

## City Council Meeting July 6, 2015

The City Council met at 6:00 PM at Oakes Armory with the following members present: Council: Engel, Conklin, Forward, Strutz, and Harris. Mayor Zimmer and Councilman O'Brien were absent. Visitors present: Keith Sitts and Jerod Klabunde-Moore Engineering. Employees present: Marke Roberts, Pat Nelson, Gary Neuharth, and April Haring.

### Public Hearing

Public hearing concerning the issuance of bonds on behalf of the Evangelical Lutheran Good Samaritan Society was called to order. No protests or comments were received. Conklin moved; Harris second to introduce and approve RESOLUTION TO APPROVER MAYOR TO SIGN AND EXECUTE CERTIFICATE OF APPROVAL FOR BONDS, roll call approved. Hearing adjourned.

Regular meeting called to order with same members and visitors present.

### Visitors:

Keith Sitts addressed concerns of his property located at 206 South 5<sup>th</sup> Street. The home was damaged and uninhabitable due to a fire in 2013. He has plans to repair and is currently trying to hire and schedule contractors. The house is boarded up and sealed and is structurally acceptable. His intentions are to restore the home and make livable. He also stated the property will be properly maintained and mowed.

### Engineer Report:

**Water Tower Improvement**, Strutz moved, Harris second to approve partial pay estimate #9, representing 70% complete, to Maguire Iron for \$119,939.75, carried. Forward moved, Conklin second to approve engineering invoice to Moore Engineering for \$7,665.00, carried. Discussed color and design for the water tower on the east side of town; will discuss more at next meeting.

**Street Improvement Project** construction has begun. Strutz moved, Harris second to deny Change Order #2 for drainage improvements for the southeast corner of 14<sup>th</sup> Street and Fir Avenue; the contractor will do none of the repairs, City employees will install valley gutter, carried. Conklin moved, Harris second to approve Amendment #1 to Engineering Agreement for additional blocks of street work, carried. Strutz moved; Conklin second to approve engineering invoice to Moore Engineering for \$30,256.00, carried. Special Assessment Commission has met and published assessment list; protest hearing is scheduled for July 20<sup>th</sup> at 4 pm at City Hall with the final protest hearing with the City Council scheduled for August 10<sup>th</sup>.

**Jackson Township Drain**, Dickey-Sargent Joint Water Resource District will be conducting a hydrogeological assessment and numerical model of the Oakes Pilot Channel through an independent firm located in Minnesota. This study will be done in hopes of addressing concerns regarding the Oakes Aquifer and possible effects on the City's water table. More information will be relayed at later meetings.

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

### Building Permits:

Strutz moved, Harris second to approve permit and variance for Larry Martineson, Lot 5 Block 37 EOP, to construct a shop with 12-foot sidewalls and 1,536 square feet. Roll call: Forward-no, Conklin-no, Harris-yes, Strutz-yes, Engel-yes, carried.

Forward moved, Strutz second to approve permits as listed:

1. Brad and Andrea Amundson, N 25' of Lot 10 and all of Lot 11 Block 28 WTL; addition, fence and shed
2. Deb Bixby, Lots 13 thru 15 Block 20 McCarthys; fence
3. Chad Bohnenkamp, Lot 11 Nagala Additions; concrete driveway
4. Rod Buck, Lots 14 and 15 Block 4 Washburn; shed
5. Farmland CoOp, N 212' of s 312' of Lot 3; tanks
6. Stephanie Garza, Lots 6 & 7 Block 32 WTL; fence
7. Matt O'Brien, Lot 7 & S1/2 Lot 8 Block 10 McCarthys; fence
8. Dwayne and Lori Stevens, S1/2 Lot 5 & All of Lot 6 Block 13 McCarthys; fence

Bills: Conklin moved, Forward second to approve bills as listed, roll call approved:

