

City of Gretna, Nebraska

City Council
January 19, 2021

A meeting of the Gretna City Council was held on January 19, 2021. 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, Logan Herring, 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

Approval of Consent Agenda

- 1) Approval of Agenda for January 19, 2021
- 2) Approval of Council Minutes, January 5, 2021
- 3) Approval of Claims

CLAIMS

Abes ex 88.66; Advncd Ofc ex 17.91; AFLAC ex 722.12; Ashlnd Auto ex 1,005.40; Big Rig Rpr ex 108.12; Bkr & Tylr ex 652.27; Blck Hls ex 3,756.15; Bobcat ex 136.34; Brgnkdv, LLC ex 32,952.00; Cllgn ex 118.60; Cmmns SlS & Serv ex 4,465.56; Cmpss Utly ex 119,216.56; Core & Main ex 51.47; Core Tech ex 811.00; Cox ex 368.53; Crl Cnstrn ex 85.00; Cty Omh Cshr ex 421,702.54; D John ex 32.16; D Newton ex 100.00; Dgtl Exprs ex 205.04; E Spotts ex 59.24; Ess Scrns ex 161.85; Feld Equip ex 11,400.00; Frmrs Un ex 412.30; Fstsgn ex 1,002.60; Grgry Prop Mgmt ex 39.71; Grtn Ace ex 453.67; Grtn Gas ex 5,026.59; Grtn Gde & Nws ex 18.94; Grtn Pysl ex 67,568.62; Gsmn Law ex 2,718.00; H&H Lwn ex 2,080.00; Hdro Optmztn ex 422.00; Inspro ex 21.00; J Lockwood ex 36.41; JDW Mdwst ex 1,725.00; K Wescott ex 55.10; L Blum ex 111.90; L Ortiz ex 425.00; Lgcy Hms ex 60.35; Lowe's ex 59.96; MC2 ex 6,296.82; Mcknys ex 3.88; Md-Amrn Bnfts ex 50.00; Mdwst Lab ex 220.80; Mdwst Tape ex 74.71; Mitel ex 1,128.14; NE Dept of Rev - Keno ex 7,151.00; NE Pub Hlth Enviro ex 331.00; NMC ex 1,871.43; Off Dpt ex 284.25; Olm & Pry ex 122,205.00; One Cl Cncpt ex 201.99; OPPD ex 26,547.60; O'Reilly ex 268.71; P Peters ex 40.92; Pinn Bnk ex 6,160.36; Pncrst Hms ex 75.00; Prt-A-Jn ex 80.00; Ptny Bws ex 3,000.00; Ptny Bws Inc ex 161.48; Quill ex 161.64; Sbrbn Nws ex 209.19; Sltn One ex 719.43; Sprq Dt Sltns ex 4,100.00; Ty's ex 191.76; UNUM Ins ex 166.64; USA BI Bk ex 451.53; Wex ex 177.98; Wrld Trd Prs ex 204.00; Wstrn Oil ex 457.30; Yng & Wht ex 5,195.35; Total ex 868,641.58

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

PRESENTATIONS

Sarpy County Sheriff's Representative

PUBLIC HEARINGS

Dragon Land Company, 1303 S 72nd Street, Suite 209, Omaha NE 68124 requesting approval of a Preliminary Plat and Rezone from Trans Ag TA & Mixed Use Commercial MUC to High Density Residential R-4 and Mixed Use Commercial MUC. For a Subdivision to be known as Kayda

Corner. Located on lots 1- 93 being R-4 and lots 94- 103 being MUC and Outlots A-C inclusive on a tract of land located in part of Taxlot 7 located in the NE ¼ of the SE ¼ and part of the SE ¼ of the SE ¼ of Section 30, T-14-N, R-11-E of the 6th PM. Sarpy, County, NE. Generally located on the NW corner of 192nd and Hwy. 370.

Staff comments were given by Dan Giittinger and Greg Perry.

A representative of the Dragon Land Company gave an overview.

