

City Council Meeting January 10, 2011

The City Council met in regular session at 6:00 PM at City Hall with the following members present: Mayor Zimmer and Council: Sitzler, Brandriet, Forward, and Kuipers. Harris arrived at 6:10 PM and Rosendahl was absent. Visitors present: Stacy Zimmer, Darwin Gebhardt, Jerry Hollingsworth, Audrey O'Brien, Jon Hansen, Bill Geffre, Robert Lindberg-Northern Excavating, Jerod Klabunde-Moore Engineering, and Kent Ritterman-Moore Engineering. Employees present: Gary Neuharth, Pat Nelson, Marke Roberts, Corey Heim and April Haring.

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

New Business:

First Reading Sales Tax Request, Irrigation Days and 125th Planning Committee applied for \$3,500 in funding for the June 2011 Irrigation Days and 125th Celebration. Funding will help pay for the advertising and games during the event.

Visitors:

Jerry Hollingsworth asked the Council to consider requesting Waste Management to allow businesses to recycle under the City's contract. It will be reviewed but initially Waste Management did not allow businesses in the City's contract due to fluctuating amounts in recycling. They have agreed to individual contracts with businesses and apartment buildings. The contact information will be forwarded to Jerry to also pursue an individual contract.

Robert Lindberg-Northern Excavating reviewed the time line for the construction project this year at James Valley Grain. He asked the Council to reconsider the amount assessed for liquidated damages. It was noted there will be additional expenses billed to the City for the extra time and work for the project inspector. Harris moved, Forward second to reduce the liquidated damages to \$13,000.00, roll call approved.

East Main Truck Route, Darwin Gebhardt asked if there would be any further discussion regarding the change in the truck route. A meeting is scheduled at the Dickey County Courthouse with the Commissioners on January 18.

Bill Geffre was present upon request to discuss the past due invoice for the demolition of the building at 411 Main Avenue. He explained that he is currently unable to find financing but offered the City his other properties in lieu of payment but also noted they are all mortgaged. He is unsure if he will be able to pay as he still has mixed feelings over what took place. The property in which the building was located has been deeded to the City. It was discussed to continue through assessments and possibly legal action if left unpaid.

Moore Engineering:

2009-2 Phase 1 Water and Sewer Improvements is in the grant phase. The funding remaining must be spent using ARRA regulations and approved by USDA Rural Development. Estimates are being received to grind up the asphalt chunks at the landfill.

2010-1 Phase 2 Water and Sewer Improvements construction is planned to begin as soon as possible this spring. Forward moved, Kuipers to approve change order to add water extension on 16th Street between Main Avenue and Hickory Avenue with an estimated cost of \$20,000, carried.

Additional Paving, a public informational meeting will be scheduled for property owners along gravel streets and alleys to determine interest in paving these areas.

ND Highway #1 Improvement is projected to be bid in May and completed in the fall. NDDOT will have a memorandum of agreement for the City to sign shortly.

Safe Routes to School Project plans and specifications were reviewed. Sitzler moved, Brandriet second to approve the plans and to send a notice to affected businesses and land owners to address any questions or concerns, carried. The project will be constructed this summer.

Flooding, Darwin Gebhardt brought up concerns of diversion plans as explained to him by Gary White, Dickey County Commissioner. Meetings will be held with all entities involved prior to any decisions being made.

Year End Financial Statement: Forward moved, Brandriet second to make following amendments to 2010 Budget: General Fund increase \$1,000.00, Water Fund increase \$3,000.00, Garbage Fund decrease \$8,000.00 showing an overall decrease of 2010 Budget by \$262,202.00, carried.
Sitzler moved, Brandriet second to approve the report as presented showing Year End Financials for 2010 ending cash balance \$4,262,646.19, carried.

Pledge of Assets and Designate Depositories: Starion Financial, First Community Credit Union, First State Bank are designated depositories with pledges of \$4,330,587.21, \$0.00, \$311,592.99 accordingly; Forward moved, Kuipers second to accept report and depositories designation, carried.

Transfers: Kuipers moved, Brandriet second to approve budgeted annual, quarterly, and monthly transfers, carried.

Game of Chance Permits:

Forward moved, Brandriet second to approve game of chance permits as listed, carried:

1. Oakes Volunteer Fire Department, raffle
2. Oakes Police Department, raffle

Building Permits:

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

1. Dale Rosendahl, Lots 13 and 14 and N 55' Lot 15 Block 3 Original Plat

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

Oakes Chamber of Commerce	1,075.00	RP-Travel	110.00
Moore Engineering	20,012.60	American Funds	50.00
FCCU	37.50	NDPERS 457	50.00
Larson Electric	125.00	American Funds	50.00
FCCU	37.50	NDPERS 457	50.00
A&B Business Inc	327.38	AFLAC	245.04
Alltel	253.59	Alltel	151.45
American Welding Supplies	8.06	Ameripride Linen	63.98
AH-Notary	27.90	B&K Murphy	1,032.49
Banyon Data Systems	2,505.00	Brokers National Life	581.40
Business Forms	95.40	Circle R	439.02
Computer Express	181.50	Dakota Valley Electric	307.00
Dakota Valley Electric	2,592.60	Dickey County Treasurer	1,664.53
Dickey Rural Networks	736.58	Ecolab	81.00
Economy Oil	229.00	Farm Plan	35.25
Farmland CoOp	9,618.16	Galls	424.66
Neuharth Law Office	900.00	Genesys	5,711.17
Harold Foss	30.00	Hawkins	3,781.68
Hwy 1 Fuel & Service	1,325.42	ITD	27.75

