

# MINUTE RECORD

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

## LA VISTA CITY COUNCIL MEETING January 3, 2012

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 January 3, 2012. Present were Councilmembers: Sell, Ronan, Sheehan, Quick, Carlisle, Crawford, Ellerbeck and Gowan. Absent: Mayor Kindig. Also in attendance were City Administrator Gunn, Assistant City Administrator Ramirez, City Attorney McKeon, City Clerk Buethe, Library Director Barcal, Police Chief Lausten, Fire Chief Uhl, Public Works Director Soucie, Finance Director Lindberg, Community Development Director Birch, Recreation Director Stopak and City Engineer/Assistant Public Works Director Kottmann.

A notice of the meeting was given in advance thereof by publication in the Times on December 22, 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.

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

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

### A. CONSENT AGENDA

- 1.APPROVAL OF THE AGENDA AS PRESENTED
- 2.APPROVAL OF CITY COUNCIL MINUTES FROM DECEMBER 20, 2011
- 3.REQUEST FOR PAYMENT – RDG PLANNING & DESIGN – PROFESSIONAL SERVICES - \$5,654.60
- 4.REQUEST FOR PAYMENT – BROWN TRAFFIC PRODUCTS, INC. – LED TRAFFIC SIGNAL PROJECT - \$2,108.00
- 5.REQUEST FOR PAYMENT – BROWN TRAFFIC PRODUCTS, INC. – LED TRAFFIC SIGNAL PROJECT - \$3,131.50
- 6.REQUEST FOR PAYMENT – THOMPSON, DREESSEN & DORNER, INC. – PROFESSIONAL SERVICES – APPLEWOOD CREEK IMPORVEMENTS - \$4783.45
- 7.APPROVAL OF CLAIMS

3E-ELECTRICAL ENG., maint.	469.89
911 CUSTOM, postage	153.39
ALAMAR UNIFORMS, apparel	684.44
APWA, dues	699.00
ARAMARK, services	383.46
ASSOCIATED FIRE PROTECTION, maint.	465.50
AWARDS UNLIMITED, services	31.57
BAKER & TAYLOR BOOKS, books	918.85
BARCAL, R., mileage	54.39
BEACON BLDG. SERV., services	6712.00
BENNETT REFRIGERATION, bld&grnds	308.96
BETTER BUSINESS EQUIP., rentals	53.19
BLACK HILLS ENERGY, utilities	7926.13
BOB'S RADIATOR REPAIR, maint.	148.00
BRAKE, A., auto	100.00
BREWER, W., auto	100.00
BUILDERS SUPPLY, bld&grnds	150.69
CAPSTONE, books	615.51
CENTURY LINK, phone	119.23
COMP CHOICE., services	1201.00
CONSOLIDATED MGMT, training	41.25
CORE PRODUCTS, supplies	556.68
CORNHUSKER INTL TRUCKS, maint.	94.54
COX, utilities	122.24
D & D COMM., maint.	393.00

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DITCH WITCH, bld&grnds	185.00
DON'S PIONEER UNIFORMS, apparel	158.00
DOOR EXPRESS, bld&grnds	67.00
DOUGLAS CNTY SHERIFF, services	37.50
DULTMEIER SALES & SERVICE, maint.	4.76
DXP, bld&grnds	230.96
EASTERN NEBR SOCCER ASSN	515.00
EDGEWEAR, apparel	133.00
EMBASSY SUITES, services	184.61
FELD FIRE, maint.	122.00
FELSBURG HOLT & ULLEVIG, services	1105.51
FILTER CARE, maint.	26.55
FORT DEARBORN LIFE INS.	1373.50
FROEHLICH, R., auto	100.00
G I CLEANER & TAILORS, services	254.45
GALE, books	187.47
GCR TIRE CENTERS, maint.	66.95
GIBSON, J., services	125.00
GIFF PROPERTY SERV., services	1800.00
GRAPHIC SCREEN PRINTING, apparel	68.00
GREAT PLAINS UNIFORMS, apparel	75.50
GREENKEEPER COMP., supplies	490.00
H & H CHEV., maint.	170.12
HANEY SHOE STORE, apparel	120.00
HAWKEYE TRUCK EQUIP., supplies	6060.00
HEARTLAND PAPER, supplies	295.00
HEIMES CORP., bld&grnds	75.00
ICMA, dues	796.06
ICSC, dues	200.00
J Q OFFICE EQUIP., services	498.22
JAPP IND., equip.	30.00
KLINKER, M., services	200.00
KRIHA FLUID POWER, maint.	108.73
LA VISTA COMMUNITY FOUNDATION	50.00
LANDPORT SYS., services	125.00
LAUGHLIN, KATHLEEN A, TRUSTEE	474.00
LERNER PUBLISHING GROUP, books	13.46
LEXIS NEXIS MATTHEW BENDER, books	132.46
LIBERTY FLAG, supplies	538.70
MARTIN MARIETTA, bld&grnds	454.35
MASON, B., services	40.00
MATHESON TRI-GAS, supplies	543.01
MAT, services	617.00
MCC, utilities	14958.81
MUD, utilities	2082.72
MID AMERICA, phones	50.00
MIDLANDS LIGHTING & ELECTRIC, maint.	71.44
MIDWEST RIGHT OF WAY, services	680.00
MIDWEST TAPE, media	1117.31
MNJ TECHNOLOGIES DIRECT, services	1637.16
MULLEN & MULLEN, services	6662.50
NE CLERK INSTITUTE, dues	393.00
NE LAW ENFORCEMENT, supplies	80.00
NE TURF PROD., bld&grnds	403.76
NE TURFGRASS ASS., dues	250.00
NE WELDING, maint.	466.17
NEXTEL SPRINT, phone	449.08
NEXTEL SPRINT, phone	204.67
NUTS AND BOLTS, maint.	366.53
OCLC, services	26.18

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OFFICE DEPOT, supplies	497.65
OMAHA WORLD HERALD, dues	85.80
OMB EXPRESS POLICE SUP., apparel	170.80
PAPILLION TIRE, maint.	81.15
PARAMOUNT LINEN & UNIFORM, apparel	546.99
PARTSMASTER, supplies	122.24
PERFORMANCE, maint	656.10
PITNEY BOWES, supplies	204.00
PLAINS EQUIP. GROUP, maint.	1266.45
POLICE CHIEF'S ASSN OF NE, dues	50.00
PRINCIPAL LIFE	216.00
PRO-PAPILLION REC., services	3160.00
QUILL, supplies	177.78
RAINBOW GLASS, supplies	37.80
RALSTON ADV., services	35.00
RDG PLANNING & DESIGN, services	12117.00
RUFFNER, J., travel	107.01
SAPP BROS, supplies	18925.94
SARPY COUNTY CRTHSE., services	3479.89
SCHOLASTIC, books	709.80
SEAT COVER CENTER OF NE, maint.	250.00
SHRED-SAFE, services	15.00
SOUCIE, J., travel	44.00
SPRINT, phone	67.98
SPRINT, phone	62.08
STEPANEK, V., services	218.34
SUBURBAN NEWSPAPERS , dues	79.00
SUSPENSION SHOP., maint.	28.17
TARGET, supplies	166.25
TED'S MOWER, maint.	9.15
TENNIS LTD, equip.	157.12
THERMO KING, maint.	136.01
TRACTOR SUPP., maint.	101.90
ULTRAMAX, services	1969.40
UPSTART, services	101.58
USI EDU., sales	104.19
VAIL, A., auto	100.00
VERIZON, phone	191.57
WALMART, supplies	607.74
WHITE CAP CONSTR, supplies	125.00
WICK'S STERLING, maint.	56.60

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

## REPORTS FROM CITY ADMINISTRATOR AND DEPARTMENT HEADS

Police Chief Lausten reported that in January Code Enforcement Officers will be running a Clean Sweep Operation. Lausten also reported that the Food for Fuzz program netted \$630.00 for the Food Bank for the Heartland. Lausten also stated that TJ Markowsky started as a new officer today. Councilmember Gowan stated that a lot of drivers are running amber & red lights, especially at 84<sup>th</sup> and Parkview Blvd. Lausten stated he would look into the issue with Sgt. Waugh.

Fire Chief Uhl reported that there is a possibility of a grant through PayPal for \$2500.00 towards fire extinguisher training equipment.

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Public Works Director Soucie informed the council that drop off sites for Christmas trees were open at the sports complex and at 87<sup>th</sup> and Parkview Blvd. The first phase of the LED traffic signal light project is complete, and he estimates a saving of \$13,000 annually from this project. Councilmember Sell asked if OPPD would change their lights and Soucie stated that OPPD will be looking into this in the future.

Library Director Barcal stated that Ryan Nelson will have a lego building display on February 14, 2012. Barcal reported that 4 out of 12 new computers are installed. Barcal stated that the library received a grant for game books. The teen section is finished being reorganized.

## B. RESOLUTION – COMMUNICATIONS CABLE & FACILITIES AGREEMENT – UNITE PRIVATE NETWORKS, LLC

Councilmember Sell introduced and moved for adoption of Resolution 12-001: A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE MAYOR AND CITY CLERK TO EXECUTE AN AGREEMENT WITH UNITE PRIVATE NETWORKS, LLC FOR USE OF PUBLIC RIGHT-OF-WAY WITHIN THE CITY LIMITS FOR INSTALLATION OF COMMUNICATIONS FACILITIES

WHEREAS, the Mayor and City Council find it necessary to have an agreement setting forth conditions for this proposed installation; and

WHEREAS, Unite Private Networks, LLC (Unite), is registered with the State of Nebraska as a Competitive Local Exchange Carrier; and

WHEREAS, this agreement would entitle Unite to request permission to use public right-of-ways from the City of La Vista; and

WHEREAS, the agreement includes a Statement of Policy and Standard Specifications for Communication Facilities on City Property; and

WHEREAS, the agreement provides for the installation of 12 optical fibers by Unite for use by the City subject to certain terms and conditions as set forth in the agreement;

NOW, THEREFORE, BE IT RESOLVED, by the City Council of the City of La Vista, Nebraska, that the Mayor and City Clerk are hereby authorized to execute an agreement with Unite Private Networks, LLC for use of public right-of-way within the city limits for installation of communications facilities subject to the final form of agreement being satisfactory to the City Attorney and City Administrator.

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

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

## COMMENTS FROM THE FLOOR

Resident Terrie Russell approached the Council regarding the winner of the Holiday Decorating Contest. City Administrator Gunn stated that staff would follow up with her.

Resident Sharon Bahnsen approached the Council in regards to a home in her neighborhood that was causing traffic, noise and trash issues due to holiday decorations. Councilmember Gowan asked Bahnsen if she had spoken with the owners of the home in regards to these problems and she said she had not. Councilmember Carlisle suggested that staff look into the situation. City Administrator Gunn stated that she will have staff sit down with the parties involved and try to make the situation better.

Resident Bill Russell appeared before the Council to discuss the Rental Inspection Program and problems a rental property. Community Development Director Birch stated that she will have the City Inspectors follow up on this information.

## C. EXECUTIVE SESSION – LITIGATION

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At 7:31 p.m. Councilmember Carlisle made a motion to go into executive session for protection of the public interest for a litigation strategy session. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried. Acting Mayor Quick stated the executive session would be limited to the subject matter contained in the motion.

At 7:59 p.m. the Council came out of executive session. Councilmember Carlisle made a motion to reconvene in open and public session. Seconded by Councilmember Gowan. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck, and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

## COMMENTS FROM MAYOR AND COUNCIL

At 08:01 p.m. Councilmember Carlisle made a motion to adjourn the meeting. Seconded by Councilmember Crawford. Councilmembers voting aye: Sell, Ronan, Quick, Sheehan, Carlisle, Crawford, Ellerbeck and Gowan. Nays: None. Abstain: None. Absent: None. Motion carried.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012

CITY OF LA VISTA

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Douglas Kindig  
Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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

**PLANNING COMMISSION MINUTES**  
**DECEMBER 8, 2011**

The City of La Vista Planning Commission held a regular meeting on Thursday, November 17, 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: Krzywicki, Malmquist, Gahan, Andsager, Nielsen, Hewitt, Circo and Alexander. Members absent were: Miller. 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 – November 17, 2011**

- a. Circo moved, seconded by Malmquist to approve the November 17, 2011 minutes as submitted. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller.  
**Motion Carried. (8-0)**

**3. Old Business**

**4. New Business**

**A. Bella La Vista Preliminary PUD.**

- i. **Staff Report:** Solberg stated the applicant Bella La Vista Housing Partners has applied to do a Preliminary Planned Unit Development for Lot 2 Bella La Vista generally located east of Chandler Road and 132<sup>nd</sup> Street. Staff pushed the project to do a Preliminary PUD due to the proposed lot lay out and the breakdown of the phasing in relation to the dedicated roadways necessary. It is staff's recommendation to approve of the Preliminary PUD for Lot 2 Bella La Vista subject to satisfactory resolution to the following prior to City Council review. These issues are listed as 1-4 on page three of your staff review.
- ii. **Public Hearing Opened:** Hewitt moved, seconded by Malmquist to open the public hearing. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Gahan,

*Andsager and Alexander. Nays: None. Abstain: None. Absent: Miller.*

***Motion Carried. (8-0)***

Mr. John Wyzgoski came forward to represent the applicant and explained he was there to address any questions.

Commissioner Hewitt asked to clarify for the record and the public that there had been a proposed development of this back in 2006 or 2007, but that this development was not the same one and that it is a different owner.

Mr. Wyzgoski said it is not the same development and is a different owner.

Commissioner Kryzwicki questioned if the requirements for approval had been reviewed.

Mr. Wyzgoski stated he had reviewed them many times.

Commissioner Kryzwicki questioned if he was okay with the requirements.

Mr. Wyzgoski stated he was okay with the requirements.

Commissioner Gahan questioned what the land to the south could be used for in the future.

Mr. Wyzgoski stated that the outlot is the third part of the future development and is zoned for multi-family and is the intention to develop as multi-family depending on the success of this development. He stated there is potential that it might be attractive to someone as the area to the south is zoned commercial development.

Mr. Jim Flahive came forward and stated he lives in the SID and said it was hard for him to determine what was being talked about. He questioned the area that was being discussed. He questioned what was going to be done for traffic for 750 apartments.

Mr. Wyzgoski stated there are not 750 apartments. The proposed project, Phase I, is seventy-two apartment units on a corner, the NW corner, of the property and abuts the SID to the north and carves out an extension of Chandler Road. Lot 2 is 144 units that would then be scheduled if Phase I is successful. Lot 2 we would come back in two to three years and come back for a conditional use permit again. Mr. Wyzgoski stated they had met with the SID board in an informal meeting a couple weeks ago to set up a date and time to inform them of this development. The public meeting is scheduled for January 3<sup>rd</sup> prior to the council meeting.

Mr. Mike Norris came forward and stated he was a resident of the SID and he was at the SID meeting when Mr. Wyzgoski presented the plans. Mr. Norris stated he had a number of concerns. He said the biggest concern was requiring them to provide access off of Highland Blvd. He said it has a major portion of the

traffic from the SID and there is only one stop sign before getting to Harrison. He said he can see people using it for a shortcut to by-pass stop lights and when they come over the hill they would be going quickly down the hill. He said there are a lot of kids in the neighborhood. He said they had talked about using a roundabout. He said it looks more like an island and that roundabouts are used for improving traffic flow, not for slowing people down. He suggested that no access be provided on Highland Blvd, but instead something safe and controls traffic. Mr. Norris discussed Sarpy County's future road plan for 132<sup>nd</sup> Street.

Mr. Terry Johnson came forward and said that he also lives in the SID and the side of his house is on 130<sup>th</sup> and lives on Margo Street. He said neighborhood traffic can be bad already in regard to speed and said that if 130<sup>th</sup> gets opened up to all these apartments it will be bad for the little kids and 132<sup>nd</sup>, the speed limit is 45, so something better be done about the speed limit on that street or there will be multiple accidents.

Mr. Krzywicki stated that staff said 130<sup>th</sup> not be connected to this development.

Mr. Johnson stated that the Highland access needs to be addressed and the 45 mile per hour speed limit on 132<sup>nd</sup> Street (should be reviewed as well).

Mr. Wygoski stated that the plans presented do show a connection on 130<sup>th</sup> Street. He said they are kind of at a catch twenty-two in discussion with the City's engineering department. He said they have been requested to have at least a cul-de-sac at that point for emergency vehicles. He said this issue has not yet been solved.

Commissioner Hewitt said that it would not be a major traffic area.

Mr. Norris questioned the recommendation of the staff regarding 130<sup>th</sup> Street.

Commissioner Krzywicki clarified the staff's recommendation.

Commissioner Hewitt stated the staff said that access 130<sup>th</sup> is not a requirement.

iii.

**Public Hearing Closed:** Malmquist moved, seconded by Gahan to close the public hearing. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller.  
**Motion Carried.** (8-0)

Commissioner Hewitt asked John Kottman if lot 1 was developed now and lot 2 wasn't developed for three years would they need to do a new traffic study.

Mr. Kottman stated the traffic study would still be valid within that time frame.

Commissioner Malmquist stated she had some concern with not linking 130<sup>th</sup> Street. Traffic generated on that will likely be coming from the north through

the development rather than generating traffic from this development to the north through the subdivision. Commissioner Malmquist stated she was worried about safety and the need for emergency responders to get in and out and around and cluttering it up with a cul-de-sac that is visible but not a connection is a worry. Commissioner Malmquist stated that she thinks the connection to this development at 130<sup>th</sup> as well as Highland Blvd are very important elements to the connectivity and circulation of this development and its relationship to the existing residential uses to the north.

Commissioner Circo questioned, if staff says it is not necessary and the Planning Commission approves it, what happens down the road if a cul-de-sac is not feasible for them to do and they need to have access.

Commissioner Malmquist also questioned if the recommendation was accepted what would that do to perhaps connecting 130<sup>th</sup>.

Solberg stated that aspect would probably looked at during City Council in relation to the Planning Commission's recommendation to City Council. They will probably look at the Planning Commission's recommendation, get a report from staff over what has happened between now and then and make a decision at that point.

iv. **Recommendation:** Malmquist moved, seconded by Hewitt to recommend approval of the Preliminary Planned Unit Development for Lot 2 Bella La Vista, subject to satisfactory resolution of items 1-4 with the addition of further discussion on item one with regard to the need of the connection of 130<sup>th</sup> Street. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller.  
**Motion Carried.** (8-0)

## 5. Comments from the Floor

None.

## Comments from the Planning Commission.

## 7. Adjournment

Malmquist moved, seconded by Hewitt, to adjourn. **Ayes:** Nielsen, Circo, Hewitt, Krzywicki, Malmquist, Gahan, Andsager and Alexander. **Nays:** None. **Abstain:** None. **Absent:** Miller.  
**Motion Carried.** (8-0)

Reviewed by Planning Commission:

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Recorder

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Planning Commission Chair

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Approval Date

**CITIZEN ADVISORY REVIEW COMMITTEE  
MEETING  
September 8, 2011**

A regular meeting of the Citizen Advisory Review Committee of the City of La Vista, Nebraska was convened in open and public session at 7:00 p.m. on September 8, 2011, in the Harold "Andy" Anderson Council Chamber at City Hall. Present: Committee members Shafer, Kellner, Burns and Schovanec. Absent: Carlson. Also in attendance: Asst. City Administrator Ramirez.

A notice of the meeting was given in advance thereof by publishing in the Papillion Times on August 25, 2011. Notice was simultaneously given to all members of the Citizen Advisory Review Committee and a copy of the acknowledgement of the receipt of notice is attached to the minutes. Availability of the agenda was communicated to the Citizen Advisory Review Committee in the advance notice of the meeting. All proceedings shown were taken while the convened meeting was open to the attendance of the public. Further, all subjects included in said proceedings were contained in the agenda for said meeting which is kept continuously current and available for public inspection within 10 days after said meeting and prior to the next convened meeting of said body.

Chairman Shafer called the meeting of the Citizen Advisory Review Committee to order at 7:05 p.m.

**A. OPEN MEETINGS ACT STATEMENT**

Chairman Shafer acknowledged the Open Meetings Act statement as printed on the Agenda.

**B. EMERGENCY PROCEDURES STATEMENT**

Chairman Shafer acknowledged the Emergency Procedures statement as printed on the Agenda.

**C. APPROVAL OF THE AGENDA**

Burns moved approval of the Agenda as presented. Kellner seconded. Ayes: All. Nays: None. Motion carried.

**D. APPROVAL OF MINUTES OF JUNE 9, 2011**

Kellner moved approval of the June 9, 2011 meeting minutes as presented. Burns seconded. Ayes: All. Nays: None. Motion carried.

**E. REPORT FROM CITY ADMINISTRATOR BRENDA GUNN**

City Administrator Brenda Gunn addressed the Committee to present and review a synopsis of the City Council's 2011-2013 Strategic Plan. She outlined the Council's eight goals and the key objectives for achieving each goal. Gunn also discussed the City's master park planning process for Civic Center Park, which will be taking place over the next several months; the proposed swimming pool issue; and the potential outlet/entertainment district development at Southport West.

**F. ASSISTANT CITY ADMINISTRATOR'S REPORT**

Assistant City Administrator Ramirez presented and reviewed a copy of the Community Development projects currently underway.

**G. SARPY COUNTY ECONOMIC DEVELOPMENT CORPORATION REPORT**

Bruce Fountain from Sarpy County Economic Development Corporation (SCEDC) was in attendance to present the 2nd quarter report. This report provides statistical information regarding net taxable sales, building permit valuations, new business prospects, etc. for Sarpy County.

**H. ECONOMIC DEVELOPMENT PROGRAM REVIEW**

Ramirez presented a draft of the Economic Development Program Biannual Report for the Committee's review. This report will be presented to the City Council by Chairman Lynda Shafer at their meeting on October 18, 2011.

No new applications have been made to the Economic Development Program.

**COMMENTS FROM THE FLOOR**

There were no comments from the floor.

**COMMENTS FROM THE COMMITTEE**

Kellner asked about the authorization to increase the LB 840 limits that was proposed in the last legislative session. Ramirez stated she believed the proposed legislation had passed and would verify that and let the committee know.

**ADJOURNMENT**

At 7:58 p.m. Shafer made a motion to adjourn the meeting. Schovanec seconded. Ayes: All. Nays: None. Motion carried.

Respectfully Submitted by:

Jeff Schovanec  
Secretary

## Meeting of Board of Directors

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

#### MINUTES OF MEETING

November 21, 2011

4:00 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 Hanneman and seconded by Archibald to approve. Ayes: all. Nays: none. Motion approved.

#### Agenda Item #3: Approval of the Minutes from September 12, 2011 Meeting.

Moved by Gunn and seconded by Hanneman to approve the September 12, 2011 meeting minutes. Ayes: all. Nays: none. Motion approved.

#### Agenda Item #4: Wireless Access.

Discussion regarding wireless access ensued. Barcal reported that feedback received from Library Broadband Builds Nebraska Communities program personnel indicates that wireless access for the La Vista Public Library can be included in this grant. As such, certain information is required, including a letter from MCC stating that wireless is no longer available to the La Vista Public Library even though it was provided at the time the grant was received. Hixson will check on the status of the letter.

Archibald advised that the City needs access to the wiring closets on the library side of the building as well as the server closet on the MCC side. Hanneman agreed.

Gunn expressed her concern about the erosion of MCC IT support for the library and lack of familiarity MCC staff who work directly with the City have regarding the original commitments

made. She advised that the City is making the necessary arrangements to move Library IT support back to the City which will eliminate the City's reliance on MCC. While the City is happy to be moving in this direction, it is happening because of the difficulty in obtaining service from MCC, not because both parties discussed the situation and reached this conclusion jointly, which would have been the preference.

Gunn stated that it is understood that both entities want to provide great service to their constituents. Having wireless be initially provided to the City and then unknowingly taken away by MCC is not good public service; the City is frustrated that it has been so difficult to get someone at MCC to recognize this. A MCC student (*utilizing the library for free*) sitting in the Library can access wireless and a patron who is either a taxpayer or paying member of the public cannot access wireless; this makes the City look bad. Gunn indicated that she wanted to call attention to these issues because the relationship between the City and MCC has been so good and she felt if left unaddressed the relationship could deteriorate.

Agenda Item #5: OPPD Geothermal System.

Facilities corporations are executing the document.

Agenda Item #6: Proposed Budget for 2012.

The Budget has been approved.

Agenda Item #7: Commons Area Computers.

Hixson is checking on public access for the four computers in the commons area. If public access is not available, the computers will be moved to MCC.

Agenda Item #8: Bulletin Boards by Commons Area Computers.

Due to general use of the commons area, bulletin boards will not be hung in this area. MCC and the Library have respective boards to post information.

Agenda Item #9: Election of Officers.

Archibald nominated Rose Barcal as President/Treasurer and Robin Hixson as Vice President/Secretary. A motion was made by Hanneman and seconded by Gunn to close the nominations and cast a unanimous ballot for Barcal as President/Treasurer and Hixson as Vice President/Secretary. Ayes: all. Nays: none. Motion approved.

Agenda Item #10: Other Business:

Archibald mentioned the need to have an item on a future agenda to have a dish placed on the top of the building to link the library to the City's network.

Agenda Item #11: Next Meeting.

Monday, February 13, 2012 at 4:00pm La Vista Public Library, Room #142.

It was moved by Gunn and seconded by Hanneman to adjourn the meeting at 4:50 p.m.

