

Minutes of City Council Meeting

City of Oakland, NE

Regular Meeting

May 20th, 2019

A meeting of the Mayor and City Council of the City of Oakland, Nebraska was convened in open and public session at **5:30 p.m. on May 20th, 2019** at the Oakland Auditorium. This was the regular monthly meeting. The meeting was called to order by Mayor Ted Beckner. On roll call: Council President Greg Mockenhaupt, Council members, Councilman Matt Johnson, Councilman Dan Jacobs and Councilman Luke Blanc.

Notice of the meeting was given in advance thereof by the posting of a notice, one of the designated methods for giving notice, as shown by the certification of posting attached to these minutes. Availability of the agenda was communicated in the advance notice and in the notice to the Mayor and City Council.

Mayor Ted Beckner reminded all present of the location of the Open Meeting Laws poster in the back of the Rosen Room and stated that the council would be conducting business in accordance with said law. Mayor Ted Beckner asked all present to stand and recite the Pledge of Allegiance.

Motion made at 5:32p.m. by Greg Mockenhaupt to accept the *May 20th, 2019 agenda*. Seconded by Luke Blanc. Voting - Yea: All, Nay: None.

Matt Johnson made a motion at 5:32p.m. to approve the *April 15th, 2019 minutes* as presented-L.Blanc seconded. Voting - Yea: All, Nay: None.

Motion made to approve *April 2019 Treasurer's Report* by M.Johnson and seconded by G.Mockenhaupt at 5:33p.m. Voting - Yea: All, Nay: None.

ADDRESSES-

- a. Phil Lorenzen and Andy F. with DA Davidson approached the Mayor and Council with information on General Obligation Various Purpose Bond series 2019. M.Johnson made a motion to waive the three readings of Ordinance 716. G.Mockenhaupt seconded the motion at 5:45p.m. At 5:45p.m. G.Mockenhaupt made a motion to approve **Ordinance 716 – “AN ORDINANCE OF THE CITY OF OAKLAND, NEBRASKA, AUTHORIZING THE ISSUANCE OF VARIOUS PURPOSE BONDS, SERIES 2019, OF THE CITY OF OAKLAND, IN THE PRINCIPAL AMOUNT OF NOT TO EXCEED FOUR HUNDRED TWENTY-FIVE THOUSAND DOLLARS (\$425,000) TO PROVIDE PERMANENT FINANCING TO PAY A PORTION OF THE COST OF IMPROVEMENTS IN STREET IMPROVEMENT DISTRICT NOS. 2015-1 AND 2017-1 (INCLUDING THE INTERSECTIONS AND THE AREAS FORMED BY THE CROSSING OF STREETS, AVENUES AND ALLEYS); PRESCRIBING THE FORM OF SAID BONDS; PROVIDING FOR THE LEVY OF TAXES TO PAY THE SAME; DETERMINING THE ORDINANCE TO BE A MEASURE**

NECESSARY TO CARRY OUT CONTRACTUAL OBLIGATIONS OF THE CITY AND PROVIDING FOR PUBLICATION OF THE ORDINANCE IN PAMPHLET FORM.” M.Johnson seconded the

motion, Voting - Yea: All, Nay: None.

- b. Kyle Allen with Advanced Gaming (Keno) and Lyda Neuhaus with Tap Haus & Eats approached the Mayor and Council about the next steps with the Keno getting passed during the special elections in May 2019. Advanced Gaming is in charge of sending reports monthly, assist in audit reports monthly, and assist with deposit with the City Clerk. The City of Oakland will receive a check every 45 days from what is made from Keno. The City will receive 6%, Tap Haus & Eats will receive 6% and Advanced Gaming will receive 6% of the total. At 6:00 p.m. M.Johnson made a motion to approve the **Lottery Agreement “THIS AGREEMENT, made and entered into this 20th day of May, 2019, by and between Advanced Gaming Technologies, Inc., a Nebraska corporation(hereinafter referred to as “Contractor”), and the City of Oakland, Burt County, Nebraska, a municipal corporation (hereinafter referred to as “City”),”** seconded by L.Blanc. Voting - Yea: All, Nay: None. At 6:01p.m. G.Mockenhaupt made a motion to approve **Resolution 2019-10 “A RESOLUTION AWARDDING CONTRACT TO ADVANCED GAMING TECHNOLOGIES, INC., TO OPERATE A KENO-TYPE LOTTERY WITHIN THE CITY OF OAKLAND,”** seconded by L.Blanc. Voting - Yea: All, Nay: None. L.Blanc made a motion to approve **Resolution 2019-11 “A RESOLUTION OF THE CITY OF OAKLAND OF THE COUNTY OF BURT, NEBRASKA APPROVING THE QUALIFICATION STANDARDS OF SALES OUTLETS BY NEBRASKA STATUTES SECTION 9-642.01,”** seconded by M.Johnson at 6:07pm,Voting - Yea: All, Nay: None.” Form 50G and a check for \$100.00 is all Advanced Gaming will need to get the process started to receive the Keno license for Tap Haus & Eats.
- c. NPPD was a no show on the EV Charger discussion.

