

City of Gretna, Nebraska

City Council
July 21, 2020

A meeting of the Gretna City Council was held on July 21, 2020. Mayor Timmerman announced that the open meetings laws is located in the back of the room. The Mayor called the meeting to order. Present: Logan Herring, Angie Lauritsen, Bill Proctor, Jason Stahr. Notice of the meeting was given in advance thereof to the Mayor and City Council, published in the Gretna Breeze and posted in at least three Public places as shown by the Certificate of Posting Notice attached to these minutes. All proceedings hereafter shown were taken while the convened meeting was open to the attendance of the Public.

CONSENT AGENDA AND INFORMATIONAL REPORTS

Approval of Consent Agenda

- 1) Approval of Agenda for July 21, 2020
- 2) Approval of Council Minutes, June 16, 2020
- 3) Approval of Claims

Claims

A Suey ex 46.75; Advncd Ofc ex 23.85; Amern Lib Assoc ex 175.00; Aqua-Chem ex 1,047.48; Ashlnd Auto ex 77.95; Bkr & Tylr ex 838.83; Blck Hls ex 136.13; Cllgn ex 94.10; Cmpss Utly ex 246,369.15; Cncrt Sply ex 195.50; Cnta ex 125.24; Core & Main ex 8,992.50; Cox ex 142.40; Crl Cnstrn ex 68.01; D Cox ex 125.00; Demco ex 173.69; Dnk Emrg Equip ex 6,037.51; Feld Equip ex 107.40; Frmrs Un ex 299.88; Fstsgn ex 75.83; Grtn Gas & Lb ex 2,872.25; Grtn Pylr ex 69,027.84; Gsmn Law Frm ex 1,508.00; Gvrnmt Fnc Off Assoc ex 160.00; Hghs Mlch ex 1,490.00; Hotsy Equip ex 808.53; Hskr Dsl ex 719.76; IAEI Cert Dept ex 325.00; J Fedde ex 95.00; J Green ex 95.00; JDW Mdwst ex 1,500.00; Jnsy Boy LLC ex 28.62; K Faris ex 140.43; L Nelson ex 75.00; MAPA ex 69,450.00; MC2 ex 5,306.28; Mcknys ex 35.92; Mdwst Lab ex 331.29; Mitel ex 1,118.04; Mntmrn Lndscp ex 1,050.00; MUD ex 404.53; Muni Code Serv ex 340.00; Muni Sply ex 488.23; N Pierce ex 768.22; NE Dept of Rev - Keno ex 2,200.00; NE Pub Hlth Enviro ex 1,610.40; NE Rrl Wtr Assoc ex 750.00; NMC ex 1,948.00; Occ Hlth Ctr ex 67.00; Off Dpt ex 142.60; Olm & Pry ex 31,215.00; OPPD ex 32,995.58; Ovrdv ex 172.12; OWH ex 9.15; Pinn Bnk ex 2,878.82; Pnn Bank ex 417.35; Prt-A-Jn ex 80.00; Quill ex 361.89; RAKA ex 147.67; Roll Dr ex 119.00; Sec Equip ex 600.00; Shrwn-Wllms ex 1,136.58; Siteone Lndscp Sply ex 2,020.33; Sltn One ex 1,017.82; Srgnt Drllng ex 936.55; Subrn News ex 455.29; Tidy-Up Clng ex 440.00; Trk Dsgn Grp ex 1,020.66; UNUM Ins ex 181.25; USA BI Bk ex 559.97; Wldlf Enctrs ex 195.00; Wstrn Oil ex 395.56; Yng & Wht ex 9,011.75; Total ex 516,375.48

Motion by Bill Proctor, seconded by Logan Herring to approve the consent agenda. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

ORDINANCES & RESOLUTIONS

Ordinance 2069 - Repairs and Maintenance of Water Service Lines Outlining Property Owner's Reasonability

City Attorney Jeff Miller read the ordinance by title.

