

City of Gretna, Nebraska

City Council
April 19, 2022

A meeting of the Gretna City Council was held on April 19, 2022. 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, Jason Stahr. 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

Approval of Consent Agenda:

- 1) Approval of Agenda for April 19, 2022
- 2) Approval of Council Minutes, April 12, 2022
- 3) Approval of Claims
- 4)
 - a) Change Order #1 - \$(-)109,394.45" f tGretna Crossing Park Ballfields – MCL Construction
 - a) Change Order #1 - \$(-)109,394.45
- 5)
 - a) Pay Request #5 - \$1,386,465.17" f tGretna Crossing Park Rec and Aquatic Center – MCL Construction
 - a) Pay Request #5 - \$1,386,465.17

Claims

Advncd Ofc ex 79.66; AFLAC ex 734.86; Amr-Tch Ind ex 95.00; Ashlnd Auto ex 178.12; Bkr & Tylr ex 620.44; Bldk Hls ex 3,885.34; Blds Grp LLC ex 1,116.00; BMI Jntrl ex 2,164.00; Brgnkdv, LLC ex 15,567.00; Cllgn ex 146.65; Cllng Edge Sltns ex 475.00; Cmmns SlS & Serv ex 400.87; Cnta ex 64.19; Core & Main ex 6,411.00; Core Tech ex 9,067.84; Cox ex 300.00; Crnhskr Intl ex 736.49; Crshn-It Inc ex 1,031.65; Dmnd Vgl ex 3,764.48; Dnk Emrg Equip ex 818.83; Feld Equip ex 1,634.80; Frgsn Enter ex 228.56; Frmrs Un ex 765.74; Grtn Ace ex 604.51; Grtn Gas & Lb ex 6,037.56; Grtn Pysl ex 75,586.37; Grtn Sml Eng ex 175.21; Gsmn Law ex 515.95; GT Mdwst ex 227.66; Hdoro Optmztn ex 772.00; Hghs Mlch ex 1,260.00; Hm Dpt ex 743.64; Hotsy Equip ex 1,876.55; Hskr Dsl ex 222.88; JDW Mdwst ex 12,300.00; Jn Dr Fin ex 40.07; JP Cooke ex 108.50; KCL Grp Bnfts ex 345.06; Kubota ex 2,380.89; Mcknys ex 88.81; Md-Amrn Bnfts ex 50.00; Mdwst Lab ex 380.55; Mitel ex 1,209.40; Mntmrn Lndscp ex 15,650.00; Mrphy Trctr ex 1,771.24; Mrtn Mrtt Mtrls ex 9,380.31; N Cntrl Amb SlS ex 922.07; NE Rrl Wtr Assoc ex 395.00; Occ Hlth Ctr ex 72.00; OCLC ex 92.08; Off Dpt ex 76.21; Olm & Pry ex 48,042.68; OPPD ex 25,519.83; O'Reilly ex 155.36; OWH ex 17.61; Pinn Bnk ex 12,614.00; Prt-A-Jn ex 80.00; Quill ex 689.71; Shrwn-Wllms ex 67.02; Siteone Lndscp Sply ex 16.00; Sltn One ex 1,561.18; Srp Co Admin ex 174,292.11; Trcn Cnsltnts ex 1,877.00; Ty's ex 646.91; Urbn Utlts ex 300.00; USA BI Bk ex 328.00; West-E-Con ex 290.00; Wstrn Oil ex 1,286.06; Yng & Wht ex 6,639.55; Total ex 457,994.06

Motion by Jason Stahr, seconded by Kara Alexander to approve the consent agenda. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

PRESENTATIONS

Recognition of the McKinney's Family for years of Community Investment
Sarpy County Sheriff's Representative
Gretna Firechief Rod Buethe" \f tPresentation to Former Council member Logan Herring
Recognition of the McKinney's Family for years of Community Investment
Sarpy County Sheriff's Representative
Gretna Firechief Rod Buethe

PUBLIC HEARINGS

City of Gretna, 204 N McKenna Ave, Gretna, NE 68028 requesting approval of a new Corridor Master Plan known as The Crossings to plan future land uses, transportation system enhancements and extensions, and economic development opportunities and to project market trends for the Hwy 6/31 Corridor from Platteview Road to north of Capehart Road. Approving The Crossings Corridor Master Plan establishing future land uses, transportation system enhancements and extensions, and economic development opportunities with market trend projections in a study area generally bounded by Platteview Road to the south, 204th Street to the east, approximately 220th Street to the west and ½ mile north of Capehart Road to the north.

Paula Dennison gave the staff comments.

