up their property as they were in violation of the City Municipal Code, Section 133.01, or the City would do so and bill them accordingly, and

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

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

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

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

PASSED AND APPROVED THIS 20TH DAY OF SEPTEMBER, 2011

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

August 15, 2011

ReCon Trust Company  
1800 Tapo Canyon Road  
Simi Valley, CA 93063

CC: James Barnes  
8635 S 165<sup>th</sup> Street  
Omaha NE 68136

RE: LOT 124 S & S'S Harvest Hill

To Whom It May Concern;

On August 1, 2011, the property at 7421 Ivy Lane Drive in La Vista, NE was in violation of the City of La Vista's Municipal Code, Section 133.01. On August 5, 2011, the Public Works Department removed branches, mowed, and line trimmed the property. The cost of \$260.09 was incurred by the City for the repairs. The cost breakdown is as follows:

Administrative Fee	\$	50.00
 Mowing Costs		
Four workers –1 hour each	\$	75.34
Equipment Cost	\$	109.75
Material	\$	25.00
 TOTAL	\$	<u>260.09</u>

Please remit \$260.09, payable to the City of La Vista, 8116 Park View Blvd., La Vista, Nebraska 68128, within 30 days. If payment is not received within 30 days of issuance of this statement, the City Council will, on September 20, 2011, take action to file the above referenced cost with the Sarpy County Treasurer as a special assessment for improvements against your property.

Thank you for your attention to this matter.

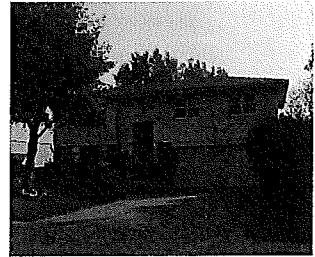
Sincerely,

Pamela A. Buethe, CMC  
City Clerk

**COPY**

## La Vista Police Department

## Code Enforcement Case Management



CASE ADDRESS: 7421 Ivy Lane Dr DATE INITIATED: 08/01/2011

DATE INITIATED: 08/01/2011

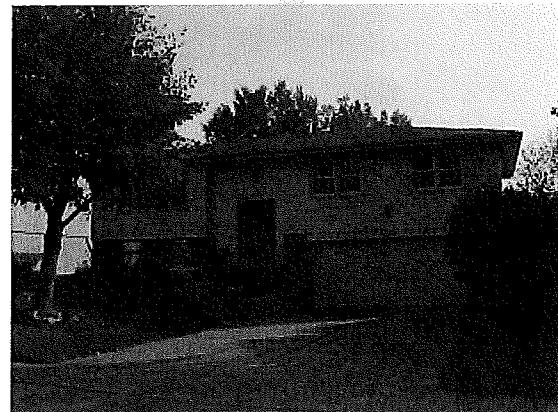
NAME OF PROPERTY OWNER/RESIDENT: James Barnes

CODE VIOLATION(S): 133.01/Grass/Weeds 2<sup>nd</sup> Offense for 2011 Season

DATE	NOTES/FOLLOW-UP
08/01/2011	2 <sup>nd</sup> Offense for grass for 2011 Season, sent directly to Public Works for mow and line trim.
08/01/2011	No before or after pictures taken due to 2 <sup>nd</sup> offense, grass was just over the 12 inch requirement according to the city ordinance.