Minutes respectfully submitted by Rose Barcal

**CITY OF LAVISTA, NEBRASKA**  
**COMBINED STATEMENT OF REVENUES, EXPENDITURES,**  
**AND CHANGES IN FUND BALANCE-ALL GOVERNMENTAL FUND TYPES**  
For the three months ended December 31, 2011  
25% of the Fiscal Year

	General Fund						Debt Service Fund			Capital Fund		
	Budget (12 month)	MTD Actual	YTD Actual	Over/(under) Budget	% of budget Used	Budget	MTD Actual	YTD Actual	Over/(under) Budget	Budget	MTD Actual	YTD Actual
<b>REVENUES</b>												
Property Taxes	\$ 5,611,688	\$ 28,680	\$ 114,903	\$ (5,496,785)	2%	\$ 530,769	\$ 553	\$ 4,431	\$ (526,338)	\$ -	\$ -	\$ -
Sales and use taxes	1,994,100	199,484	639,834	(1,304,266)	35%	99,742	344,917	344,917	(652,133)			
Payments in Lieu of taxes	90,000	0	0	90,000	0%	-	-	-	-			
State revenue	1,053,167	96,418	306,732	(746,435)	29%	-	-	-	-			
Occupation and franchise taxes	650,000	13,821	164,886	(485,114)	25%	-	-	-	-			
Hotel Occupation Tax	651,583	50,729	179,359	(472,262)	28%	-	-	-	-			
Licenses and permits	489,250	53,771	136,988	(352,262)	28%	-	-	-	-			
Interest income	10,000	1,186	2,857	(7,153)	25%	15,000	475	1,769	(13,231)			
Recitation fees	124,000	3,380	11,819	(112,181)	10%	-	-	-	-			
Special Services	16,500	727	6,623	(9,877)	40%	-	-	-	-			
Grant Income	332,780	7,596	66,758	(266,022)	26%	-	-	-	-			
Other	<b>Total Revenues</b>	<b>\$ 1,315,722</b>	<b>22,120</b>	<b>890,440</b>	<b>(515,252)</b>	<b>67%</b>	<b>2,186,290</b>	<b>150</b>	<b>708</b>	<b>(2,185,582)</b>	<b>93,072</b>	<b>41,385</b>
		<b>\$ 12,338,790</b>	<b>477,912</b>	<b>2,481,728</b>	<b>(9,857,562)</b>	<b>20%</b>	<b>3,729,109</b>	<b>100,920</b>	<b>351,825</b>	<b>(3,377,283)</b>	<b>129,327</b>	<b>57,401</b>
										<b>1,066,599</b>	<b>99,286</b>	<b>211,796</b>
											<b>1,066,599</b>	<b>99,286</b>
												<b>91,969</b>
												<b>(686,613)</b>
<b>EXPENDITURES</b>												
Current:												
Mayor and Council	190,509	5,035	27,242	(163,268)	14%	-	-	-	-			
Boards & Commissions	12,250	284	1,389	(10,961)	11%	-	-	-	-			
Public Buildings & Grounds	535,178	19,603	83,979	(451,199)	16%	-	-	-	-			
Administration	749,103	41,082	134,644	(615,227)	18%	65,000	(438)	53	(64,947)			
Police and Animal Control	3,925,544	324,502	837,920	(3,087,624)	21%	-	-	-	-			
Fire	623,203	30,781	91,593	(531,610)	15%	-	-	-	-			
Community Development	647,801	32,320	119,596	(528,205)	18%	-	-	-	-			
Public Works	3,152,946	220,991	620,964	(2,532,042)	20%	-	-	-	-			
Recreation	637,488	29,532	105,205	(532,283)	17%	-	-	-	-			
Library	647,103	34,319	118,056	(529,047)	18%	-	-	-	-			
Human Resources	469,302	(9,748)	336,475	(132,827)	72%	-	-	-	-			
Special Services & Tri-City Bus	77,411	6,027	13,725	(63,866)	18%	-	-	-	-			
Capital outlay	191,000	-	0	(191,000)	0%	-	-	-	-			
Debt service, (Warrants)	-	-	-	-	-	-	-	-	-			
Principal	-	-	-	-	-	-	-	-	-			
Interest	-	-	-	-	-	-	-	-	-			
<b>Total Expenditures</b>	<b>\$ 11,559,406</b>	<b>734,226</b>	<b>2,490,426</b>	<b>(9,368,980)</b>	<b>21%</b>	<b>-</b>	<b>2,285,000</b>	<b>591,141</b>	<b>2,051,141</b>	<b>(233,859)</b>	<b>-</b>	<b>-</b>
							<b>1,079,260</b>	<b>119,207</b>	<b>500,922</b>	<b>(578,338)</b>	<b>-</b>	<b>-</b>
							<b>3,429,260</b>	<b>709,910</b>	<b>2,552,116</b>	<b>(877,144)</b>	<b>-</b>	<b>-</b>
										<b>3,512,838</b>	<b>99,286</b>	<b>380,386</b>
											<b>3,512,838</b>	<b>99,286</b>
												<b>(3,132,452)</b>
<b>EXCESS OF REVENUES OVER (UNDER) EXPENDITURES</b>	<b>479,384</b>	<b>(256,314)</b>	<b>(9,198)</b>	<b>438,582</b>	<b>-2%</b>	<b>299,349</b>	<b>(608,989)</b>	<b>(2,200,290)</b>	<b>2,500,139</b>	<b>(2,445,839)</b>	<b>0</b>	<b>0</b>
<b>OTHER FINANCING SOURCES (USES)</b>												
Operating transfers in (out)	(1,186,000)	-	-	-	-	(1,186,000)	-	-	-	191,524	1,293,868	-
Bond/registered warrant proceeds	<u>(1,186,000)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>(1,186,000)</u>	<u>-</u>	<u>-</u>	<u>-</u>	<u>191,524</u>	<u>1,151,971</u>	<u>-</u>
Total other Financing Sources (Uses)												
<b>EXCESS OF REVENUES AND OTHER FINANCING SOURCES OVER (UNDER) EXPENDITURES AND OTHER FINANCING USES</b>	<b>\$ 706,616</b>	<b>\$ (256,314)</b>	<b>\$ (9,198)</b>	<b>\$ (697,418)</b>	<b>-</b>	<b>\$ 108,325</b>	<b>\$ (608,989)</b>	<b>\$ (2,200,290)</b>	<b>\$ 2,308,615</b>	<b>\$ -</b>	<b>\$ 0</b>	<b>\$ 0</b>
FUND BALANCE, beginning of the year <sup>**</sup>											<b>6,149,670</b>	<b>371,263</b>
FUND BALANCES, END OF PERIOD											<b>\$ 3,949,380</b>	<b>\$ 371,263</b>

<sup>\*\*</sup>Preliminary due to accruals and audit adjustments

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

For the three months ended December 31, 2011  
25% 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	% of Budget Used
<b>REVENUES</b>									
User fees	\$ 2,159,774	\$ 174,168	\$ 536,357	\$ (1,623,417)	25%	\$ 172,060	\$ 2,003	\$ 18,916	\$ (153,144)
Service charge and hook-up fees	125,000	3,718	69,478	(55,522)	56%	-	-	-	-
Merchandise sales	-	-	-	-	-	34,500	236	2,798	(31,702)
Grant	26,154	24,082	24,082	(2,072)	n/a	-	-	-	-
Miscellaneous	200	24	72	(128)	36%	300	10	62	-
<b>Total Revenues</b>	<b>2,311,128</b>	<b>201,992</b>	<b>629,989</b>	<b>(1,681,139)</b>	<b>27%</b>	<b>206,360</b>	<b>2,249</b>	<b>21,776</b>	<b>(184,846)</b>
<b>EXPENDITURES</b>									
General Administrative	451,684	30,272	91,528	(360,156)	20%	-	-	-	-
Cost of merchandise sold	-	-	-	-	-	31,330	7	3,803	(27,527)
Maintenance	1,702,646	(100,816)	239,841	(1,462,805)	14%	221,883	12,083	40,079	(181,804)
Production and distribution	-	-	-	-	-	148,564	131,297	151,069	2,505
Capital Outlay	217,500	-	-	(217,500)	0%	-	-	-	-
Debt Service:	-	-	-	-	-	115,000	-	-	-
Principal	-	-	-	-	-	16,458	-	-	-
Interest	-	-	-	-	-	53,523	143,388	194,951	(338,284)
<b>Total Expenditures</b>	<b>2,371,830</b>	<b>(70,544)</b>	<b>331,569</b>	<b>(2,040,461)</b>	<b>14%</b>	<b>531,523</b>	<b>143,388</b>	<b>194,951</b>	<b>(338,284)</b>
<b>OPERATING INCOME (LOSS)</b>	<b>(60,702)</b>	<b>272,536</b>	<b>298,620</b>	<b>(359,322)</b>	<b>-</b>	<b>(326,375)</b>	<b>(141,139)</b>	<b>(173,175)</b>	<b>153,438</b>
<b>NON-OPERATING REVENUE (EXPENSE)</b>									
Interest income	5,000	303	755	(4,245)	15%	-	25	1	15
<b>INCOME (LOSS) BEFORE OPERATING TRANSFERS</b>	<b>5,000</b>	<b>303</b>	<b>755</b>	<b>(4,245)</b>	<b>15%</b>	<b>(326,350)</b>	<b>(141,137)</b>	<b>(173,159)</b>	<b>153,191</b>
<b>OTHER FINANCING SOURCES (USES)</b>									
Operating transfers in (out)	(55,702)	272,839	299,375	(355,077)	-	-	310,000	-	(10)
<b>NET INCOME (LOSS)</b>	<b>\$ (55,702)</b>	<b>\$ 272,839</b>	<b>\$ 299,375</b>	<b>\$ (355,077)</b>	<b>-</b>	<b>\$ (16,350)</b>	<b>\$ (141,137)</b>	<b>\$ (173,159)</b>	<b>\$ 156,809</b>
<b>NET ASSETS, Beginning of the year ***</b>									<b>259,697</b>
<b>NET ASSETS, End of the year</b>									<b>\$ 86,538</b>

\*\*Preliminary due to accruals and audit adjustments

# MIDWEST

Right of Way Services, Inc.

January 1, 2012

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

**Invoice No.: 3062**  
Midwest Right of WayServices #273

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

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

Total Contract				\$ 129,800.00
Total Billed through November 30, 2011				\$ 68,850.00
Project Manager	-	hours at	\$80 per hour	\$ -
Acquisition Agent	-	hours at	\$68 per hour	\$ -
Relocation Agent	2.50	hours at	\$68 per hour	\$ 170.00
<b>Total Amount Due for this Invoice</b>				<b>\$ 170.00</b>
Total Remaining on Contract (after this invoice)				\$ 60,780.00
<b>Total Amount for Past Due Invoices</b>				<b>\$ -</b>
<b>Total Amount Currently Due</b>				<b><u>\$ 170.00</u></b>

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

Consent agenda  
OK to pay  
05-71-645.09  
P. Buethe  
1/1/12

Douglas County

ENGINEERS

Date 26-SEP-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:

Sales Order Number:

Transaction Type: ENGINEERS

Payment Method: 12532

Invoice Number: 22234

Terms: 30 NET

Total Due: 97,597.50

**PLEASE RETURN TOP PORTION WITH REMITTANCE**

Item No.	DESCRIPTION	QTY	UOM	TAX	UNIT PRICE	EXTENDED PRICE
1	CITY OF LAVISTA 50% SHARE OF ESTIMATED COSTS FOR DOUGLAS COUNTY PROJECT C-28 (498)A - HELL CREEK STABILIZATION	97597.5	97597.5		1.00	97,597.50
SPECIAL INSTRUCTION				DUE DATE		TOTAL DUE
				26-OCT-11		97,597.50

**APPROVED**

05.71.0842.03  
JF 1-9-12

Consent  
Agenda

ENGINEERS

APCHCKRP  
09.29.11

Wed Jan 11, 2012 3:30 PM

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

OPER: AKH

PAGE 1

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
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1 Bank of Nebraska (600-873)

46169 Payroll Check

46170 Gap in Checks

Thru 106152

106153	1/04/2012	3561	JNFS ENGINEERING COMPANY	864.00	**MANUAL**
106154	1/04/2012	544	MAPA-METRO AREA PLANNING AGNCY	13,247.00	**MANUAL**
106155	1/04/2012	4653	RDG PLANNING & DESIGN	5,654.60	**MANUAL**
106156	1/04/2012	830	BROWN TRAFFIC PRODUCTS INC	5,239.50	**MANUAL**
106157	1/04/2012	143	THOMPSON DREESSEN & DORNER	4,783.45	**MANUAL**
106158	1/06/2012	3702	LAUGHLIN, KATHLEEN A, TRUSTEE	474.00	**MANUAL**
106159	1/17/2012	804	3E-ELECTRICAL ENGINEERING	219.84	
106160	1/17/2012	762	ACTION BATTERIES UNLTD INC	75.00	
106161	1/17/2012	571	ALAMAR UNIFORMS	89.98	
106162	1/17/2012	536	ARAMARK UNIFORM SERVICES INC	405.32	
106163	1/17/2012	706	ASSOCIATED FIRE PROTECTION	160.25	
106164	1/17/2012	201	BAKER & TAYLOR BOOKS	1,702.12	
106165	1/17/2012	3318	BIG RIG TRUCK ACCESSORIES INC	59.45	
106166	1/17/2012	196	BLACK HILLS ENERGY	1,905.51	
106167	1/17/2012	2209	BOUND TREE MEDICAL LLC	499.95	
106168	1/17/2012	1242	BRENTWOOD AUTO WASH	63.00	
106169	1/17/2012	76	BUILDERS SUPPLY CO INC	254.46	
106170	1/17/2012	4656	CAP CARPET INC	120.00	
106171	1/17/2012	2625	CARDMEMBER SERVICE-ELAN	.00	**CLEARED** **VOIDED**
106172	1/17/2012	2625	CARDMEMBER SERVICE-ELAN	1,337.03	
106173	1/17/2012	219	CENTURY LINK	37.44	
106174	1/17/2012	4657	CHARLESTONS WAREHOUSE	225.00	
106175	1/17/2012	152	CITY OF OMAHA	145,181.96	
106176	1/17/2012	83	CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
106177	1/17/2012	83	CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
106178	1/17/2012	83	CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
106179	1/17/2012	83	CJ'S HOME CENTER	.00	**CLEARED** **VOIDED**
106180	1/17/2012	83	CJ'S HOME CENTER	1,395.07	
106181	1/17/2012	1164	COMPLETE MUSIC	200.00	
106182	1/17/2012	836	CORNHUSKER INTL TRUCKS INC	50.31	
106183	1/17/2012	2159	CRAFTSMAN WINDOW COVERINGS INC	120.00	
106184	1/17/2012	707	CULLIGAN/U S FILTER	250.00	
106185	1/17/2012	3136	D & D COMMUNICATIONS	114.50	
106186	1/17/2012	270	DECOSTA SPORTING GOODS	98.70	
106187	1/17/2012	77	DIAMOND VOGEL PAINTS	212.46	
106188	1/17/2012	364	DULTMEIER SALES & SERVICE	11.73	
106189	1/17/2012	3084	EBSCO SUBSCRIPTION SERVICES	2,785.00	
106190	1/17/2012	3159	FASTENAL COMPANY	59.77	
106191	1/17/2012	142	FITZGERALD SCHORR BARMETTLER	26,108.23	
106192	1/17/2012	1344	GALE	252.70	
106193	1/17/2012	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED** **VOIDED**
106194	1/17/2012	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED** **VOIDED**
106195	1/17/2012	966	GENUINE PARTS COMPANY-OMAHA	.00	**CLEARED** **VOIDED**
106196	1/17/2012	966	GENUINE PARTS COMPANY-OMAHA	1,720.60	

BANK NO	BANK NAME	CHECK NO	DATE	VENDOR NO	VENDOR NAME	CHECK AMOUNT	CLEARED	VOIDED	MANUAL
106197	35 GOLDMAN, JOHN G	1/17/2012				22.00			
106198	826 GOVERNMENT FINANCE OFFICER'S	1/17/2012				190.00			
106199	285 GRAYBAR ELECTRIC COMPANY INC	1/17/2012				540.06			
106200	385 GREAT PLAINS ONE-CALL SVC INC	1/17/2012				120.00			
106201	2062 GREAT WESTERN BANK	1/17/2012				250.00			
106202	1044 H & H CHEVROLET LLC	1/17/2012				130.68			
106203	1403 HELGET GAS PRODUCTS INC	1/17/2012				128.00			
106204	889 HILLYARD/SIOUX FALLS	1/17/2012				120.00			
106205	136 HUNTEL COMMUNICATIONS, INC	1/17/2012				123.50			
106206	1612 HY-VEE INC	1/17/2012				94.79			
106207	835 IVERSON, DENNIS	1/17/2012				22.00			
106208	3561 JNFS ENGINEERING COMPANY	1/17/2012				75.00			
106209	2394 KRIHA FLUID POWER CO INC	1/17/2012				655.09			
106210	1241 LEAGUE ASSN OF RISK MGMT	1/17/2012				1,473.00			
106211	1288 LIFE ASSIST	1/17/2012				161.03			
106212	4254 LINCOLN NATIONAL LIFE INS CO	1/17/2012				.00	**CLEARED**	**VOIDED**	
106213	4254 LINCOLN NATIONAL LIFE INS CO	1/17/2012				10,553.45			
106214	2664 LOU'S SPORTING GOODS	1/17/2012				21.13			
106215	1875 MARSHALL CAVENDISH CORP	1/17/2012				119.75			
106216	4579 MASSMAN NELSON REINIG PC	1/17/2012				3,800.00			
106217	877 MATHESON TRI-GAS INC	1/17/2012				46.68			
106218	4658 MID AMERICA CUSTOM INC	1/17/2012				120.00			
106219	184 MID CON SYSTEMS INCORPORATED	1/17/2012				123.66			
106220	4479 MID-IOWA SOLID WASTE EQUIP CO	1/17/2012				7.68			
106221	2126 MILLARD METAL SERVICES INC	1/17/2012				42.00			
106222	3286 MINUTE MAN PRINTING	1/17/2012				84.23			
106223	4085 MNJ TECHNOLOGIES DIRECT INC	1/17/2012				759.00			
106224	1028 NATIONAL PAPER COMPANY INC	1/17/2012				422.57			
106225	2897 NEBRASKA GOLF COURSE SUPERIN-	1/17/2012				100.00			
106226	4452 NEBRASKA GREEN EXPO	1/17/2012				1,415.00			
106227	440 NMC EXCHANGE LLC	1/17/2012				691.80			
106228	179 NUTS AND BOLTS INCORPORATED	1/17/2012				92.26			
106229	1968 O'KEEFE ELEVATOR COMPANY INC	1/17/2012				970.41			
106230	1831 O'REILLY AUTOMOTIVE STORES INC	1/17/2012				879.81			
106231	3978 ODB COMPANY	1/17/2012				371.82			
106232	1014 OFFICE DEPOT INC	1/17/2012				143.43			
106233	2995 OLSSON ASSOCIATES	1/17/2012				100.00			
106234	4236 OMAHA PIPES AND DRUMS	1/17/2012				200.00			
106235	195 OMAHA PUBLIC POWER DISTRICT	1/17/2012				.00	**CLEARED**	**VOIDED**	
106236	195 OMAHA PUBLIC POWER DISTRICT	1/17/2012				.00	**CLEARED**	**VOIDED**	
106237	195 OMAHA PUBLIC POWER DISTRICT	1/17/2012				42,611.92			
106238	3154 OMAHA WINDUSTRIAL CO	1/17/2012				47.03			
106239	46 OMAHA WORLD HERALD COMPANY	1/17/2012				589.47			
106240	3039 PAPILLION SANITATION	1/17/2012				304.11			
106241	792 PAPILLION WELDING	1/17/2012				75.00			
106242	2686 PARAMOUNT LINEN & UNIFORM	1/17/2012				187.33			
106243	3058 PERFORMANCE CHRYSLER JEEP	1/17/2012				795.18			
106244	1821 PETTY CASH-PAM BUETHE	1/17/2012				137.16			
106245	4304 PHYSICIANS MUTUAL	1/17/2012				210.00			
106246	1784 PLAINS EQUIPMENT GROUP	1/17/2012				269.13			
106247	802 QUILL CORPORATION	1/17/2012				101.99			
106248	1440 RALSTON COSTUME	1/17/2012				35.00			
106249	4037 RUSTY ECK FORD	1/17/2012				134.56			

APCHCKRP  
09.29.11

Wed Jan 11, 2012 3:30 PM

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City of LaVista  
ACCOUNTS PAYABLE CHECK REGISTER

OPER: AKH

PAGE 3

BANK NO BANK NAME

CHECK NO DATE

VENDOR NO VENDOR NAME

CHECK AMOUNT

CLEARED

VOIDED

MANUAL

106250	1/17/2012	4192 S & W HEALTHCARE CORP	116.00	
106251	1/17/2012	292 SAM'S CLUB	99.58	
106252	1/17/2012	487 SAPP BROS PETROLEUM INC	.00	**CLEARED** **VOIDED**
106253	1/17/2012	487 SAPP BROS PETROLEUM INC	14,346.77	
106254	1/17/2012	532 SARPY COUNTY ECONOMIC DEV.CORP	10,000.00	APPROVED BY COUNCIL MEMBERS
106255	1/17/2012	4641 SHRED-SAFE LLC 2011-2012	30.00	<u>01/17/12</u>
106256	1/17/2012	3069 STATE STEEL OF OMAHA	73.25	
106257	1/17/2012	2634 STERIL MANUFACTURING CO	75.00	
106258	1/17/2012	4646 SUPERCO SPECIALTY PRODUCTS	179.32	
106259	1/17/2012	4276 SUPERIOR VISION SVCS INC	359.60	
106260	1/17/2012	143 THOMPSON DREESSEN & DORNER	706.90	
106261	1/17/2012	4601 TIGHTON FASTENER & SUPPLY INC	68.98	
106262	1/17/2012	167 U S ASPHALT COMPANY	98.65	
106263	1/17/2012	2426 UNITED PARCEL SERVICE	8.50	COUNCIL MEMBER
106264	1/17/2012	3717 UNIVERSAL HOSPITAL SVCS INC	100.00	
106265	1/17/2012	78 WASTE MANAGEMENT NEBRASKA	1,388.39	
106266	1/17/2012	3788 WITT, ROB	20.00	
106267	1/17/2012	4623 WORLD TRADE PRESS	612.00	
106268	1/17/2012	984 ZIMCO SUPPLY COMPANY	105.00	

BANK TOTAL	315,033.58	COUNCIL MEMBER
OUTSTANDING	315,033.58	
CLEARED	.00	
VOIDED	.00	

FUND	TOTAL	OUTSTANDING	CLEARED	VOIDED
01 GENERAL FUND	133,864.15	133,864.15	.00	.00
02 SEWER FUND	153,248.93	153,248.93	.00	.00
03 ECONOMIC DEVELOPMENT B.G.	13,247.00	13,247.00	.00	.00
04 BOND(S) DEBT SERVICE FUND	250.00	250.00	.00	.00
05 CONSTRUCTION	10,746.63	10,746.63	.00	.00
08 LOTTERY FUND	660.08	660.08	.00	.00
09 GOLF COURSE FUND	2,097.63	2,097.63	.00	.00
15 OFF-STREET PARKING	919.16	919.16	.00	.00

REPORT TOTAL	315,033.58	
OUTSTANDING	315,033.58	
CLEARED	.00	
VOIDED	.00	

+ Gross Payroll 01/06/12	<u>240,899.83</u>	
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GRAND TOTAL	<u>\$555,933.41</u>	COUNCIL MEMBER
-------------	---------------------	----------------

COUNCIL MEMBER

COUNCIL MEMBER

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
APPLICATION FOR PRELIMINARY PUD, LOT 2, BELLA LA VISTA (E OF 132 <sup>ND</sup> & CHANDLER)	◆ RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A public hearing has been scheduled and a resolution has been prepared to approve the preliminary planned unit development (PUD) for approximately 36 acres located east of 132<sup>nd</sup> & Chandler Road.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

A public hearing has been scheduled to consider the preliminary planned unit development application by Bella La Vista Housing Partners, LP, on approximately 36 acres currently platted as Lot 2, Bella La Vista, generally located east of 132<sup>nd</sup> and Chandler Road.

The property is currently zoned R-3 PUD with the Gateway Corridor Overlay District. The rezoning of the property occurred in 2006 however did not include submittal of a detailed site plan as part of a PUD or Conditional Use Permit approval. This request for approval of a preliminary PUD plan has been submitted by a different developer from the previous rezoning request.

The preliminary PUD plan identifies two lots for multi-family development and an outlot identified as "future development". Phase 1 on proposed Lot 1 consists of 72 units in three buildings, with 38 garages and 103 surface parking stalls. Phase 2 on proposed Lot 2 consists of 144 units in six buildings, with 80 garages and 304 surface parking stalls. Phase 1 will include access from 132<sup>nd</sup> Street with a new intersection at Chandler Road. An additional access is proposed with a connection to 130<sup>th</sup> Street which currently is a dead end at the southern boundary of the Millard Highlands South subdivision. Phase 2 identifies that Highland Blvd. will also be connected and is important for site access. A traffic study was conducted and the City's consulting traffic engineer will be available at the Council meeting. A detailed review of the application is contained in the attached staff report. **Revised Preliminary PUD plan was received January 12, 2012. Further staff review is needed; an update will be provided at the Council meeting.**

The Planning Commission held a public hearing on December 8, 2011 recommended approval of the preliminary planned unit development for Lot 2, Bella La Vista subject to satisfactory resolution of items 1-4 with the addition of further discussion on item one with regard to the need of the connection of 130<sup>th</sup> Street.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, DETERMINING CONDITIONS FOR APPROVAL OF THE PRELIMINARY PLANNED UNIT DEVELOPMENT (PUD) PLAN FOR LOT 2, BELLA LA VISTA, A SUBDIVISION LOCATED IN THE SW 1/4 OF SECTION 18, T14N, R12E OF THE 6<sup>TH</sup> P.M., SARPY COUNTY, NEBRASKA.

