

City Council Meeting June 8, 2015

The City Council met at 6:00 PM at Oakes Armory with the following members present: Mayor Zimmer and Council: O'Brien, Forward, Strutz, and Harris. Engel and Conklin were absent. Visitors present: Greg Hermes, Darwin Gebhardt, Richard Lauderdale, Dave Locken, Taylor Braaten-Moore Engineering, and Jerod Klabunde-Moore Engineering. Employees present: Marke Roberts, Pat Nelson, Gary Neuharth, and April Haring.

Engineer Report:

Water Tower Improvement, Harris moved, O'Brien second to deny proposal for installation of mud valve, carried (Strutz voting no). Strutz moved, Harris second to approve partial payment estimate #8 to Maguire Iron for \$213,897.89, carried. Harris moved, O'Brien second to approve engineering invoice #10193 to Moore Engineering for \$2,299.50, carried. Will need to start discussion on second water tower color and design.

Street Improvement Project construction is scheduled to begin June 22nd. Forward moved, Strutz second to approve change order #1 to include additional blocks into the project, carried. A proposed change order for additional drainage improvement for the southeast corner of 14th Street and Fir Avenue was tabled until entire Council can review. Discussion was held regarding the installation of curb and gutter along Fir Avenue, 13th Avenue cul-de-sac, and 14th Street. Greg Hermes addressed his concerns of curb placement and protested this improvement. O'Brien moved, Forward second to approve installation of high-back, traditional curb along Fir Avenue and 13th Street cul-de-sac, carried (Strutz voted no). Forward moved, Strutz second to not install curb on 14th Street as approved earlier. Roll call: Forward-yes, Strutz-yes, Harris-no, O'Brien-no, Zimmer-no, motion failed. Harris moved, O'Brien second to install mountable curb along 14th Street. Roll call: Forward-yes, Strutz-no, Harris-yes, O'Brien-yes, carried. Amendment to Engineering Agreement and Engineering invoice for additional work for extra blocks was tabled. Hermes reminded the Council of his fireworks business and requested assurances for business to be still located next to the house without being affected by construction. The contractor is aware of the situation and has stated they will work with business owner.

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

Building Permits:

Strutz moved, Harris second to approve permits and variances as listed:

1. Ben Iverson, W 13' of Lot 17 except N 120' & Lot 18 except N 120' Block 4 Residence Park-shed
2. Kay Opp, Lots 7, 8, 9 Block 3 Original Plat, replace front steps and add deck
3. Terry Roehrich, Lot 4 N ½ Lot 5 Block 10 Washburns, new garage
4. Chad & Monica Heimbuch, Lots 10 -12 Block 17 McCarthys-egress windows
5. Robert Reed, N ½ Lot 9, all Lot 10 Block 9 Washburns-siding, windows, replace overhang

Building permit application for Larry Martineson, Lot 5 Block 37 EOP for a shop was tabled regarding concerns of size and placement.

O'Brien moved, Strutz second to approve building permit application for Jeremy and Tara Steiner, N 40' Lot 11 and S 30' Lot 10 Block 4 Rekos for shop; direction of shop was changed to meet setbacks, carried.

Annual Beer & Liquor License Approvals

O'Brien moved, Forward second to approve applications as listed, carried:

1. Angry Beaver Lodge; On & Off Sale for Beer & Liquor plus Sunday Openings

2. American Legion Club; On & Off Sale for Beer & Liquor plus Sunday Openings
3. Rudy's/The Other Side; On & Off Sale for Beer & Liquor plus Sunday Openings
4. Harvest Inn; On Sale for Beer & Liquor plus Sunday Openings
5. Oakes Bowling Lanes; On Sale for Beer Only plus Sunday Openings
6. Scoops Liquor; Off Sale for Beer & Liquor plus Sunday Openings

Bills: Strutz moved, O'Brien second to approve bills as listed, roll call approved:

