

## City Council Meeting May 7, 2012

The City Council met at 6:00 PM at SE Regional Career and Technology Center-Community Room with the following members present: Mayor Zimmer and Council: Brandriet, Harris, Kuipers, Rosendahl, Sitzler, and Forward. Visitors present: Stacy Zimmer, Bob Wiek, Daniel Trageton, Kevin Gelinske, Myron Jepson, Dean Brummund, Doug Nelson, Harold Rotunda, Gary White, Dan Spellerberg, Larry Dubord--Moore Engineering and Larry Engel. Employees present: Pat Nelson, Marke Roberts, Gary Neuharth, and April Haring.

### Variance Application:

A new request was received for the North 70' of Lots 17 & 18 Block 4 Original Plat to increase the size of the building approved at last month's meeting. Discussion was held regarding property lines and setbacks. Sitzler moved, Brandriet second to table the application until accurate measurements can be obtained, carried.

**2011 City Audit**, Harold Rotunda, CPA reported his findings for the City of Oakes 2011 Audit. He presented a summary comparing Oakes to other communities similar to our size and commended the efforts to complete the infrastructure and accept the USDA offers. He also commented on the good revenue stream we have in place. Sitzler moved, Harris second to accept the 2011 Audit as presented, carried.

### Engineer Report:

**2012-1 Phase 3**, Larry Dubord reported the project is progressing well and they are almost complete with underground work. There is not a date set for asphalt work but hoping within the month.

### Visitors:

**Gary White-Dickey County Commissioner** reported on condition of County Road 3 east of town (Cemetery Road). This road is in very poor condition and funding to make improvements has been depleted by the projects on County Road 3 west of Oakes. The Commissioners are looking at grinding up the pavement and leaving it unpaved instead of repairing/replacing the asphalt. The County is also continuing work on County Road 3 west and working on drainage.

**Daniel Trageton** reported his dog, which was removed from city limits for being vicious, has completed obedience training, is licensed and vaccinated and the fence has been secured. Sitzler moved, Forward second to allow the dog back into city limits with one year probation, carried.

**Oakes Area Chamber of Commerce** requested additional streets to be blocked during Irrigation Days. Sitzler moved, Brandriet second to approved requests and work with Police Department to determine best areas to remain blocked, carried.

**Dean Brummund** requested a bill for his services during the July 2011 Storm to be paid. The bill was submitted in February 2012 and was denied by the Finance Committee due to late submission and no contract was signed during the recovery period. Kuipers moved, Forward second to pay the \$1900 bill from the storm fund. Motion withdrawn. Forward moved, Kuipers second to table the payment until the issue can be properly reviewed, carried (Sitzler voted no).

**Conditional Use Permit**, James Valley Grain submitted application for permission for temporary ground grain storage on their property located south of their Main Avenue location and west of railroad, storage will be removed no later than March 2013. Kuipers moved, Harris second to approve application as submitted, carried.

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

Game of Chance Permits & Gaming Site Authorizations:

Forward moved, Harris second to approve game of chance permit for Oakes Golden Age for bingo, carried. Sitzler moved, Brandriet second to approve gaming site authorizations for American Legion and OEI, carried.

Building Permits:

Sitzler moved, Kuipers second to approve building permits as listed excluding application not approved by building official, carried:

1. Abrah Dufault, Lot 7 & S ½ Lot 8 Block 4 McCarthys, concrete pad
2. Adam & Katie Dahlstrom, Lots 1 & 2 Block 3 Clines, new home
3. Roland Engquist, Lots 11 & 12 Block 12 McCarthys, addition
4. James Guyott, W 70' of N ½ Lot 11 & W 70' of Lot 12 Block 21 Washburns, fence
5. Lona Hermes, Lots 20 & 21 Nagala Addition, increase to addition approved permit
6. Hoffman Irrigation, N 212' Lot 2 Industrial Park, new building
7. Mark Kuipers, Lot 8 W ½ Lot 9 Block 4 St Charles, concrete pad
8. Ester Loepp, Lots 13-15 Block 16 & Vacated Alley Original Plat, fence
9. Lee Mazaner, Outlot C Bittmans, addition
10. Ptacek Financial, Lot 3 Block 10 Original Plat, addition
11. Leroy Schmaltz, N ½ Lot 9 & Lot 10 Block 3 St Charles, addition to detached garage
12. Jerry Schumacker, Lots 1-4 Block 22 Outlots & Additions, concrete
13. Josh Wald, Lot 3 Block 33 WTL, patio and concrete
14. Lee Bredeson, N 140' Lots 2-3 Outlot B Andrews, demolition permit