WHEREAS, the owners of the above described piece of property have made application for approval of a preliminary planned unit development plan for Lot 2, Bella La Vista; and

WHEREAS, the City Administrator and the City Engineer have reviewed the preliminary planned unit development plan; and

WHEREAS, on December 8, 2011, the La Vista Planning Commission held a public hearing and reviewed the preliminary planned unit development plan and recommended approval subject to resolution of the following items identified by the city engineer and staff:

1. A connection at 130<sup>th</sup> Street is needed.
2. The traffic study indicated the need for a left-turn bay on 132<sup>nd</sup> Street which requires a preliminary geometric plan for the widening of 132<sup>nd</sup> Street. Any additional comments from Felsburg, Holt and Ullevig will need to be addressed in the final copy of the traffic study as well.
3. There is a significant excess of stalls in Phase 2 and consideration should be given to deleting stalls and increasing green space such as for play space.
4. The proposed vertical curve at Sta. 16+84 on Chandler Plaza needs to be lengthened to provide the minimum 175' sight distance per the Subdivision Regulations.

NOW THEREFORE, BE IT RESOLVED by the Mayor and City Council of the City of La Vista, Nebraska, that the preliminary Planned Unit Development (PUD) plan for Lot 2, Bella La Vista, located in the SW 1/4 of Section 18, T14N, R12E of the 6<sup>th</sup> P.M., Sarpy County, Nebraska, generally located east of 132<sup>nd</sup> Street and Chandler Road be, and hereby is, approved subject to the items listed above.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012.

**CITY OF LA VISTA**

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk



CITY OF LA VISTA  
PLANNING DIVISION

RECOMMENDATION REPORT

CASE NUMBER: 2011-PUD-01

FOR HEARING OF:

January 17, 2012

Report Prepared on: January 12, 2012

**I. GENERAL INFORMATION**

**A. APPLICANT:**

Bella La Vista Housing Partners, LP  
416 East Third Street  
Kansas City, MO 64106

**B. PROPERTY OWNER:**

Bella La Vista Housing Partners, LP  
416 East Third Street  
Kansas City, MO 64106

**C. LOCATION:** East of Chandler Road and 132<sup>nd</sup> Street

**D. LEGAL DESCRIPTION:** Lot 2, Bella La Vista

**E. REQUESTED ACTION(S):** Approval of Preliminary PUD for Lot 2, Bella La Vista

**F. EXISTING ZONING AND LAND USE:** R-3 – High Density Residential with the Gateway Corridor Overlay District; Vacant/Agricultural

**G. PURPOSE OF REQUEST:** Approval of Preliminary PUD for the development of a two-phase multi-family residential complex development, with an outlot identified as “future development”.

**H. SIZE OF SITE:** 36.19 Acres

**II. BACKGROUND INFORMATION**

**A. EXISTING CONDITION OF SITE:** Existing Lot 2, Bella Vista is rolling terrain, sloping downward towards the south.

**B. GENERAL NEIGHBORHOOD/AREA LAND USES AND ZONING:**

1. **North:** R-1 Single-Family Residential; Millard Highlands South
2. **East:** C-3 Highway Commercial/Office Park; Southport West
3. **South:** C-3 Highway Commercial/Office Park; Bella La Vista Lot 1
4. **West:** I-1 Light Industrial; Centech Business Park

**C. RELEVANT CASE HISTORY:**

1. An amendment to the Future Land Use Map of the Comprehensive Plan from a commercial to a high density residential land use was approved May 16, 2006.
2. Rezoning of the property from TA – Transitional Agriculture to R-3 – High Density Residential was approved June 6, 2006.
3. The minutes from the May 16, 2006 and June 6, 2006 Council meetings indicate the approval was for the future land use amendment and rezoning; the developer would be required to apply for approval of a detailed project layout prior to any construction.

**D. APPLICABLE REGULATIONS:**

1. Section 5.08 of the Zoning Regulations – R-3 High Density Residential
2. Section 5.15 of the Zoning Regulations – PUD Planned Unit Development
3. Section 5.17 of the Zoning Regulations – Gateway Corridor Overlay District

**III. ANALYSIS**

**A. COMPREHENSIVE PLAN:** The Future Land Use Plan of the Comprehensive Plan designates the area for high-density residential development. Additional relevant statements within the Comprehensive Plan include:

**Community Goals, Policies, and Action Strategies**

**Housing Policies** (Page 2.8)

2. Promote development of residential options for La Vista's residents of all income levels.
7. Actively access affordable housing programs available from local, state, and federal departments.

**Housing Action Strategies** (Pages 2.8-2.10)

9. Maximize local public and private resources, organizations and, if needed, create a community based entity, to assist in the promotion and/or development of affordable housing opportunities.
11. Support and utilize the State of Nebraska Consolidated Housing Plan to create affordable housing opportunities in La Vista.
18. Designate areas for high density residential development which have access to adequate infrastructure and public services.
19. All new residential development should be served by adequate city utilities and services.

**Transportation Policies** (Page 2.13)

1. Provide a transportation system throughout La Vista for the safe and efficient movement of people, goods, and services.

Transportation Action Strategies (Page 2.13)

4. New residential developments in La Vista will require appropriate streets, curbs, gutters and sidewalks needs.

**B. OTHER PLANS:** Not applicable.

**C. TRAFFIC AND ACCESS:**

1. The main access for the property will be the intersection of 132<sup>nd</sup> Street and Chandler Road. A Traffic Impact Study was performed (see attachment and comments under # 4, 5 and 6 below).
2. Phase 1 identifies the extension of 130<sup>th</sup> Street into the development. Staff did not require the developer to extend 130<sup>th</sup> Street, however permanent dead end streets are not allowed under the Subdivision Regulations. The developer had the option to construct a turn-around or work with the abutting property owners to vacate the right-of-way at the location of the dead end. Instead the developer is proposing to connect to 130<sup>th</sup> Street. Staff supports this approach.
3. Phase 2 of the project includes the extension of Highland Blvd. which was required by staff. This secondary access is necessary for adequate emergency access as the future phases develop and Highland Blvd. was constructed to function as a collector street. The section of Highland Blvd. extended into the development includes a chicane (a widened area around a center island) as a traffic calming device.
4. The Traffic Impact Study calls for a left turn lane on 132<sup>nd</sup> Street. A preliminary geometric plan for the reconfiguration of 132<sup>nd</sup> Street has been submitted and will be reviewed prior to final PUD plan submittal.
5. The Traffic Impact Study does not address the future traffic generation of the proposed Outlot A. The designation as an outlot will prevent building permits until the traffic impact of development on Outlot A, as well as other issues, are addressed when proposed development plans on this parcel are determined.
6. The Traffic Impact Study needs to be supplemented to include analysis of warrant 2 for 2011 and 2035 traffic volumes with full development at the intersection of 132<sup>nd</sup> and Chandler. Also, provide additional information on the target volumes used in the analysis of turn-lane volume checks in Section 3.3 of the Traffic Impact Study.
7. The intersection of 132<sup>nd</sup> and Giles Road is scheduled to be redesigned; a short-term solution is scheduled to be designed in

**Plan was submitted 1/12/2012; further review is required in order to determine if any items have been resolved.**

**VI. PLANNING COMMISSION RECOMMENDATION:**

Malmquist moved, seconded by Hewitt to recommend approval of the Preliminary Planned Unit Development for Lot 2 Bella La Vista, subject to satisfactory resolution of items 1-4 as noted in the staff recommendation with the addition of further discussion on item one with regard to the need of the connection of 130<sup>th</sup> Street.

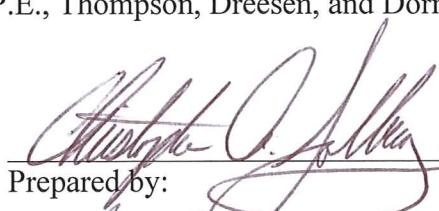
1. A connection at 130<sup>th</sup> Street is needed. Staff had discussed options with the developer if the street connection was not proposed however the Planning Commission expressed their belief that the connection is needed.
2. The traffic study indicated the need for a left-turn bay on 132<sup>nd</sup> Street which requires a preliminary geometric plan for the widening of 132<sup>nd</sup> Street. Any additional comments from Felsburg, Holt and Ullevig (traffic engineering review consultant) will need to be addressed in the final copy of the traffic study as well.
3. There is a significant excess of stalls in Phase 2 and consideration should be given to deleting stalls and increasing green space such as for play space.
4. The proposed vertical curve at Sta. 16+84 on Chandler Plaza needs to be lengthened to provide the minimum 175' sight distance per the Subdivision Regulations.

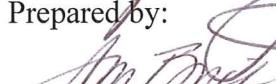
**VII. ATTACHMENTS TO REPORT:**

1. Vicinity Map
2. Preliminary PUD Site Plan Maps
3. Preliminary PUD Landscape Plan Map
4. Traffic Study
5. 132<sup>nd</sup> & Giles Road intersection design (short term solution)

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

1. John Wygowski, Fauss-Wygo
2. Douglas S. Dreesen, P.E., Thompson, Dreesen, and Dorner
3. Public Upon Request

  
\_\_\_\_\_  
Prepared by:

  
\_\_\_\_\_  
Community Development Director

1-13-2012  
\_\_\_\_\_  
Date

2012 and constructed in 2015 (see attached diagram). The timeframe for the construction of the long-term solution is listed for 2015-2020.

**D. UTILITIES:**

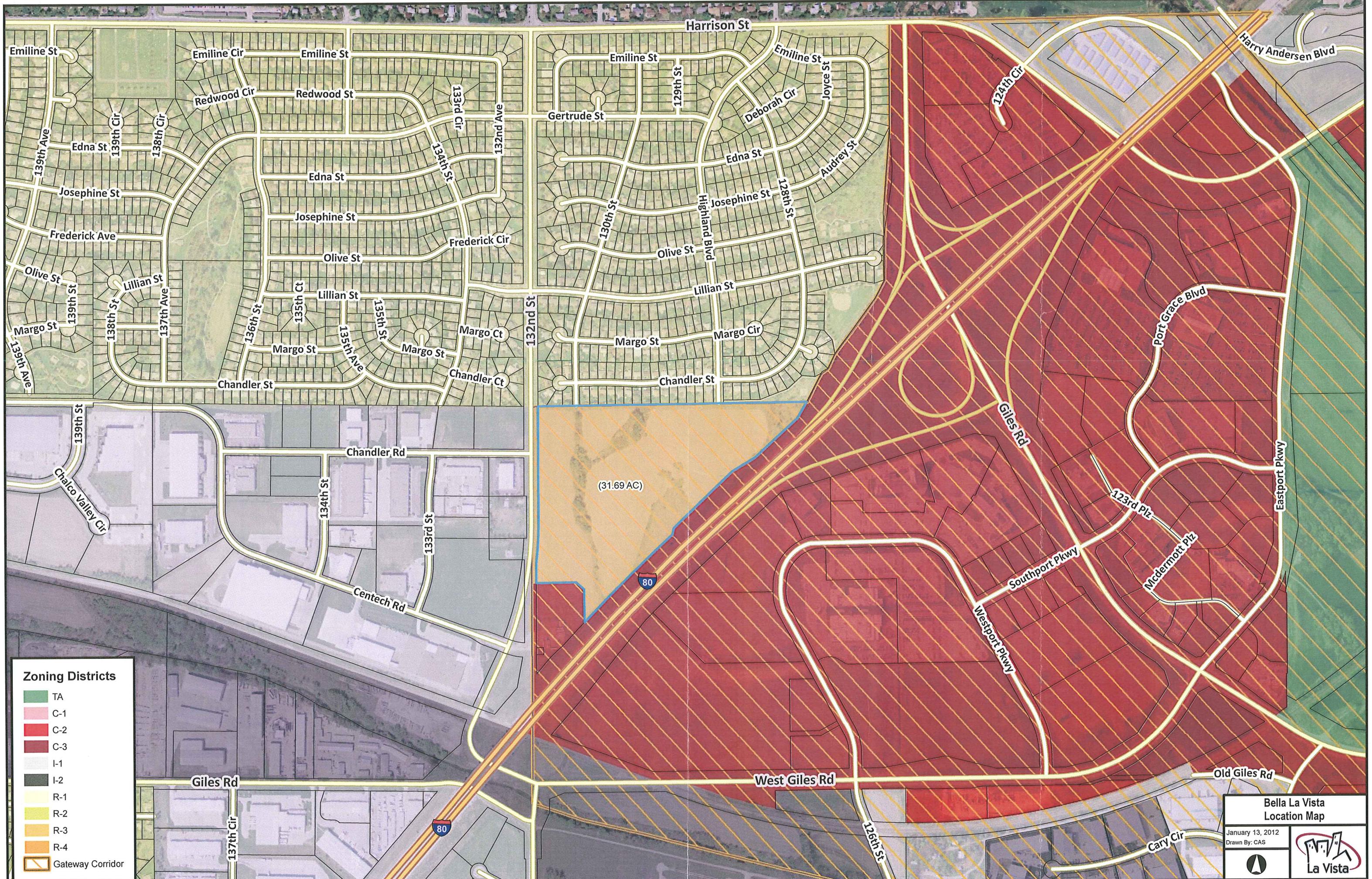
1. The property has access to water, sanitary sewer, gas, power and communication utilities along 132<sup>nd</sup> Street.
2. The developer will be connecting to an outfall sewer which was constructed by SID # 104, Millard Highlands South.

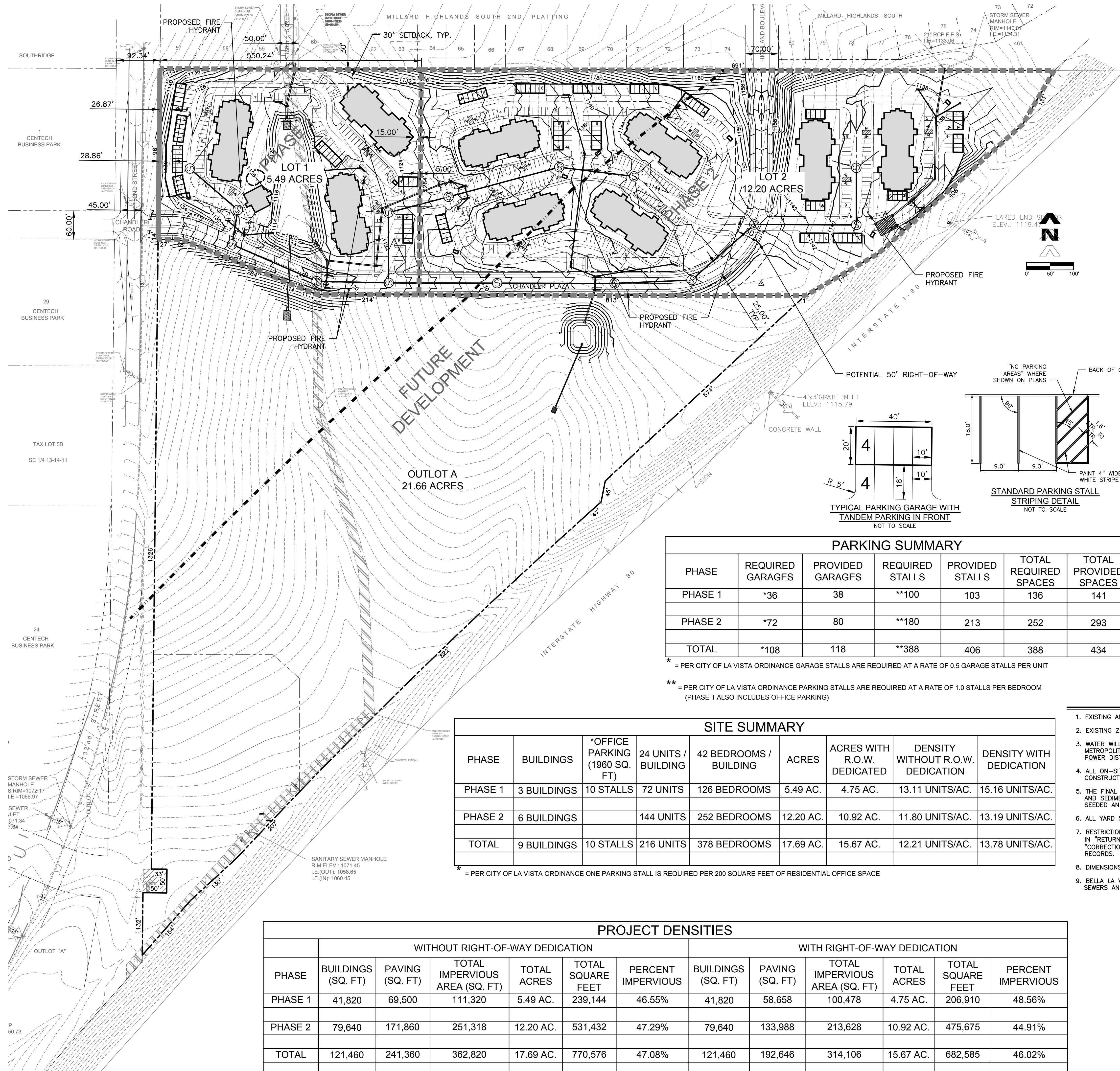
**IV. REVIEW COMMENTS:**

1. If the Preliminary PUD plan is approved, the applicant will need to apply for final PUD plan approval and overlay district adoption, a Conditional Use Permit, a Replat and approval of a Subdivision Agreement.
2. The proposed building design is currently under review. Design review will need to be finalized as part of the Conditional Use Permit.. The developer has been directed to evaluate the Cimarron Terrace multi-family development as an example of acceptable building design.
3. The required minimum setback of 30' has been met along the north property line however Building 2 in Phase 1 abuts the setback line. A preliminary landscape plan has been submitted and shows "existing tree mass" to be preserved in several areas and the planning of conifers in other areas.
4. Phase 1 contains three buildings with a total of 72 units, 38 garages (36 required) and 103 surface stalls (100 required). Phase 2 contains six buildings with a total of 144 units, 80 garages (72 required) and 304 surface stalls (180 required). Staff believes the parking is excessive and should be replaced by green space or recreation amenities for the residents.
5. The preliminary PUD plan identifies the balance of the property (approximately 21 acres) as Outlot A "future development". Staff recommended this approach since a development plan for this area is undetermined at this time. According to the Subdivision Regulations, outlots are not buildable lots which will require submittal of a replat and detailed plans prior to any development.

**V. STAFF RECOMMENDATION:**

Approval of the Preliminary PUD for Lot 2, Bella La Vista, as the request is in general conformity with the provisions of the La Vista Comprehensive Plan, does not adversely effect the development of neighboring areas, and meets the requirements of the La Vista Zoning Ordinance, subject to the resolution of the items identified by staff and the City Engineer. **A revised Preliminary PUD**





# BELLA LA VISTA REPLAT 1

BEING A REPLATTING OF LOT 2, BELLA LA VISTA,  
A SUBDIVISION IN SARPY COUNTY, NEBRASKA

# TD2

## engineering & surveying

thompson, dreessen & dorner, inc  
10836 Old Mill Rd  
Omaha, NE 68154  
p.402.330.8860 www.td2co.com

# Project Name

# Bella La Vista Apartments

---

Client Name

# Garrison Development

A circular Vicinity Map showing the location of the Project Site. The map includes labels for Harrison Street, 144th Street, 132nd Street, West Papillion Creek, Giles Road, and I-80. A diagonal line with a hatched area indicates the Project Site.

## SUBDIVIDER

BELLA LAVISTA HOUSING PARTNERS, LP  
416 EAST 3rd STREET  
KANSAS CITY, MISSOURI 64106

## ENGINEER

THOMPSON, DREESSEN & DORNER, INC.  
10836 OLD MILL ROAD  
OMAHA NEBRASKA 68154

## LEGAL DESCRIPTION

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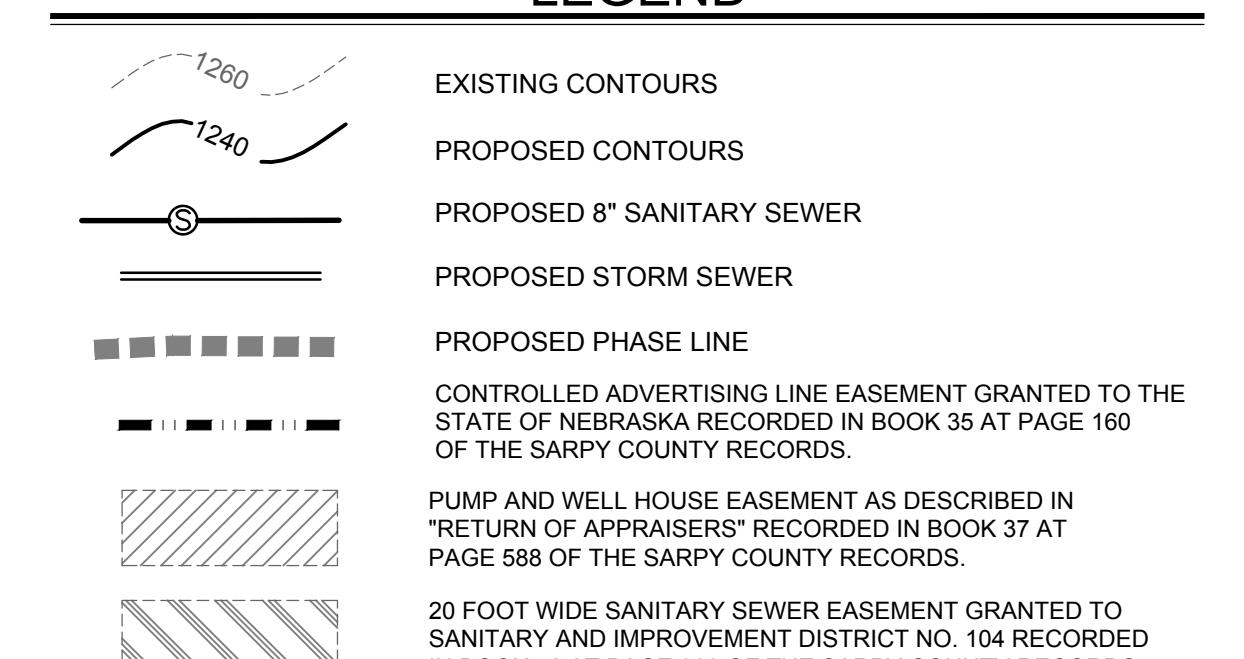
LOT 2, BELLA LA VISTA, A SUBDIVISION IN  
SARPY COUNTY, NEBRASKA

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## NOTES

1. EXISTING AND PROPOSED CONTOURS ARE SHOWN AT 2 FOOT INTERVALS AND ARE BASED ON USGS DATUM.
2. EXISTING ZONING IS R-3. PROPOSED ZONING IS R-3.
3. WATER WILL BE PROVIDED BY METROPOLITAN UTILITIES DISTRICT. GAS WILL BE PROVIDED BY METROPOLITAN UTILITIES DISTRICT OR BLACK HILLS ENERGY. POWER WILL PROVIDED BY OMAHA PUBLIC POWER DISTRICT.
4. ALL ON-SITE IMPROVEMENTS SHALL BE CONSTRUCTED IN PHASES TO COINCIDE WITH BUILDING CONSTRUCTION.
5. THE FINAL GRADING PLAN WILL BE PREPARED IN ACCORDANCE WITH THE CITY OF LA VISTA SOIL EROSION AND SEDIMENT CONTROL MANUAL. ALL PHASE AREAS NOT UNDER CONSTRUCTION SHALL BE PERMANENTLY SEEDED AND MAINTAINED UNTIL SUCH TIME CONSTRUCTION OF THE PHASE BEGINS.
6. ALL YARD SETBACKS SHALL ADHERE TO R-3 ZONING DISTRICT REGULATIONS.
7. RESTRICTION AGAINST DIRECT ACCESS TO AND FROM SUBJECT PROPERTY ONTO INTERSTATE 80 DESCRIBED IN "RETURN OF APPRAISERS" RECORDED IN MISC. BOOK 22 AT PAGE 197 AND CORRECTED BY "CORRECTION AGREEMENT" RECORDED IN MISC. BOOK 53 AT PAGE 749 BOTH OF THE SARPY COUNTY RECORDS.
8. DIMENSIONS SHOWN IN PARENTHESIS PERTAIN TO EASEMENTS.
9. BELLA LA VISTA HOUSE PARTNERS, LP WILL PROVIDE MAINTENANCE OF COMMON AREA FACILITIES SUCH AS SEWERS AND PRIVATE ROADWAY

## LEGEND



Drawn By: RTM      Reviewed By: DSD  
Job No.: 1610-136      Date: 11-01-1

# Sheet Title

# Preliminary Planned Unit Development Site Plan

Sheet Number

# C1.0

# 2011

## TRAFFIC

### IMPACT STUDY

La Vista, Nebraska

Bella La Vista Apartments  
132nd Street & Chandler Road

Garrison Community Development, LLC  
416 E Third Street  
Kansas City, MO 64106  
November 2011





November 11, 2011

Alfred Benesch & Company  
14748 West Center Road, Suite 200  
Omaha, NE 68144  
[www.benesch.com](http://www.benesch.com)  
P 402-333-5792  
F 402-333-2248

Mr. Garrison Hassenflu  
Garrison Community Development, LLC  
416 E. 3rd Street  
Kansas City, MO 64106

**RE: Traffic Impact Study  
Bella LaVista Development  
LaVista, NE**

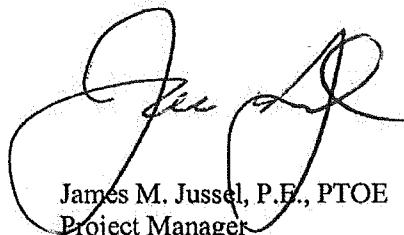
Mr. Hassenflu:

Per your request, Alfred Benesch & Company has prepared this traffic impact study for the proposed Bella LaVista development located in LaVista, NE. This study provides a summary of the traffic engineering procedures and recommendations.

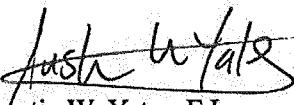
We appreciate the opportunity to be of service to you this very important project. Please feel free to contact us should you have any questions.

