

City of Gretna, Nebraska

City Council
January 17, 2023

A meeting of the Gretna City Council was held on January 17, 2023. Mayor Evans announced that the open meetings laws is located in the back of the room. The Mayor called the meeting to order. Present: Kara Alexander, Lauren Liebenritt, Bill Proctor, Jeremy Westengaard. Notice of the meeting was given in advance thereof to the Mayor and City Council, published in the Gretna Guide 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

- 1) Approval of Consent Agenda
- 2) Approval of Agenda for January 17, 2023
- 3) Approval of Council Minutes for January 3, 2023
- 4) Approval of Claims
- 5) Approval of Gretna Crossing Park – JEO Consulting
 - a) Invoice No. 138351 - Grading, Roadway, and Utilities – \$751.25
 - b) Invoice No. 138366 - Capehart Road Improvement - \$16,691.45 and 204th & Capehart - \$6,143.50
 - c) Invoice No. 138305 - Baseball / Softball Fields and Passive Park Amenities - \$21,229.25
- 6) Approval of Gretna Crossing Park Passive Park Improvements – Sampson Construction
 - a) Pay App No. 6 - \$796,227.00
- 7) Approval of Lincoln Ridge (Lots 1-99) – Water Main Improvements – Valley Corp
 - a) Pay Request No. 1 – \$271,801.11
- 8) Approval of Gretna Crossing Park Offsite Sanitary Sewer – Vrba Construction Inc.
 - a) Pay Request No. 3 – \$61,523.67
- 9) Approval of Gruenther Ridge (Lots 1-155) Water Main Improvements – Vrba Construction Inc.
 - a) Pay Request No. 1 – \$341,982.00
- 10) Approval of Parkview – Phase 1 Water Main Improvements – Valley Corp
 - a) Pay Request No. 1 – \$265,456.17
- 11) Approval of Gretna Community Center – MCL Construction
 - a) Pay Request No. 15 - \$1,892,108.33
- 12) Approval of Gretna Community Center Pool YMCA – DLR Group
 - a) Invoice No. 0210541 - \$19,094.91
- 13) Approval of Gretna Crossing Ball Park – MCL Construction
 - a) Pay Request No. 14 - \$73,682.95

Claims

Advncd Ofc ex 81.97; Aqua-Chem ex 897.44; Ashlnd Auto ex 2,121.18; Bkck Hls ex 10,817.07; BMI Jntrl ex 1,623.00; Bobcat ex 551.38; Brgnkdv, LLC ex 10,680.00; Cllgn ex 82.45; Core Tech ex 9,777.00; Cox ex 466.74; Crnhskr Intl ex 1,125.38; Ctrpllr ex 974.25; Cty Omh Cshr ex 253,996.12; D Whitted ex 64.00; DR Horton, NE ex 217.98; Eagle Cstm Hms ex 642.25; Egle Eng Grp ex 209,975.54; Ess Scrns ex 183.92; Frmrs Un ex 670.78; Frnhm & Grffn ex 1,500.00; Fstsgn ex 461.50; Gretna Santn ex 1,000.00; Grtn Ace ex 1,779.97; Grtn Gas & Lb ex 4,233.30; Grtn Pyrl ex 115,553.25; Gsmn Law ex 610.00; Hdro Optmztn ex 334.58; Hotsy Equip ex 414.00; Inlnd Trk Rpr ex 606.11; J Keepers ex 1,028.04; JDW Mdwst ex 9,995.00; JP Cooke ex 22.10; KCL Grp Bnfts ex 367.55; Knpy, Inc ex 9.00; Krstn Cnstrn ex 846.50; Lgcy Hms ex 37.13; Lgcy