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

Eric Trumm, 16482 Cheyenne Road, Omaha, NE 68136 requests approval of a text amendment to allow an Animal Hospital as an allowable use in the NC Neighborhood Commercial Zone. Amend the NC Neighborhood Commercial District to allow an Animal Hospital.

Dan Giittinger gave the staff comments.

Eric Trumm was available to answer any questions.

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

Motion by Bill Proctor, seconded by Jason Stahr to approve the text amendment to allow animal hospitals in NC Neighborhood Commercial Zone. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Mirabel, LLC, 11550 I Street, Suite 200, Omaha, NE 68137 requests approval of a final plat and rezone from TA Trans Ag to R-4 Highest Density Residential for a Subdivision to be known as Mirabel. Located on a tract of located in part of Tax Lots 6A, 6B and 7, Tax Lots located in part of the NE ¼ of the NW ¼ along with part of the SE ¼ of the NW ¼, all located in Section 21, T-14-N, R-11-E of the 6th PM, Sarpy County. Generally located on the southeast corner of 180th and Giles Road.

Dan Giittinger gave the staff comments.

Mark Pelster and Kyle Vohl were available to answer any questions on behalf of the applicant.

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 final plat and rezoning request for Mirabel, LLC subject to staff comments being completed. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

NewStreet, LLC, 11165 Mil Valley Road, Omaha, NE 68154 requesting approval of a final plat and rezone from TA Trans Ag to I-2 Industrial with an Interstate Overlay for a subdivision to be known as Gretna Logistic Park. Located on a tract of land located in part of the SE ¼ of the SW ¼, and also a part of the NE ¼ of the SW ¼, and also part of the SE ¼ of the NW ¼, and also part of the SW ¼ of the SE ¼ and also part of the NW ¼ of the SE ¼, and also part of Lot 1, Gillespie's 1st Subdivision, a subdivision located in said SW1/4 of the SE ¼, all located in Section 13, T-13-N, R-10-E of the 6th PM, Sarpy County, NE Generally located north of Platteview Rd. and east of Hwy. 31.

Dan Giittinger gave the staff comments.

Kyle Vohl gave an overview of the project and was available to answer any 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 the final plat and rezoning request for NewStreet, LLC subject to staff comments being completed. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

192nd & Cypress LLC, 11205 South 150th Street STE 100, Omaha NE 68138 requesting approval of a final plat and rezone from GC General Commercial MUC Mixed Use Commercial and R-2 Medium Density Residential for a subdivision to GC General Commercial, MUC Mixed Use Commercial and R-2 Medium Density Residential, for a subdivision to be known as Aspen Creek Phase 6. Located on Lot 365 through 371, inclusive, and outlots S and T, being a platting of that part of the West ½ of the SW ¼, together with that part of the vacated right of way of Highway 370 described and recorded in instrument number 2011 20114 of Section 29, T-14-N, R-11-E, of the 6th PM, Sarpy County, NE. Generally located north of Highway 370 and east of 191st Street.

Dan Giittinger gave the staff comments.

Randy Ruszak gave an overview of the project and was available to answer any questions.

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

Motion by Jason Stahr, seconded by Kara Alexander to approve the final plat and rezoning request contingent upon the completion of staff comments for 192nd & Cypress, LLC and authorizing staff to work out issues. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

MRES Allora Holdings, LLC, 12149 W. Center Rd., Omaha, NE 68144 requesting approval of a final plat and rezone from TA Trans Ag to R-4 Highest Density Residential with a PUD overlay and HC Highway Commercial for a subdivision to be known as M & M Acres Replat 1. Located

on Lots 1 and 2, M & M Acres Subdivision. Generally located south of Highway 370 and east of 168th Street.

Dan Giittinger gave the staff comments.

Larry Jobeun was available to answer any questions on behalf of the applicant.

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

Motion by Jason Stahr, seconded by Bill Proctor to approve the final plat and rezoning request for MRES Allora Holdings, LLC. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

City of Gretna, 204 N McKenna Ave, Gretna, NE 68028 requests approval of changes to the zoning code in the residential districts and fence regulations. Amending the Zoning code for R-1 through R-4 Residential District dealing with lot size, side yard setbacks, street side yard setbacks and other requirements of these districts along with adjustments to the fence regulations.

Dan Giittinger gave the staff comments.

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

Motion by Jason Stahr, seconded by Kara Alexander to approve the residential districts and fence regulation zoning changes. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

ORDINANCES & RESOLUTIONS

Motion to Approve Second Reading" of Ordinance 2110 – Annexing the Meadows II (S.I.D 87) & Tax Lot 2A of the Section 24-Township 14 North-Range 11 East of the 6th P.M. located adjacent to Interstate 80 and 144th Street

Jeff Miller read the ordinance by title.

