

# City of Gretna, Nebraska

City Council

November 3, 2020

A meeting of the Gretna City Council was held on November 3, 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**

### **Approval of Consent Agenda**

1. Approval of Agenda for November 3, 2020
2. Approval of Council Minutes, October 20, 2020
3. Approval of Claims

## **CLAIMS**

Abes ex 830.60; Barco Prod ex 1,198.10; Big Rig Rpr ex 20.00; Bkr & Tylr ex 1,163.09; BS&A ex 6,735.00; Cmpss Utly ex 308,704.99; Cnta ex 35.62; Cntry Lk ex 380.74; Core & Main ex 40,402.81; Core Tech ex 9,112.50; Cox ex 2,453.07; Cpl Chevy ex 145.00; Crl Cnstrn ex 25.60; DHHS Pub Hlth ex 100.00; Firegrd ex 372.00; Frgsn Enter ex 39.98; Frmrs Un ex 251.91; GDI ex 146,771.24; Grtn Pyrl ex 58,446.94; Hm Dpt ex 145.52; Hose & Hndlg ex 65.82; Hrtfrd ex 353.65; ICMA Mmbrshp ex 1,083.00; Ishine ex 296.30; J Kooistra ex 300.00; K Faris ex 47.72; Krstn Cnstrn ex 205,113.79; Lowe's ex 266.95; Lry Vglr Trckng ex 47,196.00; Mcqn Equip ex 226.54; Menards ex 475.00; Metlife ex 972.11; MUD ex 291.23; Muni Sply ex 80.50; NE Arbrst Assoc ex 145.00; NMC ex 1,439.52; Nrthn Lghts Dsply ex 1,052.90; Olm & Pry ex 52,103.47; OPPD ex 839.47; Pavers ex 1,803.60; Prcsn Lghtn Elec ex 75.00; Quill ex 134.94; Siteone Lndscp Sply ex 917.13; Sry Co Treas ex 42,239.64; Subrn News ex 50.44; Tidy-Up Clng ex 535.00; TJ Osbrn Const ex 5,625.00; Tylr Tech ex 2,766.00; Ty's ex 3,811.96; USA BI Bk ex 116.40; Verizon ex 1,284.61; Vn Krk Brs Cntrctg ex 87,787.49; VRBA Cnstrn ex 57,788.69; Webstrntstr ex 736.65; Wells Frgo ex 728.00; Yng & Wht ex 7,573.75; Zee Mdl Srv ex 138.30; Total 1,103,796.28

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

## **PRESENTATIONS**

Sarpy County Sheriff's Department Representative – Item moved to next meeting

## **ORDINANCES & RESOLUTIONS**

Ordinance 2070 - Approving Amendments to the City of Gretna's Comprehensive Plan Update 2020

City Attorney Jeff Miller read the ordinance by title.

ORDINANCE NO. 2070

An Ordinance of the City of Gretna, Nebraska, amending the Gretna Comprehensive Plan Update 2020; 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 Jason Stahr, seconded by Bill Proctor to approve second reading of Ordinance 2070. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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Ordinance 2071 Approving Amendments to the City of Gretna Zoning Regulations regarding Section 2.03 Definitions, Section 5.11 R-3 High Density Residential Zoning District, Section 5.17 I-1 Light Industrial Zoning District, Section 5.18 I-2 Heavy Industrial Zoning District, Section 5.24 Schedule of Lot and Area Requirements, and Section 8.10 Solar Energy Uses, and a new Section 5.26 regarding the GMA Growth Management Area Overlay District.

City Attorney Jeff Miller read the ordinance by title.

#### ORDINANCE NO. 2071

An ordinance of the City of Gretna, Nebraska, amending the Gretna Zoning Regulations Update 2017 as adopted by City of Gretna Ordinance No. 2000 via amendments to Section 2.03 definitions, Section 5.11 R-3 High Density Residential Zoning District, Section 5.17 I-1 Light Industrial Zoning District, Section 5.18 I-2 Heavy Industrial Zoning District, Section 5.24 schedule of lot and area requirements, and Section 8.10 solar energy uses, and via further creating a new S5.26 regarding the GMA Growth Management Area Overlay District; to declare a time when this ordinance shall take full force and effect; and to repeal all ordinances in conflict herewith.