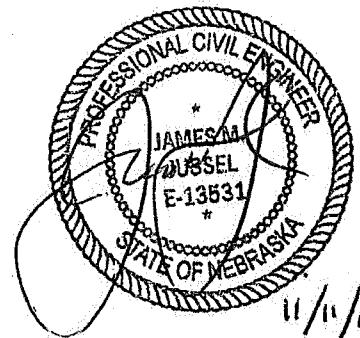
Sincerely,

**ALFRED BENESCH & COMPANY**



James M. Jussel, P.E., PTOE  
Project Manager

  
Austin W. Yates, E.I.  
Designer



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## 1.0 INTRODUCTION

### 1.1 Project Description

This report summarizes the results of the traffic analyses for the proposed Bella La Vista Apartments near 132<sup>nd</sup> Street & Chandler Road in La Vista, Nebraska. **Figure 1** displays the proposed area of development and the intersections that were studied for this report. The proposed layout of the site was provided by TD2, the site engineer, and is displayed in **Figure 2**.

### 1.2 Study Objectives and Methodology

The purpose of this traffic study was to evaluate the anticipated traffic impacts that the proposed development will have on traffic operations of the existing street network. The evaluation included an inventory of existing traffic conditions, existing with full development, and future year (2035) with full development.

### 1.3 Land Uses

#### 1.3.1 Existing Uses

The existing parcel is a vacant lot in a light industrial area.

#### 1.3.2 Future/Proposed Uses

The proposed development is 216 apartments, with a mix of one-bedroom, two-bedroom, and three-bedroom apartments. The development is proposed to be constructed in three phases: Phase 1 is 72 units, Phase 2 is 96 units, and Phase 3 is 48 units.

Bella La Vista Apartments Traffic Impact Study  
November 2011

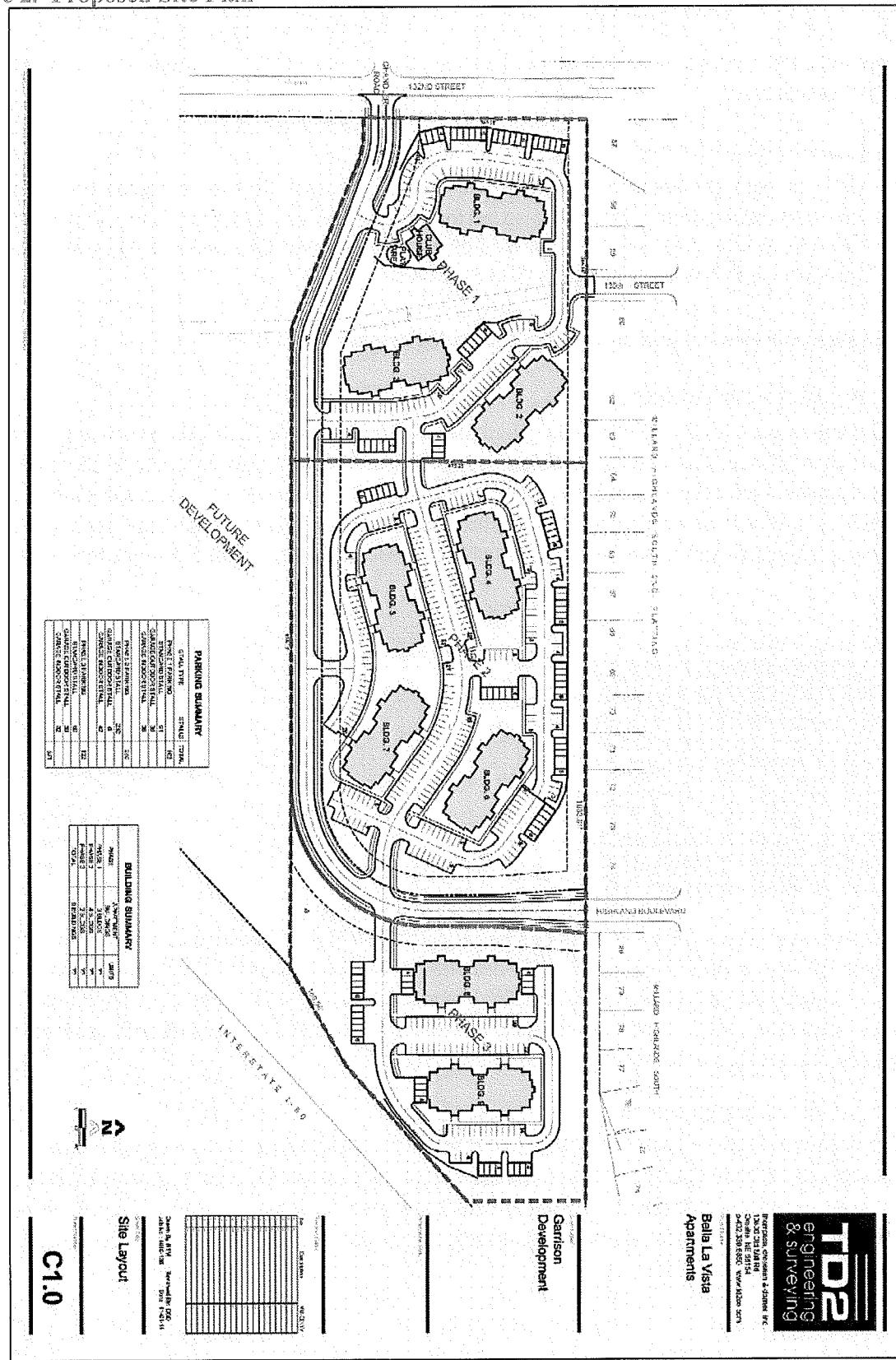
Figure 1. Site Location and Study Area



# Bella La Vista Apartments Traffic Impact Study

## November 2011

Figure 2. Proposed Site Plan



## 2.0 EXISTING CONDITIONS

In order to determine the impact of the proposed development, the existing traffic operations without the proposed expansion were benchmarked.

### 2.1 Existing Traffic Volumes

Alfred Benesch & Company (Benesch) conducted a field survey in August 2011 to obtain the current roadway geometrics at the study intersections. Benesch also performed the AM and PM peak hour turning movement counts from 7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM at the study intersections; the peak hours were identified as 7:00 AM to 8:00 AM and 4:45 PM to 5:45 PM.

**Figure 3** and **Figure 4** display the existing AM and PM traffic volumes.

### 2.2 Existing Capacity Analyses

Once the traffic volumes and traffic control were determined, a level of service (LOS) analysis was performed for year 2011 Existing AM and PM peak hour conditions using Synchro Studio 7 software. The levels of service for the study intersections were determined as described in the *Highway Capacity Manual, 2000 Edition* (HCM). Level of service is a system of ranking intersection performance using average stop delay per vehicle as the evaluation criteria (expressed as seconds of delay per vehicle, or sec/veh). The HCM LOS rankings are displayed in **Table 1**.

Table 1. HCM Level of Service

LOS	Average Delay [sec/veh]	
	Signalized	Unsignalized
A	≤10	≤10
B	>10-20	>10-15
C	>20-35	>15-25
D	>35-55	>25-35
E	>55-80	>35-50
F	>80	>50

The following sections discuss the results of the LOS analysis for each of the Existing scenarios. For this report, acceptable levels of service were considered LOS D or better for intersections and LOS E or better for individual movements. The signal timings (provided by the City of Omaha) and the HCM reports for the intersections are included in the **Appendix**. The study intersections are discussed in detail below. See **Figure 5** and **Figure 6** for a graphical display of the results of the year 2011 Existing LOS analysis.

#### 2.2.1 132<sup>nd</sup> St & Harrison St

The signalized capacity analysis indicates that the intersection is currently operating with an overall intersection LOS C in the AM. The individual turning movements are operating with LOS D or better except the southbound left turn movement, which currently operates at LOS F during the AM peak period. During the PM peak period, the intersection operates at LOS C and the individual movements operate at LOS D or better.

#### 2.2.2 Highland Blvd & Harrison St

The results of the unsignalized capacity analyses reveal the northbound approach and the southbound left turn operate at unsatisfactory levels of service in the AM and PM peak hours. Please note, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak commuter periods.

#### 2.2.3 132<sup>nd</sup> St & Chandler Rd

The unsignalized capacity analysis indicate the individual turning movements operate at LOS B or better for both the AM and PM peak periods.

#### 2.2.4 132<sup>nd</sup> St & W. Giles Rd (East)

The unsignalized capacity analyses show that the individual movements operate at LOS D or better during the AM and PM peak periods except the westbound approach, which currently operates at LOS F during both AM and PM peak periods. As noted above, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak commuter periods. Also, this intersection was previously studied by Schemmer & Associates and is currently in design.

#### 2.2.5 132<sup>nd</sup> St & W. Giles Rd (West)

According to the unsignalized capacity analyses, the individual movements operate at LOS A during the AM and PM peak periods except the eastbound approach, which currently operates at LOS F during both AM and PM peak periods. As mentioned previously, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak commuter periods. Additionally, this intersection was previously studied by Schemmer & Associates and is currently in design.

### 2.3 Existing Queuing Analyses

A queue length analysis was performed for year 2011 Existing scenarios. The 95<sup>th</sup> percentile queue length from Synchro 7 was used to determine the anticipated queue lengths; the queue lengths are rounded up to the nearest 25 feet. The results are displayed in **Figure 5** and **Figure 6**. The queuing analysis reports can be found in the **Appendix**.

### 2.4 Existing Traffic Signal Warrant Analyses

The *Manual on Uniform Traffic Control Devices, 2009 Edition*, (MUTCD) was used to determine if a traffic signal would be warranted at 132<sup>nd</sup> Street & Chandler Road with existing traffic volumes. For this study, the peak hour warrant, Warrant 3, was utilized because the traffic volume data is limited to peak hour counts. The peak hour warrant is intended for use at a location where traffic conditions are such that for a minimum of one hour of an average day, the minor-street traffic suffers undue delay when entering or crossing the major street. Furthermore, if Warrant 3 is met, it is usually a good predictor that the eight-hour and four-hour volume warrants, Warrants 1 and 2, may also be met. The warrant analysis worksheets are included in the **Appendix**.

When compared to the Warrant 3 thresholds, traffic volumes at this intersection are not anticipated to satisfy warrant criteria for signalization in year 2011. As a result, the intersection was analyzed as unsignalized for the year 2011 Existing analysis scenarios.

### 3.0 PROPOSED CONDITIONS

The proposed development will generate new trips on the nearby roadway network. The number of new trips is based on the time of day, land use of the development, and the size of the development. Determining these trips is referred to as trip generation and is discussed in the following sections. Once the trip generation is determined, the new trips are added to the existing conditions. The following sections describe the trip generation and trip distribution process.

#### 3.1 Trip Generation and Trip Distribution

A trip generation analysis was performed to determine the number of trips generated by the proposed apartments using trip rates documented in the *Institute of Transportation Engineers (ITE) Trip Generation Manual – 8<sup>th</sup> Edition*. The expected trip generation of the proposed development is shown in **Table 2**.

Table 2. Trip Generation

ITE Code	Land Use	Quantity	Unit	ADT	AM Peak Hour			PM Peak Hour		
					In	Out	Total	In	Out	Total
220	Apartment	216	DU	1,500	22	88	110	89	48	136

Please note, there is only one land use type for this development, therefore there was no internal trip reduction. Furthermore, due to the residential nature of the site, no passer-by reduction factors were applied.

Once the trips generated by the proposed development were determined, the trips were distributed throughout the study area network. Trip distribution percentages were developed using existing and future traffic volumes along with engineering judgment. These percentages were used to determine the origin and destination of trips generated by the development. **Figure 7** and **Figure 8** display the site-generated traffic volumes added to the 2011 Existing traffic volumes.

#### 3.2 Future Traffic Volumes

The 2035 Future traffic volumes were developed by applying a 2% per year growth rate to the 2011 Existing traffic volumes. The growth rate was based on historical trends. **Figure 11** and **Figure 12** display the site-generated traffic volumes added to the 2035 traffic volumes.

#### 3.3 Proposed Turn Lane Warrant Checks

After the proposed traffic volumes were developed, 132<sup>nd</sup> Street & Chandler Road was examined to determine whether or not conditions were satisfied for the installation of left turn lanes. The guidelines are from *A Policy on Geometric Design of Highways and Streets, 2004 Edition*, published by the American Association of State Highway and Transportation Officials (AASHTO), as well as guidelines from National Cooperative Highway Research Program (NCHRP) *Synthesis of Highway Practice 255: Left-Turn Treatments at Intersections*. The methodologies, which account for the opposing vehicular volume, the advancing vehicular volume, and the percentage of left turns, is detailed in the **Appendix**.

The year 2011 Existing plus Full Development turning movement volumes were compared to the turn lane guidelines and neither the northbound nor the southbound left turn movements satisfy the criteria for consideration of a turn lane.

However, when the year 2035 Future plus Full Development volumes are compared to the turn lane guidelines, the southbound left turn movement is anticipated to satisfy criteria for a left-turn lane. As a result, a southbound left turn lane is recommended. Furthermore, a northbound left turn lane is recommended in order to align the northbound and southbound approaches as well as to promote safety by matching driver expectations of opposing lane configurations. The turn lanes should be a minimum of 150 feet long.

Please note, the turn lane warrant checks indicate that turn lanes are anticipated to be needed by the future year. While not necessarily needed on the opening day of the first phase of the development, the turn lanes should be installed as part of Phase 2 or Phase 3 construction.

### 3.4 Proposed Traffic Signal Warrant Analyses

After the proposed traffic volumes and lane configurations were developed, the 132<sup>nd</sup> Street & Chandler Road analyzed using the peak hour warrant (Warrant 3) to determine whether or not it is anticipated to satisfy the conditions for the installation of a traffic signal. The warrant analysis worksheets are included in the **Appendix**.

#### 3.4.1 Year 2011 Existing plus Full Development

The intersection at 132<sup>nd</sup> Street & Chandler Road is not anticipated to satisfy the MUTCD Warrant 3 (Peak Hour) criteria for signalization with the existing plus development traffic volumes. As a result, the intersection remained unsignalized for the year 2011 Existing plus Full Development analysis scenarios.

#### 3.4.2 Year 2035 Future plus Full Development

The intersection at 132<sup>nd</sup> Street & Chandler Road is anticipated to satisfy MUTCD Warrant 3 (Peak Hour) warrant criteria with the future plus development traffic volumes. Consequently, it was analyzed as signalized for the year 2035 Future plus Full Development analysis scenarios. Furthermore, traffic signal warrants will need to be monitored to determine when the intersection is expected to be signalized.

### 3.5 Year 2011 Existing plus Full Development Capacity Analyses

Once proposed traffic volumes and traffic control were determined, capacity analyses were performed to measure the proposed traffic operations at the study intersections. The following sections discuss the results of the LOS analysis for each of the scenarios. The HCM reports for the intersections are included in the **Appendix**. **Figure 9** and **Figure 10** display the results of the 2011 Existing plus Full Development LOS analysis.

#### 3.5.1 132<sup>nd</sup> St & Harrison St

The signalized capacity analysis indicates that the intersection is anticipated to operate with an overall intersection LOS D in the AM. The individual turning movements are anticipated to operate at LOS D or better. During the PM peak period, the intersection is anticipated to operate at LOS C and the individual movements are anticipated to operate at LOS D or better.

#### 3.5.2 Highland Blvd & Harrison St

The results of the unsignalized capacity analyses reveal the northbound approach and the southbound left turn operate at unsatisfactory levels of service in the AM and PM peak hours. As mentioned, LOS F is

not uncommon for stop-controlled approaches to unsignalized intersections during the peak commuter periods.

#### 3.5.3 132<sup>nd</sup> St & Chandler Rd

The unsignalized capacity analysis indicates that the individual turning movements are anticipated to operate at LOS C or better for both the AM and PM peak periods.

#### 3.5.4 132<sup>nd</sup> St & W. Giles Rd (East)

The unsignalized capacity analysis indicates that the individual movements are anticipated to operate at LOS E or better during the AM and PM peak periods except the westbound approach, which is anticipated to operate at LOS F during both AM and PM peak periods. As mentioned previously, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak volume conditions.

#### 3.5.5 132<sup>nd</sup> St & W. Giles Rd (West)

The unsignalized capacity analysis indicates that the individual movements are anticipated to operate at LOS A during the AM and PM peak periods except the eastbound approach, which is anticipated to operate at LOS F during both AM and PM peak periods. Again, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak periods.

### 3.6 Year 2035 Future plus Full Development Capacity Analyses

The following sections discuss the results of the LOS analysis for each of the scenarios. The HCM reports for the intersections are included in the **Appendix**. **Figure 13** and **Figure 14** display the results of the 2035 Future plus Full Development LOS analysis.

#### 3.6.1 132<sup>nd</sup> St & Harrison St

The signalized capacity analysis indicates that the intersection is anticipated to operate with overall intersection LOS F in both the AM and PM peak periods. The individual turning movements are anticipated to operate with LOS E or better except the following movements:

- Eastbound thru/right movement is anticipated to operate at LOS F during the AM peak period.
- Westbound left turn movement is anticipated to operate at LOS F during both the AM and PM peak period.
- Westbound thru movement is anticipated to operate at LOS F during the PM peak period.
- Northbound left turn movement is anticipated to operate at LOS F during the AM peak period.
- Southbound left turn movement is anticipated to operate at LOS F during both the AM and PM peak period.

The poor levels of service anticipated at this intersection are not a direct result of the Bella La Vista development but are due to growth in the surrounding area.

#### 3.6.2 Highland Blvd & Harrison St

The results of the unsignalized capacity analyses reveal several deficiencies. In the AM peak hour, the northbound approaches, the southbound left turn, and the westbound left turn are expected to experience undesirable delay. In the PM peak hour, all left turn movements are expected to experience unsatisfactory levels of service., as well as the southbound thru/right, which is expected to function at LOS E. Again,

LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak commuter periods.

### 3.6.3 132<sup>nd</sup> St & Chandler Rd

Since this intersection met Warrant 3 criteria with the future volumes, it was analyzed as signalized for the year 2035 Future plus Full Development scenarios. The signalized capacity analysis indicates that the intersection is anticipated to operate with overall intersection LOS B in the AM and PM peak periods. The individual turning movements are anticipated to operate at LOS B or better during both the AM and PM peak periods.

### 3.6.4 132<sup>nd</sup> St & W. Giles Rd (East)

The unsignalized capacity analysis indicates that the northbound free movement is anticipated to operate at LOS A during the AM and PM peak periods, however, the eastbound and westbound approaches are anticipated to operate at LOS F during both AM and PM peak periods. As mentioned previously, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak periods.

### 3.6.5 132<sup>nd</sup> St & W. Giles Rd (West)

The unsignalized capacity analysis indicates that the northbound and southbound free movements are anticipated to operate at LOS A during the AM and PM peak periods, however, the eastbound approach is anticipated to operate at LOS F during both AM and PM peak periods. As mentioned previously, LOS F is not uncommon for stop-controlled approaches to unsignalized intersections during the peak commuter periods.

It should be noted, the results of the proposed capacity analyses indicate that several movements are anticipated to operate at unacceptable levels of service. The two Giles Road intersections have been previously studied by Schemmer & Associates and the reconfiguration is currently being designed. Furthermore, the intersection at Highland Boulevard & Harrison Street will most likely remain unsignalized due to its proximity to the signals at Giles Road (1,000 feet away) and Harrison Street (1,600 feet away).

## 3.7 Proposed Queuing Analyses

A queue length analysis was performed for the Full Development scenarios using the methodology described in **Section 2.3**. The results are displayed in **Figure 9**, **Figure 10**, **Figure 13**, and **Figure 14**. The queuing analyses can be found in the **Appendix**.

## 4.0 RECOMMENDATIONS

The results of the traffic impact study indicate the proposed Bella La Vista Apartment development is not anticipated to have a significant adverse effect on the operations of the AM and PM peak hour of 132<sup>nd</sup> Street. The following sections discuss some of the analysis results and the subsequent recommendations.

### 4.1 Turn Lane Additions

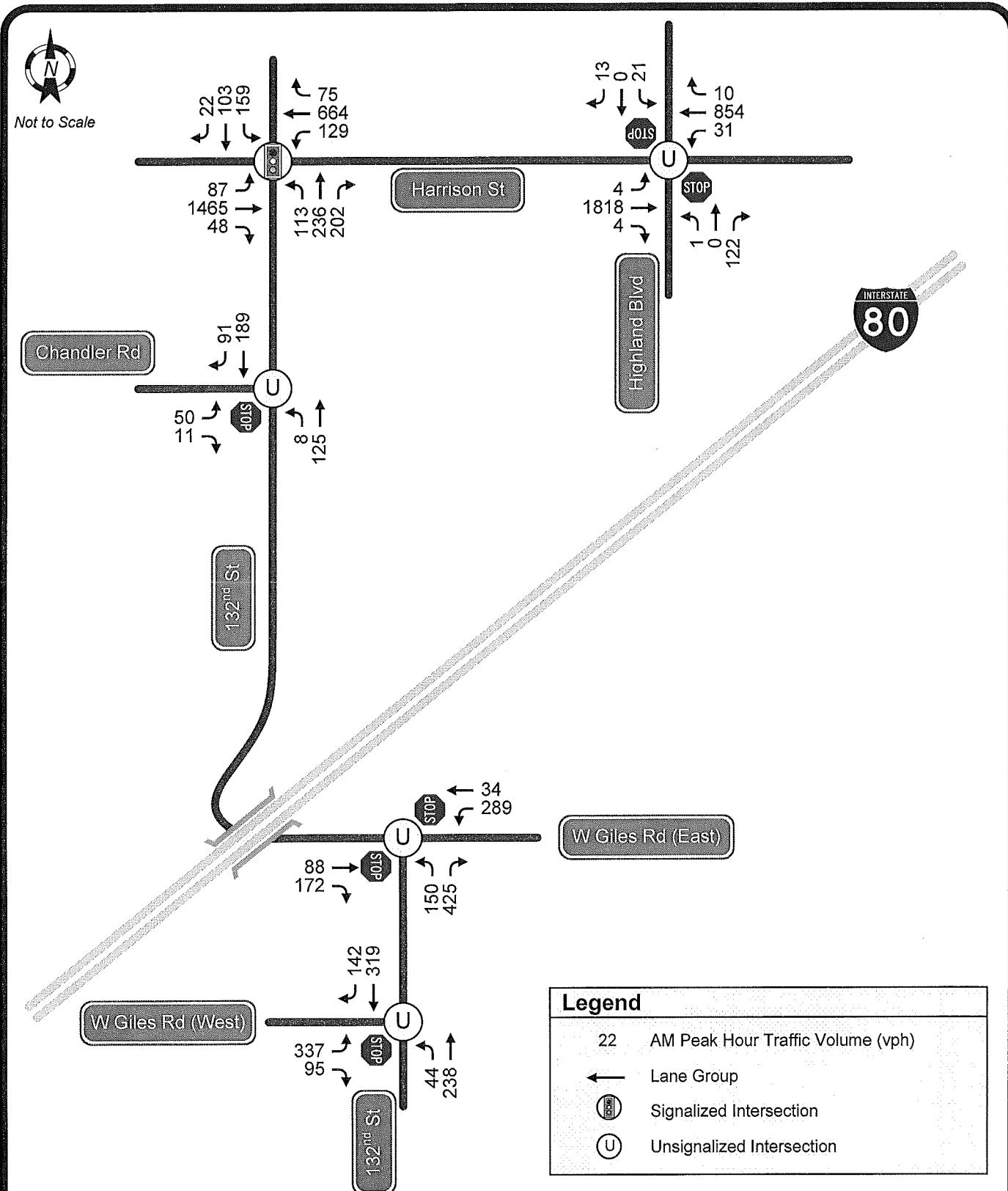
Northbound and southbound left turn lanes should be installed at 132<sup>nd</sup> Street & Chandler Road as part of the later phases of construction of the development. The southbound left turn movement is expected to meet AASHTO guidelines for an exclusive turn lane and the northbound left turn lane should be constructed to match up with the opposing approach.

### 4.2 Traffic Signal Additions

Consideration for a traffic signal at 132<sup>nd</sup> Street & Chandler Road was determined using the MUTCD peak hour warrant (Warrant 3). This intersection meets warrant criteria under the 2035 Future plus Full Development scenarios. Although the year 2011 scenarios do not meet warrant criteria, the signal may become warranted as growth occurs in the area. Therefore, it is recommended that traffic volumes at 132<sup>nd</sup> Street & Chandler Road be monitored and when traffic volumes satisfy warrant thresholds, a traffic signal should be considered.