NDPERS 457	70.00	NDPERS 457	70.00
Waste Management-Landfill	2,941.76	Flex-CH	675.34
Edward Jones	50.00	FCCU	37.50
Monty Zimer	41.70	Moore Engineering	1,555.00
ND Dept of Health	30.00	Edward Jones	50.00
FCCU	37.50	ND Dept of Health	10.00
Computer Express	5,000.00	State Fire and Tornado	403.64
Bituminous Paving	4,901.65	Climate Control	1,929.76
Cradys Radiator	122.50	Dakota Valley Electric	2,592.60
Electric Pump, Inc	1,338.00	Electro-Chemical Devices	29,747.29
J&S Backhoe Service	300.00	MedTech Resource	134.06
ND Dept of Health	25.00	Scott Hansen	1,416.00
State Fire and Tornado	5,733.94	Wheat Growers	526.95
Waste Management-Landfill	2,197.97	AFLAC	106.04
Ameripride	81.92	B&K Murphy Plumbing	409.13
Circle R	1,176.83	City of Fargo	28.00
Computer Express	200.00	Dickey Rural Communications	660.58
Ecolab	94.19	Economy Propane	513.53
Farmland CoOp	1,910.02	Gahner Sanitation	2,628.00
Neuharth Law Office	450.00	General Irrigation	371.67
Harold Rotunda, CPA	4,800.00	Hawkins	1,442.10
Heritage Insurance	4,015.00	Hicks Equipment	51.79
Hwy 1 Fuel & Service	615.82	Jemco, Inc.	385.95
Job Service of ND	334.30	KLJ	3,528.01
Millers Fresh Foods	32.77	Napa	578.69
ND Tax Commissioner	1,485.58	NDPERS-Retirement	7,685.47
Novak Electric	614.00	Oakes Area Chamber of Commerce	67.00
Oakes Enhancement Inc	7,458.25	Oakes Times	247.48
Oakes Truck & Trailer	77.70	Oakes True Value	395.93
Oakes Veterinary Service	30.00	One Call	19.80
Otter Tail Power	6,950.46	Pitney Bowes	140.97
Praskas Hardware Hank	1,060.51	Quill	24.98
Rods Cleaning	205.00	Security Life Insurance	749.71
Seyer Plumbing & Heating	245.00	Sweets & Stories	64.51
Verizon Wireless	480.94	Virginia Pratschner	980.00
Visa	530.55	Visa-City	1,967.46
Vistos Carquest	500.40	Waste Management-Cardboard	571.84
Zacks Repair	133.61	NDPERS 457	70.00
John Deere Financial	77.88	NDPERS-Insurance	16,783.15
Starion/PSN – Bank Fees	346.86	Payroll Taxes	14,701.63
Quarter Salaries	2,110.19	Salaries	43,625.00

Committee Reports:

**Mosquito**, Conklin moved, Forward second to approve and schedule aerial spraying, Nelson will check with local sprayer to see if he can do, carried. **Tax Exemption**, Forward moved, Strutz second to approve correction to tax exemption application for 2016 and 2017 tax years up to \$100,000 each year for Greg Gebhardt, new construction at S1/2 Lot 5 and all Lot 6 Block 10 Washburns, carried. This application will replace the new construction exemption filed last year. **Legislative Update**, HB1186 passed prohibiting sales to minors of electronic smoking devices and nicotine liquid and allows local ordinances to regulate. HB1434 passed allowing alcohol sales after 11:00 am on Sundays and off sale after Sunday noon. Both of these would require ordinance amendments to allow within City, it was decided to not take any action until requested by citizens or bar owners. **Garbage**, Haring reviewed financial estimates and concerns regarding possible garbage service for LaMoure and Verona. The calculations show a profit, but the potential scheduling issues and employee concerns need to be considered. Harris asked the topic to be tabled again until the committee can meet and go over specific details. Nelson informed the Council Kevin Ford has given his resignation, and an opening in the City/Park Maintenance will need to be filled by the end of summer. **Water/Wastewater Inspection** was completed by the Department of Health, the systems passed with only concerns of the fence at the lagoon, Nelson stated they are working on suggestions given by the State. **Landfill**, ND Department of Health has accepted the closure proceedings and is only requesting native grass to be seeded in the area. Strutz brought up concerns regarding the landfill costs and the impact that having a free clean-up week has on a number of roll-offs the City pays to have removed. More research and analysis will be done to determine the loss for this service.

Unfinished Business:

**Cline's Addition Streets**, 11<sup>th</sup> Street and Evergreen Avenue (McErlane Drive) current use and condition was discussed. Nelson suggested using the ground asphalt from the current street project to be placed on the road to improve; Council disagreed with the placement of this material at this location. Conklin moved; Strutz second to repair potholes and leave the road in the current condition and install "Minimum Maintenance Road" signs, carried.

New Business:

**Fireworks**, Harris moved, Forward second to approve payment to the American Legion of \$700.00 from the tourism funding for fireworks, carried. Will look at committing an annual amount to go towards the fireworks show.

**Special Events Permit**, Forward moved, Strutz second to approve Special Event Permit application from Harvest Inn/Seasons for September 5<sup>th</sup> at Armory for a wedding dance, carried.

**Cemetery Road**, Dickey County Commissioners requested cost share for improvements to County Road 3 east of town to the cemetery. The local share is \$120,000.00 with the proposal of Dickey County paying \$60,000.00 and \$60,000 paid by City of Oakes. This road is located outside of City limits. The discussion was held regarding which entity is responsible and how or if to pay. Harris moved, Conklin second to send counter-proposal of City of Oakes paying \$12,000.00 from Perpetual Cemetery Fund, carried (Strutz voting no)

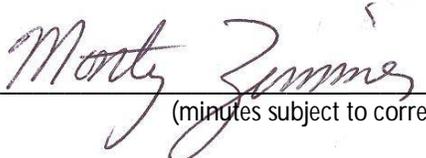
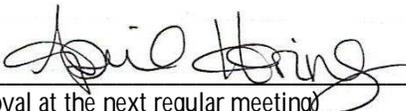
Announcements & Correspondence:

**Thank You** was received from Judy Huffman for the City employees help in installation of the expression swings bought in memory of Ashley Meyer.

**ND Solid Waste and Recycling Association** Symposium is scheduled September 15-17 in Minot.

Conklin moved, Harris second to reschedule August meeting to August 10<sup>th</sup>, carried.

Strutz moved, Conklin second to adjourn meeting at 7:45 PM.

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