Ordinance no. 2110

An ordinance of the City of Gretna, Nebraska, annexing and extending the corporate limits of the City of Gretna to include the real estate which is generally described as Sanitary and Improvement District no. 87 of Sarpy County, Nebraska and the subdivisions as surveyed, platted and recorded in Sarpy County, Nebraska known as boundless, the Meadows II, the Meadows II Replat 1, the Meadows II Replat 2, and the Meadows II Replat 3, and Tax Lot 2a in Section 24, Township 14 North, Range 11 East, all located in the Southwest Quarter of Section 24, Township 14 North, Range 11 East of the 6th p.m., Sarpy County, Nebraska, together with the entirety of all public streets, highways, and public right-of-ways within the annexed area, except and excluding and not annexing any adjacent U.S. Interstate 80 right-of-way, and which is more specifically described hereinafter in this ordinance; and to provide an effective date hereof.

Motion by Jason Stahr, seconded by Kara Alexander to approve second reading of Ordinance 2110. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion to Approve Second Reading" \f tOrdinance 2112 – Amending the City of Gretna Zoning Regulations by Adopting a New Section 5-27 Destination District – Vala’s Pumpkin Patch
Jeff Miller read the ordinance by title.

Ordinance no. 2112

An ordinance of the City of Gretna, Nebraska, amending the Gretna Zoning Regulations Update 2017 as adopted via City of Gretna Ordinance no. 2000 so as to adopt a new Destination District – Vala’s Pumpkin Patch; to repeal all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Bill Proctor, seconded by Jason Stahr to approve second reading of Ordinance 2112. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion to Approve Second Reading" \f tOrdinance 2113 – Amending the Gretna Comprehensive Plan Update 2020 to Adopt and Incorporate The Crossings Corridor Master Plan and its Future Land Use Plan and to Amend and Extend The Crossings Corridor Overlay Area
Jeff Miller read the ordinance by title.

Ordinance no. 2113

An ordinance of the City of Gretna, Nebraska, amending the Gretna Comprehensive Plan Update 2020 so as to adopt and incorporate therein the Crossings Corridor Master Plan and to amend the future land use plan for the Crossings Corridor Master Plan area; to amend and extend the Crossings Corridor overlay area as established by City of Gretna Ordinance no. 2100 and provide that all planning, development, and subdividing of the properties therein are subject to the guidelines and requirements of the Crossings Corridor Master Plan; to repeal all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Jason Stahr, seconded by Kara Alexander to approve second reading of Ordinance 2113. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion to Approve Second Reading" \f tOrdinance 2114 – Amending the Definition of Kitchen in Section R202 of the IRC 2018 Edition
Jeff Miller read the ordinance by title.

Ordinance no. 2114

An ordinance of the City of Gretna, Nebraska, amending the definition of kitchen for the purposes of application and enforcement of the International Residential Code (IRC) 2018 edition; to repeal all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Bill Proctor, seconded by Kara Alexander to approve second reading of Ordinance 2114. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion to Introduce and Approve First Reading" \f tOrdinance 2115 – Amending the R-1, R-2, R-3, and R-4 Residential Zoning Districts including Height and Lot Requirements and Fences and Retaining Walls

Jeff Miller read the ordinance by title.

Ordinance no. 2115

An ordinance of the City of Gretna, Nebraska, amending Sections 5.9.5, 5.10.5, 5.11.5, 5.11a, and 9.04 of the Gretna Zoning Regulations Update 2017 as adopted and amended via City of Gretna Ordinances no. 2000, 2059, and 2090 regarding the R-1, R-2, R-3, and R-4 Residential Zoning districts and height and lot requirements and fences and retaining walls; to repeal all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Jason Stahr, seconded by Bill Proctor to introduce and approve first reading of Ordinance 2115. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

Motion to Introduce and Approve First Reading" \f tOrdinance 2116 – Adding Animal Hospitals as a Conditional Use in a NC Neighborhood Commercial Zoning District
Jeff Miller read the ordinance by title.

Ordinance no. 2116

An ordinance of the City of Gretna, Nebraska, amending Section 5.12.3 of the Gretna Zoning Regulations Update 2017 as adopted via City of Gretna Ordinance no. 2000 regarding conditional uses in the NC Neighborhood Commercial Zoning district and adding animal hospitals as a conditional use; to repeal all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Bill Proctor, seconded by Jason Stahr to introduce and approve first reading of Ordinance 2116. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

Motion to Introduce and Approve First Reading" \f tOrdinance 2117 – Rezoning the Estates at Wynnwood Phase 2 Subdivision Lots 37 – 76 from Agriculture and Transitional Agriculture Zoning Districts to an RE Residential Estates Zoning District
Jeff Miller read the ordinance by title.