Jacobson Implement	131.01	Gerald Schumacker	1,200.00
KLJ	4,333.34	Lau Motors	88.05
Mertz Lumber	44.97	MFOA	30.00
Napa	518.58	ND Public Health	48.00
ND Rural Water Systems	125.00	ND State Radio	147.84
ND Tax Commissioner	1,860.33	ND Water Users Assoc	300.00
Novak Electric	177.50	Oakes Chamber of Commerce	70.00
OEI	9,923.50	Oakes Food Center	21.77
Oakes Times	357.56	Oakes Truck & Trailer	59.92
Oakes True Value	132.55	Oakes Vet	30.00
One Call	1.30	Pitney Bowes	131.25
Praskas Hardware	302.70	Ricks Body Shop	195.30
Rods Cleaning	225.00	Sanitation Products	286.01
Springfield Armory	1,503.66	Starion Insurance	50.00
Sweets & Stories	92.54	Temple Display	1,352.35
Visa	364.48	Vistos Carquest	17.83
Waste Management	4,763.04	Waste Management-Cardboard	189.90
Waste Management-Recycling	2,247.40	Wolfe Ford	283.11
Workforce Safety Insurance	4,764.44	Workforce Safety Insurance-Fire	402.44
Scotts Electric	468.26	Capital Bank & Trust	100.00
FCCU	37.50	NDPERS 457	57.50
ND Water & Pollution Control	65.00	NDPERS	9,694.64
NDPERS-Retirement	3,128.96	Otter Tail Power	6,413.07
Four Points Logistics	22,365.00	Payroll Taxes	9,274.38
Salaries	29,696.72	Starion – Bank Fees	29.32

Brandriet moved, Kuipers second to approve invoice to Comstock Construction for \$76,457.20 for 52% completion of demolition of 411 Main Avenue, carried.

Committee Reports: **Water Treatment Plant Operator** resignation has been accepted; position will be advertised at Job Service and current operator will stay employed to assist in training. **Streets** Pat Nelson has researched and will be reviewing the Municipal Bobcat Lease Program and will look at joining in the spring. **Armory** Brandriet moved, Sitzler second to accept ND Department of Commerce Energy Efficiency Block Grant amendment to increase award to include upgrade to lighting and wiring in the armory and to have Mayor sign award, carried.

New Business:

Second Reading Sales Tax Request, Daycare Association, Kuipers moved, Brandriet second to approve \$250 funding request for “Penny and Pals” program, carried.

First Reading Sales Tax Request, Housing Authority applied for \$6,945.00 for the remaining repairs and maintenance costs for 2010.

Equipment Breakdown Coverage Sitzler moved, Brandriet second to accept new Equipment Breakdown Coverage through ND State Fire and Tornado for quoted premium of 411.86, carried.

Announcements & Correspondence:

Annual Tree Conference registration and agenda.

Waste Management Rate Increase notice of 1.67% rate increase to recycling due to CPI change.

401 Grape Avenue (Tax Deed) letter was received from an interested party inquiring the possible purchase of this property to remodel home. Sitzler moved, Brandriet second to have building demolished and allow sale of empty lots, carried.

Merricourt Wind Power Project Public Hearing, rescheduled February 10, 2011 at Teddy's Grill in Edgeley.

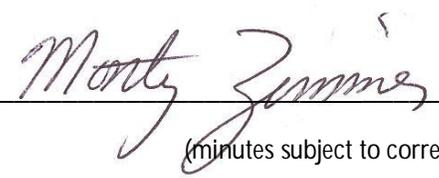
NDPERS Health Insurance Information regarding changes and possible penalties for health insurance; additional information should follow shortly.

County Commissioner Meeting notice for January 18, 2011 2PM at Dickey County Courthouse to resolve problem surrounding truck traffic and Main Avenue/Dickey County 3. Marke Roberts, Doug Sitzler and Jeff Forward will attend to represent City of Oakes.

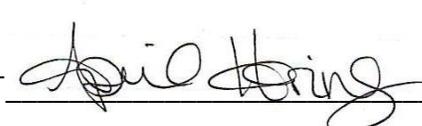
Next regular meeting will be Monday, February 7, 2011, at 6:00 PM.

Forward moved, Brandriet second to adjourn meeting at 8:20 PM.

MAYOR



ATTEST



(minutes subject to correction and approval at the next regular meeting)