Departmental Reports-

- ❖ *Police Department-* Officer Findlay #492 chose to attend training at the Nebraska Law Enforcement Training Center for Criminal Interdiction and Search and Seizure. This training is to assist the department and his duties as K9 Handler. This training cost was paid by him. On 4/23/19 Part-Time Officer Austin Brake was dismissed from employment from the Oakland Police Department for conduct outside of the Oakland Police Department. All equipment was retained from his employment, information of dismissal was sent to the Nebraska Law Enforcement Training Center and the Nebraska Crime Commission. On 5/3/19 the Oakland Police Department celebrated the Last Day of School with the Oakland-Craig Seniors at O-C Schools. The event consisted of having lunch with the Seniors, presenting of cards and gift cards from Andy's Gas Station and blue carnations from Alli's Flower Shoppe as a token of support for Graduation. On 5/20/19 and 5/23/19 Officer Findlay #492 and K9 Saber will continue and finish the K9 certification process at the Nebraska Law Enforcement Training Center with K9 representatives of Nebraska State Patrol. Field Officer Utemark #493 has undergone training of the department policies and procedures, geography, and

city ordinances. Officer Utemark has started to undergo training from the O-C School system that will entail crisis response, protocol, procedures, and building layout. At this time Officer Utemark is performing his duties in a positive manner in accordance with the Oakland Police Department. Discussion of revising Ordinance containing the amount of inches grass should be before it's abated may be in consideration, no motion was made. Another consideration is to make an Ordinance for parking too close to a stop sign on a street, no motion was made. Discussion of third party mowing for abated properties for Ordinance violation for mowing was considered. G.Mockenhaupt made a motion in effect to the comparison of other community's ratio for mowing , maintaining and violations to a properties cost of \$500.00 be established in the City of Oakland, NE being the cost of abatement and other filing fees be included with the \$500.00.

M.Johnson seconded the motion at 7:12p.m. Voting - Yea: All, Nay: None

- ❖ *Park & Recs Department-* Park Supervisor Brian Johnson discussed with the Council about the Pool update. On May 16th, 2019 he filled the pool, had to empty as only muddy water came out, it was cleaned and disinfected. He then refilled it on May 20th, 2019, rusty / muddy water came out, the pool was emptied, cleaned and disinfected again, he will try to refill again on May 22nd, 2019. It was mentioned that a chemical from ACCO company to help resolve heavy metal (from rust) needs to be used when refilled for the third time, Councilman M.Johnson will discuss possibly solutions to help make sure the water is more clear before filling pool again with Water Supervisor Dan Tanksley III. Mayor and Council were concerned why rust in the water was affecting certain parts of town as well; M.Johnson will discuss this question with D.Tanksley III as well. Josh Wallerstedt and Pool Manager Emmy Bousquet met at the pool bathhouse on May 20th, 2019 to get drawings complete on replacing all indoor cabinets and front desk areas for the bathhouse. There will be no slide at the opening, a new pump is ordered and will not arrive until a later date than expected. Potential date of opening the Oakland Swimming Pool is June 1st, 2019. The RV Parks electrical materials are ready to go, East side of the Camping pads is all ready to go, that is open completely, West side of Camping pads has materials ready to be put in for the breakers however it is not ready to be open due to unsafe structures and materials still located in this area of the park. Caution tape may be put around areas to inform citizens to keep out. Discussion of the New Restrooms that were built a number of years ago has had plumbing replaced/fixed is up and running. American Fence Company has replaced all chain link fences (expect tennis court as that has not been determined), the white fences is the last to be replaced/fixed- Brian Johnson mentioned he is in need of dirt, CVA may be of some assistance, M.Johnson and Mayor Beckner to be in contact with B.Johnson in the near future on helping with this problem. Consideration of company to get picnic tables replaced from was discussed, B.Johnson is going to look into this and get quotes. At 6:39pm M.Johnson made a motion to approve the 2019 Lifeguards, seconded by G.Mockenhaupt. Voting - Yea: All, Nay: None.
- ❖ *Solid Waste* – Chain link fence is being worked on by American Fence Company, update when finished to come. At 7:21 p.m. M.Johnson made a motion to approve Supervisor Gerald Groene to receive reimbursement for his Medicare. Seconded by G.Mockenhaupt. Voting - Yea: All, Nay: None.