Stephanie Garza, Lot 1 Block 13 Original Plat, fence—denied for placement

Discussion was held regarding the infrastructure in the development for the new homes in Clines Addition. Doug Nelson asked if the City would cost share or how the improvement would be financed. Council will need to review and discuss further.

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

Oakes Park Board	5,347.85	CSE	275.54
Capital Bank & Trust	50.00	Flex	286.00
FCCU	37.50	Kevin Gelinske	406.00
NDPERS 457	57.50	Western Agency	23,947.00
Capital Bank & Trust	50.00	FCCU	37.50
NDPERS 457	57.50	CSE	275.54
Prairie Printing	219.94	Rough Rider Industries	104.80
Angry Beaver Lodge	1,198.60	Arnie Widmer	139.09
City of Fargo	42.00	Dickey County Daycare Assoc	300.00
NDPERS-Group Insurance	9,887.64	NDPERS-Retirement	4,254.18
Petty Cash	25.21	Praska's Hardware Hank	39.26
Ramkota Hotel	250.00	Visa	439.32
Dakota Valley Electric	191.00	ITD	27.75
Gerald Schumacker	400.00	John Deere Financial	177.03
Ramkota Hotel	69.00	Vistos Carquest	238.88
Waste Management	4,769.80	Waste Management-Cardboard	253.52
Waste Management-Recycling	4,352.72	AFLAC	106.04
American Welding	10.50	Ameripride Linen	69.19
AT&T	289.47	Brokers National Life	739.80
Circle R	355.52	Computer Express	350.00
Dakota Supply Group	107.39	Dakota Valley Electric	2,593.20
Dickey Rural Communications	757.66	Ecolab	87.98

Economy Oil	75.31	Economy Propane	1,942.74
Farmland Co-op	2,901.32	Neuharth Law Office	300.00
General Irrigation	44.68	Genesys	6,901.27
Hawkings	2,211.75	Hwy 1 Fuel & Service	485.85
Jemco	1,141.15	Kelly's Welding	669.28
Kustom Machine	22.84	Lau Motors	116.68
Maguire Iron	7,483.00	Mertz Lumber & Supply	441.88
Michael Todd & Co	2,370.91	Midwest Pest Control	131.00
Millers Fresh Foods	14.11	Napa	477.12
ND Sewage Pump	5,828.00	Novak Electric	7,247.66
Oakes Chamber of Commerce	478.10	OEI	4,706.25
Oakes Times	292.24	Oakes Truck & Trailer	2,869.04
Oakes True Value	13.07	Oakes Vet	30.00
ND One Call	31.25	Otter Tail Power Company	6,245.16
Praska's Hardware Hank	3,659.64	Quill	295.80
Red River Electric	252.81	Rod's Cleaning	237.50
Sanitation Products	9,303.55	Sweets & Stories	34.80
Team Laboratory	664.00	USA Blue Book	759.87
Verizon Wireless	28.72	Visa	590.41
Western Agency	1,081.00	Payroll Taxes	9,126.22
Salaries	30,630.49	Starion – Bank Fees	56.43

Committee Reports: **Cemetery** clean-up and repairs have not started yet but are scheduled to be soon. **Water Treatment Plant** is in need of a better monitoring system to allow the operator to check on pressures and quality in skids and chemicals more efficiently and remotely to provide better around the clock service. Harris moved, Rosendahl second to purchase monitoring system up to \$30,000 and include guaranteed support and warranty, carried. **Sirens** have all been updated, installed and programmed. They were tested earlier and still have a few issues to be worked out. **Rosendahl** brought up an issue at 407 Grape Avenue regarding the power line. The line is low and trucks and other equipment have been hitting the line causing power outages to the residence. Otter Tail will be contacted to try and resolve the issue with either raising the line or alternate options. **Gravel**, Sitzler moved, Brandriet second to apply magnesium chloride to gravel roads on west side of town and request cost share with Oakes Parks and Recreation and Bear Creek Roughriders. **Auditor** received request to block 9<sup>th</sup> Street on the east of school for a mock accident to be completed by the Fire Department and for Oakes Truck and Trailer to be added as additional insured during training event. Forward moved, Sitzler second to allow street to be blocked and introduce and approve RESOLUTION TO ADD OAKES TRUCK AND TRAILER AS ADDITIONAL INSURED TO CITY'S INSURANCE POLICY FOR TRAINING EVENT, roll call approved.

