

City Council Meeting January 9, 2012

The Public Hearing for Tax Exemption Application submitted by Harris Machine was tabled until the required members were present according the ND Century Code to review and discuss application.

The City Council met in regular session at 6:00 PM at the SE Region Career & Technology Center-Community Room with the following members present: Mayor Zimmer and Council: Sitzler, Brandriet, Harris, Rosendahl, Forward and Kuipers. Visitors present: Jerry Hollingsworth, Stacy Zimmer, Brad Breitbart, Audrey O'Brien, Vaino Youle, Curt Halmrast, Larry Engel, Gary Fitzgerald, Tristan Nelson, Ray Olderness, Troy Schilling—DRN and Jerod Klabunde—Moore Engineering. Employees present: Pat Nelson, Marke Roberts, Gary Neuharth, and April Haring.

Unfinished Business:

Building Permit 103 South 9th Street, property owner submitted new application stating size of detached garage will be 44x56 and height of 12 feet or less. The area is still over allowed size per City Ordinances. A variance petition was incomplete and a public hearing will be scheduled to determine if construction may continue. Discussion was held regarding the constructed unapproved north entrance to the site, the matter will be discussed further at the hearing. Protest was also heard from neighboring property owner regarding the size of the proposed building. The Oakes Public School stated they had no opposition to the construction of the building.

Dickey Rural Networks Franchise Fee Agreement, Troy Schilling provided information regarding sales tax collection by their company over the past years. Sitzler moved, Brandriet second to amend the franchise agreement to state franchise fee to be \$250 per month for Dickey Rural Networks. Roll call: Rosendahl-yes, Kuipers-yes, Forward-no, Harris-yes, Brandriet-yes, Sitzler-yes, carried.

New Business:

First Reading Sales Tax Request, Irrigation Days, Oakes Area Chamber of Commerce applied for \$3,000 in funding for the June 2012 Irrigation Days. Funding will help pay for the advertising and games during the event.

Moore Engineering:

2012-1 Phase 3; Sitzler moved, Brandriet second to approve engineering invoice to Moore Engineering \$32,040, carried. Bid opening is scheduled on January 25 at City Hall.

Phase 4; Application was submitted to USDA Rural Development for funding, the estimated cost of the project is \$3.2 million.

Hwy 1 Project; Brandriet moved, Forward second to approve payment estimate #2 to NDDOT for \$13,168.29, carried.

Southeast Water Users; City of Oakes has been placed on the agenda for their next meeting to discuss them purchasing water from the City. Brandriet, Rosendahl, Mayor Zimmer and Pat Nelson will attend with the engineers.

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

Year End Financial Statement: Forward moved, Kuipers second to amendment 2011 Budget for the Water Contingency Fund with increase of \$4,000.00 showing an overall decrease of 2011 Budget by \$47,235.00, carried.

Brandriet moved, Sitzler second to approve the report as presented showing Year End Financials for 2011 ending cash balance \$3,361,398.63 carried.

Pledge of Assets and Designate Depositories: Starion Financial, First Community Credit Union, First State Bank are designated depositories with pledges of \$3,695,456.47, \$0.00, \$295,733.62 accordingly; Sitzler moved, Brandriet second to accept report and depositories designation, carried.

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

Bills:

Sitzler moved, Harris second to approve the bills as listed, roll call approved:

Waste Management	6,217.51	Dakota Valley Electric	228.00
Federal Signal Corporation	1,080.00	FCCU	37.50
Galls	15.98	NDPERS 457	57.50
Dakota Improvement	900.00	Redplum Media	144.00
Waste Management	804.69	Praska Hardware	1,040.07
CSE	275.54	Capital Bank & Trust	50.00
NDPERS 457	57.50	FCCU	37.50
Federal Signal Corporation	1,105.00	Farmland Coop	44.14
Oakes Area Chamber	1,025.00	Quill	64.54
Capital Bank & Trust	50.00	CSE	275.54
Job Service of ND	136.71	ND Tax Commissioner	1,798.49
Economy Propane	6,462.11	Mertz Lumber	782.11
Computer Express	377.00	Oakes Truck & Trailer	2,171.10
Gerald Schumacker	250.00	AT&T	284.85
Marshall & Swift	485.20	ITD	27.75
Neuharth Law	150.00	Brokers National Life	619.30
Rod's Cleaning	190.00	AFLAC	106.04
OEI	9,594.58	Oakes Times	294.70
Oakes True Value	97.47	Oakes Vet	180.00
ND One Call	3.90	Otter Tail Power	6,851.81
Millers Fresh Foods	73.56	Hwy 1 Fuel	679.42
A&B Business	742.24	Visa	653.60
Vistos Carquest	15.89	Oakes Area Chamber	67.00
Praska Hardware	326.65	Hawkins	1,947.38
ND Dept of Health	32.00	Kustom Machine	184.30
Economy Oil	176.31	Workforce Safety	403.40
American Welding Supplies	8.99	Dakota Supply Group	36.65
Gerald Schumacker	500.00	Otter Tail Power	60.22
Dickey County	6,023.23	FCCU	37.50
LC Construction	100.00	MFOA	30.00
Moore Engineering	6,500.00	ND Surplus Property	35.00
NDPERS 457	57.50	Dakota Improvement	130.00
NDPERS-Retirement	3,362.15	Flex	198.88
Praska Hardware	9.76	Retzlaff Heating	70.00
Dakota Valley Electric	290.00	Verizon Wireless	28.72
Waste Management-Recycling	2,869.60	Waste Management	5,258.20
CSE	275.54	Dakota Valley Electric	2,592.60
DRN	839.83	Waste Management-Cardboard	259.94
Michael Todd	5,023.48	Dakota Supply Group	1,288.74
Embroidery Creations	10.00	Four Star Truck Sales	113.67
Galls	133.55	Genesys	1,822.64
Green Iron Equipment	1,614.74	Ecolab	85.50
Napa Parts	304.57	Circle R	248.81
Farmland Coop	2,325.13	ND State Radio	202.23
ND Water Users Association	300.00	Pitney Bowes	131.25