UNFINISHED BUSINESS

NEW BUSINESS

- a. Discussion and consideration of new Floodplain Administrator, Mayor and Council will be thinking who should replace Ben Wallace who was the current Floodplain Administrator
- b. Proposal bids for directed sale of real property 100 S Park Ave, was opened and discussed. M.Johnson made a motion to approve Ben Wallace bid of \$3,297.00 on said Lot 7, Block 30, Railroad Addition, City of Oakland, Burt County, Nebraska (commonly known as 100 S. Park Ave) with the understanding of that if no structure is built within a two year agreement the remaining of the \$5,000.00 is to be paid in full to the City of Oakland, Nebraska. D.Jacobs seconded the motion at 7:29 p.m. Voting - Yea: All, Nay: None.
- c. At 7:30 p.m. M.Johnson made a motion to approve Conditional Use Permit for property 1005 E. Third St. Oakland, NE, located in the R1 zoning, approval for using R2 zoning setbacks and heights for accessory building. L.Blanc seconded the motion. Voting - Yea: All, Nay: None.
- d. Discussion of June 17th, 2019 meeting. It will stay same date, Mayor Beckner will be gone, Council President Mockenhaupt will run the meeting. July 15th, 2019 meeting may have to be moved to July 8th, 2019 is Assistant Clerk Rosa Schmidt is unable to attend meeting to take notes.
- e. At 7:37 p.m. M.Johnson made a motion to approve **Resolution 2019-9 "A RESOLUTION OF THE CITY COUNCIL OF OAKLAND, NEBRASKA, DIRECTING THE PLACEMENT OF STOP SIGNS AT THE INTERSECTION OF OAKLAND AVENUE AND FULTON STREET, TO REGULATE SOUTHBOUND OAKLAND AVENUE AND WESTBOUND FULTON STREET TRAFFIC."**
G.Mockenhaupt seconded the motion. Voting - Yea: All, Nay: None.

CLOSED SESSION

Clerk Eisenmenger took the Council into Executive Session on agenda item #19 for police personnel and performance. D.Jacobs made a motion to go into executive session for police personnel and performance, M.Johnson seconded the motion at 7:44 p.m. Voting - Yea: All, Nay: None. M.Johnson made a motion to reconvene in open session, motion seconded by L.Blanc at 8:16 p.m. Voting - Yea: All, Nay: None. Mayor Beckner after reconvened into open session handed all Council members a paper explaining/reminding the rules and duties of a councilman.

INFORMATIONAL

Discussion of horses in town and the rezoning of property 986 Co. Rd. K, Oakland NE was decided not to move forward with the rezoning and allowing of horses.