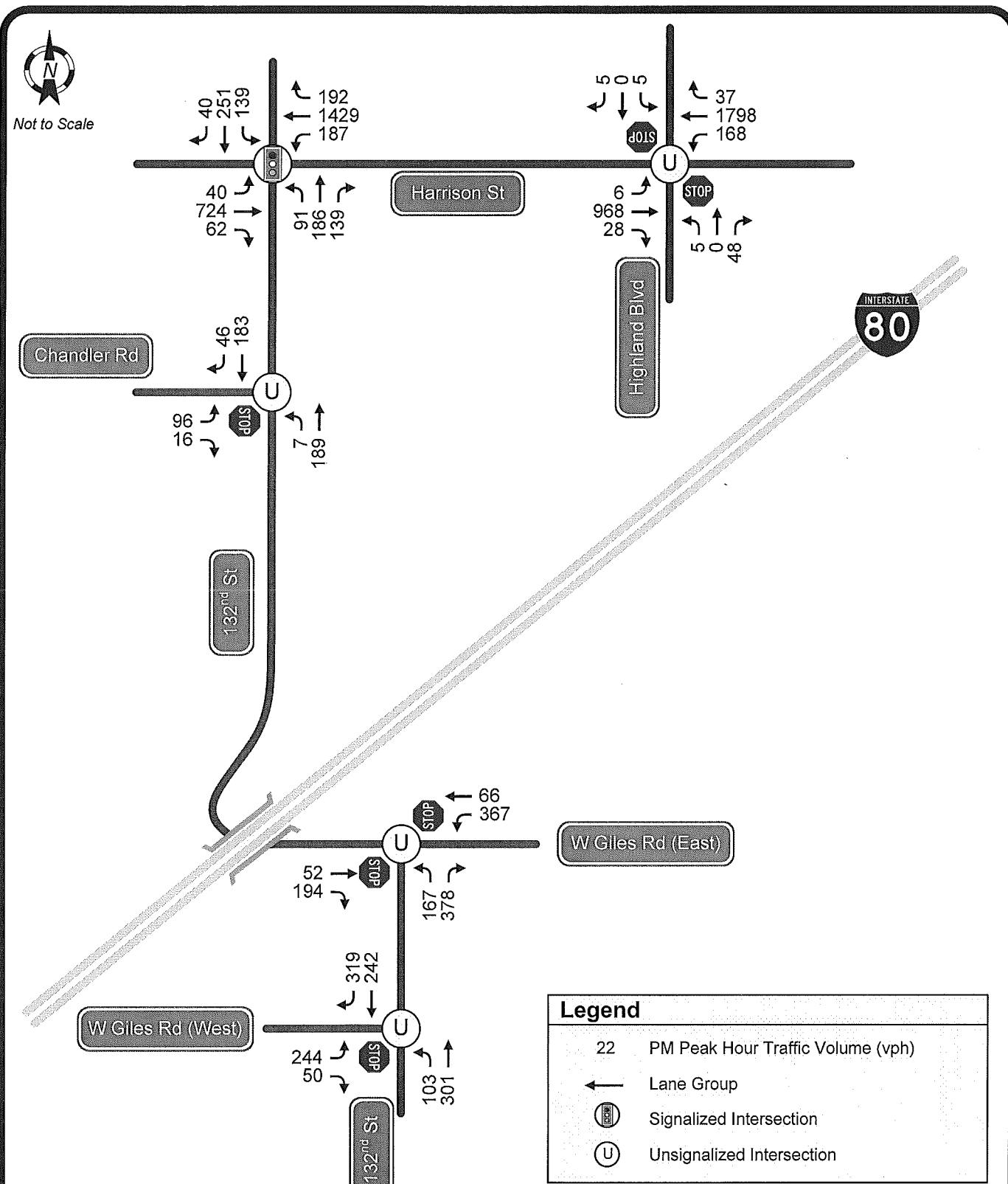
### 4.3 Future Roadway System Improvements

This study did not include any improvements at the 132<sup>nd</sup> Street & Harrison Street because no improvements are included in the MAPA LRTP. The deficiencies along Harrison Street are not a direct result of this development but are due to projected growth in the surrounding area. Both intersections at 132<sup>nd</sup> Street and West Giles Road will be improved as part of a current design project.



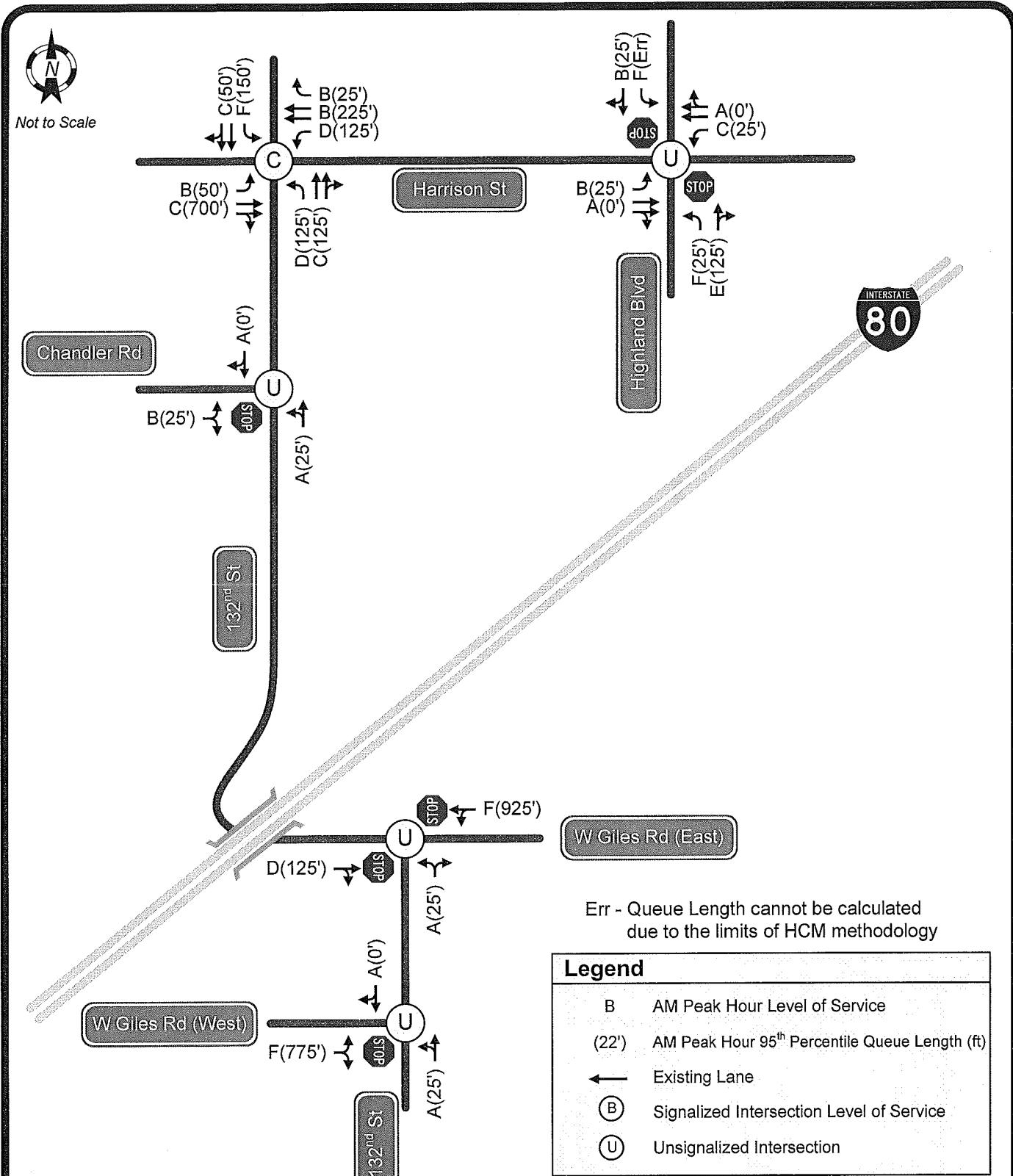
Traffic Impact Study  
Bella La Vista Apartments  
La Vista, NE

Year 2011 Existing  
AM Peak Hour Traffic Volumes  
**Figure 3**



Traffic Impact Study  
Bella La Vista Apartments  
La Vista, NE

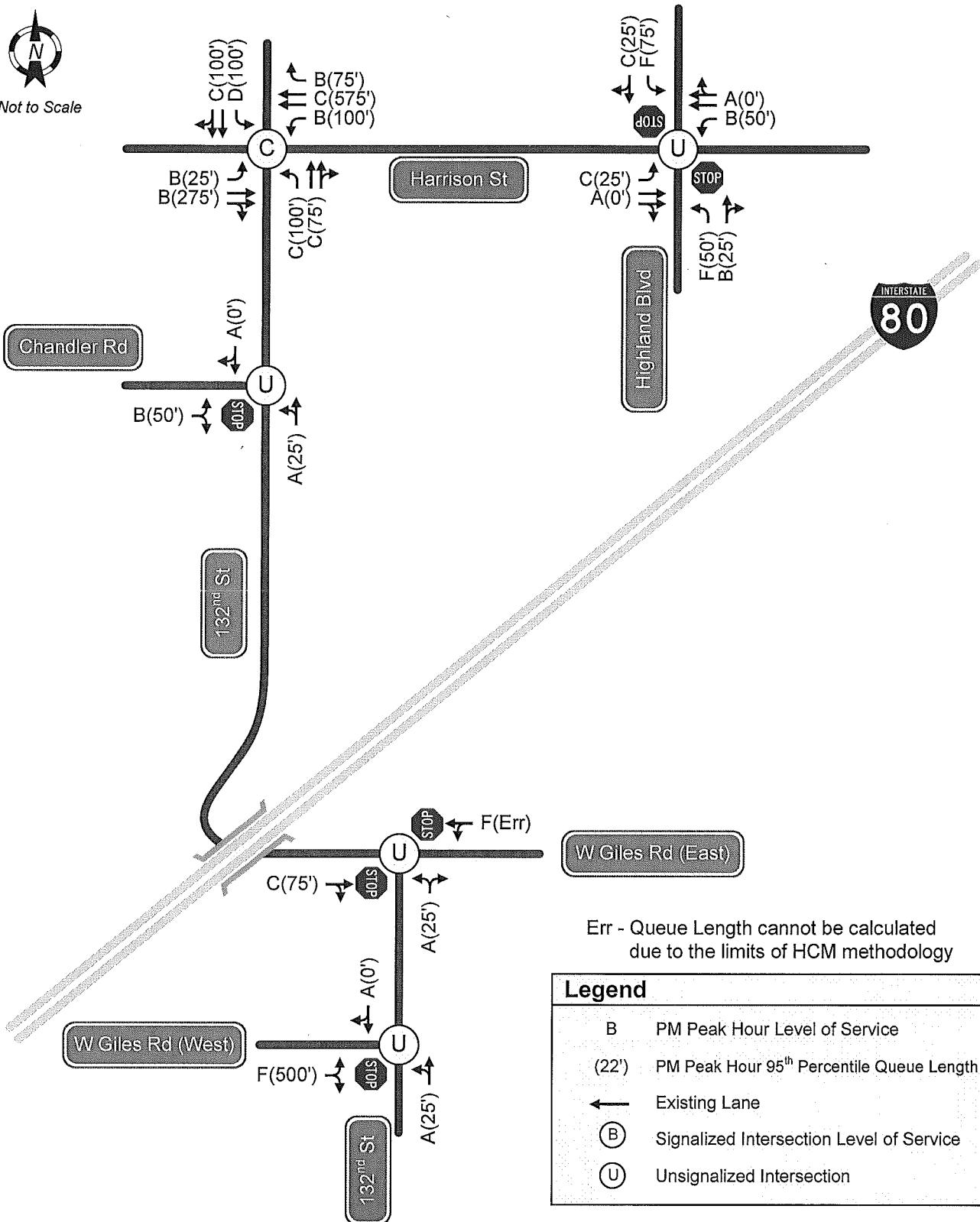
Year 2011 Existing  
PM Peak Hour Traffic Volumes  
**Figure 4**



**Figure 5**



Not to Scale

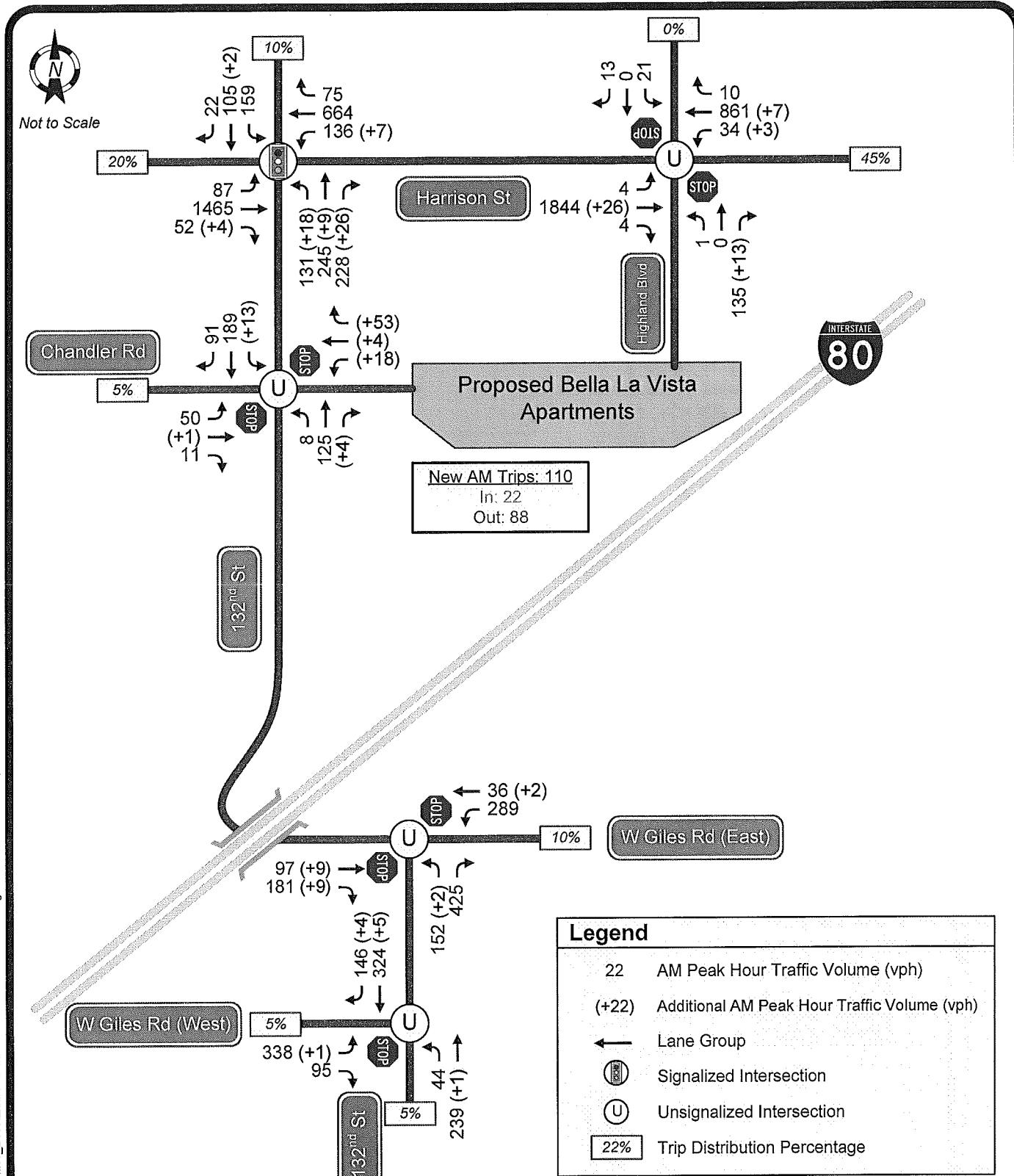


#### Legend

- B PM Peak Hour Level of Service
- (22') PM Peak Hour 95<sup>th</sup> Percentile Queue Length (ft)
- ← Existing Lane
- (B) Signalized Intersection Level of Service
- (U) Unsignalized Intersection

Traffic Impact Study  
Bella La Vista Apartments  
La Vista, NE

Year 2011 Existing  
PM Peak Hour Level of Service and Queue Length  
**Figure 6**



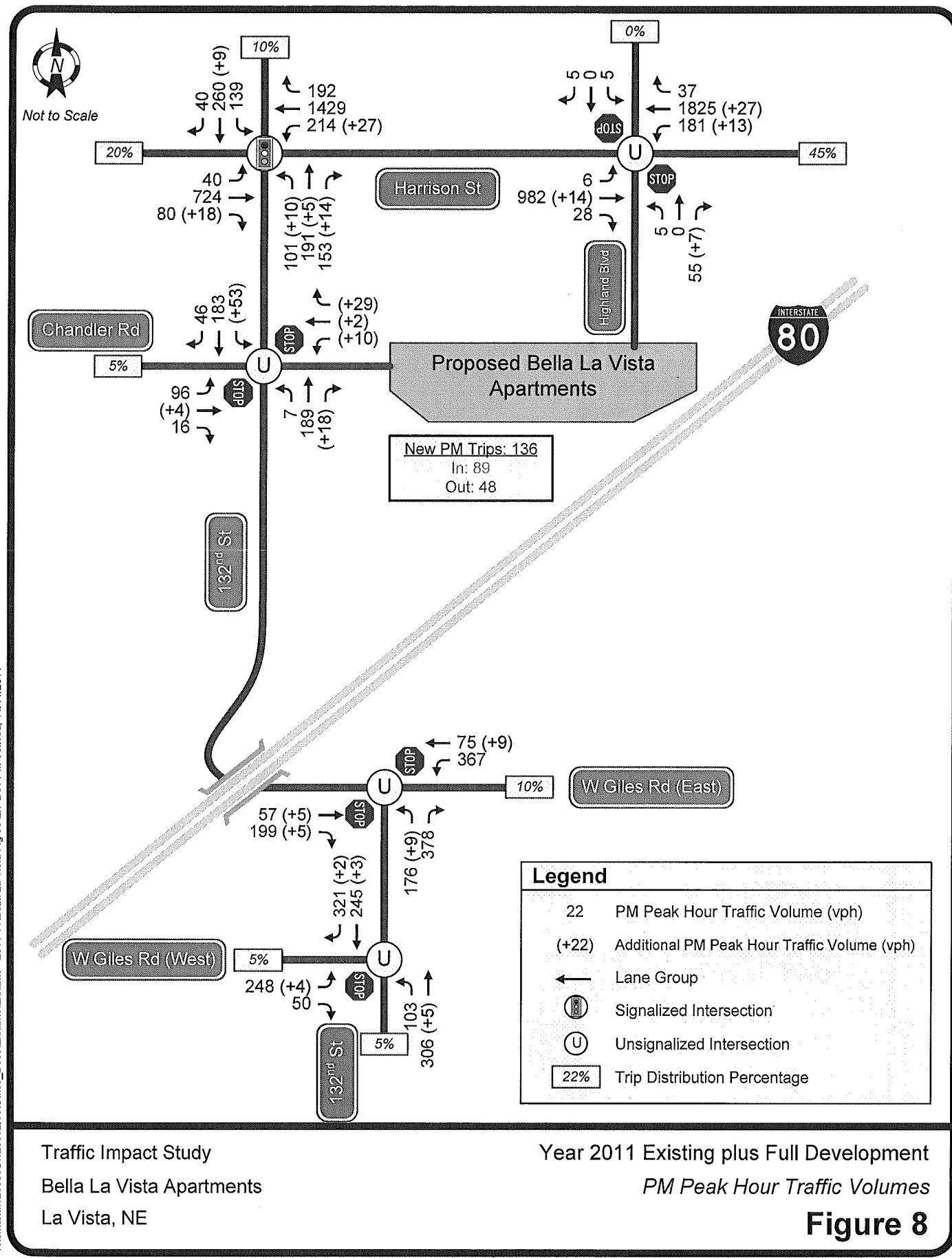
# Traffic Impact Study

## Bella La Vista Apartments

### La Vista, NE

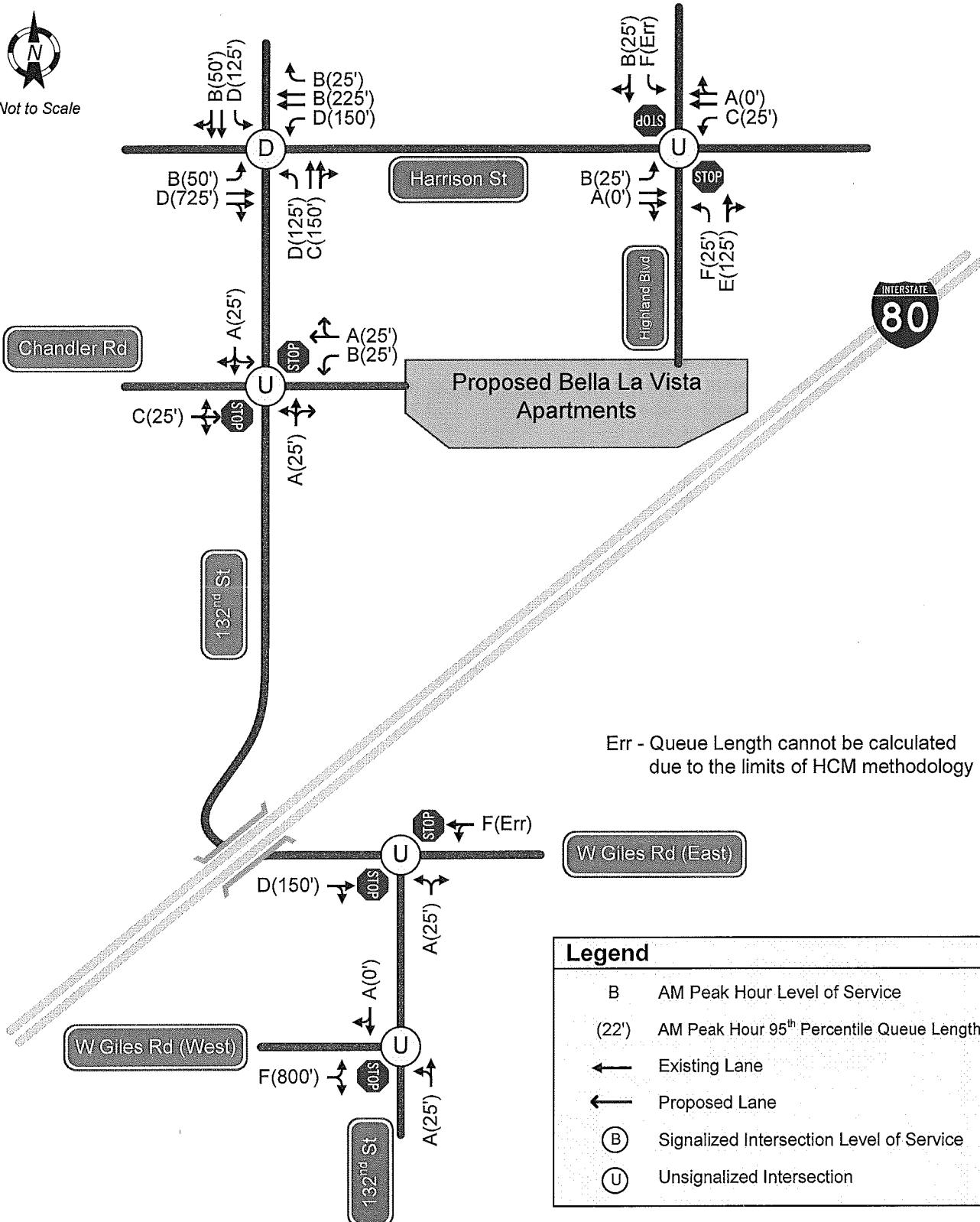
## Year 2011 Existing plus Full Development AM Peak Hour Traffic Volumes

**Figure 7**





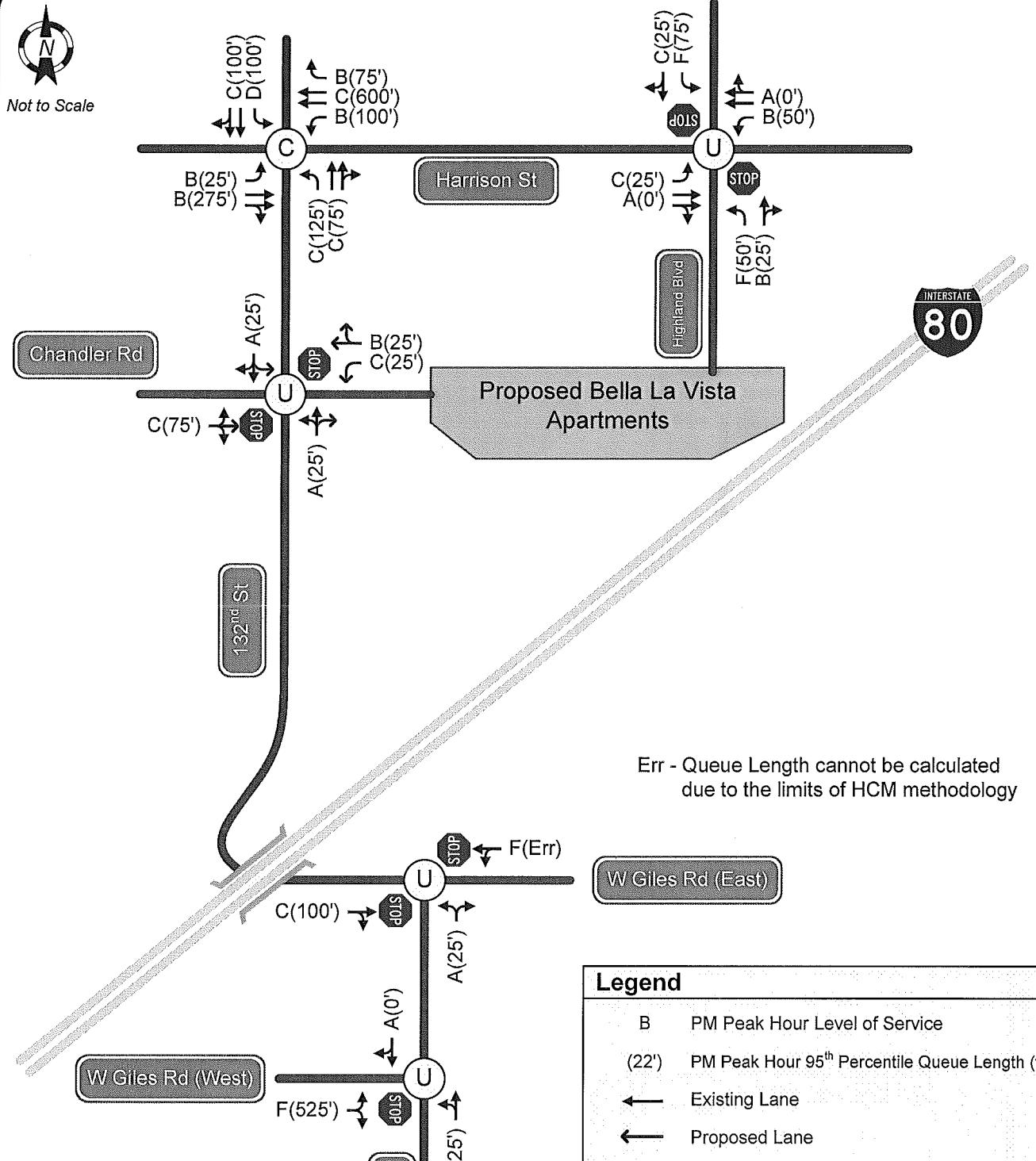
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Traffic Impact Study  
Bella La Vista Apartments  
La Vista, NE

