

Special City Council Meeting  
December 14, 2010

The City Council met in special session at 11:00 AM at City Hall with the following members present: Mayor Zimmer and Council: Harris, Kuipers, Rosendahl, Sitzler and Forward. Brandriet was absent. Visitors present: Doug Schmit, Paul Roney, Darwin Gebhardt, Joel Hamar, Gary C. White, John Quandt, John Thompson – NDDOT, Bryon Fuchs – NDDOT, Kent Ritterman – Moore Engineering, David Roedel – Moore Engineering and Jerod Klabunde – Moore Engineering. Employees present: Marke Roberts, Pat Nelson, and Zasha Johnson.

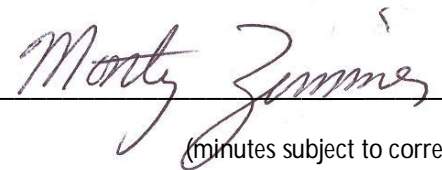
Discussion was heard from visitors regarding their thoughts on the removal of the truck route on East Main Avenue. Ideas about alternate routes were discussed as were issues of paying for maintenance and upkeep of such routes. John Thompson and Bryon Fuchs of the NDDOT explained how the funding for FAS roads is calculated and what the removal of East Main Avenue would mean for that funding. They were unsure of the jurisdiction laws and if the City could legally remove this truck route. They stated we should refer to our legal representation for such an opinion. The council thanked the visitors for coming and accepted an invitation to attend a county commission meeting Monday, December 20, 2010 at City Hall in Oakes.

**Hwy 1 Project 2011-** John Thompson discussed the need for the City and NDDOT to meet and agree on terms of their relationship for the upcoming project involving Hwy 1. Kent Ritterman said Moore Engineering would prepare final numbers by the January City Council Meeting. A meeting with the NDDOT will be scheduled after the City Council meeting.

**2010-2 James Valley Grain/SD Wheat Growers Improvements-** Kent Ritterman explained that he had talked with Northern Excavating about the liquidated damages the council assessed at the December 7<sup>th</sup> meeting. Northern Excavating stated they disagreed with the amount and would consider legal action if that amount was finalized. Kent presented a list of reasons for delays and an adjusted total to consider. Forward moved to amend his motion from the December 7, 2010 meeting changing the amount of liquidated damages from \$40,000 to \$27,000, Kuipers second, carried. Kuipers moved, Sitzler second to approve the revised Partial Pay Estimate 4 for \$279,407.31, carried. Sitzler moved, Kuipers second to approve revised Change Order 1 for \$8,844.60, carried.

Kuipers moved, Forward second to adjourn meeting at 12:45 PM

MAYOR

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

ATTEST

