

## City Council Meeting August 8, 2011

The City Council met in regular session at 6:00 PM at the SE Regional Career & Technology Center-ITV Room with the following members present: Mayor Zimmer and Council: Harris, Kuipers, Forward, Brandriet, and Sitzler. Rosendahl was absent. Visitors present: Jerry Hollingsworth, Kaye Buske, Brenda Sitts, Joann Roney, Dennis Bohnenkamp, Chuck Foster, Shirley Walker, Brye Zimmer, Stacy Zimmer, Brian Vculek, Bernie Vculek, John Quandt, Jan Quandt, and Stephen Quandt. Employees present: Gary Neuharth, Pat Nelson, Corey Heim, and April Haring.

**Kaye Buske**, petition was received by Kaye Buske and other property owners south of Nectarine Avenue in the construction area, their request is to fill-in the ditches recently installed. The other complaints included no second access to homes and an increase of standing water in the area. Jerod Klabunde, Moore Engineering, stated culverts and approaches will be added where needed and the area will be reseeded and cleaned up. Kaye Buske requested the approaches be wide enough for trucks to use and stated without the second access their home insurance carriers would cancel their policies. Other property owners commented on drainage issues and mowing concerns. The area will be reviewed by the engineer and resident project representative to make sure concerns are addressed.

**Dennis Bohnenkamp**, during the July 10 power outage the City was unable to reach the Main Lift Station to connect a generator to keep the City's sewer functioning. General Irrigation was contracted to place a pump at the manhole near 1<sup>st</sup> Street to pump the sanitary sewer into the outfall out to the river, this was approved by the ND Department of Health. The equipment was placed incorrectly and sewage was pumped onto property owned by Dennis Bohnenkamp and Mike Hein. After being notified of the issue Pat Nelson pumped the water out of the yards and treated the area with a disinfectant solution as instructed by the ND Department of Health. There will also be continued water samples taken for bacteria testing. Sitzler moved, Brandriet second to approve payment to Dennis Bohnenkamp of \$420.43 for carpet cleaning in home, roll call approved.

**Stephen Quandt** presented building permit and project plan for Eagle Scout Project to build a handicap area at the Cummings Field. First Reading Sales Tax Request of \$1,000 was approved.

**Truck Route Agreement**, a meeting was held at the July Dickey County Commissioner Meeting and from the discussion an agreement was drafted stating the City of Oakes be responsible for improvements to the alternate truck routes in Bear Creek Township, the City of Oakes shall be allowed to regulate truck traffic on Main Avenue by reducing speeds and restricting truck traffic during specified times, and Dickey County shall assist Bear Creek Township with road maintenance. Forward moved, Kuipers second to accept agreement as written, roll call: Harris-no, Brandriet-no, Sitzler-no, Kuipers-no, Forward-yes, motion fails. Brandriet moved, Kuipers second to restrict truck traffic on Main Avenue from 7<sup>th</sup> Street east to 9<sup>th</sup> Street at the times of 8:00 AM – 9:00 AM and 3:00 PM – 4:00 PM and reduce speed limit to 10 MPH in the same area all year round, roll call: Harris-yes, Brandriet-yes, Sitzler-no, Kuipers-yes, Forward-yes, carried.

### Moore Engineering:

*14th Street Drainage*, Sitzler moved, Harris second to approve proposal for a drainage plan east of 14<sup>th</sup> Street North and to improve current drainage along west side of 14<sup>th</sup> Street and railroad ditch, carried. Moore Engineering will work on the topography and Brain Vculek to have the project completed this fall.

*2009-2 Phase 1 Improvements*, Remaining grant funding will be used to replace a block of sanitary sewer main along Main Avenue between 3<sup>rd</sup> Street and 4<sup>th</sup> Street under the railroad tracks. Estimates are being requested and Council will need to approve at next meeting.

*2010-1 Phase 2 Improvements*, construction has begun on ND Highway 1; the only areas remaining are the sanitary sewer main on Kola Avenue and 3<sup>rd</sup> Street. Final grading, paving, cleanup, and seeding are needed in a lot of areas and will be completed this fall. Harris moved, Forward second to approve Change Order #1 for Kvamsdal Construction for \$87,796.75 for the addition of alternate blocks and removal of paving on Hwy 1, carried. Sitzler moved, Kuipers second to approve partial pay estimate #5 to Kvamsdal Construction for \$865,591.69, roll call approved. Harris moved, Brandriet second to approve engineering invoice #1755 to Moore Engineering for \$66,757.08, roll call approved. Kuipers moved, Sitzler second to approve bond council invoice #100117 to Ohnstad Twichell for \$4,250.00, roll call approved.

*Phase 3 Improvements*, City has accepted funding from the USDA Rural Development loan/grant program to complete a small project up to \$1.8 million dollars, the City was awarded 35% grant for this project.

*ND Highway #1 NDDOT Project* preconstruction meeting was held on August 4<sup>th</sup> in Valley City. The contractor plans to begin paving Highway 1 in the next couple weeks.