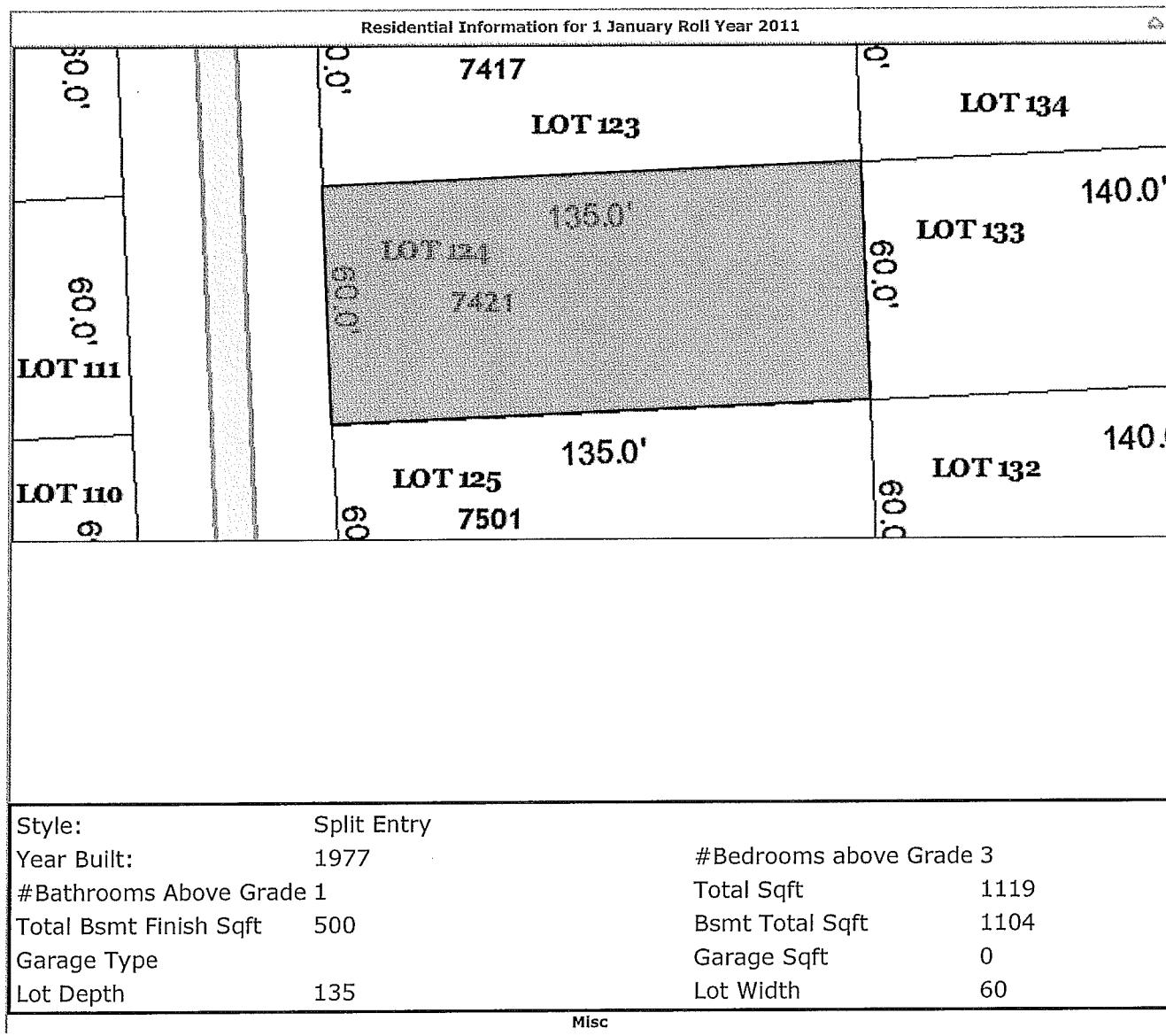
**Active**

Parcel Number: 010504109  
 Location: 07421 IVY LANE DR  
 Owner: BARNES/JAMES LEROY  
 C/O  
 Mail Address: 7421 IVY LANE DR  
 LA VISTA NE 68128-  
 Legal: LOT 124 S & S'S HARVEST HILL  
 Tax District: 27002  
 Map #: 2959-15-0-30014-000-0124



Click Picture/Sketch for Larger View.  
Use arrows to view Picture/Sketch.

THIS IS NOT A PROPERTY RECORD FILE [What does this mean?](#)



August 15, 2011

Crystal Howard  
10218 V Street  
Omaha, NE 68127

Chad Howard  
4626 N 82<sup>nd</sup> Street  
Omaha, NE 68134

RE: Lot 15 Millard Highlands South 2<sup>nd</sup> Platting

To Whom It May Concern;

On August 1, 2011, the property at 12958 Margo Lane in Omaha, NE was in violation of the City of La Vista's Municipal Code, Section 133.01. On August 5, 2011, the Public Works Department mowed and line trimmed the property. The cost of \$401.18 was incurred by the City for the cleanup. The cost breakdown is as follows:

Administrative Fee	\$	50.00
<b>Mowing Costs</b>		
Three workers – 6 hours total	\$	130.68
Equipment Cost	\$	195.50
Material	\$	25.00
<b>TOTAL</b>	\$	<b>401.18</b>

Please remit \$401.18, payable to the City of La Vista, 8116 Park View Blvd., La Vista, Nebraska 68128, within 30 days. If payment is not received within 30 days of issuance of this statement, the City Council will, on September 20, 2011, take action to file the above referenced cost with the Sarpy County Treasurer as a special assessment for improvements against your property.

Thank you for your attention to this matter.