Motion by Bill Proctor, seconded by Jason Stahr to approve second reading of Ordinance 2071. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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" f tResolution 11-20 (1) - Directing the Sale and the Manner and Terms of the Sale of Surplus City Personal Property

City Attorney Jeff Miller read the resolution by title.

#### RESOLUTION NO. 11-20 (1)

A Resolution of the Mayor and City Council of the City of Gretna, Nebraska, pursuant to Nebraska Revised Statute § 17-503.02 and City of Gretna Municipal Code 6-113 Directing The Sale and the Manner and Terms of the Sale of Surplus City Personal Property.

WHEREAS, the City of Gretna is the owner of certain personal property consisting of a Smith 160 air compressor and a Vermeer Model 620BC chipper, which is surplus City personal property; and

WHEREAS, pursuant to Nebraska Revised Statute § 17-503.02 and City Municipal Code 6-113 the City is authorized to direct the sale and the manner and terms of the sale of said surplus City personal property; and

WHEREAS, said items of surplus City personal property each have a fair market value less than \$5,000.00.

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

1. The City hereby directs that the City's surplus personal property, consisting of a Smith 160 air compressor and a Vermeer Model 620BC chipper, be offered for sale pursuant to the manner, terms, and requirements provided in this Resolution.

2. The City Public Works Director will create a reasonable method for offering such property for sale via sealed bids and such other reasonable means as may be determined to effectuate the sale of such property for reasonable sale prices, so it is not retained by the City. The City Public Works Director shall schedule a date(s) and time(s) open to the public when interested members of the public may view and inspect such property and a date and time deadline for the submission of sealed bids. The City Public Works Director shall establish such other reasonable terms for the sale of said property, payment therefor, and removal thereof, the intent of the City being that such property be sold on reasonable terms so that it is not retained.

3. Such surplus City property is offered for sale and shall be sold "as is" and without any warranties or representations by the City of any kind as to the quality, character, or condition thereof.

4. A minimum bid of \$1,000.00 is hereby established for the Smith 160 air compressor. A minimum bid of \$500.00 is hereby established for the Vermeer Model 620BC chipper.

5. Following passage of this Resolution a notice of the proposed sale of said surplus City personal property shall be posted in three prominent places within the City for a period of not less than seven days prior to the sale of said personal property.

6. The City shall further advertise and provide notice of the proposed sale of said surplus City personal property via other reasonable means and methods in order to obtain the most favorable sale prices in the best interests of the City.

7. The City Public Works Director is authorized to execute all documents necessary to effectuate the transfer of all rights, title and interests of the City in said property.

8. The proceeds of the sale of said property shall be placed in the City fund from which it was purchased.

PASSED AND APPROVED this 3rd day of November, 2020.

Motion by Jason Stahr, seconded by Angie Lauritsen to approve and adopt Resolution 11-20 (1). Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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" \f tResolution 11 - 20 (2) Requesting Sarpy County to Cede Extraterritorial Zoning Jurisdiction to the City over a Portion of the East Half of the Northeast Quarter in S26, T13N, R10 East of the 6th P.M. and the Adjoining NE State Hwy 31 Right-of-Way.

City Attorney Jeff Miller read the resolution by title.

RESOLUTION NO. 11-20 (2)

A Resolution of the Mayor and City Council of the City of Gretna, Nebraska, approving the submission of a formal request Pursuant to Neb. Rev. Stat. § 13-327(1) that the Sarpy County Board formally cede and transfer to the City of Gretna its extraterritorial zoning jurisdiction over the east half of the northeast quarter in section 26, township 13 north, range 10 east of the 6th P.M., Sarpy County, Nebraska, and the adjoining area consisting of the Nebraska State Highway 31 right-of-way, which are situated within Sarpy County's extraterritorial zoning jurisdiction.

WHEREAS, the real estate that constitutes the East Half of the Northeast Quarter in Section 26, Township 13 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, is within the extraterritorial zoning jurisdictions of both the City of Gretna and Sarpy County, Nebraska; and

WHEREAS, the owners of said real estate desire that it be under the single jurisdiction of the City of Gretna for further division and sale purposes and said owners have formally requested that the City of Gretna undertake this action and make this request; and

WHEREAS, the City of Gretna is authorized by Neb. Rev. Stat. §13-327(1) (Cum. Supp. 2018) to formally request that the Sarpy County Board formally cede and transfer to the City of Gretna its extraterritorial zoning jurisdiction over said real estate; and

WHEREAS, the requirements for granting the request as set forth in Neb. Rev. Stat. § 13-327(2)(a)-(e) are fully met.