Ordinance no. 2117

An ordinance amending the official zoning map of the City of Gretna, Nebraska from AG Agricultural and TA Transitional Agriculture zoning districts to an RE Residential Estates zoning district for land which is located in Sections 2 and 3, Township 13 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, which is being platted as the Estates at Wynnwood phase 2 subdivision lots 37 through 76.

Motion by Jason Stahr, seconded by Bill Proctor to introduce and approve first reading of Ordinance 2117. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

Motion to Approve and Adopt" \f tResolution 4 – 22 (2) – Recognizing the American Federation of State, County and Municipal Employees, Local 251, as the Bargaining Agent for a Designated Bargaining Unit of Employees in the City's Public Works Department

Jeff Miller read the resolution by title.

Resolution no. 4-22 (2)

A resolution of the Mayor and City Council of the City of Gretna, Nebraska recognizing the American Federation of State, County, and Municipal Employees, Local 251, as the bargaining agent on behalf of a designated bargaining unit of employees within the city's public works department.

WHEREAS, a Representative Petition was filed with the Nebraska Commission of Industrial Relations by the American Federation of State, County, and Municipal Employees, Local 251, seeking to represent for the purposes of collective bargaining under the Industrial Relations Act, a designated bargaining unit of employees within the City's Public Works Department; and

WHEREAS, there was a sufficient showing of interest to warrant an election and an Order For Election and an Order For Election Procedures were thus entered by the Nebraska Commission of Industrial Relations and an election was held on April 5, 2022; and

WHEREAS, the election results were in favor of the American Federation of State, County, and Municipal Employees, Local 251, representing the designated bargaining unit of employees within the City's Public Works Department; and

WHEREAS, the Mayor and City Council of the City of Gretna deem it appropriate to accordingly recognize the American Federation of State, County, and Municipal Employees, Local 251, as the representative of the designated bargaining unit of employees within the City's Public Works Department.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Gretna that the American Federation of State, County, and Municipal Employees, Local 251, is hereby recognized as the bargaining agent for the purposes of collective bargaining under the Industrial Relations Act, of a unit of employees employed by the City consisting of all currently employed full-time employees of the City's Public Works Department working in the general geographic location of the City, to include the job classifications of building and grounds crew leader, utilities crew leader, street crew leader, and general maintenance worker II, and excluding any supervisors or managers of the City, and also excluding any seasonal, casual or temporary employees of the City.

This Resolution was approved by a vote of the City Council of the City of Gretna at a public meeting duly held in accordance with applicable law on the 19th day of April 2022.

Motion by Jason Stahr, seconded by Kara Alexander to approve and adopt Resolution 4-22- (2). Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

CURRENT BUSINESS

1) Paula Dennison as Personnel Administrator" \f tAction on Mayor's Appointment to serve with the Mayor's Term

1) Paula Dennison as Personnel Administrator

Motion by Jason Stahr, seconded by Kara Alexander to approve Paula Dennison as the personnel administrator. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea

Yea: 4, Nay: 0

Action on Subdivision Agreement with SID No. 319 for the Estates at WynnWood Phase 2 Lots 37 – 76

Motion by Bill Proctor, seconded by Jason Stahr to approve the subdivision agreement for WynnWood phase 2. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

- 1) Review of Bids
- 2) Award of Contract" \f tAction on Buffalo Creek Phase 2 Bids
- 1) Review of Bids
- 2) Award of Contract

Motion by Jason Stahr, seconded by Bill Proctor to award the contract to Vrba Construction. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

- 1) Change Order no. 1 \$(-)7,285.60
- 2) Pay Request no. 4 (final) - \$209,299.86" \f tAction on Aspen Creek North Phase 2 Water Improvements
- 1) Change Order no. 1 \$(-)7,285.60

Motion by Jason Stahr, seconded by Kara Alexander to approve change order number 1 for Kersten Construction. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

- 2) Pay Request no. 4 (final) - \$209,299.86

Motion by Bill Proctor, seconded by Kara Alexander to approve pay request no. 4 for Kersten Construction. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

EXECUTIVE SESSION - Litigation

Motion by Jason Stahr, seconded by Lauren Liebenritt to go into executive session at 7:39 pm. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion by Jason Stahr, seconded by Bill Proctor to reconvene in open session at 8:14 pm. Motion carried. Alexander: Yea, Liebenritt: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

ADJOURNMENT

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

City Council minutes respectfully submitted by City Clerk Tammy Tisdall.

CITY OF GRETNA, NEBRASKA

Mike Evans, Mayor

ATTEST:

Tammy L. Tisdall, CMC
City Clerk