*Safe Routes to School Project* preconstruction meeting was held on July 14<sup>th</sup> at City Hall. The contractor plans to begin the sidewalk construction at the end of September or beginning of October. Request for proposals of engineers was sent. Brandriet moved, Kuipers second to approve engineering agreement for Moore Engineering, carried. Brandriet moved, Forward second to approve engineering invoice #1780 to Moore Engineering for \$20,000, roll call approved. Sitzler moved, Harris second to approve Change Order #1 for Ti-Zack Concrete \$792.00 addition for change to ADA ramps, carried.

*Water Treatment Plant Support Invoice* remained tabled until more discussion and review can be done.

*ND Rural Water* has sent funding applications to expand service area; this will determine if they will be contacting the City of Oakes to purchase water.

*FEMA Grant Application* is being worked on to make improvements to the lagoon and main lift station. This funding is only for areas affected in the 2009 disaster declaration.

*James Valley Grain* is considering an improvement to be completed this fall. The project would be paid by special assessments to their property. Sitzler moved, Brandriet second to introduce and approve RESOLUTION TO CREATE IMPROVEMENT DISTRICT 2011-3 JVG/SDWG OFFICE BUILDING IMPROVEMENT, roll call approved. Sitzler moved, Forward second to introduce and approve RESOLUTION TO AUTHORIZE ENGINEER TO PREPARE REPORT, roll call approved.

Financing for the City's local cost share of the Department of Transportation projects and other improvements, including storm damage costs will need to be finalized at the next Council meeting.

Minutes and Auditor Reports: Sitzler moved, Kuipers second to approve minutes and all other reports as presented, carried.

Pledge of Assets and Designate Depositories: Starion Financial, First Community Credit Union, First State Bank are designated depositories with pledges of \$3,755,609.53,\$0.00, \$287,798.21 accordingly; Sitzler moved, Forward second to accept report and depositories designation, carried.

#### Building Permits:

Kuipers moved, Brandriet second to approve building permits as listed, carried:

1. Dan Spellerberg, Lot 4 & N ½ Lot 5 Block 3 McCarthys, concrete patio
2. Michael Kraemer, Lot 10 & S ½ Lot 11 Block 13 McCarthys, fence
3. David Larson, Lot 4 & N ½ Lot 5 Block 4 McCarthys, concrete driveway
4. Casey Randol, Lots 10 & 11 Block 5 Resident Park, new garage
5. Robert Schaefer, Lot 1 Shaefers, shingles
6. James Guyott, W 70' of N ½ Lot 11 & W 70' Lot 12 Block 21 Washburns, shingles
7. Henninger Brothers, Lots 6-10 Block 27 WTL, siding and roof repair/replacement
8. Mike Titus, S 25' Lot 5 & Lot 6 Block 21 Washburns, garage
9. Donna's Diner, Lots 8 & 9, N 70.5' of Lots 10 & 11 Block 12 Original Plat, replace sidewalk
10. Ethel Day, Lot 15 S ½ of Lot 16 Block 25 O&A, shingles

11. Oakes Public School, Block 6 Washburns, addition of locker rooms
12. Larry Bixby, Lots 13-15 Block 20 McCarthys, new garage and shed
13. Brett Mahoney, Lot & S ½ Lot 8 Block 3 McCarthys, shingles

Sitzler moved, Brandriet second to waive application fee and approve building permit as listed, carried:

1. Stephen Quandt, Willow Park, handicap parking area

Bills: Sitzler moved, Brandriet second to approve bills as listed, roll call approved:

ND Tax Commissioner	1,787.92	Job Service of ND	139.32
CSE	275.54	Oakes Park Board	3,817.53
Z's Trees	5,626.50	Capital Bank & Trust	50.00
FCCU	37.50	NDPERS 457	57.50
Z's Trees	27,650.00	Farmland Coop	3,644.48
Neuharth Law Office	825.00	General Irrigation	184.95
Hawkins	3,048.15	Hwy 1 Fuel & Service	2,057.97
ITD	27.75	Jemco	224.54
Gerald Schumacker	1,720.00	John Deere Financial	340.22
Larson Electric	1,175.00	Lau Motors	263.46
Maguire Iron	1,699.50	Mertz Lumber	928.45
Midwest Pest Control	145.00	Napa Parts	312.54
ND Public Health Lab	32.00	ND Sewer Pump Lift Station	95.00
Newman Signs	149.97	Novak Electric	581.67
Oakes Area Chamber of Commerce	67.00	OEI	9,388.46
Oakes Ready Mix	4,778.72	Oakes Times	3,270.40
Oakes Truck & Trailer	86.57	Oakes True Value	90.77
ND One Call	33.80	Otter Tail Power	4,850.58
Praskas Hardware	217.24	Quill	226.71
RDO Equipment	181.14	Red River Electric	3,090.00
Rods Cleaning	215.00	Sanitation Products	179.57
Scotts Electric	21.72	Sweets N Stories	112.15
Verizon Wireless	28.72	Visa	470.18
Vistos Carquest	677.70	Waste Management	2,535.70
Western Agency	347.00	Zack's Repair	49.02
Economy Propane	167.94	Airborne Custom Spraying	2,605.00
AT&T Mobility	5.46	Bank of ND	160,047.50
Barry Vculek-Airshow Refund	600.00	City of Fargo	781.26
Dean Schmit-Airshow Refund	600.00	Design Manufacturing	130.00
First State Bank-Airshow Refund	600.00	Flexible Pipe Tool Co	615.44
Great Plains Towers	864.50	Henninger Lawn Mowing	840.00
ILG	60.00	Jeff Forward-Airshow Refund	600.00
Kelsens Bakery	53.85	NDPERS-Insurance	9,877.74
NDPERS-Retirement	3,324.41	Oakes Drug	58.75
Oakes Vet	630.00	Olderness Construction	810.00
Otter Tail Power	595.50	Plath Aviation-Airshow Refund	600.00
ProForms	95.11	Quam Construction	19,629.00
Starion Financial-Airshow Refund	600.00	Vaaler Insurance	421.00
Wheat Growers	70.25	Otter Tail Power	21.82
Red Plum Media	783.36	Payroll Taxes (July)	10,408.08
Salaries	34,978.23	Starion - Bank Fees	44.99