The bills and warrants were presented to the City Council as follow

Oakland Hghts (dent.ins.city)	509.80	NNSWC Coalition Fees	1,430.19
COLONIAL LIFE	580.56	NE DHHS	380.00
		Nebraska Public Power District	.00
		Nebraska Public Power District	5,857.68

GOLDSTAR PRODUCTS INC	2,261.60	Midwest Laboratories	730.68
ACCO	7,138.25	NDEQ-Fiscal Services	300.00
AETNA	29,902.79	NEBRAS DHHS PUBLIC HEALTH	115.00
ALLI'S FLOWER SHOPPE	38.52	Nebraska Public Health	45.00
AMERICAN BROADBAND CLEC	371.18	Nelson's Food Pride	11.99
AMERICAN UNDERGROUND	379.01	NNSWC Coalition Fees	1,890.01
SCOTT'S HARDWARE	.00	ANDREW E CULLEN	273.92
SCOTT'S HARDWARE	.00	Nebraska Public Power District	136.67
SCOTT'S HARDWARE	476.15	OAKLAND GOLF CLUB	1,440.00
ARP'S RED-E-MIX	192.00	Oakland Independent	366.06
AURORA COOPERATIVE	128.90	ONE CALL CONCEPTS INC	12.36
Black Diamond Electronics	3,082.14	P&R SALES	1,112.40
BLACK HILLS ENERGY	692.14	Petty Cash	400.00
Bomgaars Supply Inc.	1,593.91	Quality Printing	392.22
Braniff Service	215.00	RAMADA MIDTOWN CONFERENCE	605.75
Brehmer Mfg.Co.	29.76	RIC ORTMEIER	10,000.00
Burt Co. Sheriff's Office	30.00	Rosa Schmidt	145.00
Central Valley Ag Cooperative	1,019.58	SCHMADER LANDFILL LLC	94.80
CHRISTENSEN ELECTRIC LLC	4,223.41	Skywave Wireless, Inc.	350.00
CONSOLODATED MANAGEMENT CO	42.59	Sta-Bilt Construction Co.	2,449.00
DEARBORN NATIONAL	110.59	SUPPLYWORKS	188.31
Demco	122.55	Swedish Festival	2,000.00
DEPT OF CORRECTIONAL SVCS	19,500.00	T&H ELECTRIC, LLC	12,691.22
DOLLAR GENERAL	48.75	TARA CURRIER	270.00
Farmer's Pride	486.32	TRI-STATE COMMUNICATIONS	2,131.05
FIRST NATIONAL BANK OMAHA	299.62	USA Blue Book	285.20
Gene Steffy Chrysler	252.00	Verizon Wireless	1,350.28
GINI, LLC	1,260.43	BLACK HILLS ENERGY	192.18
GREAT PLAINS UNIFORM	1,772.00		
Ingram Library Services	891.77		
INSUREVEST FINANCIAL GRP	500.00		
Jack's Uniform & Equipment	589.29		
JEO Consulting Group	3,107.50		
JOHNS SMALL ENGINE	479.44		
K-C Parts & Repairs	463.12		
KAYLA EISENMENGER	12.13		
League Assoc.of Risk Management.			
359.95 MAXD			
96.30			

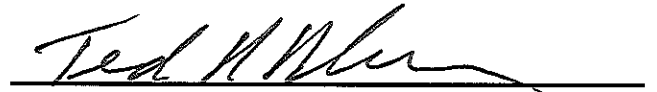
GINI, LLC	467.46	EFTPS	4,027.04
NDEQ-Fiscal Services	54,692.77	FIRST NATIONAL BANK- HSA	265.00
Sid Dillon	128.88	EMPOWER RETIREMENT	1,202.12
EFTPS	4,332.74	NE DEPT OF REVENUE- SALE TAX	1,942.13
Nebraska Dept. Of Revenue	1,224.09	EFTPS	3,883.98
FIRST NATIONAL BANK- HSA	2,345.00	FIRST NATIONAL BANK- HSA	265.00
EMPOWER RETIREMENT	1,191.80	EMPOWER RETIREMENT	1,127.21
		Paychecks	\$13,487.29

L.Blanc made a motion to *Accept the Warrants*. M.Johnson seconded 8:16p.m. Voting - Yea: All, Nay: None.

There being no further business to come before the council *Motion to Adjourn Meeting* made by L.Blanc made a motion to *Accept the Warrants*. M.Johnson seconded at 8:16 p.m. Voting - Yea: All, Nay: None



Kayla Eisenmenger, City Clerk



Ted R. Beckner, Mayor of Oakland, NE

