

City Council Meeting June 6, 2011

The City Council met in regular session at 6:00 PM at SE Regional Career and Technology Center-Community Room with the following members present: Mayor Zimmer and Council: Harris, Kuipers, Rosendahl, Brandriet, and Sitzler. Forward was absent. Visitors present: Stacy Zimmer, Audrey Obrien, Bernie Vculek, Bob Swanson, Ron Goodman, Dean Schmit, Reva Bohnenkamp, Deb Bixby, Larry Bixby, Chad Bohnenkamp, John Kelly, Jerry Hollingsworth, Randy Burley, and Jerod Klabunde-Moore Engineering. Employees present: Pat Nelson, Marke Roberts, and April Haring.

Moore Engineering:

ND Highway 1 NDDOT Project was bid by the ND Department of Transportation on May 20th; the low bidder was Bituminous Paving. The contract is being reviewed before requesting the City Council to vote on the award.

Safe Routes to School was bid by the ND Department of Transportation on May 20th; the low bidder was Ti-Zack Concrete. The contract is being reviewed before requesting the City Council to vote on the award.

2009-2 Phase 1, Kuipers moved, Rosendahl second to award contract to RTS Shearing for \$57,750.00 to grind up asphalt chunks at the landfill. The material will be used on the gravel streets. Roll call: Harris-yes, Brandriet-yes, Sitzler-yes, Rosendahl-yes, Kuipers-yes, carried.

2010-1 Phase 2, paving contractor is behind schedule and will be unable to pave the current construction areas by the 15th as planned. Concerns were discussed and addressed regarding preparations for this weekend's 125th Celebration.

Sitzler moved, Rosendahl second to approve partial pay estimate #3 to Quam Construction for \$513,591.17, carried. Rosendahl moved, Harris second to approve engineering invoice #1492 to Moore Engineering for \$49,848.00, carried.

Rural Water has been in contact with Moore Engineering regarding interest in purchasing water from Oakes. A list of items is being worked through to determine feasibility and purchase options.

Spring Flooding, Kuipers moved, Brandriet second to approve engineering invoice of \$2,670.50 for surveying and monitoring of James River earlier this spring, carried.

Handicap Signs, an estimate of \$3,750 was received for the purchase and installation of handicap signs along Main Avenue; a second estimate will be requested.

Water Tower Painting, the water towers are in need of inspections and painting. Moore Engineering will request cost estimates to have an inspection completed to determine what improvements will be required besides painting.

125th Planning Committee/Irrigation Days: Audrey Obrien, Ron Goodman, and Dean Schmit discussed concerns and parking requests with the Council for the upcoming celebration. A new parade route has been established and signs will be placed along the route stating no parking beginning at 4pm Friday. Main Avenue areas will also have no parking signs posted throughout the weekend.

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

Visitors:

John Kelly addressed the City Council regarding damage done to his vehicle by a city dumpster. The vehicle was parked in a parking lot and the wind blew the garbage can into the vehicle causing an estimated \$1,700 in damage. NDIRF was contacted and the claim would not be covered due the dumpster being out of the City's possession and control. Sitzler moved, Kuipers second to deny reimbursement for damages, carried.

Bohnenkamp/Bixby submitted proposal of addition to house located at 403 South 8th Street. The Council directed them to complete a variance request to allow building over the allowed 50% occupancy of property.

Oakes Fire Department has concerns regarding open burning and "pits" being used in town. The current ordinance states no garbage, refuse or rubbish shall be burned within the city limits. Burning is allowed only if there is an enclosed approved outdoor fireplace or a special burn permit. The containers/pits must be manufactured or approved by the Fire Chief. City Attorney Neuharth also stated that ND State Law prohibits open burning within a City and is punishable up to a fine of \$500. A public notice will be published defining the ordinance and what is acceptable and approved by the Fire Department. Chief Burley announced he will not be in a candidate for Fire Chief this year and a new chief will be announced after election at the Fire Department Meeting on Tuesday, June 7.