NDPERS 457	70.00	Waste Management-Landfill	2,527.72
Edward Jones	50.00	FCCU	37.50
AFLAC	106.04	Ameripride Linen	81.92
Circle R	526.78	City of Fargo	94.00
Computer Express	1,206.55	Dakota Supply Group	2,165.32
Economy Propane	378.25	Farmland CoOp	2,037.14
Ferguson Waterworks	404.69	Neuharth Law Office	750.00
Hawkins Inc	3,322.67	Hwy 1 Fuel & Service	262.27
Lau Motors	100.77	Mertz Lumber & Supply	51.18
Millers Fresh Foods	9.88	Napa	330.80
NDPERS Group Insurance	14,599.49	Novak Electric	33.44
Oakes Area Chamber of Commerce	67.00	OEI	9,458.65
Oakes Truck & Trailer	727.90	Oakes True Value	46.25
Oakes Veterinary Service	30.00	ND One Call	14.30
Otter Tail Power	7,203.79	Praskas Hardware Hank	823.67
Praxair	62.44	Quill	57.36
RDO Equipment	159.2	Rods Cleaning	205.00
Sanitation Products	256.83	Security Life Insurance	839.69
Seyer Plumbing & Heating	19.10	Sweets & Stories	54.34
Van Diest Supply	2,719.15	Verizon Wireless	481.71
Visa	473.14	Visa	4,855.10
Vistos Carquest	216.70	American Welding & Gas	21.46
Dakota Improvement	447.50	Dickey Rural Communications	651.67
Hawkins	2,125.57	Information Technology	54.20
NDPERS Retirement	7,673.06	Waste Management-Cardboard	672.26
Waste Management-Landfill	2,239.25	Climate Control	4,936.20
Dahlstrom Funeral Home	175.00	Dakota Valley Electric	29.00
Dakota Valley Electric	329.00	Dakota Valley Electric	2,592.60
Dickey County Recorder	1.00	Gahner Sanitation	4,842.00
Hometown Electric	450.41	Oakes Area Chamber of Commerce	340.00
Oakes Community Hospital	27.00	Ricks Body Shop	20.00
State Auditor	165.00	USDA	58,034.00
Edward Jones	50.00	FCCU	37.50
Travel-LB	123.05	Virginia Pratschner	775.00
Starion/PSN – Bank Fees	352.21	Payroll Taxes	14,164.38
Salaries	43,200.52		

Visitors:

Richard Lauderdale addressed the council regarding a notice received to clean up his property on Elm Avenue. He requested to allow his carpet to remain at the property as he uses it as a weed blocker. Council denied the protest and required the property to be cleaned as stated in the original notice.

Committee Reports:

Grass Clippings blown into streets are becoming a concern, this and other yard wastes contribute to the storm sewers becoming plugged. Discussion was held on how to police and determine criteria for fining. A public service announcement will be sent out citywide to alert the public of this concern. Excessive

offenders will be notified if the problem continues. **Mosquito Spray**, Strutz moved, O'Brien second to approve aerial mosquito spraying this week, carried. **Mower**, Strutz moved to purchase mower to be attached to a bobcat to mow rough areas such as drainage ditch, the cost will be about \$6,000. The motion failed for lack of a second. Harris requested research be completed to determine cost effectiveness for this equipment before considering a purchase. **Jackson Drain Project**, Harris discussed concerns and options to deter project regarding raised questions on the impact to the City's drainage and water table. City Auditor Haring, incongruously, expressed her concerns on expenses related to hiring another engineering firm or any legal action to be taken, she argued over the cost-effectiveness and to really think about the claims being made on the project. Harris and Forward objected to her outburst; Mayor Zimmer stopped the discussion. City Attorney Neuharth will contact other legal counsel and review options. **Property Clean-Up** notices were sent to property owners with overgrown lawns; a couple properties have fences that will need to be entered if City mows. **Dunk Tank**, O'Brien moved, Strutz second to approve the request for the dunk tank and approved it to be placed on Lots 6 & 7 Block 9 OP; liability will be the responsibility of Heritage Insurance, carried. **Speed Bumps**, Harris moved, O'Brien second to approve the installation of speed bumps on 10th Street on the west side of the pool, carried. **Police Department** will be receiving grants from the assistance of the Lamoure County DES for IT equipment. **Main Street Property**, Council agreed to keep covenant on Lots 6 & 7 Block 9 Original Plat if sold to require building within a period determined at the time of sale. **Recycling Contract** was given to Harris and O'Brien to review and possibly negotiate with Waste Management for next meeting.

Unfinished Business:

Street Vacation of 11th Street (McErlane Drive) in Cline's Addition request was discussed and tabled until property owner proposes another solution for traffic in the area. Mayor Zimmer is in discussions with the owner about possible solutions.

Councilmember Forward requested road to be blocked during the summer to use as pasture for horses. Attorney Neuharth will review and get back to Council on how to handle the road in the area.

New Business:

Group Health Insurance Rates notice of increase was received; new rates will be effective July 1st and insurance will be switched to Sanford Health. Zimmer requested a committee to review options prior to next increase in 2017.

Announcements & Correspondence:

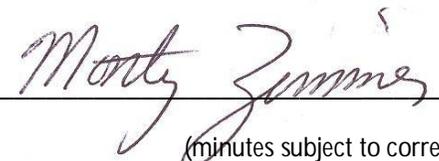
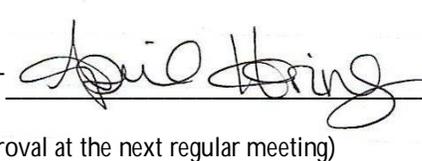
Thank You was received for donation to Daycare Association for training.

Moore Engineering Save the Date reminder for their Annual Golf Tournament, July 29th at Casselton.

Public Service Commission, Merricourt Wind Project findings of facts and conclusions.

Harris wanted to state his objections and disappointment of the City Auditor's outburst and argument, he felt offended and felt it was inappropriate for her to address Council Members in that way. Haring admitted she was out of order but would appreciate more communication and research prior to Council meetings to have effective meetings instead of repeated discussions.

Strutz moved, O'Brien second to adjourn meeting at 8:03 PM.

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