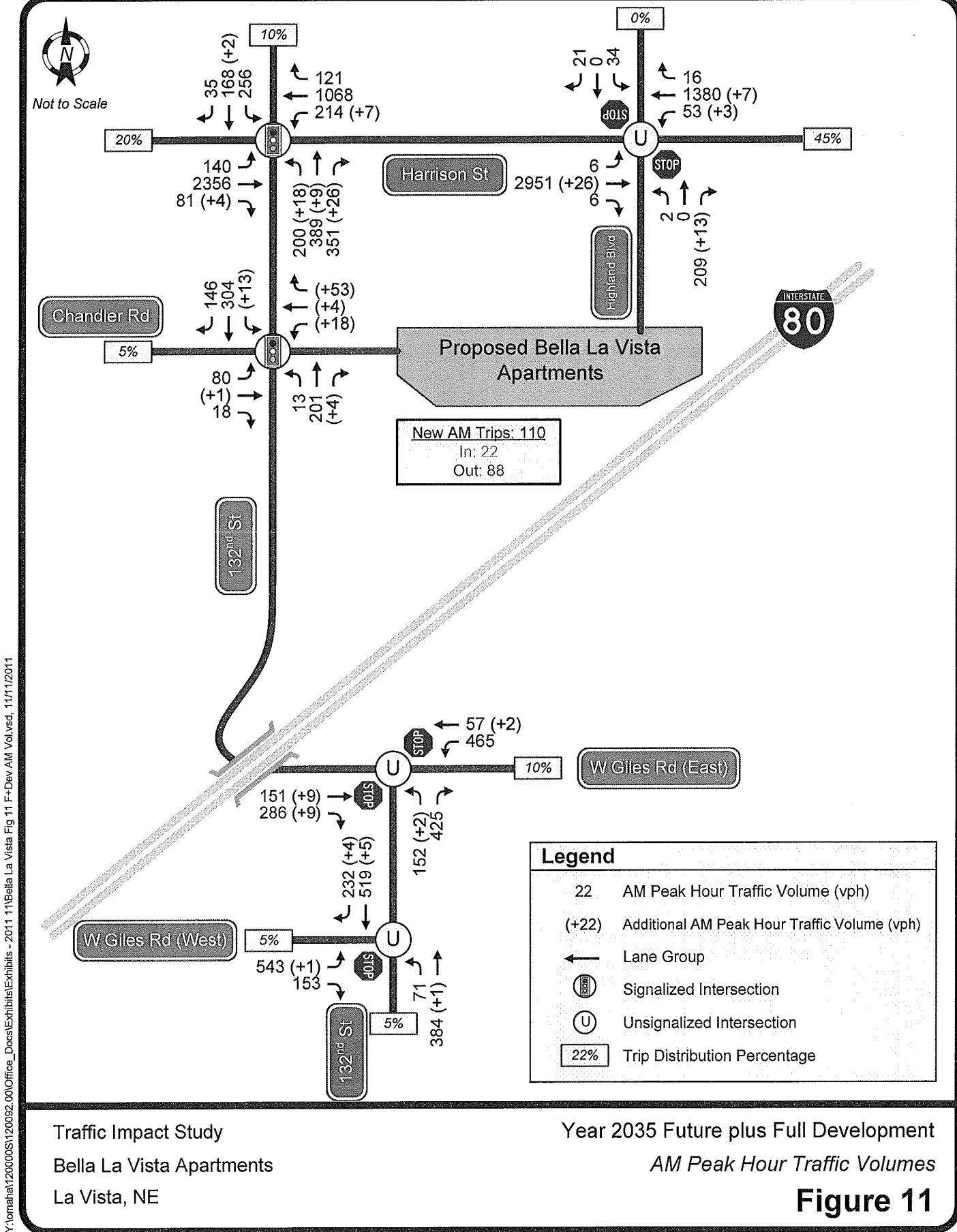
Year 2011 Existing plus Full Development  
AM Peak Hour Level of Service and Queue Length

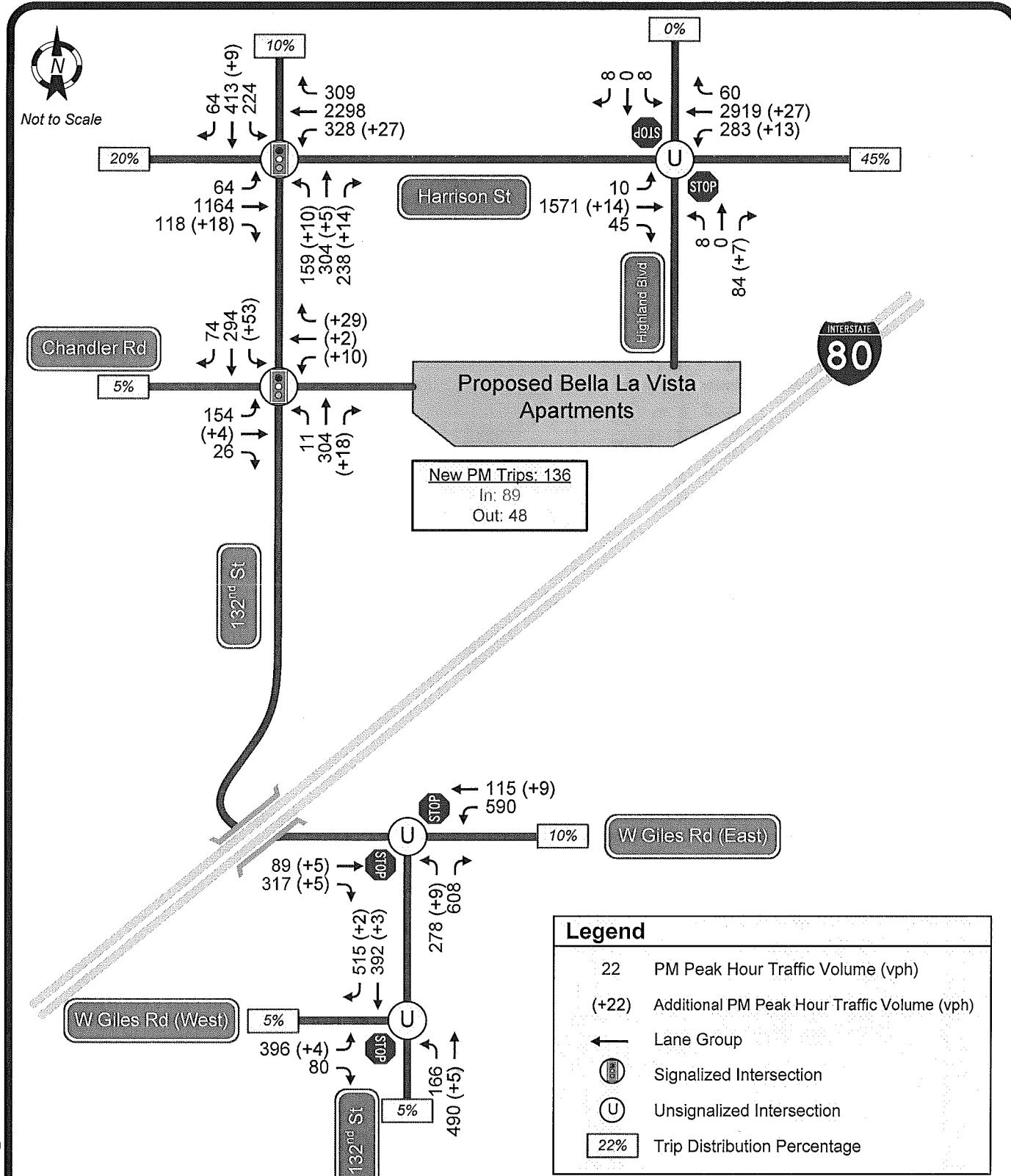
**Figure 9**

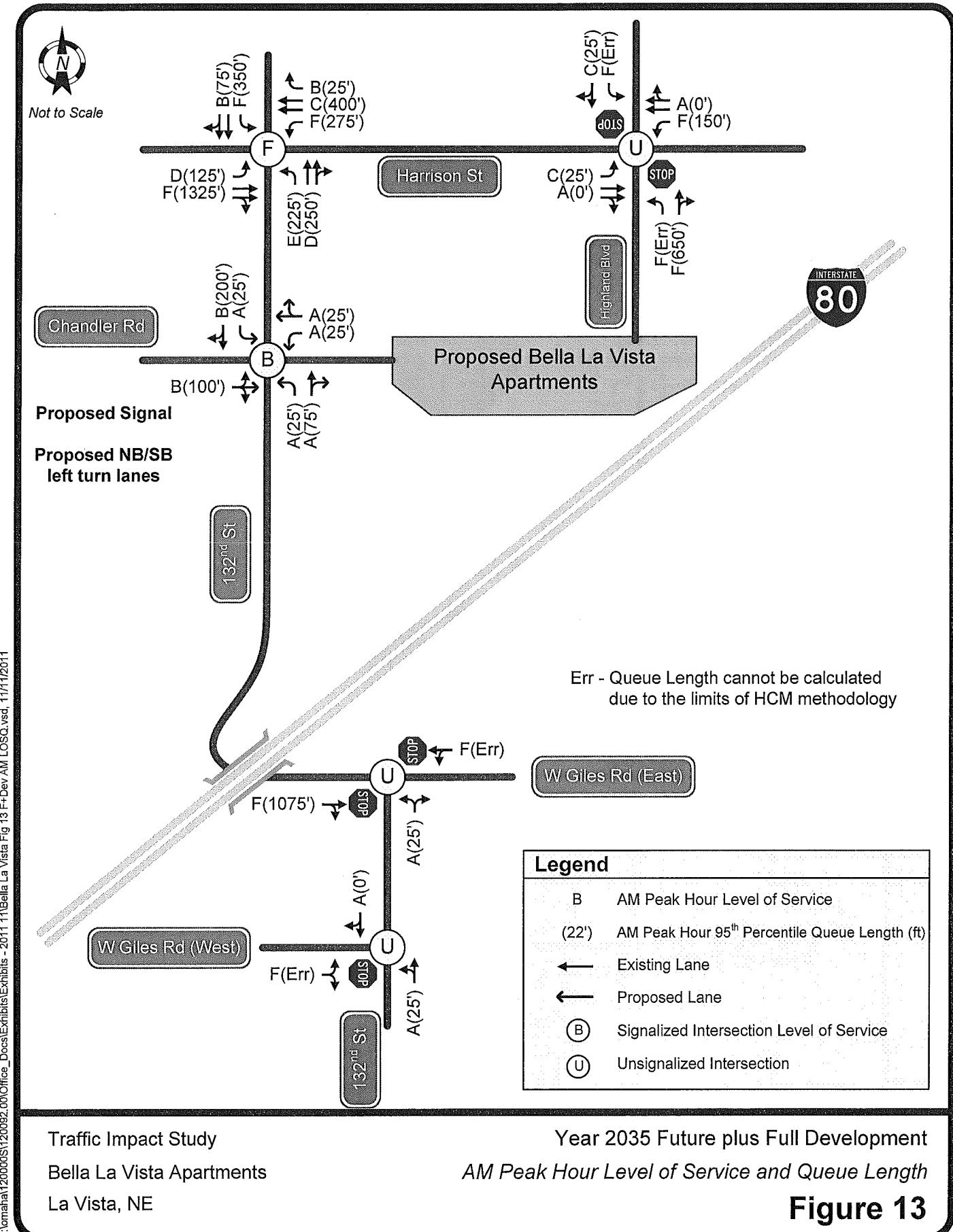


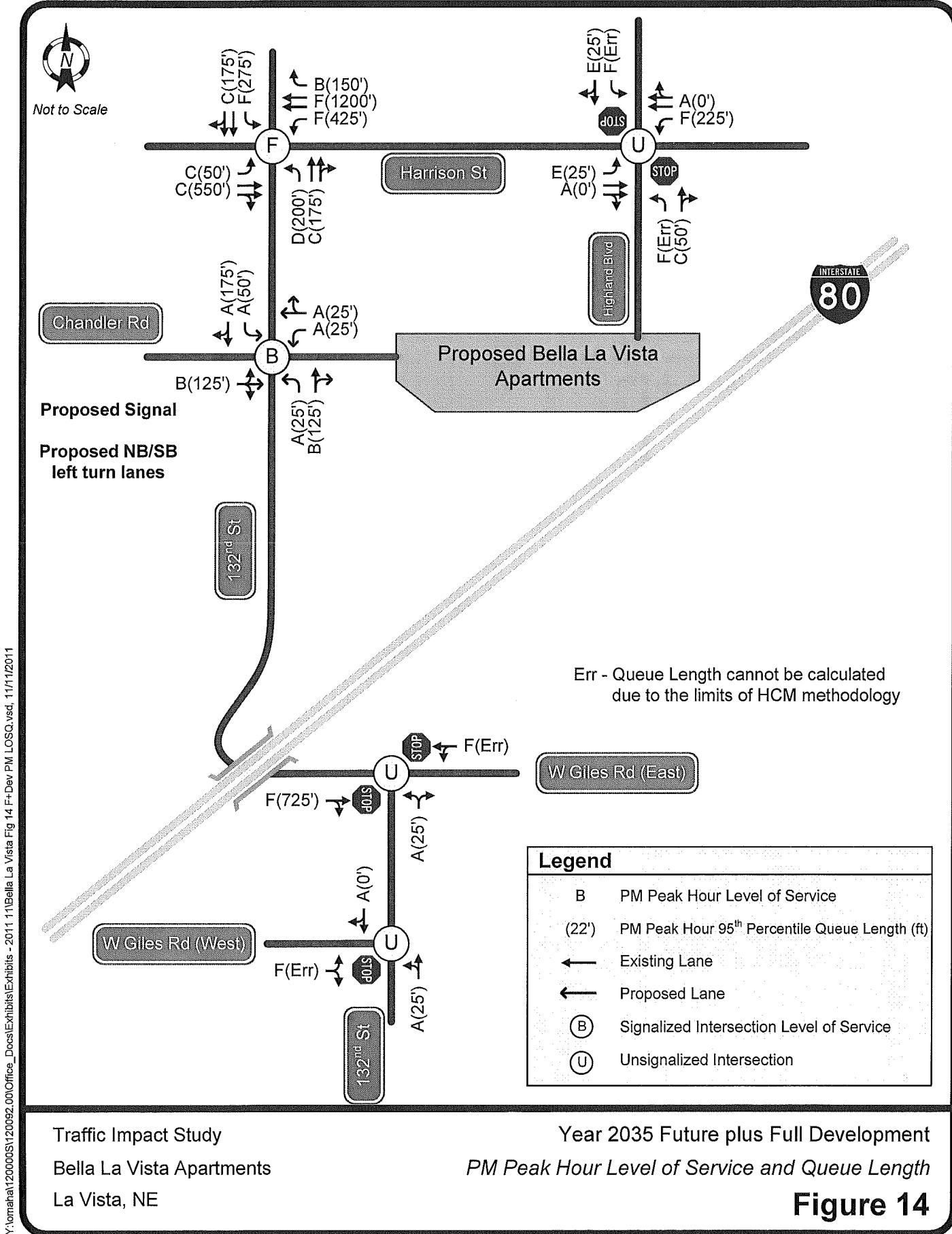
Traffic Impact Study  
Bella La Vista Apartments  
La Vista, NE

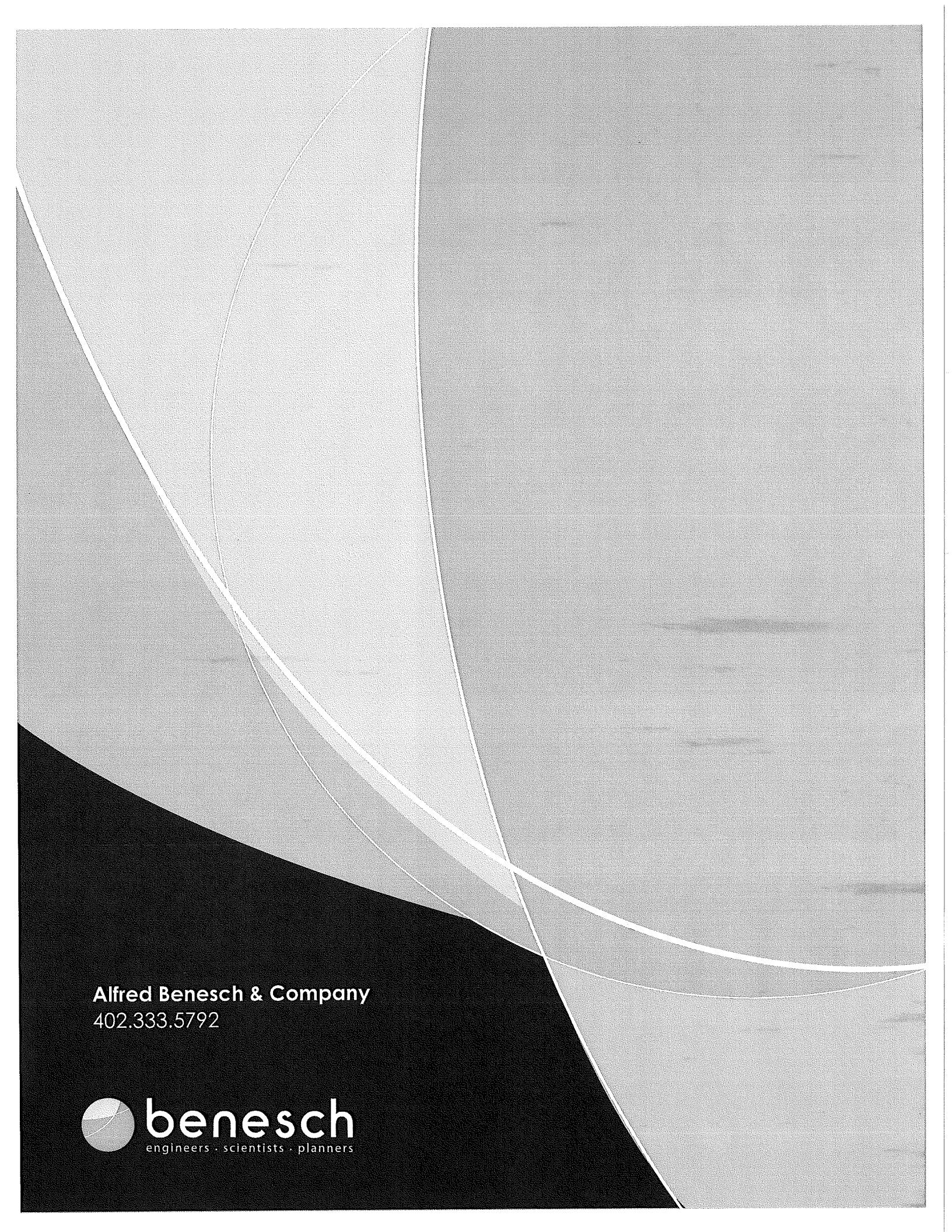
Year 2011 Existing plus Full Development  
PM Peak Hour Level of Service and Queue Length  
**Figure 10**







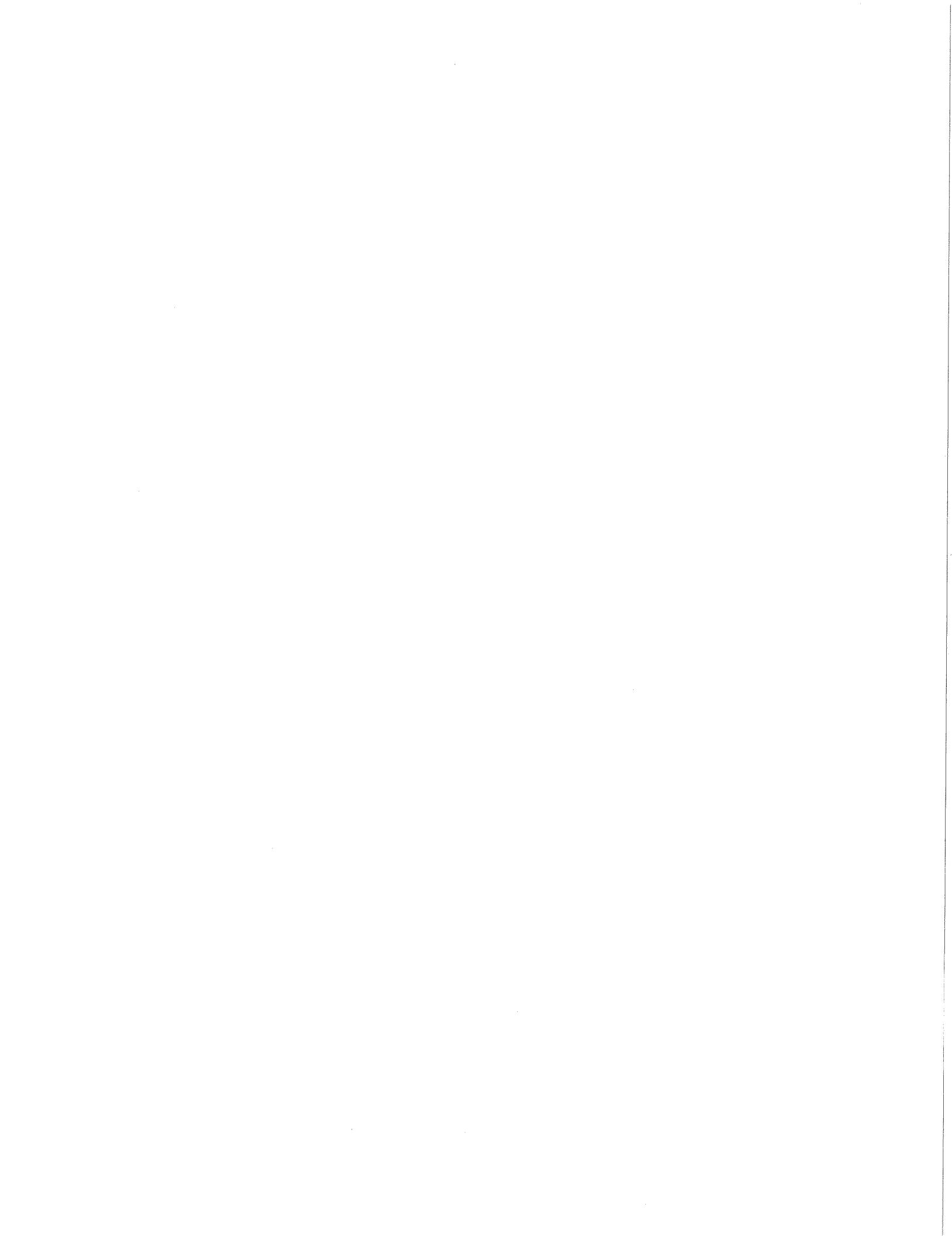




The background of the advertisement features a large, abstract graphic composed of several curved, overlapping bands of varying shades of gray and white. These bands create a sense of depth and motion, resembling a stylized landscape or a series of overlapping architectural structures. The graphic is set against a dark, solid black background at the bottom of the page.

**Alfred Benesch & Company**  
402.333.5792







## Memorandum

**TO:** Doug Dreessen (TD2)  
**FROM:** Jim Jussel (Benesch), Austin Yates (Benesch)  
**SUBJECT:** Bella La Vista Traffic Impact Study - City of La Vista Comments  
**DATE:** November 28, 2011

This memo details the response to comments from John Kottmann (City of La Vista) on the Bella La Vista Preliminary PUD, dated November 18, 2011.

**Comment 7a:** "Future traffic generation from Lot 3 is not addressed."

The traffic impact study for the proposed Bella La Vista development addresses the impacts to traffic operations from current plan showing 216 apartments on Lot 2. Currently, TD2 does not have a site plan for the remaining lots. As a result, the other lots were not included in the traffic impact study. Upon completion of the new site plan for the additional lots, the traffic impact study would need to be updated.

To provide an estimate of additional traffic, Benesch assumed a similar density of Lot 2 (9 buildings per 16.35 acres with 24 units per building) for Lot 3. The fully-built development (Lot 2 and Lot 3) of 38.57 acres would have 504 apartments. **Table 1** provides a summary of the trip generation for Lots 2 and 3. Please note, this is an estimation of the amount of site-generated traffic that would be expected for Lot 3. Impacts to the surrounding roadway network have not been assessed but would be included as part of an updated traffic impact study including Lot 3.

**Table 1. Assumed Full Build Trip Generation**

Lot	Units	ADT	AM Peak Hour			PM Peak Hour		
			In	Out	Total	In	Out	Total
2	216	1,500	22	88	110	89	48	136
3	288	1,900	29	116	145	114	62	176
<b>Total</b>	<b>504</b>	<b>3,200</b>	<b>51</b>	<b>204</b>	<b>255</b>	<b>203</b>	<b>110</b>	<b>312</b>

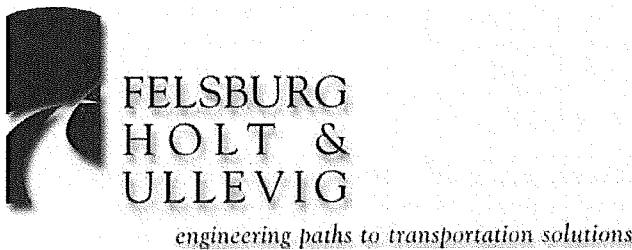


**Comment 7b:** "The need for a northbound right-turn bay at the entrance onto 132<sup>nd</sup> Street was not addressed."