Building Permits:

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

1. Rich Voegeli, Lots 2 & 3 Block 22 Washburns, fence
2. Justin Prochnow, North ½ Lot 11 and all Lot 12 Block 3 McCarthys, siding and windows
3. Good Samaritan Society, Lot 6 Block 5 McCarthys, new garage
4. Mike Spiese, Lot 2 Block 10 Original Plat, sign
5. Kraig Steinhoff, South 53' of Lot 1 South 53' of Lot 2 South 20' of Lot 3 Block 20 Marshalls, fence
6. Jerry Schumacker, Lots 1 thru 4 Block 22 Outlots and Additions, new building

The following permits were denied for lack of information:

1. Russell Larson, West 84' of Lots 15, 16, 17 Block 15 McCarthys, new garage/apartment
2. Russell Larson, West 84' of Lots 15, 16, 17 Block 15 McCarthys, steps and deck

Demolition Permits:

Kuipers moved, Brandriet second to approve demolition permit as listed, carried:

1. Russell Larson, West 84' of Lots 15, 16, 17 Block 15 McCarthys

Special Event Permits:

Brandriet moved, Harris second to approve special event permit for American Legion on June 11 at the rodeo, carried.

Annual Beer & Liquor License Approvals

Sitzler moved, Brandriet 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. Rudys/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: Sitzler moved, Kuipers second to approve bills as listed, roll call approved:

CSE	275.54	CSE	275.54
Acme	368.57	AFLAC	159.06
Alco	14.97	Alltel	476.79
Alltel	124.66	American Welding	7.80
Ameripride	66.22	B&B Gardens	60.00
Brokers National Life	619.30	Circle R	329.45
Computer Express	400.00	Dakota Communications	382.30
Dakota Improvement	535.00	Dakota Valley Electric	418.00
Dakota Valley Electric	2,593.20	Dickey Rural Networks	737.47
Farmland Coop	8,290.60	Ferguson Waterworks	544.77

Galls	238.40	Neuharth Law Office	150.00
General Irrigation	332.08	Geo Haggarts Inc	2,500.00
Hawkins	2,732.00	Hwy 1 Fuel & Service	1,008.45
Information Technology Dept	27.75	Jacobson Implement	37.97
JEMCO Inc	68.01	KLJ	7,106.76
Kelly Welding	130.87	Kustom Machine	38.38
Mertz Lumber	3,914.30	Myron Strutz	2,050.00
Napa Parts	500.94	ND Public Health Lab	32.00
ND Sewage Pump Lift Station	1,042.00	Oakes Area Chamber	67.00
OEI	5,342.13	Oakes Food Center	8.99
Oakes Ready Mix	713.10	Oakes Times	192.26
Oakes Truck & Trailer	275.46	Oakes True Value	53.86
Oakes Vet	30.00	One Call	78.00
Otter Tail Power	6,480.35	Praskas Hardware Hank	1,742.72
Quill	291.98	RDO Equipment	754.70
Rods Cleaning	280.00	Rons Heating & Appliance	3,865.00
Seyer Plumbing	343.18	Sweeney Controls	3,547.93
Sweets & Stories	78.10	Team Laboratory	1,614.00
USA Blue Book	955.59	Verizon Wireless	45.07
Visa	392.45	Vistos Carquest	649.81
Waste Management	4,191.24	Waste Management	113.50
Waste Management	2,535.70	American Welding	9.99
ITD	27.75	Gerald Schumacker	525.00
Waste Management	5,234.04	Waste Management	132.30
Waste Management	2,535.70	Economy Oil	219.60
Capital Bank & Trust	50.00	FCCU	37.50
NDPERS 457	57.50	Capital Bank & Trust	50.00
FCCU	37.50	NDPERS 457	57.50
Quarter Salary	2,155.89	4 Imprint	327.49
Arnie Widmer	173.85	City of Valley City	30.00
Dickey County Registrar	13.00	Dylan Murphy	100.00
Hills Furniture	13,843.55	Jim Olson	68.74
Main Street Designs	1,386.00	Mary Ann Nauman	289.45
ND League of Cities	110.00	NDPERS-Group Insurance	9,280.07
NDPERS-Retirement	3,280.88	ODIN	217.69
Otter Tail Power	108.70	Petty Cash	57.56
Praska Hardware	109.98	Praxair Distribution	55.00
Red River Electric	1,990.00	RedPlum Media	1,110.72
Steve Anderson Construction	1,374.00	VanDiest Supply	2,804.75
Wheat Growers	220.45	Payroll Taxes	9,091.03
Salaries	30,164.36	Starion – Bank Fees	51.79