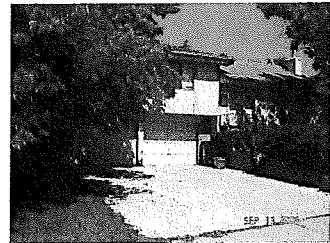
Sincerely,

Pamela A. Buethe, CMC  
City Clerk

**COPY**

## La Vista Police Department

## Code Enforcement Case Management



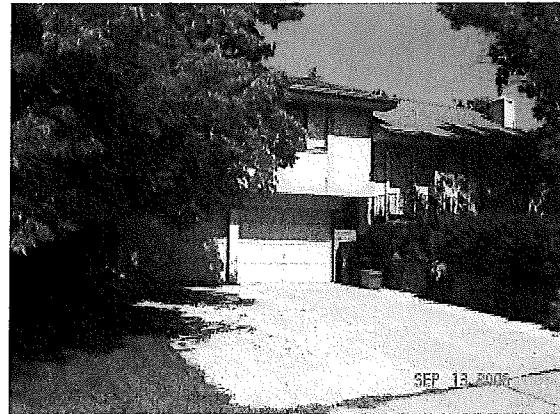
CASE ADDRESS: 12958 Margo St DATE INITIATED: 08/01/2011

NAME OF PROPERTY OWNER/RESIDENT: Chad & Crystal Howard

CODE VIOLATION(S): 133.01/Grass/Weeds 2<sup>nd</sup> Offense for 2011 Season

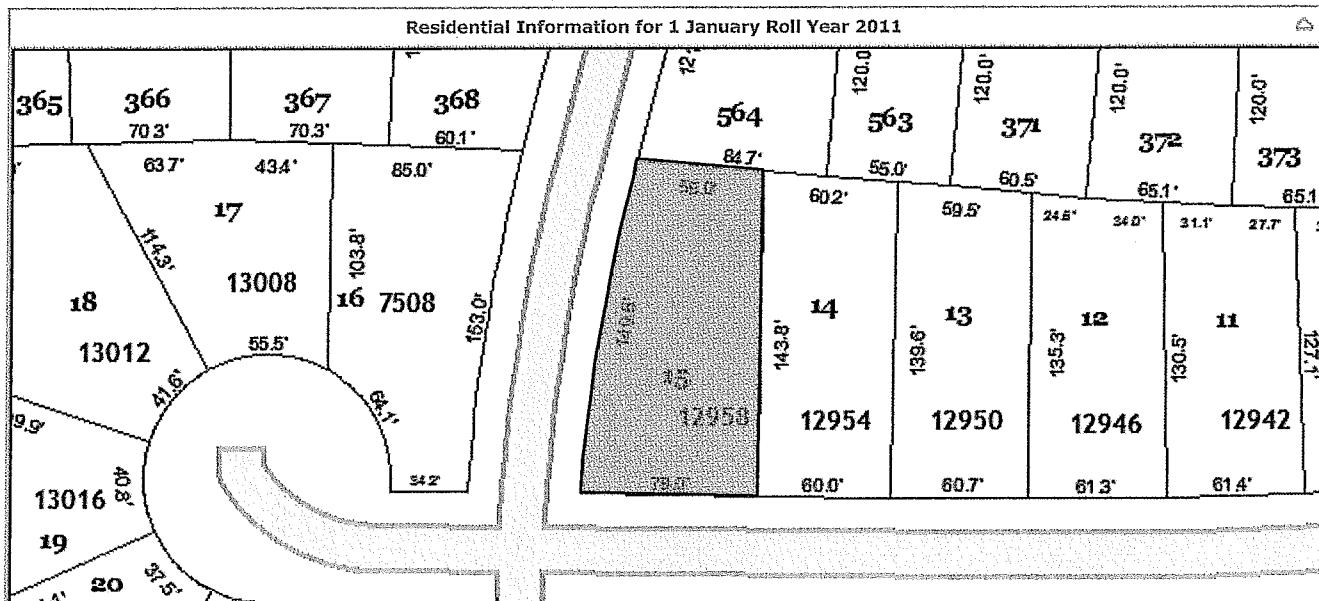
**Active**

Parcel Number: 010955194  
 Location: 12958 MARGO ST  
 Owner: HOWARD/CHAD D & CRYSTAL A  
 C/O  
 Mail Address: 12958 MARGO ST  
                  OMAHA NE 68138-  
 Legal: LOT 15 MILLARD HIGHLANDS SOUTH 2ND  
                  PLATTING  
 Tax District: 17014  
 Map #: 2959-18-0-60232-000-0015



Click Picture/Sketch for Larger View.  
Use arrows to view Picture/Sketch.

THIS IS NOT A PROPERTY RECORD FILE [What does this mean?](#)



Style:	Front to Back Split	#Bedrooms above Grade 3
Year Built:	1980	Total Sqft 1159
#Bathrooms Above Grade 1		Bsmt Total Sqft 1098
Total Bsmt Finish Sqft	385	Garage Sqft
Garage Type		
Lot Depth	142	Lot Width 67
Misc		