Scotts Electric	288.75	Van Diest Supply	1,196.25
Jacobson Implement	75.74	Rough Rider Industries	104.80
Visa-City	1,704.97	NDPERS-Group Insurance	9,882.14
Business Forms	97.50	Capital Bank & Trust	50.00
Payroll Taxes (December)	8,703.28	Salaries	28,781.11
Starion – Bank Fees	44.03	Kvamsdal Construction	24,319.20
Moore Engineering	10,389.60	Moore Engineering	79,730.00

Committee Reports:

Fire, Chief Hollingsworth reported no quotes have been received for installation of flood lights on the outside of the Fire Hall and to install a generator hook-up. Brandriet moved, Rosendahl second to approve replacement of industrial garage door opener up to \$1,000, carried. Meeting is planned for January 23 to meet with townships and begin formation of fire district. **Salaries and Evaluations**, Harris moved, Brandriet second to approve step increase of city maintenance employees for 2012 payroll. Roll call: Rosendahl-yes, Kuipers-no, Forward-no, Harris-yes, Brandriet-no, Sitzler-no, failed. Discussion was held regarding evaluations and relation to pay increases. **Tax Deed Properties**, Forward moved, Sitzler second to demolish structures acquired through County Tax Deed Sale, 102 Main Avenue and 124 N 7th Street, carried. **Police**, sirens have been purchased through Sales Tax Grant. The siren boards were reviewed and need to be retrofitted for narrow banding federal requirement. An inventory and cost estimate will be completed with Police, Ambulance and Fire Departments. **Public Works**, tandem truck needs to be replaced and replacement options are being researched and reviewed. A burn permit has been approved for the landfill and will be completed once there is snow cover. Brandriet moved, Harris second to have Water Committee review options for replacing pump on skid #2 and allow purchasing, if needed, up to \$2,500, carried. **Garbage**, Rod Olderness was injured by the garbage truck. The report states he walked up to the trash bin to throw a bag of garbage in the truck that was caught on the lid. As he was reaching for the bag the arms on the truck opened and hit his knee. The medical reports stated no broken bones. Council discussed no action to be taken. **Water**, a resident along 14th Street contacted the Mayor regarding basement flooding and the continued use of a sump pump. The water lines and sewer pumps were all tested in the area and are functioning properly with no leaks.

New Business:

Trees, James River Soil Conservation has trees available through MDU replacement program. Auditor will contact and let them know the City and Park Board are interested and will take whatever amount they have available.

Building Permit Application Revisions and Building Inspector, the building permit application guidelines and ordinances will be reviewed prior to next City Council meeting. Forward moved, Brandriet second to approve appointment of Nathan O'Brien as City Building Inspector, carried.

Dickey County JDA Appointment, Forward moved, Sitzler second to approve reappointment of Gary Schnell to Dickey County JDA, carried.

Announcements & Correspondence:

Thank You received from Nannenga family for help and support of benefit held at armory.

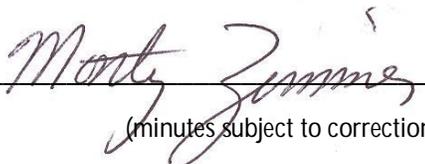
ND 2.0 Tour sponsored by USDA Rural Development, Oakes has been selected as one of the twelve cities on the tour. The presentation will be January 21 at the Angry Beaver Lodge.

2012 Election, three council positions will be on the ballot; petitions will be available at City Hall after January 14 for circulation.

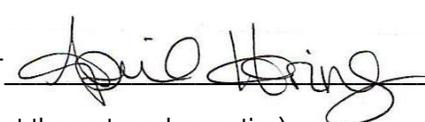
Next regular meeting will be Monday, February 6, 2012 at 6PM.

Sitzler moved, Brandriet second to adjourn meeting at 7:45 PM.

MAYOR



ATTEST



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