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

Motion by Bill Proctor, seconded by Jason Stahr to approve the preliminary plat and rezoning for the Kayda Corner Subdivision. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Gretna School District c/o Dr. Rich Beran, 11717 S 216th Street, Gretna, NE 68028 requesting approval of a Preliminary and Final Plat and Rezone from Trans Ag. TA to Medium Density Residential R-2. For Gretna Public High School No. 2. Located on Lot 1 located in the S1/2 NE 1/4 & Tax Lot 2 Exc. Pt for SID 320, Sec. 29 T-14-N, R-11-E of the 6th PM. Sarpy County, NE 68136. Generally located on the southwest corner of 180th and Camelback Ave

Staff comments were given by Dan Giittinger.

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

Motion by Jason Stahr, seconded by Kara Alexander to approve preliminary and final plat and rezoning for Gretna School District. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Chad Mackling, 10275 S. 204th St., Gretna, NE 68028 requesting approval of a Preliminary and Final Plat and Rezone from Trans. Ag TA to General Commercial GC and Trans. Ag TA. For a Subdivision to be known as Emerald Lawn and Landscape. Located on Lots 1-3 and Outlot A inclusive on a tract of land known as Taxlot 4B1A, located in the NW ¼ of Sec 30, T-14-N, R-11-E, of the 6th PM. Sarpy Co. NE 68028. Generally located east of Hwy. 6 and south of Cornhusker Rd.

This item was tabled until further notice.

Property Assessed Clean Energy (PACE) Act and Creation of PACE District and adoption of PACE Program and Procedures

City Attorney Jeff Miller read the ordinance by title.

Ordinance 2074 – Creating a Property Assessed Clean Energy (PACE) District and a PACE Program and Procedures

Ordinance no. 2074

An ordinance of the City of Gretna, Nebraska, creating a Property Assessed Clean Energy District and establishing definitions and financing, administration and collection

procedures pursuant to the Nebraska Property Assessed Clean Energy Act, Neb. Rev. Stat. §§ 13-3201 to 13-3211, for the purposes of promoting energy efficient improvements and renewable energy systems; incorporating such as a new Article 5 to Chapter 9 of the City code; redesignating current Article 5 of Chapter 9 of the City code; and to declare a time when this ordinance shall take full force and effect.

Staff comments were given by Jeff Miller and Jeff Kooistra.

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

Motion by Jason Stahr, seconded by Bill Proctor to introduce Ordinance 2074 and waive three readings. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion by Bill Proctor, seconded by Logan Herring to approve and adopt Ordinance 2074. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

City Attorney Jeff Miller read the resolution by title.

Resolution 1 – 21 (2) Approving a Property Assessed Clean Energy (PACE) Administrative Support Interlocal Agreement with the City of La Vista

Resolution no. 1-21 (2)

A RESOLUTION OF THE MAYOR AND CITY COUNCIL OF THE CITY OF GRETNA, NEBRASKA, APPROVING AN INTERLOCAL COOPERATION AGREEMENT WITH THE CITY OF LA VISTA, NEBRASKA REGARDING PROPERTY ASSESSED CLEAN ENERGY (PACE) PROGRAM ADMINISTRATIVE SUPPORT.

WHEREAS, in accordance with the provisions of Nebraska Revised Statutes §§13-3201 through 13-3211, known as the Property Assessed Clean Energy Act (the "PACE Act"), municipalities within the State of Nebraska are authorized to form property assessed clean energy assessment ("PACE") districts for the purpose of providing an additional financing tool to developers and property owners to encourage them to incorporate clean energy, to reduce the use, demand for, and consumption of electricity, gas, water, sanitary sewer and other utilities, to promote the efficient and effective management of natural resources or storm water, to provide for water conservation or pollutant control, to promote other utility cost-savings measures, and/or to promote resources that naturally replenish over time and that minimize the output of toxic materials in the conversion to energy, all as more fully set forth in the PACE Act; and

WHEREAS, financing of PACE projects is a valid general public purpose that does not utilize general public funds to finance the costs of materials, equipment, design, installation, and implementation of PACE improvements in a qualifying property, but rather the qualifying property is separately assessed in an annual amount sufficient to repay the PACE financing loan over the average weighted useful life of the PACE project improvements; and

WHEREAS, the PACE Act permits two or more municipalities to enter into an agreement pursuant to the Nebraska Interlocal Cooperation Act to jointly administer PACE districts, or a municipality to contract with a third party for the administration of PACE districts; and