Committee Reports: **Fire Department**, a bid was submitted for electrical work at the Fire Hall. A second bid will be requested for the work. Brandriet and Kuipers will review with department to approve work and decide to proceed which bid to accept. **Cemetery**, Marke Roberts and Pat Nelson will evaluate cemetery and submit list of needed improvements to committee members to prioritize to have work completed. **Finance**, 2010-1 Phase 2 Improvement Project will be guaranteed with special assessments but will not be completely certified. Sitzler moved, Brandriet second to introduce and approve RESOLUTION OF NECESSITY OF WATER AND SEWER SYSTEM IMPROVEMENT DISTRICT 2010-1 PHASE 2, roll call approved. Sitzler moved, Rosendahl second to introduce and approve RESOLUTION DIRECTING

THE ASSESSMENT OF WATER AND SEWER SYSTEM IMPROVEMENT DISTRICT 2010-1 PHASE 2, roll call approved. Rosendahl moved, Kuipers second to introduce and approve RESOLUTION TO GIVE NOTICE TO CHAIRMAN OF SPECIAL ASSESSMENT COMMISSION OF ASSESSMENTS TO BE LEVIED FOR WATER AND SEWER SYSTEM IMPROVEMENT DISTRICT 2010-1 PHASE 2, roll call approved. **Police**, Kuipers moved, Rosendahl second to approve hiring of extra law enforcement for weekend celebration. The officers will be hired as part time temporary employees and will be covered under the city's ND Workforce Safety Policy, carried. Chief Roberts also requested a street and traffic sign inventory to be completed in order to begin correcting and replacing damaged or missing signs. **Trees**, planting along the railroad, north of James Valley Grain and SD Wheat Growers is scheduled to begin shortly, the area is being prepped for the James River Soil Conservation to plant.

Unfinished Business:

Truck Route, a letter was sent to the Dickey County Commission on May 11 proposing to allow trucks on Main Avenue from Highway 1 east to 15th Street during specified times if a change and correction made to the Federal Aid System road designations. A letter was received on May 16 from the Dickey County Commission stating the wish to leave the current streets and avenues on the Federal Aid System and request the City to fund and maintain an alternate route. They suggested the City work with Bear Creek Township to develop the truck route plus take additional safety precautions in the School Zone such as reduced speed limits and signs. Discussion was heard regarding the few meetings held between the entities to negotiate and resolve the truck route concerns but no progress has been made. Brandriet moved, Sitzler second to not allow truck traffic on Main Avenue from Highway 1 east to 15th Street, carried. A letter will be sent to ND Department of Transportation, Dickey County Commission, and Bear Creek Township regarding the Council's decision.

New Business:

Arbor Day Proclamation, Brandriet moved, Rosendahl second to introduce and approve RESOLUTION DECLARING JUNE 9, 2011 AS ARBOR DAY, carried.

222 South 6th Street, notice was sent regarding the status of the structure; a demolition permit has been obtained by property owner stating building is scheduled to be demolished shortly.

2nd Reading Ordinance Revisions, Sitzler moved, Brandriet second to approve ordinance revisions with the removal of the proposed truck ordinance for further research and approve the Enacting Ordinance, roll call approved.

Employee Health Insurance, NDPERS group health insurance rates will increase by 6.8% effective July 1, 2011 for the City of Oakes, the employee's benefit will continue at the current level.

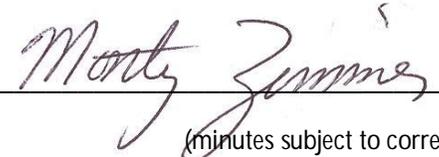
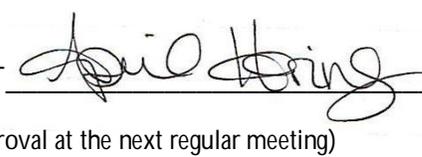
Announcements & Correspondence:

Thank you received from Daycare Association for donation towards program.

Open House for City Hall scheduled for Thursday, June 9 from 11AM to 1PM with raising the flag received from Senator Conrad's office at 12:30 PM and an Arbor Day Celebration at 1PM.

Next meeting will be Monday, July 11, 2011 at 6PM.

Brandriet moved, Kuipers second to adjourn meeting at 8:15 PM.

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