Ordinance No. 2069

An Ordinance of the City of Gretna, Nebraska amending section 7-109 of Article 1 of Chapter 7 of the City of Gretna Municipal Code regarding repairs and maintenance of water utilities; to declare a time when this ordinance shall take full force and effect; and to repeal all ordinances in conflict herewith.

Motion by Jason Stahr, seconded by Angie Lauritsen to introduce and approve first reading of Ordinance 2069. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

Resolution 7-20 (1) - Approving a Moratorium on Acting upon Applications for any Permits Zoning Changes or Zoning Approvals for any Proposed Power Generation and Solar Plants and Associated Facilities

City Attorney Jeff Miller read the resolution by title.

RESOLUTION NO. 7-20 (1)

A Resolution of the Mayor and City Council of the City of Gretna, Nebraska, approving a moratorium on acting upon applications for any permits, zoning changes, or zoning approvals for any proposed Power Generation and Solar Plants and associated facilities.

WHEREAS, there has been discussions concerning the location and impact of power generation and solar plants and associated facilities within and/or near the City's future growth area and extraterritorial zoning jurisdiction; and

WHEREAS, power generation and solar plants and their associated facilities may have impacts to the City; and

WHEREAS, the City's current regulations regarding power generation and solar plants and associated facilities need to be updated and amended, especially regarding the appropriate locations of such facilities, and the encouragement of appropriately located and designed facilities; and

WHEREAS, the City wishes to more effectively encourage appropriately located and designed power generation and solar plants and associated facilities, by reviewing and amending Gretna City Code provisions regarding such power generation and solar plants and associated facilities; and

WHEREAS, it is currently expected that a reasonable time for the City to complete its aforementioned review, and for the City to enact any required legislation resulting therefrom, is deemed to be from July 22, 2020, until October 31, 2020, or until the effective date of a Gretna City Ordinance addressing power generation and solar plants and associated facilities, whichever first occurs ("Update Period"); and

WHEREAS, the City has determined that it is appropriate for the community to place a moratorium on acting upon applications for any permits, zoning changes, or zoning approvals regarding proposed power generation and solar plants and associated facilities throughout the Update Period; and

WHEREAS, to the City's knowledge, there are no pending applications for such as of July 21, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MAYOR AND CITY COUNCIL OF THE

CITY OF GRETNA, NEBRASKA, THAT:

The Mayor and the City Council of the City of Gretna hereby approve a moratorium on acting upon applications for any permits, zoning changes, or zoning approvals regarding proposed power generation and solar plants and associated facilities throughout the Update Period ending on October 31, 2020, or on the effective date of a Gretna City Ordinance addressing power generation and solar plants and associated facilities, whichever first occurs.

The Mayor, City Administrator, City Attorney, or their designee is charged with the enforcement of the moratorium.

PASSED AND APPROVED this 21st day of July, 2020.

Motion by Bill Proctor, seconded by Logan Herring to approve and adopt Resolution 7-20 (1). Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

CURRENT BUSINESS

Approval of Tiburon Sub-Basin Phase 3 Interceptor Sewer and Regional Lift Station Project

Motion by Jason Stahr, seconded by Logan Herring to approve the Tiburon Phase 3 sewer project. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

" \f tApproval of Subdivision Agreement, Sewer Connection Agreement and the HOA Maintenance Agreements for Harvest Hills Phase 2 (SID 337) Lots 66 - 166 and Outlots C-G

Motion by Bill Proctor, seconded by Angie Lauritsen to approve the subdivision agreements, sewer connection agreement and maintenance agreements for SID 337. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea

Approval of Sewer Rate Reduction Request

- 1) Tim Harvey at 11270 S. 200th Street

Motion by Logan Herring, seconded by Jason Stahr to approve the sewer rate reduction request for Tim Harvey. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

" \f tMotion to Ratify all Actions taken by the Mayor and City Council of the City of Gretna during the City Council meetings of April 7, April 21, May 19, June 2, and June 16, 2020, which were held via Electronic and Telephone Conferences Pursuant to the Nebraska's Governor's Executive Orders No. 20-03 and No. 20-04

