

City of Gretna, Nebraska

City Council

May 3, 2022

A meeting of the Gretna City Council was held on May 3, 2022. Mayor Evans announced that the open meetings laws is located in the back of the room. The Mayor called the meeting to order. Absent: Lauren Liebenritt, Present: Kara Alexander, 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

- 1) Approval of Consent Agenda:
- 2) Approval of Agenda for May 3, 2022
- 3) Approval of Council Minutes, April 19, 2022
- 4) Approval of Claims
- 5) Gretna Crossing Park Ballfields – MCL Construction
 - a) Pay Request #5 - \$787,921.00
- 6) Action on Well No. 9 and Well House – Contract No.1 - Sargent Drilling
 - a) Change Order No. 1 – Time Extension
- 7) Action on Standing Stone Outfall Sewer Improvements – Judds Bros. Construction Co.
 - a) Pay Request No. 3 – \$6,403.00
- 8) Action on Gretna Northwest Subbasin Interceptor Sewer - Phase 1 – Vrba Construction
 - a) Change Order No. 2 – Time Extension
 - b) Pay Request No. 2 – \$106,205.31
- 9) Annual TIF Report
- 10) Action on Tiburon Sub-Basin Interceptor Sewer Phase 3 – Park 2 (South) – Vrba Construction Inc.
 - a) Change Order No. 4 – Time Extension
- 11) Gretna Crossing Park Rec and Aquatic Center – DLR Group
 - a) Invoice #0193018 - \$38,868.69
 - b) Invoice #0202202 - \$18,711.90
- 12) Approval of Gretna Crossing Park – JEO Consulting
 - a) Task Order #1 Grading, Roadway and Utilities - \$10,705.50
 - b) Task Order #2 Capehart Road - \$2,597.50
 - c) Task Order #3 Ball Fields and Passive Park - \$71,060.50

Claims

Abes ex 1,103.50; Bkr & Tylr ex 1,301.51; Blck Hls ex 2,146.54; Body Bscs Ftns ex 13,137.00; Cntr Pnt Lrg ex 185.16; Cntry Lk ex 585.52; Cty Omh Cshr ex 240,418.83; Cllbrtv Smr Lib Prog ex 53.30; Cnflunc Inc ex 34,731.47; Core Tech ex 279.00; Crnhskr Intl ex 1,361.00; Cox ex 1,858.63; Crshn-It Inc ex 1,510.44; C Strutz ex 395.00; Dnk Emrg Equip ex 1,236.82; Dgtl Exps ex 517.47; Frgsn Enter ex 1,763.58; Grtn Pyrl ex 64,365.58; Grtn PO ex 6,500.00; H&H Lwn ex 1,036.00; Hm Dpt ex 512.35; ICMA Mbrshp ex 984.42; JP Cooke ex 21.75; Lge of KS ex 130.00; Lge of NE ex 130.00; L Ortiz ex 550.00; Lib Store ex 368.33; Lowe's ex 614.21;

Mcqñ Equip ex 478.43; Mngo ex 6,930.00; MUD ex 194.61; Muni Sply ex 1,922.00; Mtl Of Omh ex 1,229.43; NE Clrks Inst & Acdmy ex 223.00; NE Dept of Rev - Keno ex 8,888.00; NE Pub Hlth Enviro ex 48.75; Occ Hlth Ctr ex 246.00; Olm & Pry ex 17,177.12; Oma Chldn Msm ex 219.00; OPPD ex 3,907.92; Quill ex 358.28; RAKA ex 1,101.25; Sndry Fire Sply ex 1,330.85; Srpy Co Treas ex 73,598.00; Siteone Lndscp Sply ex 448.70; T Tisdall ex 46.80; Trrcn Cnsltnts ex 3,016.25; Uline ex 1,565.26; USA BI Bk ex 254.34; Verizon ex 1,399.89; Wells Frgo ex 364.00; Wex ex 544.95; Wildf Enctrs ex 295.00; Yng & Wht ex 6,807.75; Total ex 510,392.99

Motion by Jason Stahr, seconded by Bill Proctor to approve the consent agenda. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

PUBLIC HEARINGS

Althea Co. Inc dba Noli's Pizzeria, 11832 Standing Stone Dr. Ste 7-8, Gretna, NE 68028
Approval of Class "I" Liquor License

Tammy Tisdall gave the staff comments.

Sean Kelley 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 liquor license application for Noli's Pizzeria. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea
Yea: 3, Nay: 0, Absent: 1

City of Gretna, 204 N McKenna Ave, Gretna, NE 68028

Approval of an amendment to the adopted comprehensive plan to address the future land use map in The Crossings Corridor Master Plan. The Crossings Corridor future land use map amendment to the adopted Comprehensive Plan establishes future land uses, transportation system enhancements and extensions, and economic development in an area generally bounded by South 204th Street, Platteview Road, a half mile west of Hwys 6/31 and Hwy 31, and a half mile north of Capehart North, and U.S. Interstate 80 on the south.

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 Bill Proctor, seconded by Jason Stahr to approve the future land use make for the Crossings Master Plan as an amendment to the adopted Gretna Comprehensive Plan. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

ORDINANCES & RESOLUTIONS

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 Kara Alexander, seconded by Jason Stahr to approve third reading of Ordinance 2110. Motion carried. Alexander: Yea, Liebentritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

City Attorney Jeff Miller stated for the record that the annexation process included formal compliance with the requirements of Neb. Rev. Stat. 16-130 (6) via the certified mailing of notices of the proposed annexation to the various utilities, entities, and districts serving customers in the City or in the area proposed for annexation.