Hms ex 4,711.60; Md-Amrn Bnfts ex 75.00; Mdwst Lab ex 380.55; Mitel ex 1,299.70; Mrtn Mrtt Mtris ex 859.20; Muni Sply ex 326.88; NE Dept of E&E ex 600.00; NE Dept of Rev - Keno ex 10,358.00; NE Lbr Law Pstr Serv ex 99.50; NE Lib Assoc ex 75.00; NMC ex 58.03; OCLC ex 95.99; Off Dpt ex 110.46; Omnisite ex 456.00; One CI Cncpt ex 234.22; OPPD ex 34,963.84; O'Reilly ex 1,545.35; Pinn Bnk ex 6,940.47; Prt-A-Jn ex 85.00; Quill ex 337.67; RDG Plng & Dsgn ex 375.40; Rose Equip ex 1,500.00; SOL Lewis Eng ex 228.50; Srpy Co Elec Comm ex 466.68; T Cappello ex 280.16; T Harpenau ex 5.87; Ty's ex 922.80; Urbn Utlts ex 200.00; VRBA Cnstrn ex 2,120.00; Wells Frgo ex 364.00; Wstrn Oil ex 1,288.23; Yng & Wht ex 4,000.55; Total ex 719,111.13

Motion by Lauren Liebenritt, seconded by Bill Proctor to approve consent agenda. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

PRESENTATIONS

Sarpy County Sheriff's Representative
Gretna Library Director Krissy Reed
Gretna Fire Chief Rod Buethe – unable to attend

PUBLIC HEARINGS

CCR Land, LLC. 22122 R & R Road, Gretna, NE 68028 requesting approval of a Revised Final Plat for a subdivision to be known as Gruenther Ridge. Lots 1-147 and Outlots A thru G. Part of the NE ¼ and the NW ¼ of Section 35, T-14-N, R-10-E, of the 6th PM, Sarpy County, NE. Generally located SW of 216th and Gruenther Road.

Dan Giittinger gave the staff comments.

Applicant Representative Jim Lang was available for questions.

Mayor Evans opened the public hearing for comments. Hearing no comments, Mayor Evans closed the public hearing.

Motion by Bill Proctor, seconded by Kara Alexander to approve the revised final plat for a subdivision to be known as Gruenther Ridge. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

MRES Acquisitions, LLC, 12149 W Center Road, Omaha, NE 68144 requested approval of a comprehensive plan amendment to increase the maximum density of 15 units per acre to 18 to 20 units per acre. The amendment will apply to MHDR, medium high density residential, which currently has limits from nine to fifteen units per acre as adopted in Ordinance 2070.

Dan Giittinger gave the staff comments.

Applicant Representative Larry Jobeun was available for questions.

Mayor Evans opened the public hearing for comments. Hearing no further comments, Mayor Evans closed the public hearing.

Motion by Lauren Liebenritt, seconded by Bill Proctor to approve a comprehensive amendment to increase the maximum density of 15 units per acre to 18 to 20 units per acre. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Arthur James Moravek, 17517 Palisades Dr., Omaha, NE 68136 requested approval of a Conditional Use for a Home Occupation to repair firearms with a Federal Firearms License. The property located at 17517 Palisades Drive, legally described as lot 150 Palisades West, Sarpy County, NE. Generally located south of Palisades Drive and east of S 176th Street.

Dan Giittinger gave the staff comments.
Applicant Representative Justin Gomez was available for questions.
Mayor Evans opened the public hearing for comments. Hearing no comments, Mayor Evans closed the public hearing.

Motion by Lauren Liebenritt, seconded by Kara Alexander to approve a Conditional Use for a Home Occupation to repair fire arms with a Federal Firearms License subject to staff comments, updated license with correct address, a clear copy of the sales tax license are proved to staff and no retail sales. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Kevin Nelson, 16605 Polk Street, Omaha, NE 68135 requested approval of a rezone from GC General Commercial to R-3 High Density Residential on Lot 4, BDC Commons Subdivision for an apartment building. Located on Lot 4, BDC Commons. Generally located south of South Street and east of S McKenna Avenue.

Dan Giittinger gave the staff comments.
Applicant Representative Trevor Veskrna was available for questions.
Mayor Evans opened the public hearing for comments. Hearing no further comments, Mayor Evans closed the public hearing.