**Tree Removal Funding**, the expenses to date total about \$62,000. No invoices have been received for the grinding of disposal sites. Grinding will be completed at St Charles Catholic Church, then SD Wheat Growers lot followed by Cummings Field or James Valley Grain. Chuck Foster addressed the Council on concerns he has with the payment and funding of the expenses. It was discussed that a monthly fee will more than likely be applied to utility bills to help pay for the expenses of clearing the streets and boulevards after the storm and for the chipping of the disposal sites. The amount will be determined after all the expenses have been gathered. Notices were sent to property owners with trees that have been designated as hazardous offering a cost share with the City for removal. Once all the agreements or waivers have been returned to City Hall a request for bids will be published for tree removal services.

#### Committee Reports:

**Fire**, Chief Hollingsworth reported all the electrical work has been completed and still reviewing possible renovations to the building. **Water**, Forward moved, Brandriet second to approve payment to Hwy 1 Fuel and Service to reimburse costs to repair abandoned service line, carried. This service line was for the original building and did not have a curb stop so the line was unable to be properly disconnected. A new line was installed for the new building. **Landfill** new cell has been built; the asphalt piles located there do not belong to the City and belong to RTS Shearing. **Street Lights**, Forward moved, Brandriet second to approve installation of two street lights by Harvest Inn on 8<sup>th</sup> Street and on Dakota Avenue, carried. **Water**, Forward moved, Kuipers second to have generator at ND Surplus Property inspected and if passes purchase unit for the water treatment plant, carried.

**Open Burning Ordinance Amendment**, Sitzler moved, Kuipers second to approve first reading of Ordinance Amendment 4.0305 "Open Burning Prohibited" to add language requiring UL Certification and fire must not be left unattended, carried.

**Cables Services**, letter was received from Cable Services Inc stating they will no long be selling services in Oakes due to the inability to restore service to customers after the damage from the recent storm. The billing stopped as of July 1, 2011. **Grape Avenue**, Forward moved, Kuipers second to advertise for bids to sell 401 Grape Avenue, no minimum bid will be requested, carried (Brandriet voted no).

#### New Business:

**First Reading Sales Tax Request, Trent Ptacek Eagle Scout Project** applied for \$1,000 in funding to be applied to his project for a new batting cage, approved.

**Dickey County Hazard Mitigation Plan**, Sitzler moved, Brandriet second to approve proposed plan and commit to plan, carried.

**OshKosh Bond Redemption**, bonds were paid off on August 1 and property, Lots 1 & 7 Industrial Park, was deeded to OshKosh. OEI is still working with OshKosh and Department of Commerce to have building re-opened.

**Truck Route Ordinance**, Brandriet moved, Sitzler second to approve first reading of Ordinance 9.0702 designating truck routes within the city limits, carried.

#### Announcements & Correspondence

**National Guard Deployment** is scheduled for August 15<sup>th</sup> at Hockenberry Park. Four members of our local guard unit are being deployed to Kuwait for 12 months.

**Thank You** from the Oakes Area Chamber of Commerce for our help during the 125<sup>th</sup> Celebration and Irrigation Days.

**Evening in the Park** reminder, Tuesday night.

**Thank You** from the Catholic Church for our assistance with cleaning up and tree removal at the cemetery.

**ND League of City Annual Conference** will be held in Fargo in September. City Hall will need to be contacted if interested in attending.

Next regular meeting will be Tuesday, September 6 at 6pm.

Brandriet moved, Forward second to adjourn meeting at 8:50 PM.

MAYOR Marty Zimmerman ATTEST Paul Hering  
(minutes subject to correction and approval at the next regular meeting)