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

The City of Gretna hereby formally requests pursuant to Neb. Rev. Stat. § 13-327 (1) (Cum. Supp. 2018) that the Sarpy County Board formally cede and transfer to the City of Gretna its extraterritorial zoning jurisdiction over the East Half of the Northeast Quarter in Section 26, Township 13 North, Range 10 East of the 6th P.M., Sarpy County, Nebraska, and the adjoining area consisting of the Nebraska State Highway 31 right-of-way, which are situated within Sarpy County's extraterritorial zoning jurisdiction, as shown and depicted in the attached Exhibit "A".

The City of Gretna's City Administrator, City Attorney, City Engineer, and Development Services Director are hereby authorized to undertake all actions and to execute all documents associated with the submittal of the required request of such ceding and transfer of extraterritorial zoning jurisdiction.

PASSED AND APPROVED this 3rd day of November, 2020.

Motion by Jason Stahr, seconded by Bill Proctor to approve and adopt Resolution 11-20 (2). Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

**CURRENT BUSINESS**

Approval of the Donation Policy for the Gretna Crossing Park Project

Motion by Angie Lauritsen, seconded by Jason Stahr to approve the recommended donation policy for the Gretna Crossing Park Project. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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Approval of Donation Items and Values for the Gretna Crossing Park Project

Motion by Angie Lauritsen, seconded by Jason Stahr to approve the donation items and values for the Gretna Crossing Park Project. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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" \f tApproval of Appointments of the Selection Committee for the Construction Management Risk firm for the Aquatic and Recreation Facility construction at the Gretna Crossing Park – Item Tabled

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Discussion - Requesting Citizens to take proper actions during the pandemic

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Approval of 192nd Street - Phase 1 Water Main Improvements (SID 337) - Kersten Construction Inc.

1) Pay Request No. 3 \$205,113.79

Motion by Jason Stahr, seconded by Bill Proctor to approve pay request #3 for \$205,113.79 to Kersten Construction. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea Yea: 4, Nay: 0

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

1) Pay Request no. 5 \$5,625.00

Motion by Angie Lauritsen, seconded by Jason Stahr to approve pay request #5 for \$5,625.00 for T.J. Osborn. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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" \f tApproval of Capehart Road Sanitary Sewer, Water Main and Storm Sewer Improvements - Van Kirk Bros Contracting

1)

" \f tPay Request No. 2 \$87,797.49

Motion by Bill Proctor, seconded by Angie Lauritsen to approve pay request #2 for \$87,797.49 to Van Kirk Bros. Contracting. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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Approval of Capehart Road Paving Improvements - Compass Utility LLC

1) Pay Request No. 1 \$308,704.99

Motion by Bill Proctor, seconded by Angie Lauritsen to approve pay request #1 for \$308,704.99 to Compass Utility LLC. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea  
Yea: 4, Nay: 0

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Approval of BDC Commons Water Main Improvements - Vrba Construction

1) Pay Request No. 1 \$51,788.69

Motion by Bill Proctor, seconded by Angie Lauritsen to approve pay request #1 for \$57,788.69 to Vrba Construction. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea  
Yea: 4, Nay: 0

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" \f tReview bids for the Tiburon Sub-Basin Interceptor Sewer - Phase 3 Part 1 (North)

1) Award of Bid to T.J. Osborn Construction

Motion by Angie Lauritsen, seconded by Jason Stahr to award the construction bid for Tiburon Phase 3 to T.J. Osborn Construction. Motion carried. Herring: Yea, Lauritsen: Yea, Proctor: Yea, Stahr: Yea. Yea: 4, Nay: 0

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Approval of Revised Sewer Connection Agreement with SID 309 for the Windsor East Subdivision Lots 1 - 162 and Outlots A – K

Motion by Bill Proctor, seconded by Angie Lauritsen to approve the revised sewer connection agreement with SID 309 Windsor East Subdivision. 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

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James W. Timmerman, Mayor

ATTEST:

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Tammy L. Tisdall, CMC  
City Clerk