WHEREAS, the City of La Vista, Nebraska (“La Vista”), has established and administers a PACE program and district with respect to areas within La Vista (“LVPD”), and the City of Gretna, Nebraska (“Gretna”) has concurrent with this Resolution created a PACE program and district for areas within Gretna (“GPD”) based on documents that are the same in form and content as the documents used to create the LVPD, including without limitation the ordinance creating the clean energy assessment district, manual, and application; and

WHEREAS, Gretna desires that La Vista assist Gretna, and La Vista is willing to assist Gretna, with administration in connection with processing applications under the Gretna PACE program in compliance with the PACE Act, including application receipt, review, and recommendations to the Gretna PACE District Administrator for proposed PACE projects within the GPD geographic area, which includes the corporate boundaries and extraterritorial jurisdiction of Gretna (“PACE Administrative Support”); and

WHEREAS, La Vista and Gretna desire to enter into the Interlocal Agreement which is attached hereto and incorporated herein as Exhibit “A”, for the purposes of setting forth the rights and obligations of La Vista and Gretna with respect to the PACE Administrative Support.

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

The Interlocal Cooperation Agreement with the City of La Vista dated January 19, 2021 and regarding administrative support by the City of La Vista for the City of Gretna’s Property Assessed Clean Energy (PACE) Program, is hereby approved and adopted and the Mayor of the City of Gretna is authorized to sign said Interlocal Cooperation Agreement.

PASSED AND APPROVED this 19th day of January, 2021.

Motion by Kara Alexander, seconded by Bill Proctor to approve and adopt Resolution 1-21 (2). Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

ORDINANCES & RESOLUTIONS

Ordinance 2073 – Rezoning Hansen View Lots 1 and 2 from TA Transitional Agriculture to RE-A Residential Estates – Animals

City Attorney Jeff Miller read the ordinance by title.

Ordinance no. 2073

An ordinance of the City of Gretna, Nebraska, amending the official zoning map of the City of Gretna from a TA Agriculture Zoning District to an RE-A Residential Estates – Animals Zoning District for the land which is being platted as Lots 1 and 2 of the Hansen View subdivision.

Motion by Jason Stahr, seconded by Kara Alexander to approve second reading of Ordinance 2073. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Ordinance 2075 – Rezoning the Gretna Public High School No. 2 Subdivision Lot 1 in the East Half of S27, T14N, R11E from a TA Transitional Agriculture Zoning District to an R-2 Medium Density Residential Zoning District

City Attorney Jeff Miller read the ordinance by title.

Ordinance no. 2075

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-2 Medium Density Residential Zoning District for the land which is being platted as lot 1 of the Gretna Public High School No. 2 Subdivision.

Motion by Jason Stahr, seconded by Bill Proctor to introduce and approve first reading of Ordinance 2075. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

Ordinance 2076 – Amending the Master Fee Schedule
City Attorney Jeff Miller read the ordinance by title.

Ordinance no. 2076

An ordinance of the City of Gretna, Nebraska amending various fees and charges established in the City of Gretna Master Fee Ordinance No. 2051; to declare a time when this ordinance shall take full force and effect; to repeal City of Gretna Ordinance No. 1094 and all ordinances in conflict herewith; and to provide an effective date hereof.

Motion by Jason Stahr, seconded by Bill Proctor to introduce Ordinance 2076 and approve first reading. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Ordinance 2077 – Ordinance to Authorize Issuance of General Obligation Water Refunding Bonds, Series 2021, in the principal amount not to exceed \$1,200,000, to refund the City's outstanding General Obligation Water Bonds, Series 2011
City Attorney Jeff Miller read the ordinance by title.

Motion by Bill Proctor, seconded by Jason Stahr to introduce Ordinance 2077 and waive three readings. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Nay. Yea: 3, Nay: 1

Stahr: Nay

Motion by Jason Stahr, seconded by Logan Herring to approve and adopt Ordinance 2077. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Ordinance 2078 – Ordinance to authorize a financing not to exceed \$47,500,000 for the City's Recreation Center building and related improvements, and Recreational, Aquatic and Park facilities and related improvements, pursuant to a lease-purchase agreement and issuance of certificates of participation in the lessor's interest in such lease-purchase agreement

City Attorney Jeff Miller read the ordinance by title.