Engineer Report:

**2012-1 Phase 3**, Sitzler moved Rosendahl second to approve partial payment #1 to Kvamsdal Construction for \$355,128.52, carried. Brandriet moved, Rosendahl second to approve engineering invoice to Moore Engineering for \$32,050.39, carried. Loan closing will be scheduled shortly for this project.

**2013-1 Phase 4** plans and specifications are still be worked on, still planning on a bid opening in June.

**Drainage on NW Side of City**, discussion held on possible project. Project cost estimate is about \$35,000; Forward and Neuharth will continue working with property owners to continue with planning.

New Business:

**Rosendahl & Dahlstrom Development** was discussed regarding infrastructure placement, correct platting and future development of the area. Sitzler moved, Forward second to rename McErlane Drive to 11<sup>th</sup> Street North, carried. Sitzler moved, Brandriet second to have the City provide fire hydrants for the developments and cost share the replat of Cline's addition with all property owners in the area. Roll call: Rosendahl-abstain, Forward-yes, Kuipers-yes, Harris-yes, Brandriet-yes, Sitzler-yes, carried.

**EMS Week Proclamation**, Sitzler moved, Brandriet second to introduce and approve RESOLUTION DECLARING MAY 20-26 AS EMS WEEK, carried.

**Official Paper Designation**, Brandriet moved, Harris second to designate the Oakes Times as the official paper for the City of Oakes, carried.

**2<sup>nd</sup> Reading Sales Tax Request**, Brandriet moved, Kuipers second to approve Sales Tax Request of \$300 for Fun Day support, carried.

**2<sup>nd</sup> Reading Zoning Penalty Ordinance**, Kuipers moved, Harris second to approve Zoning Penalty Ordinance, carried.

**Waste Management Contract/Garbage Service**, Waste Management has agreed to allow the requested changes to the current contract to allow the City to direct haul household waste to the Dakota Landfill and begin self collection of recycling material with a once a month haul by Waste Management. Rosendahl moved, Froward second to accept changes to Waste Management contract, carried. The City will need to purchase new recycling containers and develop a route for residential services. Rosendahl moved, Brandriet second to continue contract with JTE solutions changing the maximum hours to 120 hours to help implement new garbage and recycling program, carried.

Unfinished Business:

**Vetoed Motion, Employee Health Insurance**, Mayor Zimmer provided explanation of why motion to change employee health insurance was vetoed at last month's meeting. His concern was the matter was not researched enough and the vote done in haste; he stated "the governing body owes it to the employee and their families to know all the facts and numbers before making a change to their way of life." Discussion was held regarding the reason for the change and the right way to implement any change. Further discussion and research will be held regarding this matter.

Announcements & Correspondence:

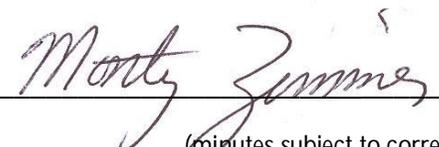
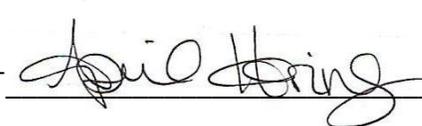
**2011 Tree City Award** was given to the City of Oakes for our work in community forestry.

**Thank You** from Sue German and Oakes Concert Band for the kind remarks from the Mayor and continued support.

**Thank You** from the NDLC for hosting the regional meeting.

**Notice of Application of Water Appropriation** received from Chris Erlandson.

Brandriet moved, Harris second to adjourn meeting at 9:15 PM.

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