Motion by Bill Proctor, seconded by Kara Alexander to deny a rezone from GC General Commercial to R-3 High Density Residential on Lot 4, BDC Commons Subdivision for an apartment building. Motion carried. Alexander: Yea, Liebenritt: Abstain (With Conflict), Proctor: Yea, Westengaard: Yea. Yea: 3, Nay: 0, Abstain (With Conflict): 1

Custom Diesel Drivers Training Inc., 5020 L Street, Omaha, NE 68117 requested approval of a conditional use permit to allow driver training classrooms and driving instructions for obtaining commercial driver's licenses in the HC Highway Commercial zoning district. Located on the property located at 20227 Husker Drive, legally described as Lot 6A Gretna Business Park. Generally located southeast of the intersection of Husker Drive and Patton Street.

Dan Giittinger gave the staff comments.
Applicant Representative Patrick Sullivan was available for questions.
Mayor Evans opened the public hearing for comments. Hearing no comments, Mayor Evans closed the public hearing.

Motion by Kara Alexander, seconded by Lauren Liebenritt to approve a conditional use permit to allow driver training classrooms and driving instructions for obtaining commercial driver's licenses in the HC Highway Commercial zoning district. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

BHI Development, Inc. 11205 South 150th Street, STE 100, Omaha, NE 68138 requesting approval of a preliminary plat and rezone from TA Trans Ag to R-3 High Density Residential for a subdivision to be known as Aspen Creek West. Located on Lots 1 through 409 and Outlots A through L, Inclusive, being a platting of part of the NE ¼ of Section 30, T-14-N, R-11-E of the 6th PM, Sarpy Co. NE Generally located on the SW corner of 192nd and Cornhusker Rd.

Dan Giittinger gave the staff comments.
Applicant Representative Patrick Sullivan was available for questions.

Mayor Evans opened the public hearing for comments. Hearing no comments, Mayor Evans closed the public hearing.

Motion by Bill Proctor, seconded by Lauren Liebenritt to approve a preliminary plat and rezone from TA Trans Ag to R-3 High Density Residential for a subdivision to be known as Aspen Creek West subject to staff comments and Planning Commission recommendation. Motion carried.

Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Dragon Land Company LLC, 1303 S 72nd Str. Suite 209, Omaha, NE 68124 requesting a revised Preliminary and Final Plat and rezone from TA Trans Ag and MUC mixed Use Commercial to R-4 Highest Density Residential and MUC Mixed Use Commercial for a subdivision to be known as The Landing (formerly Kayda Corner Phases 1 & 2). Located on a tract of land located in part of Tax Lots 6A, 6B and 7, Tax Lots located in part of the NE ¼ of the SE ¼, along with part of the SE ¼ of the SE ¼, along with part of the SW ¼ of the SE ¼ and all located in Section 30, T-14-N, R-11-E, of the 6th PM Sarpy County, NE. Generally located west of 192nd Street and north of Highway 370.

Dan Giittinger gave the staff comments.

Applicant Representative Kyle Vohl was available for questions.

Mayor Evans opened the public hearing for comments. Hearing no comments, Mayor Evans closed the public hearing.

Motion by Kara Alexander, seconded by Lauren Liebenritt to approve a revised Preliminary and Final Plat and Rezone from TA Trans Ag and MUC Mixed Use Commercial to R-4 Highest Density Residential and MUC Mixed Use Commercial for a Subdivision to be known as The Landing subject to staff comments, allowing Lots E and F to remain separate and to include requested waivers for Lots 7 and 8. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor:

Yea, Westengaard: Yea. Yea: 4, Nay: 0

BCG Enterprises, LLC. 12190 S 216th Plz, Gretna NE 68028 requested approval of a Final Plat for a subdivision to be known as The Ridge. Located on a replat of Lot 144, Chestnut Ridge and Taxlot 5B all located in Section 2, T-13-N, R-10-E of the 6th PM, Sarpy County, Gretna NE.

Dan Giittinger gave the staff comments.

Applicant Representative Andrew Rech was available for questions.

Mayor Evans opened the public hearing for comments. Hearing no comments, Mayor Evans closed the public hearing.

Motion by Kara Alexander, seconded by Bill Proctor to approve a Final Plat for a Subdivision to be known as The Ridge. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

ORDINANCES & RESOLUTIONS

Ordinance 2131 - Approving a Nonexclusive Cable Television Franchise Agreement with ALLO Gretna, LLC.