Ordinance no. 2078

An ordinance of the Mayor and Council of the City of Gretna, Nebraska authorizing and approving a lease-purchase transaction, the proceeds of which will be used to pay the costs to acquire, construct, furnish and equip new recreational facilities for use by the City; pledging the City's additional sales tax and other taxes to pay the same; approving the issuance, sale and delivery of not to exceed \$47,500,000 principal amount of Certificates of Participation in such lease-purchase transaction; fixing in part and providing for the fixing in part of certain provisions of the lease and related documents; and related matters.

Motion by Bill Proctor, seconded by Jason Stahr to introduce Ordinance 2078 and waive three readings. Motion carried. Alexander: Nay, Evans: Yea, Herring: Yea, Proctor: Yea, Stahr: Nay Yea: 3, Nay: 2. Alexander: Nay, Stahr: Nay

Motion by Jason Stahr, seconded by Bill Proctor to adopt Ordinance 2078. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

City Attorney Jeff Miller and Bond Attorney Mike Rogers stated per State Statute the suspension of the rules should be passed by a 3 to 1 vote of the Council. A revote was requested on the suspension of rules due to time restrictions to proceed with the issuance of the Certificates of Participation.

Motion by Bill Proctor, seconded by Logan Herring to introduce Ordinance 2078 and waive three readings. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Motion by Jason Stahr, seconded by Bill Proctor to adopt Ordinance 2078. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

CURRENT BUSINESS

Approval of the Sewer Connection Agreement with SID No. 347 for the Giles Pointe Subdivision Lots 1 – 104 and Outlots A-K

Motion by Jason Stahr, seconded by Bill Proctor to approve sewer connection agreement with SID 347. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

2021 Permit To Haul Applications

- 1) Waste Connections of Nebraska dba Papillion Sanitation
- 2) Premier Waste Solutions
- 3) Abe's Trash Service

Motion by Bill Proctor, seconded by Kara Alexander to approve the 2021 permit to haul applications for Waste Connections, Premier Waste Solution and Abe's Trash Service. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

4) Gretna Sanitation

Motion by Bill Proctor, seconded by Logan Herring to deny the 2021 permit to haul application for Gretna Sanitation. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea

Yea: 4, Nay: 0

Approval of Downtown Streetscape Improvements – Compass Utility LLC

- 1) Change Order No. 3 (Final) \$21,944.58

Motion by Bill Proctor, seconded by Jason Stahr to approve change order no. 3 \$21,944.58. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

- 2) Pay Request No. 8 \$119,216.56

Motion by Logan Herring, seconded by Kara Alexander to approve change order No 8 for Compass Utility LLC. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea
Yea: 4, Nay: 0

Harvest Hills (Phase 2) Water Main Improvements (SID 337) – Kersten Construction Inc.

- 1) Change Order No. 1 (+) \$23,343.00

Motion by Bill Proctor, seconded by Kara Alexander to approve the change order no. 1 for Kersten Construction. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Review of Bids for Highland Pointe Section I & II Water Main - Kersten Construction

Motion by Bill Proctor, seconded by Jason Stahr to award the Highland Pointe Section I & II Water Main bid to Kersten Construction. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Approval of Master Services and Task Order Agreements with JEO Consulting Group for Gretna Crossing Park and Grading, Utilities, Paving, Capehart Road, and Ballfields and Passive Park Improvements

Motion by Jason Stahr, seconded by Kara Alexander to approve the master service and task order agreements with JEO for the Gretna Crossing Park Project. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

Approval of Mayor's Appointment to the Gretna Tree Board

- 1) Angie Lauritsen - Replacement - Term Ending 12/2023

Motion by Kara Alexander, seconded by Bill Proctor approval of Angie Lauritsen to the Gretna Tree Board. Motion carried. Alexander: Yea, Herring: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

ADJOURNMENT

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

CITY OF GRETNA, NEBRASKA

Michael D. Evans, Mayor

ATTEST:

Tammy L. Tisdall, CMC
City Clerk