Motion by Bill Proctor, seconded by Angie Lauritsen to approve all Actions taken by the Mayor and City Council of the City of Gretna during the City Council meetings of April 7, April 21, May 19, June 2, and June 16, 2020, which were held via Electronic and Telephone Conferences

Pursuant to the Nebraska's Governor's Executive Orders No. 20-03 and No. 20-04. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Approval of Agreement with the Developer regarding Nebraska Crossing Drive Improvements

Motion by Angie Lauritsen, seconded by Bill Proctor to approve the Nebraska Crossing Drive Improvement agreement. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea Yea: 4, Nay: 0

" \f tApproval of Interlocal Agreement and Interceptor Sewer Connection and Wastewater Service Agreement between the City of Gretna and Tiburon Ridge Commercial Subdivision (SID 278) Lots 1-16 and Outlots A-H

Motion by Bill Proctor, seconded by Logan Herring to approve the Interlocal Agreement, Interceptor Sewer Connection and Wastewater Service Agreements with SID 278. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Approval of Downtown Streetscape Improvements - Compass Utility LLC

- 1) Pay Request No. 4 \$246,369.15

Motion by Angie Lauritsen, seconded by Jason Stahr to approve pay request no. 4 in the amount of \$246,369.15 for Compass Utility LLC. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

- 2) Change Order No. 1 - Time Extension

Motion by Jason Stahr, seconded by Bill Proctor to approve the change order no. 1 for Compass Utility LLC. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Approval of Hidden Hollow and Harvest Hills (Phase 1) Water Main Improvements (SID 337) - Kersten Construction Inc.

- 1) Pay Request No. 2 \$278,690.89

Motion by Logan Herring, seconded by Jason Stahr to approve pay request no. 2 in the amount of \$278,690.89 to Kersten Construction Inc. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

" \f tApproval of Buffalo Creek Force Main Phase 2 (I-80 Undercrossing) and Phase 3 - TJ Osborn Construction Inc.

- 1) Pay Request No. 3 \$231,908.40

Motion by Bill Proctor, seconded by Logan Herring to approve pay request no. 3 in the amount of \$231,908.40 to TJ Osborn Construction Inc. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

2) Change Order No. 2 - Time Extension

Motion by Jason Stahr, seconded by Angie Lauritsen to approve change order no. 2 for TJ Osborn Construction Inc. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea Yea: 4, Nay: 0

" \f tApproval of Buffalo Creek Phase 3 Nebraska Crossing Pumping Station Standby Generator - NMC Cat Power Systems

1) Change Order No. 1 - Time Extension

Motion by Bill Proctor, seconded by Jason Stahr to approve change order no. 1 for NMC Cat Power Systems. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea Yea: 4, Nay: 0

Review Bids for the Capehart Road Paving, Sanitary Sewer, Storm Sewer and Water Main Improvements

1) Award of Construction Contract No. 1 (Sanitary Sewer, Storm Sewer, Water Main) - Van Kirk Bros Contracting

Motion by Jason Stahr, seconded by Bill Proctor to award the bid to Van Kirk Bros Contractions for the Capehart Road Improvements. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

2) Award of Construction Contract No. 2 (Paving) - Compass Utility LLC

Motion by Jason Stahr, seconded by Angie Lauritsen to award the Capehart Road paving construction contract to include alternate bid to Compass Utility LLC. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Approval of Interlocal Agreement Amendment No 4 between the City of Gretna and the Rural Fire District

Motion by Angie Lauritsen, seconded by Jason Stahr to approve the City of Gretna and Rural Fire District Interlocal Agreement No. 4. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

ADJOURNMENT

Motion by Logan Herring, seconded by Bill Proctor Motion to adjourn. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0
City Council minutes respectfully submitted by City Clerk Tammy Tisdall.

CITY OF GRETNA, NEBRASKA

James W. Timmerman, Mayor

ATTEST:

Tammy L. Tisdall, CMC
City Clerk