City Attorney Jeff Miller read the ordinance by title.

ORDINANCE NO. 2131

An ordinance of the City of Gretna, Nebraska, approving a nonexclusive cable franchise with ALLO Gretna, LLC; authorizing the execution of the nonexclusive franchise agreement; and providing for publication of this ordinance.

Motion by Bill Proctor, seconded by Jeremy Westengaard to approve second reading of Ordinance 2131. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Ordinance 2132 - Rezoning the Harvest Creek Subdivision Lots 1 – 273 and Outlots A – J from a TA Transitional Agriculture Zoning District to an R-4 Highest Density Residential Zoning District. City Attorney Jeff Miller read the ordinance by title.

Ordinance no. 2132

An ordinance of the City of Gretna, Nebraska, amending the official zoning map of the City of Gretna from a TA Transitional Agriculture Zoning District to an R-4 Highest Density Residential Zoning District for the land being platted as the Harvest Creek Subdivision Lots 1-273 and Outlots A-J, located in the southeast quarter of S26, T14N, R10 East of the 6th p.m., Sarpy County, Nebraska.

Motion by Lauren Liebenritt, seconded by Kara Alexander to approve second reading of Ordinance 2132. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Ordinance 2133 - Amending the MHDR Medium – High Density Residential land use narrative within the Future Land Use section of the Gretna Comprehensive Plan Update 2021. City Attorney Jeff Miller read the ordinance by title.

Ordinance no. 2133

An ordinance of the City of Gretna, Nebraska, amending the MHDR Medium-High Density Residential land use narrative within the future land use section of the Gretna Comprehensive Plan Update 2021; to declare a time when this ordinance shall take full force and effect; to repeal all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Kara Alexander, seconded by Bill Proctor to Introduce and approve first reading of Ordinance 2133. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

CURRENT BUSINESS

Action on 2023 Permit to Haul Applications

- 1) Abe's Trash
- 2) Waste Management

Motion by Bill Proctor, seconded by Kara Alexander to approve Abe's Trash 2023 Permit to Haul Application. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Motion by Kara Alexander, seconded by Bill Proctor to approve Waste Management's 2023 Permit to Haul Application. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Action on Appointment of Kristine Stokes as Development Services Director.

Motion by Lauren Liebenritt, seconded by Kara Alexander to approve Kristine Stokes as Development Services Director. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Action on Interlocal Cooperation Agreement with SID No 363 for the City Construction of the Internal Water System for the Highland Trails Subdivision Lots 1 – 426 and Outlots A – W.

Motion by Bill Proctor, seconded by Lauren Liebenritt to approve the Interlocal Cooperation Agreement with SID 363. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Action on Highland Trails Water Main Improvements.

- a) Review of Bids
- b) Award of Construction Contract – Kersten Construction Inc.

Motion by Kara Alexander, seconded by Lauren Liebenritt to approve the Highland Trails Water Main Improvement construction contract with Kersten Construction Inc. Motion carried.

Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Action on Amendment No. 4 to NDEE's 3-year Agreement with the City of Gretna.

Motion by Bill Proctor, seconded by Kara Alexander to approve Amendment No 4 to NDEE's 3 year agreement with the City of Gretna. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

EXECUTIVE SESSION - Litigation and Contract Negotiations

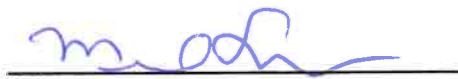
Motion by Lauren Liebenritt, seconded by Kara Alexander to go into closed session at 8:20 pm for litigation and contract negotiations. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

Motion by Kara Alexander, seconded by Lauren Liebenritt to reconvene in open session at 8:50 pm. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

ADJOURNMENT

Motion by Kara Alexander, seconded by Jeremy Westengaard to adjourn. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Westengaard: Yea. Yea: 4, Nay: 0

CITY OF GRETNA, NEBRASKA



Mike Evans, Mayor

ATTEST:



Tammy L. Tisdall, CMC
City Clerk