Motion by Jason Stahr, seconded by Kara Alexander to approve and adopt Ordinance 2110. Motion carried. Alexander: Yea, Liebentritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Ordinance 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 Kara Alexander, seconded by Jason Stahr to approve third reading of Ordinance 2112. Motion carried. Alexander: Yea, Liebentritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Motion by Kara Alexander, seconded by Jason Stahr to approve and adopt Ordinance 2112. Motion carried. Alexander: Yea, Liebentritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Ordinance 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 Bill Proctor, seconded by Jason Stahr to approve third reading of Ordinance 2113.
Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Motion by Bill Proctor, seconded by Kara Alexander to approve and adopt Ordinance 2113.
Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Ordinance 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 third reading of Ordinance 2114.
Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Motion by Kara Alexander, seconded by Bill Proctor to approve and adopt Ordinance 2114.
Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Ordinance 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.

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Motion by Bill Proctor, seconded by Jason Stahr to approve second reading of Ordinance 2115. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Ordinance 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 Jason Stahr, seconded by Kara Alexander to approve second reading of Ordinance 2116. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Ordinance 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.

Resolution 5-22 (1) – Approving the Annexation Agreement with the Millard Suburban Fire District

RESOLUTION NO. 5-22 (1)

A resolution of the Mayor and City Council of the City of Gretna, Nebraska approving an annexation agreement with the Millard Suburban Fire Protection District No. 1

WHEREAS, the City of Gretna is annexing by duly adopted Ordinance No. 2110 which will be effective as of May 18, 2022, a portion of the Millard Suburban Fire Protection District No. 1; and

WHEREAS, the City is not annexing by said Ordinance all of the territory of the District; and

WHEREAS, the laws of the State of Nebraska provide in Neb. Rev. Stat. § 35-540 (Cum. Supp. 2020), as amended, that when a portion of the territory within any fire protection district is annexed the city and the fire protection district may agree as to an equitable division of the assets, liabilities, maintenance, contracts, or other obligations of the fire protection district and for a change in the boundaries of the fire protection district so as to exclude from the fire protection district the territory so annexed by the city; and

WHEREAS, the City and the District have reached such an agreement via a written Annexation Agreement a copy of which is on file at the City Office; and

WHEREAS, the City Council of the City of Gretna deems it appropriate and advisable to approve the Annexation Agreement with the District.

NOW, THEREFORE, BE IT RESOLVED BY the City Council of the City of Gretna that the Annexation Agreement with the Millard Suburban Fire Protection District No. 1 is hereby approved, the Mayor is authorized to sign the same, the Mayor and City staff are authorized to make final edits thereto (if any), and the Mayor and City staff are authorized to undertake and implement any and all actions associated therewith and/or necessary in order to implement the same.

Motion by Jason Stahr, seconded by Bill Proctor to approve and adopt Resolution 5-22 (1). Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

CURRENT BUSINESS

Action on Gretna Water Supply Study Evaluation and Future Needs Study Presentation

- 1) Approving the Dakota Aquifer Groundwater Hydrogeology Study Proposal

Motion by Bill Proctor, seconded by Jason Stahr to approve the Dakota Aquifer Groundwater Hydrogeology study proposal. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Action on Chesterman Company Sponsorship Agreement for Gretna Crossing Park

Motion by Kara Alexander, seconded by Bill Proctor to accept the Chesterman Company agreement for Gretna Crossing Park. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Action on Updated Job Descriptions

- 1) Public Works and Utilities Director
- 2) Buildings and Asset Manager

Motion by Jason Stahr, seconded by Kara Alexander to approve the job descriptions for Public Works and Utilities Director and Buildings and Asset Manager. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Action on Subdivision and Maintenance Agreements for the M & M Acres Replat 1 (Allora 168) Subdivision Lots 1-4 and Outlots A and B

Motion by Bill Proctor, seconded by Jason Stahr to approve the subdivision and maintenance agreement for Allora 168. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Action on Agreement between the City of Gretna, American Legion Post #216 and Veterans of Foreign Wars Post #10725 for providing assistance with recognition of veterans in Petersen Park

Motion by Jason Stahr, seconded by Bill Proctor to approve the agreement with the American Legion and VFW. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea Yea: 3, Nay: 0, Absent: 1

Action on Use of ASIP fees for 204th Street Connection in the Northern Royal View Area

Motion by Jason Stahr, seconded by Bill Proctor to approve the use of ASIP fees in the northern Royal View area. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea Yea: 3, Nay: 0, Absent: 1

Action on Tiburon Sub-basin Interceptor Sewer Phase 3 Control Panel – HOA Solutions

- 1) Pay Request No. 4 (Final) – \$8,746.55

Motion by Bill Proctor, seconded by Kara Alexander to approve pay request no. 4 for HOA. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Action on Gretna Crossing Park – Capehart Road Project

- 1) Award of Bid to Ruff Grading
- 2) Change Order #2 - \$(+)44,855.00

Motion by Bill Proctor, seconded by Kara Alexander to award the bid to Ruff Grading. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Motion by Bill Proctor, seconded by Kara Alexander to approve change order #2 for Ruff Grading. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

EXECUTIVE SESSION – Litigation and Contract Negotiations

Motion by Jason Stahr, seconded by Kara Alexander to go into closed session at 7:30 pm for litigation. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

Motion by Kara Alexander, seconded by Bill Proctor to reconvene in open session at 8:30 pm. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

ADJOURNMENT

Motion by Bill Proctor, seconded by Kara Alexander to adjourn. Motion carried. Alexander: Yea, Liebenritt: Absent, Proctor: Yea, Stahr: Yea. Yea: 3, Nay: 0, Absent: 1

City Council Minutes
May 3, 2022

City Council minutes respectfully submitted by City Clerk Tammy Tisdall.
CITY OF GRETNA, NEBRASKA

Mike Evans, Mayor

ATTEST:

Tammy L. Tisdall, CMC
City Clerk