Based on the traffic assignment, the northbound right turn movement at 132<sup>nd</sup> Street & Chandler Road is anticipated to be about 18 vehicles in the PM peak hour, with an advancing volume of 322 vehicles in the future year (see **Figure 12** in the traffic impact study). Furthermore, the intersection is anticipated to satisfy "Peak Hour" traffic signal warrant criteria by the Year 2035.

For estimation purposes, Benesch used the Minnesota Department of Transportation (Mn/DOT) Report 2008-25TS, "Traffic Volume Thresholds for Requiring Right Turn Lanes and Treatments on Two-Lane Roads" to determine if a right turn lane should be considered. The volume criteria in this report indicates that for the Year 2035 traffic volumes at 132<sup>nd</sup> Street & Chandler Road, the threshold for a northbound right turn lane is approximately 45 to 50 vehicles per hour, which is greater than the predicted movement of 18 vehicles per hour. This threshold would be applicable for a two-lane roadway along 132<sup>nd</sup> Street and stop control for Chandler Road, which would be a "worst-case scenario" for requiring a right turn lane.

The intersection is anticipated to meet the Peak Hour Signal Warrant by the Year 2035 and the predicted right turn movement is expected to be about 18 vehicles per hour. Therefore, based on the right turn lane guidelines we used, a northbound right turn lane was not analyzed at the intersection 132<sup>nd</sup> Street & Chandler Road.



November 30, 2011

RE: Bella La Vista TIS Review  
FHU No. 11-120-02

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

Dear Mr. Kottmann:

We have completed our review of the Bella La Vista Traffic Impact Study (TIS) prepared by Alfred Benesch & Company dated November 11, 2011, the supplemental memo dated 11.28.11, the preliminary plat dated 11.01.11, and landscape plan for the site dated 09.13.11 that you have provided. The proposed Bella La Vista development is located on the northeast quadrant of the intersection of 132<sup>nd</sup> Street with Chandler Road in La Vista, Nebraska. Based upon our review of the information provided and a site field review, we offer the following comments:

- Please provide page numbers on the main body of the TIS report.
- TIS Section 2.2: We acknowledge that several of the existing movements at the study intersections operate at LOS F.
- TIS Section 2.4: Typically MUTCD Traffic Signal Warrant 3 is only used for specific locations with traffic generators that turn over in a one hour period, such as factory entrances. While we concur that Warrant 3 can be used as a predictor for Warrants 1 and 2, it appears that there is enough count data (7:00 AM to 9:00 AM and 4:00 PM to 6:00 PM) to analyze Warrant 2. Please use this data to analyze Warrant 2 to verify the results of the Warrant 3 analysis for 2011 traffic volumes.
- TIS Section 3.1 We concur with the trip generation values for 216 apartment units on Lot 2. We also concur with the assumed trip generation values for Lot 3 as presented in the supplemental memo, and acknowledge that they are not included in the TIS. As mentioned in the supplemental memo, if Lot 3 is developed in the future, the TIS will need to be updated.
- TIS Section 3.2 We have reviewed the methodology to determine 2035 background traffic volumes and back-checked the 2035 Future plus Full Development scenario AM and PM Peak Hour traffic volumes, and concur with the totals for the study intersections.

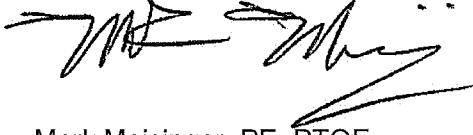
November 30, 2011  
Mr. John Kottmann, PE  
Page 2

- TIS Section 3.3: While we concur with the results of the turn-lane warrant checks, please provide additional information on the target volumes needed to satisfy the warrants. (The table in the appendix provides data that must be interpolated to verify that the warrants have been met. Further explanation of the specific values used on each approach for opposing volumes, advancing volumes, and % left turns would be helpful for the reviewing agency.)
- TIS Section 3.4: See above comment for Section 2.4. Please analyze Warrant 2 for 2011 and 2035 traffic volumes with Full Development.
- TIS Section 3.6: We acknowledge that several of the existing movements at the study intersections operate at LOS F, and as a result future intersection operations would also be expected to operate at LOS F. It is expected that future improvements at the intersection of 132<sup>nd</sup> Street with W. Giles Road (currently under design) would improve operations from those reported.
- TIS Section 4.0: We concur with the recommendations as presented in the TIS.
- Supplemental Memo, Comment 7b: A cursory review of NCHRP Report 279 indicates that the results of the northbound right-turn lane warrant analysis is correct; traffic volumes at this location do not warrant the construction of an auxiliary right-turn lane.

If you have any questions regarding this review of the traffic study or if you would like to meet to discuss it in further detail, please give me a call.

Sincerely,

FELSBURG HOLT & ULLEVIG



Mark Meisinger, PE, PTOE  
Transportation Engineer



**PRELIMINARY PLAN**  
**NOT FINAL - SUBJECT TO CHANGE**



## **132nd Street & Giles Road - Sarpy County**

**Date**  
**Jan 2012**

## Figure

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AMEND SECTIONS 35.03, 91.06, 114.02 114.40, 114.41 AND 131.01 OF THE MUNICIPAL CODE	RESOLUTION ◆ ORDINANCES RECEIVE/FILE	PAM BUETHE CITY CLERK

**SYNOPSIS**

Ordinances have been prepared to amend Sections 35.03, 91.06, 114.02, 114.40, 114.41 and 131.01 of the La Vista Municipal Code.

**FISCAL IMPACT**

N/A.

**RECOMMENDATION**

Approval.

**BACKGROUND**

These changes are a result of American Legal Publishing Corporation incorporating the legislative changes from the previous legislative session into our Code including some minor language changes. These changes have been reviewed by the City Attorney and City Clerk.

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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 35.03; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Section 35.03 of the La Vista Municipal Code is amended to read as follows:

**§ 35.03 CONTRACT ADVERTISING.**

(A) Before the City Council shall make any contract in excess of \$20,000~~30,000~~ for general improvements, such as water extensions, sewers, public heating systems, bridges, work on streets or any other work or improvement where the cost of such improvement shall be assessed to the property, an estimate of the cost thereof shall be made by the City Engineer and submitted to the Council. No contract shall be entered into for any such work, improvement or enlargement of such an improvement, or for the purchase of equipment used in the construction of such enlargement or general improvement, for any price exceeding \$20,000~~30,000~~ without advertising for bids. In advertising for bids for any such work, or for the purchase of such equipment, the Council may publish the amount of such estimate therewith. Such advertisement shall be published at least seven days in some newspaper of general circulation published in the city; provided, that in the case of a public emergency resulting from infectious or contagious diseases, destructive windstorms, floods, snow, war or an exigency or pressing necessity or unforeseen need calling for immediate action or remedy to prevent a serious loss of or serious injury or damage to life, health or property, estimates of costs and advertising for bids may be waived in the emergency ordinance when adopted by a three-fourths vote of the Council and entered on record. If after advertising for bids as provided in this section, the City Council receives fewer than two bids on a contract for any work or improvement, or if the bids received by the city contain a price which exceeds the estimated cost of the project, the Mayor and City Council may negotiate a contract in an attempt to complete the proposed project at a cost commensurate with the estimate given.

(B) If the materials are of such a nature that, in the opinion of the manufacturer and with the concurrence of the City Council, no cost can be estimated until the materials have been manufactured or assembled to the specific qualifications of the city, the City Council may authorize the manufacture and assemblage of such materials and may thereafter approve the estimated cost expenditure when it is provided by the manufacturer.

(C) Any city bidding procedure may be waived by the City Council:

(1) When materials or equipment are purchased at the same price and from the same seller as materials or equipment which have formerly been obtained pursuant to the state bidding procedure in Neb. RS 81-145 to 81-162; or

(2) When the contract is negotiated directly with a sheltered workshop pursuant to Neb. RS 48-1503; or

(3) When required to comply with any federal grant, loan, or program.  
('79 Code, § 1-922) (Am. Ord. 263, passed 12-4-79; Am. Ord. 548, passed 6-16-92; Am. Ord. 692, passed 9-16-97)

**Statutory reference:**

*Contract advertising requirements, see Neb. RS 16-321*

*Waiver of contract advertising requirements, see Neb. RS 16-321.01*

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

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

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

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

Ordinance No.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 91.06; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Section 91.06 of the La Vista Municipal Code is amended to read as follows:

**§ 91.06 OPEN BURNING BAN; WAIVER.**

(A) It shall be unlawful to burn trash or other combustible material outside of a permanent structure, and there shall be an open burning ban on all bon fires, outdoor rubbish fires and fires for the purpose of clearing land in the city of La Vista except and unless a special permit is obtained.

('79 Code, § 7-205)

(B) (1) There shall be a statewide open burning ban on all bonfires, outdoor rubbish fires and fires for the purpose of clearing land.

(2) The Fire Chief of the City Fire Department or his or her designee may waive an open burning ban under subsection (1) of this section for an area under his or her jurisdiction by issuing an open burning permit to a person requesting permission to conduct open burning. The permit issued by the Fire Chief or his or her designee to a person desiring to conduct open burning shall be in writing, signed by the Fire Chief or his or her designee and on a form provided by the State Fire Marshal.

(3) The Fire Chief or his or her designee may waive the open burning ban in his or her jurisdiction when conditions are acceptable to the Chief or his or her designee. Anyone burning intending to burn in such jurisdiction when the open burning ban has been waived shall notify the Fire Department and Sarpy County Dispatch Center prior to starting the burn and when the burn has been extinguished.

(4) The Fire Chief may adopt and promulgate rules and regulations standards listing the conditions acceptable for issuing a permit to conduct open burning under subsection (2) of this section.

(5) The Fire Department may charge a fee, the amount of which shall be set from time to time by the Mayor and City Council and a current record of which shall be maintained by the City Clerk, for each such permit issued. This fee shall be remitted to the City Council by deposit with the City Treasurer for inclusion in the general funds allocated to the Fire Department. Such funds shall not reduce the tax requirements for the Fire Department. No such fee shall be collected from any state or political subdivision to which such a permit is issued to conduct open burning under subsection (2) of this section in the course of such state's or political subdivision's official duties.

('79 Code, § 7-206) (Ord. 137, passed - -; Am. Ord. 632, passed 9-19-95) Penalty, see § 91.99  
**Statutory reference:**

*Statewide ban; exemptions, see Neb. RS 81-520.01*

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

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

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

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

Ordinance No.

Douglas Kindig, Mayor

ATTEST:

Pamela A. Buethe, CMC  
City Clerk

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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.02; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Section 114.02 of the La Vista Municipal Code is amended to read as follows:

**§ 114.02 CITY POWERS AND DUTIES.**

(A) The City Council is authorized to regulate by ordinance, not inconsistent with the provisions of the Nebraska Liquor Control Act, the business of all retail, craft brewery, microdistillery and bottle-club licensees carried on within the corporate limits of the city.

(B) The City Council shall further have the following power and duties in respect to licensed retailers of alcoholic beverages licensees within the corporate limits of the city:

(1) To cancel or revoke for cause retail, or bottle-club craft brewery, or microdistillery licenses to sell or dispense alcoholic liquors issued to persons for premises within its jurisdiction, subject to the right of appeal to the Nebraska Liquor Control Commission;

(2) To enter or to authorize any law enforcement officer to enter at any time upon any premises licensed by under the state of Nebraska Liquor Control Act to determine whether any of the provisions of the city laws or the laws of the state of Nebraska Act, any rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation adopted by the City Council has been or is being violated; , and at that time examine the premises of the licensee in connection with such determination;

(3) To receive a signed complaints from any citizens resident within its jurisdiction that any provision of the Act, any of the city laws or laws of the state of Nebraska are rule or regulation adopted and promulgated pursuant to the Act, or any ordinance, resolution, rule, or regulation relative to alcoholic liquor has been or is being violated, and to act upon such complaints in the manner herein provided in the Act; and

(4) To cancel or revoke on its own motion any license if, upon the same notice and hearing as provided for resident complaints, it determines that the licensee has violated any of the provisions of the Nebraska Liquor Control Act or any valid and subsisting ordinance resolution, rule, or regulation duly enacted relating to alcoholic liquors; and to collect for the benefit of the state of Nebraska and the city all license fees and occupation taxes as prescribed by law.

(Neb. RS 53-134) (79 Code, § 10-112)

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

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

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

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

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

ATTEST:

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

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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.40; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

**SECTION 1.** Section 114.40 of the La Vista Municipal Code is amended to read as follows:

**§ 114.40 MINORS AND INCOMPETENTS.**

It shall be unlawful for any person or persons to sell, furnish, give away, dispose of, exchange, or deliver, or permit the sale, of or make a gift, or procuring of any alcoholic liquors or to procure any such alcoholic liquors to or for any minor or to any person who is mentally incompetent. (Neb. RS 53-180) ('79 Code, § 10-115) Penalty, see § 114.99

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

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

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

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 114.41; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

SECTION 1. Section 114.41 of the La Vista Municipal Code is amended to read as follows:

**§ 114.41 CREDIT SALES.**

No person shall sell or furnish alcoholic liquor at retail to any person on credit of any kind, barter or, on a passbook, on an order on a store, in exchange for any goods, wares, or merchandise or in payment for any services rendered, provided that nothing Nothing herein contained shall be construed to prevent the following:

- (1) any Any club holding a Class C license from permitting checks or statements for alcoholic liquor to be signed by members, or bona fide guests of members, and charged to the accounts of the said such members or guests in accordance with the bylaws of such club, and provided further that nothing in this section shall prevent
- (2) any Any hotel or restaurant holding a retail license from permitting checks or statements for liquor to be signed by regular guests residing in the such hotel or eating at the such restaurant and charged to the accounts of such guests; or
- (3) Any licensed retailer engaged in the sale of wine from issuing wine-tasting cards to customers

(Neb. RS 53-183) ('79 Code, § 10-116) Penalty, see § 114.99

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

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

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

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

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

ATTEST:

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

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

AN ORDINANCE OF THE CITY OF LA VISTA, SARPY COUNTY, NEBRASKA, TO AMEND THE LA VISTA MUNICIPAL CODE SECTION 131.01; TO REPEAL CONFLICTING ORDINANCES PREVIOUSLY ENACTED; TO PROVIDE FOR SEVERABILITY; AND TO PROVIDE FOR THE EFFECTIVE DATE HEREOF.

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

**SECTION 1.** Section 131.01 of the La Vista Municipal Code is amended to read as follows:

**§ 131.01 OPEN CONTAINER.**

It shall be unlawful for any person to consume, possess, or have under their control open alcoholic beverages in the public streets, alleys, roads, highways or upon any property owned by the city, state or other governmental subdivision of the statethereof, or inside vehicles while upon the public streets, alleys, roads, or highways or other public property of the city, state or any governmental subdivision of the state within the city's boundaries, or upon premises of any, in theaters, dance halls, restaurants, clubs, cafes or any other place open to the general public, except that the provisions of this section shall not apply if the consumption, possession or control is lawful in accordance with a validly issued liquor license or otherwise permitted in accordance with the to liquor establishments licensed by the state of Nebraska Liquor Control Act. ('79 Code, § 6-309) (Am. Ord. 279, passed 11-18-80) Penalty, see § 10.99

**Statutory reference:**

*Similar provisions, see Neb. RS 53-186; and 53-186.01; and 60-6.211.08*

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

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

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

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

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

ATTEST:

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

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
BID AWARD – APPLEWOOD CREEK IMPROVEMENTS	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN CITY ENGINEER/ASSISTANT PUBLIC WORKS DIRECTOR

**SYNOPSIS**

A resolution has been prepared to award a contract to Melvin Sudbeck Homes, Inc. of Omaha, Nebraska, for construction of drainageway stabilization measures in the Applewood Creek Improvements project in an amount not to exceed \$311,241.48.

**FISCAL IMPACT**

The FY 11/12 Capital Improvement Program (CIP) provides funding for this project. An Urban Drainageway grant from the Papio-Missouri River NRD will reimburse this project for 60%.

**RECOMMENDATION**

Approval

**BACKGROUND**

On December 6, 2011, the City Council approved a resolution which authorized the advertisement for bids for the construction of drainageway stabilization measures in Applewood Creek between the BNSF railroad and Giles Road. The plans and specifications were prepared by Thompson, Dreessen & Dorner, Inc. Bids were received on January 5, 2012 at which time nine bids were opened. The low bidder is Melvin Sudbeck Homes, Inc.

Melvin Sudbeck Homes, Inc.	\$311,241.48
Valley Corporation	\$356,133.60
McArdle Grading Co.	\$370,609.05
Anderson Excavating Co.	\$392,140.00
K & L Landscape & Construction	\$432,217.27
Heimes Corp.	\$434,070.75
M.E. Collins Contracting	\$400,288.00
TAB Construction	\$487,176.75
H.R. Bookstrom Construction	\$657,280.00

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AWARDING A CONTRACT TO MELVIN SUDBECK HOMES, INC, OMAHA NEBRASKA FOR CONSTRUCTION OF DRAINAGEWAY STABILIZATION MEASURES IN THE APPLEWOOD CREEK IMPROVEMENTS PROJECT IN AN AMOUNT NOT TO EXCEED \$311,241.48

WHEREAS, the City Council of the City of La Vista has determined that the construction of drainageway stabilization measures in the Applewood Creek Improvements Project is necessary; and

WHEREAS, the FY 2011/12 Capital Improvement Program (CIP) will provide funds for this project; and

WHEREAS, an Urban Drainageway grant from the Papio-Missouri River NRD will reimburse this project for 60%; and

WHEREAS, Melvin Sudbeck Homes, Inc. 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 award the contract to Melvin Sudbeck Homes, Inc., Omaha Nebraska as the low qualified bid for the construction of drainageway stabilization measures in the Applewood Creek Improvements Project in an amount not to exceed \$311,241.48.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

ITEM E

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
ADVERTISE FOR BIDS – TRUCK MOUNTED SEWER JETTER	◆ RESOLUTION ORDINANCE RECEIVE/FILE	JOHN KOTTMANN ASSISTANT PUBLIC WORKS DIRECTOR/CITY ENGINEER

**SYNOPSIS**

A resolution has been prepared authorizing the Public Works Department to advertise for bids for a Sewer Inspection System.

**FISCAL IMPACT**

The FY 11/12 Sewer Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The proposed equipment request is to replace a 1993 Sewer Jet Truck. The current unit is suffering frequent mechanical breakdowns and is becoming unreliable to respond in emergency sewer blockage circumstances. Bid specifications for the proposed equipment purchase were prepared by the Sewer Department Staff, City Engineer and Shop Foreman. The following schedule is proposed:

Advertisement of Bids	January 26, 2012
Open Bids	February 20, 2012
Award Contract	March 6, 2012

Specifications are available for viewing in the City Clerk's office.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE ADVERTISEMENT FOR BIDS FOR A TRUCK MOUNTED SEWER JETTER.

WHEREAS, the City Council has determined that a Truck Mounted Sewer Jetter is necessary, and

WHEREAS, the FY 11/12 Sewer Budget provides funding for the purchase of said truck mounted sewer jetter, and

WHEREAS, the Sewer Department Staff, City Engineer and Shop Foreman., have prepared specifications for proposed Truck Mounted Sewer Jetter.

NOW, THEREFORE BE IT RESOLVED, that the City Administrator is hereby authorized to advertise for bids for the purchase of a Truck Mounted Sewer Jetter in accordance with specifications prepared by the Sewer Department Staff, City Engineer and Shop Foreman and said bids are to be opened and publicly read aloud at 10 a.m. at La Vista City Hall, 8116 Park View Boulevard on February 21, 2012

Advertisement of Bids	January 26, 2012
Open Bids	February 21, 2012
Award Contract	March 6, 2012

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012

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**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF DIGITAL RADIOS	◆RESOLUTION ORDINANCE RECEIVE/FILE	KEVIN POKORNY POLICE CAPTAIN

**SYNOPSIS**

A resolution has been prepared to accept the proposal submitted by D & D Communication to purchase five Motorola 800 MHz P25 digital radios in an amount not to exceed \$20,185.00.

**FISCAL IMPACT**

The FY 11/12 Capital Improvement Program (CIP) provides funding for the purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The current 800 MHz Sarpy County Communications system is over 15 years old and will no longer be supported by Motorola within the next four years. Sarpy County intends to purchase a new digital communication system during this time period and, consequently, La Vista portable and mobile radios that do not conform to a P25 digital system will no longer be operational. An assessment of all city-owned radios was conducted earlier this year and a four-year replacement plan was developed. This plan is part of the annual Capital Improvement Program (CIP).

The new radios and civil defense siren upgrades that were budgeted for in FY 11/12 have been divided into four purchases that will be scheduled throughout the fiscal year. The defense siren upgrades were approved in November and five radios are being proposed for purchase at this time. It is anticipated that another purchase will be made in the April/May time frame and the final purchase for 2012 would be made in August.

The radios are being purchased off of a Nebraska State contract and D & D Communications is a vendor for the Motorola radios. A copy of their proposal is attached.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, ACCEPTING THE PROPOSAL SUBMITTED BY D & D COMMUNICATIONS, OMAHA, NE FOR THE PURCHASE OF FIVE (5) MOTOROLA 800 MHZ P25 DIGITAL RADIOS.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of the Motorola 800 MHz P25 digital radios is necessary; and

WHEREAS, said purchase of Motorola 800 MHz P25 digital radios is necessary to maintain compatibility with Sarpy County Communications and is in the best interest of the citizens of La Vista, and

WHEREAS, the FY12 budget contains funding for this project.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, hereby accept the proposal submitted by D & D Communications Omaha, NE for the purchase of five (5) Motorola 800 MHz P25 digital radios in an amount not to exceed \$20,185.00.

PASSED AND APPROVED THIS 17th DAY OF January 2012.

CITY OF LA VISTA

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Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk



Quote Number: QU0000163823  
Effective: 17 OCT 2011  
Effective To: 31 JAN 2012

**Bill-To:**  
LA VISTA POLICE DEPT  
7701 S 96TH ST  
LA VISTA, NE 68128  
United States

**Ultimate Destination:**  
LA VISTA POLICE DEPT  
7701 S 96TH ST  
LA VISTA, NE 68128  
United States

Attention:  
**Name:** Kevin Pokorny  
**Email:** kpokorny@cityoflavista.org  
**Phone:** 402-331-1353

Sales Contact:  
**Name:** Bob Stephany  
**Email:** bobs@firstwirelessinc.com  
**Phone:** 4028956100

**Contract Number:** NEBRASKA STATEWIDE  
**Freight terms:** FOB Destination  
**Payment terms:** Net 30 Due

Item	Quantity	Nomenclature	Description	Your price	Extended Price
1	5	M21URM9PW1AN	XTL 2500 764-870MHZ, 10-35W	\$4,037.00	\$20,185.00
1a	5	G67AK	ADD: THUMB SCREW REMOTE MOUNT		
1b	5	W22AR	ADD: PALM MICROPHONE		
1c	5	G806BD	ENH: SOFTWARE ASTRO DIGITAL CAI		
1d	5	G625AH	ADD: DES/DES-XL/DES-OFB ENCRYPTION		
1e	5	G78AJ	ENH: 2 YEAR REPAIR SERVICE ADVANTAGE (ENCRYPTED)		
1f	5	G159AR	ADD: ENCRYPTION UCM		
1g	5	G51AR	ENH: SOFTWARE SMARTZONE/SINGLETONE		
1h	5	G444AA	ADD: CONTROL HEAD SOFTWARE		
1i	5	G442AA	ADD: XTL2500 CONTROL HEAD		
1j	5	B18CL	ADD: AUXILARY SPKR SPECTRA 7.5 WATT		
1k	5	G114AE	ENH: ENHANCED DIGITAL ID DISPLAY		
1l	5	G361AE	ENH: ASTRO PROJECT 25 TRUNKING SOFTWARE		
1m	5	G174AA	ADD: ANTENNA 3DB LOW-PROFILE 764-870MHZ		

**Total Quote in USD** \$20,185.00

Budgetary quote for new XTL2500's, remote mount, with encryption.

PO Issued to Motorola must:

- >Be a valid Purchase Order (PO)/Contract/Notice to Proceed on Company Letterhead. Note: Purchase Requisitions cannot be accepted
- >Have a PO Number/Contract Number & Date
- >Identify "Motorola" as the Vendor
- >Have Payment Terms or Contract Number
- >Be issued in the Legal Entity's Name
- >Include a Bill-To Address with a Contact Name and Phone Number
- >Include a Ship-To Address with a Contact Name and Phone Number

>Include an Ultimate Address (only if different than the Ship-To)  
>Be Greater than or Equal to the Value of the Order  
>Be in a Non-Editable Format  
>Identify Tax Exemption Status (where applicable)  
>Include a Signature (as Required)

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF MARKED POLICE CAR	◆RESOLUTION ORDINANCE RECEIVE/FILE	BOB LAUSTEN POLICE CHIEF

**SYNOPSIS**

A resolution has been prepared to approve the purchase one (1) 2012 Dodge Charger Police Package vehicle from Performance Dodge, Lincoln, NE in an amount not to exceed \$39,500.

**FISCAL IMPACT**

The FY 11/12 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

The purchase is being made off of the Nebraska State Contract. Funding was provided in the FY 11/12 General Fund budget for the purchase of one (1) police cruiser. The vehicles will be delivered with equipment already installed. Expected delivery of the vehicles will be 90 days (May 2012).

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AWARDING A CONTRACT TO PERFORMANCE DODGE, LINCOLN, NEBRASKA FOR THE PURCHASE OF ONE (1) 2012 DODGE CHARGER POLICE PACKAGE VEHICLE IN AN AMOUNT NOT TO EXCEED \$39,500.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of a new marked police vehicle is necessary, and

WHEREAS, the FY11/12 General Fund budget includes funds for the purchase of said vehicle, and

WHEREAS, the State of Nebraska did receive bids for 2012 Dodge police vehicles, and

WHEREAS, Performance Dodge, Lincoln, Nebraska, was awarded the state bid for Nebraska for the 2012 Dodge Police Package vehicles and will extend that price to the City of La Vista, 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 accept the Nebraska state bid of Performance Dodge, Lincoln, Nebraska and authorize the purchase of one (1) 2012 Dodge Charger Police Package vehicle in an amount not to exceed \$39,500.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012.

**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  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
PURCHASE OF BUNKER GEAR	◆RESOLUTION ORDINANCE RECEIVE/FILE	RICH UHL FIRE CHIEF

**SYNOPSIS**

A resolution has been prepared authorizing the purchase of five sets of firefighter bunker gear from Municipal Emergency Services, Inc., Snyder, NE in an amount not to exceed \$9,579.00.

**FISCAL IMPACT**

The FY 11/12 General Fund Budget provides funding for the proposed purchase.

**RECOMMENDATION**

Approval

**BACKGROUND**

Funding was included in the current year's budget for the purchase of new firefighter bunker gear. This purchase will bring the department closer to its goal of attaining NFPA 1971-Protective Ensemble for Structural Firefighting compliance for the 2007 standards for protective gear.

Experience and consultation indicates that the Globe G7 bunker gear meets NFPA 1971 standards and will provide excellent protection for fire fighting applications. MES is the local provider of the gear, which was determined to be the best for our application at the best price. There has not been a change in price since the last request for bids and for the sake of continuity it is the Fire Chief's recommendation that we continue replacement with the Globe product. The conclusion has been drawn that this particular selection will best meet the needs of the firefighters of the La Vista Fire Department.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA AUTHORIZING THE PURCHASE OF FIVE SETS OF GLOBE G7 BUNKER GEAR FROM MUNICIPAL EMERGENCY SERVICES, INC., SNYDER, NEBRASKA IN AN AMOUNT NOT TO EXCEED \$9,579.00.

WHEREAS, the Mayor and City Council have determined that it is necessary to purchase bunker gear and accessories for the Fire Department; and

WHEREAS, funds are provided in the FY 11/12 General Fund Budget for the proposed purchase; and

WHEREAS, the purchase of this bunker gear will bring the department closer to attaining NFPA 1971 compliance for the 2007 standards for protective gear; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska authorizes the purchase of five sets of Globe G7 Bunker Gear from Municipal Emergency Services, Inc., Snyder, Nebraska in an amount not to exceed \$9,579.00.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

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Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA  
MAYOR AND CITY COUNCIL REPORT  
JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
AUTHORIZATION TO PURCHASE COMPUTER EQUIPMENT – WESTERN STATES CONTRACTING ALLIANCE & DELL	◆ RESOLUTION ORDINANCE RECEIVE/FILE	SHEILA LINDBERG FINANCE DIRECTOR

**SYNOPSIS**

A resolution has been prepared approving the following technology related purchases for various City departments:

- Twenty-eight (28) computers with monitors and software from Dell and departmental software from various vendors through the Western States Contracting Alliance (WSCA) in an amount not to exceed \$41,000.

**FISCAL IMPACT**

The FY 11/12 IT budget provides funding for the proposed Information Technology purchases.

**RECOMMENDATION**

Approval.

**BACKGROUND**

The State of Nebraska bid for computer services designates WSCA as the lowest responsible bidder for the hardware and software that is being requested and they are currently purchasing through Dell. The departmental software, printers and projectors are the lowest and most responsible bidder through Sarpy IT Department.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, AUTHORIZING THE PURCHASE OF TECHNOLOGY RELATED ITEMS FROM WESTERN STATES CONTRACTING ALLIANCE (WSCA), DELL, AND VARIOUS VENDORS IN AN AMOUNT NOT TO EXCEED \$41,000.

WHEREAS, the City Council of the City of La Vista has determined that the purchase of technology related items is necessary; and

WHEREAS, the FY 2011/12 IT budget provides funding for the proposed Information Technology purchases; and

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

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby authorize the purchase of technology related items, from Western States Contracting Alliance (WSCA), Dell, and Various Vendors in an amount not to exceed \$41,000.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY, 2012.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

**CITY OF LA VISTA**  
**MAYOR AND CITY COUNCIL REPORT**  
**JANUARY 17, 2012 AGENDA**

<b>Subject:</b>	<b>Type:</b>	<b>Submitted By:</b>
EXTENSION OF CDBG LOAN TIME OF PERFORMANCE — EASYWAY INTERNATIONAL, LLC	◆RESOLUTION ORDINANCE RECEIVE/FILE	ANN BIRCH COMMUNITY DEVELOPMENT DIRECTOR

**SYNOPSIS**

A resolution has been prepared approving an extension of the CDBG loan time of performance for Easyway International, LLC, from December 31, 2011 until December 31, 2012.

**FISCAL IMPACT**

None.

**RECOMMENDATION**

Approval.

**BACKGROUND**

On December 15, 2009, the City Council authorized the application for a Community Development Block Grant for the Easyway International, LLC, project. On April 6, 2010, the City Council authorized the execution of a contract between the City and the Nebraska Department of Economic Development for administration of the grant. On April 20, 2010 the City Council authorized the Mayor to execute the loan documents and other project-related documents for this project.

The applicant is now requesting a second extension of the time of performance specified in the loan documents until December 31, 2012. The company has requested the additional time to satisfy the job creation requirements due to immigration issues delaying the transfer of key management personnel from China. The Department of Economic Development (DED) is aware of the request for a second extension and is in support of it. If approved, MAPA will prepare a letter to DED on behalf of the City.

A resolution has been prepared approving an extension of the CDBG loan time of performance for Easyway International, LLC, from December 31, 2011 until December 31, 2012.

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

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF LA VISTA, NEBRASKA, APPROVING AN EXTENSION OF THE CDBG LOAN TIME OF PERFORMANCE FOR TO EASYWAY INTERNATIONAL, LLC.

WHEREAS, on December 15, 2009, the City Council approved Resolution No. 09-139 authorizing the application for a Community Development Block Grant for the Easyway International, LLC, project; and

WHEREAS, on April 6, 2010, the City Council approved Resolution No. 10-038 authorizing the Mayor to execute a contract between the City and the Nebraska Department of Economic Development for administration of the grant; and

WHEREAS, on April 20, 2010, the City Council approved Resolution No. 10-049 authorizing the Mayor to execute loan documents and other documents related to the project between the City and Easyway International, LLC; and

WHEREAS, Easyway International, LLC, has requested a second extension of the time of performance from December 31, 2011 to December 31, 2012, in order to satisfy the job creation requirements.

NOW, THEREFORE, BE IT RESOLVED, that the Mayor and City Council of La Vista, Nebraska, do hereby approve a second extension of the CDBG loan time of performance for Easyway International, LLC, from December 31, 2011 to December 31, 2012, and authorize the Mayor to execute related documents, subject to such changes or additional documents or instruments as the City Administrator determines necessary or advisable in consultation with the City Attorney.

PASSED AND APPROVED THIS 17TH DAY OF JANUARY 2012.

CITY OF LA VISTA

---

Douglas Kindig, Mayor

ATTEST:

---

Pamela A. Buethe, CMC  
City Clerk

K

**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 7613 Gertrude Street/Lot 29 Crestview Heights; \$6,050.12 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 17TH DAY OF JANUARY 2012

CITY OF LA VISTA

ATTEST:

Douglas Kindig, Mayor

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Pamela A. Buethe, CMC  
City Clerk

LA VISTA POLICE DEPARTMENT SPECIAL ENFORCEMENT BUREAU - CODE ENFORCEMENT  
SPECIAL ASSESSMENT REPORT

ADDRESS	RENTAL/OWNER OCCUPIED	PRIOR CONTACTS	ACTION TAKEN	CURRENT OFFENSE	ACTION TAKEN	EXISTING SPECIAL ASSESSMENTS
7613 Gertrude Street	Owner Occupied Owner: Bryan Van Houten	1. 12/13/00-Snow Removal 2. 7/3/01-Shed Permit expired/no anchors/overt hanging branches/obstruct sign 3. 3/20/02-Fall Tree branches/pile of wood 4. 6/4/03-Needs to mow trim trees 5. 5/4/06-litter/dead tree/stumps needs to be removed	1. Gave to Public Works 2. Unknown Disposition	Grass/Weeds- 133.01 & Trees and Shrubs obstructed signs/Sidewalks	Completed by P.W.	0 Special Assessments



December 12, 2011

Bryan Van Houten  
7613 Gertrude Street  
La Vista, NE 68128

RE: 7613 Gertrude Street/Lot 39 Crestview Heights

Dear Mr. Van Houten;

On August 19, 2011, the property at 7613 Gertrude Street in La Vista was in violation of the City of La Vista's Municipal Code, Section 133.01 and a letter was sent that stated the trees on the property by trimmed by October 13, 2011 or the City would correct the violation at the owner's expense. On October 19, 2011, the Public Works Department removed the garbage bags and branches from the front, side and back yard. The cost of \$6,050.12 was incurred by the City for the clean up. The cost breakdown is as follows:

Administrative Fee	\$	50.00
Trimming and Removing Dead Trees and Overgrowth of Saplings		
Nine Workers – 141 total hours	\$	2465.14
Equipment Cost	\$	3191.44
Material	\$	343.54
<b>TOTAL</b>	<b>\$</b>	<b>6050.12</b>

Please remit \$6050.12, 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 January 17, 2012, 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*

Pamela A. Buethe, CMC  
City Clerk

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
8116 Park View Blvd.  
p: 402-331-4343  
f: 402-331-4375

**Fire**  
8110 Park View Blvd.  
p: 402-331-4748  
f: 402-331-0410

**Golf Course**  
8305 Park View Blvd.  
p: 402-339-9147

**Library**  
9110 Giles Rd.  
p: 402-537-3900  
f: 402-537-3902

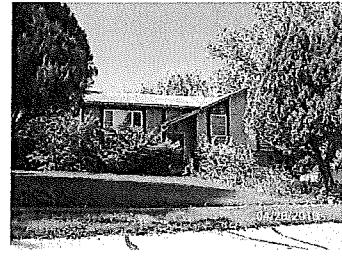
**Police**  
7701 South 96th St.  
p: 402-331-1582  
f: 402-331-7210

**Public Works**  
9900 Portal Rd.  
p: 402-331-8927  
f: 402-331-1051

**Recreation**  
8116 Park View Blvd.  
p: 402-331-3455  
f: 402-331-0299

**COPY**

**La Vista Police Department**  
**Code Enforcement Case**  
**Management**



CASE ADDRESS: 7613 Gertrude St DATE INITIATED: 08/19/2011

NAME OF PROPERTY OWNER/RESIDENT: Bryan Van Houten

CODE VIOLATION(S): Grass/Weeds-133.b1

DATE	NOTES/FOLLOW-UP
08/19/2011	Contact made with resident and advised all trees must be trimmed
08/19/2011	A certified letter was also sent explaining violation and a compliance agreement sent with it
08/23/2011	Mr. Van Houten asked for an extension to get all the trees trimmed back, extension granted until 09/09/11
09/09/2011	There has been no attempt to trim the trees and at this time unable to contact.
09/15/2011	Contacted Curtis Rainge to see if we could get assistance with clean up. Determined to be too large of a clean-up for any of his volunteer groups to handle. Advised Mr. Van Houten that he needs to make arrangements to be in compliance with the city code.
09/30/2011	Sergeant Waugh and myself went to Mr. Van Houten's residence to take before pictures and so Sergeant Waugh could speak with Mr. Van Houten. Per Sgt. Waugh he was given 14 days to clean-up or we would have our Public Works Department do the clean-up and he would be billed.
10/13/2011	14 Day period expired sending to Public Works for a work order request. P.W. notified to contact myself or Sergeant Waugh first before clean-up began
10/19/2011	Work began on yard clean-up on this date, it was my scheduled day off so the P.W. crew met with Sgt. Waugh on instructions for exactly what needed to be completed to be within compliance.

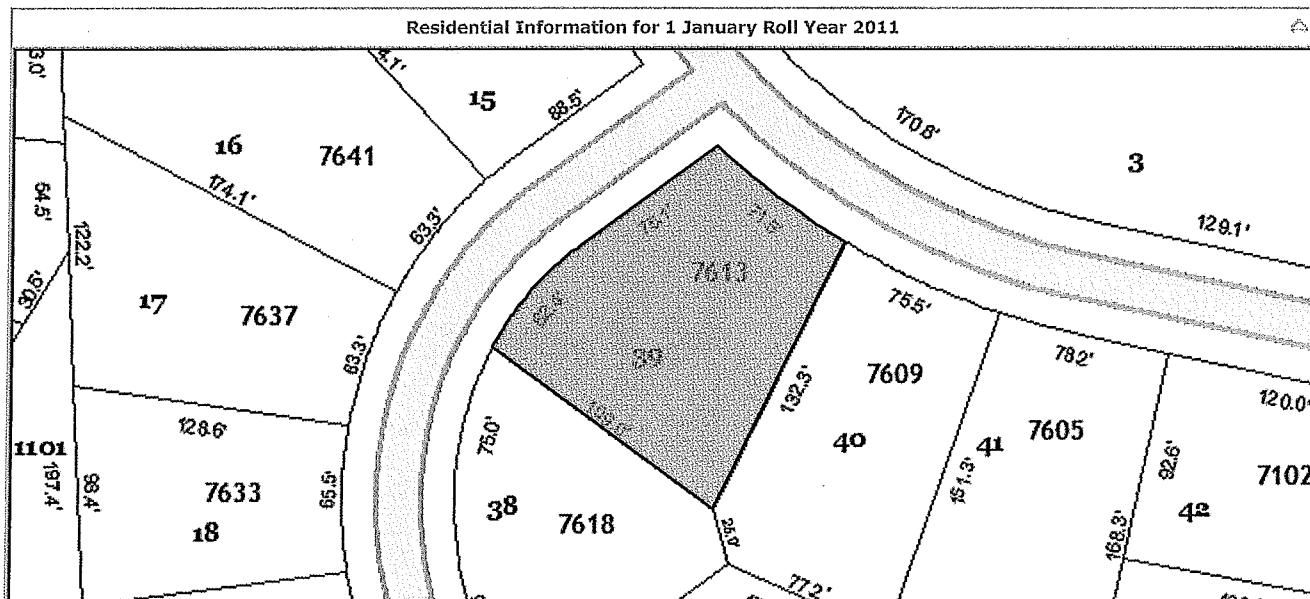
## Active

Parcel Number: 010562338  
Location: 07613 \GERTRUDE ST  
Owner: VAN HOUTEN/BRYAN D  
C\O  
Mail Address: 7613 GERTRUDE ST  
LA VISTA NE 68128-0000  
Legal: LOT 39 CRESTVIEW HEIGHTS  
Tax District: 27002  
Map #: 2959-14-0-30010-000-0039



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

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



7613 Gertrude - Shrub is obstructing Sidewalk  
a Obstructing view of traffic.

Style:	Split Entry		
Year Built:	1977	#Bedrooms above Grade 3	
#Bathrooms Above Grade 2		Total Sqft	1210
Total Bsmt Finish Sqft	444	Bsmt Total Sqft	1104
Garage Type		Garage Sqft	0
Lot Depth	1	Lot Width	12178

Bryan request a 2 week extension  
to get everything cut back.



Dear Owner/Resident:

The City of La Vista is committed to maintaining quality neighborhoods and an excellent community environment. Our citizens expect us to do everything we can in this regard.

An investigation is being conducted at your property. This investigation has revealed violation(s) of the La Vista Municipal Code, **94.06 Tree/Shrub Obstruction.**

The attached sheet categorizes your violation(s) and copies of the codes are provided for your review as an educational package to assist you in achieving compliance and preventing future violation(s).

Violation(s) are required to be corrected within **7 Days** depending upon the violation(s). By completing a "Compliance Agreement," additional time may be granted depending on health and safety and will be evaluated on a case by case basis.

You must contact me immediately upon receipt of this letter to demonstrate cooperation to eliminate these violation(s). The enclosed "Compliance Agreement" must be completed and returned immediately to ensure additional time for compliance. We hope you will work with us to maintain a positive community environment. Your cooperation will be greatly appreciated.

Please contact me at (402) 331-1582 ext. 251 between the hours of 9:30 a.m. and 6:00 p.m. Please leave a voicemail if I am not available. **It is important that you leave your name, address, return phone number and best date and time to contact you.** Failure to comply may result in this matter being forwarded to the City Legal Department and other necessary agencies for Civil and/or Criminal Prosecution.

Sincerely,

*Stacy Corbit*

Stacy Corbit  
Code Enforcement Officer  
La Vista Police Department

*Bryan asked for a 2 week exten. to get all the work done & returned the Compliance agreement.*

**City Hall**  
8116 Park View Blvd.  
La Vista, NE 68128-2198  
p: 402-331-4343  
f: 402-331-4375

**Community Development**  
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8116 Park View Blvd.  
p: 402-331-3455  
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# LA VISTA POLICE DEPARTMENT

## MUNICIPAL CODE COMPLIANCE AGREEMENT

FULL NAME: FIRST, MIDDLE, LAST	DATE OF BIRTH
Bryan D. Van Houten	—
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER	
7613 Gertrude St. Lavista, NE 68128	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER	
7613 Gertrude St, Lavista, NE 68128	
CONDITIONS REQUIRING CORRECTION	
• 94.06 Tree/Shrub obstruction	
CORRECTIVE MEASURES	
• please cut back Shrub on the corner to a 4 <sup>ft</sup> height as it is obstructing view of traffic, all other Shrubs or tree must be cut back away from sidewalks and at a height of at least 8 <sup>ft</sup> above sidewalks.	

### AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 8/25, 2011.

The undersigned agrees to allow the City to inspect the property as necessary to determine compliance with this agreement. This Agreement shall be interpreted in accordance with the law of the State of Nebraska.

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of this Agreement.

Failure to comply with the agreement deadline will result in prosecution for violations of the La Vista Municipal Codes.

This form must be filled out completely to be valid.

*Signature:* \_\_\_\_\_, and *date* \_\_\_\_\_, 20\_\_\_\_\_  
accepting responsibility for compliance.

# LA VISTA POLICE DEPARTMENT

## MUNICIPAL CODE COMPLIANCE AGREEMENT

Requested 2 week exten. to get all the trees & shrub cut back.

FULL NAME: FIRST, MIDDLE, LAST <b>Bryan D. Van Houten</b>	DATE OF BIRTH —
RESIDING ADDRESS STREET, CITY, STATE, ZIP, PHONE NUMBER <b>7613 Gertrude St. La Vista, NE 68128</b>	
PROPERTY WHERE VIOLATION EXISTS STREET, CITY, STATE, ZIP, PHONE NUMBER <b>7613 Gertrude St, La Vista, NE 68128</b>	
CONDITIONS REQUIRING CORRECTION <b>• 94.06 Tree/Shrub obstruction</b>	
CORRECTIVE MEASURES <b>• please cut back Shrub on the corner to a 4ft height as it is obstructing view of traffic, all other shrubs or tree must be cut back away from sidewalks and at a height of at least 8ft above sidewalks.</b>	

### AGREEMENT:

The above named agrees that the conditions set forth in this Agreement must be eliminated, as described above on or before (Date) 8/25, 2011.

The undersigned agrees to allow the City to inspect the property as necessary to determine compliance with this agreement. This Agreement shall be interpreted in accordance with the law of the State of Nebraska.

No amendment or modification of this Agreement shall be valid unless expressed in writing and executed by the parties hereto in the same manner as the execution of this Agreement.

Failure to comply with the agreement deadline will result in prosecution for violations of the La Vista Municipal Codes.

This form must be filled out completely to be valid.

Signature: Bryan, and date 8/23, 2011,  
accepting responsibility for compliance.

White-Original/Records

Yellow-Property Owner

\*402-339-3841\*

Follow-up  
tomorrow.

November 1, 2011

To: Stacy Corbit  
Code Enforcement Officer  
Police Dept.

Fr: Cindy Norris  
Administrative Secretary  
Public Works Dept.

RE: Residential Property Clean-Up  
7613 Gertrude Street

The following is a list of the expenses incurred by the Public Works Department for (7) days, October 19, 20, 21, 24, 25, 26, and 27, 2011 while completing an extensive property clean-up including trimming and removing dead trees and overgrowth of saplings at 7613 Gertrude St., per your request.

**LABOR:**

	<u>HOURLY WAGE</u>	<u>HOURS</u>	<u>TOTAL</u>
Employee #1	29.53	22	649.66
Employee #2	14.00	30	420.00
Employee #3	9.50	30	285.00
Employee #4	25.56	10	255.60
Employee #5	10.00	12	120.00
Employee #6	10.00	16	160.00
Employee #7	22.84	11	251.24
Employee #8	29.45	8	235.60
Employee #9	44.02	2	88.04
<b>TOTAL</b>		141	<b>\$2,465.14</b>

**EQUIPMENT:**

	<u>HOURLY RATE</u>	<u>HOURS</u>	<u>TOTAL</u>
(1) 1/2 ton pickup #1112	19.00	24	456.00
(1) 3/4 ton pickup #2209	25.00	8	200.00
(1) 3/4 ton pickup #2210	25.00	2	50.00
(1) 3/4 ton pickup #2211	25.00	8	200.00
(1) 1 3/4 ton pickup w/chipper box	35.00	16	560.00
(1) Bandit Chipper #2284	37.00	16	592.00
(1) Utility van #3304	25.00	16	400.00
(1) Dump Truck #1125	43.00	8	344.00
(1) Loader/Skid-Steer #1138	12.25	8	98.00
(1) 8 1/2 x 22 trailer #2303	5.63	8	45.04
(1) Pole Saw #2293G	1.60	8	12.80
(1) 14" chain saw	2.00	32	64.00
(1) 18" chain saw	1.60	32	51.20
(1) 24" chain saw	3.70	32	118.40
<b>TOTAL</b>			<b>\$3,191.44</b>

**MATERIALS:**

(1) Gallon Pathway herbicide	\$141.20
(7) Trailer dumpster fees @ \$25.00/ea.	\$175.00
(1) Sarpy Landfill ticket	\$27.34
<b>TOTAL</b>	<b>\$343.54</b>

**TOTAL LABOR, EQUIPMENT and MATERIALS:** **\$6,000.12**



09/30/2011



09/30/2011

Before pictures  
Taken By: S. Corbit



Before Pictures  
Taken By: S. Corbit



09/30/2011



09/30/2011

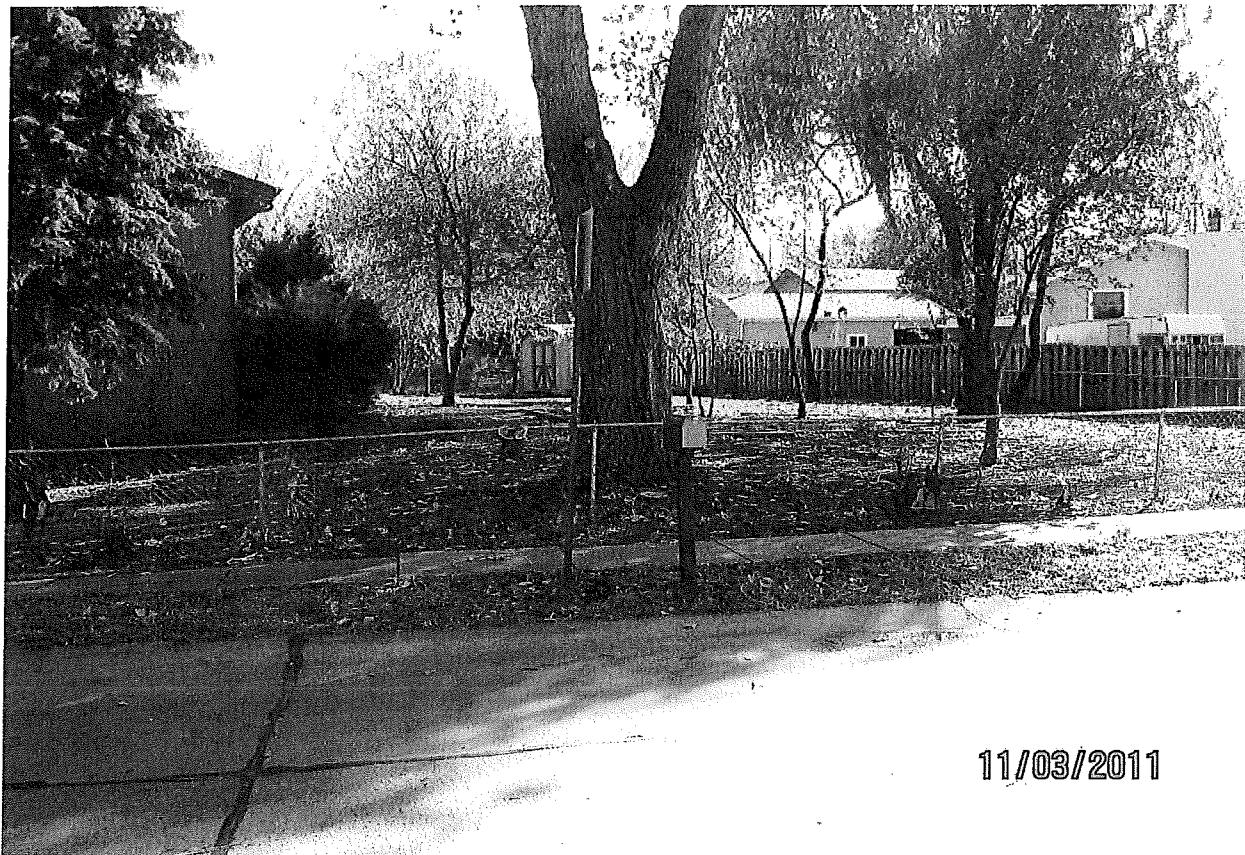
Before Pictures  
Taken By: S. Corbit



Before Pictures  
Taken By: S. Corbit



After Pictures  
Taken By: S. Corbit



11/03/2011



11/03/2011

After Pictures  
Taken By: S. Corbit