

## **CITY OF OXBOW**

### **Council Meeting Minutes 9-18-2024 Oxbow Country Club**

**Present:** Jim Nyhof, Cody Furstenau, Bryan Triebold, Mark Sanders, Stacey Fett

**Absent:** Mike Bindas

Meeting called to order by Mayor Nyhof at 6 pm.

Guests: Aja Nyquist, Kenny Bartholomew, Chris Champ

Motion by Triebold, second by Furstenau, to approve the minutes from August 21, 2024. Motion carried.

Building plans – none to approve.

Landscaping plans – none to approve.

**Sheriff's report** – Corporal Krause was not in attendance. Report shows 9 calls for service, nothing major.

**Southern Valley Fire & Rescue** – Fire Chief Mahoney in attendance to go through the Aug/Sept report. There were 4 calls for service – all EMS related. There are 5 open volunteer positions, interviews are Sept 22, with one person from Oxbow applying. ISO review will be in the area Oct 22-24. Survey needs to be filled out by PeopleService. Current open position – Deputy Chief of EMS and Administration. Total calls for the area are 178, Oxbow's portion is 11.8%.

#### **City Engineer update:**

- Street lighting project:
  - Some lights are not fully vertical, contractor still needs to adjust these.
  - The temporary feed point is in operation. The permanent feed point is set to arrive in late October.
  - Aakre to reach out to Cass County Electric to remove the old lights. The old lights are owned by CCEC, not the city.
- Swale drainage project update:
  - Dirt Dynamics' plan is to start construction in early October and be done by October 31.
- Mill and overlay project:
  - Construction is complete.
  - Motion by Furstenau, second by Sanders, to approve Change Order #1 in the amount of \$16,041.49. Motion carried.
  - Motion by Sanders, second by Furstenau, to approve Pay estimate #1 to Northern Improvement in the amount of \$910,729.60. Motion carried. Motion by Sanders, second by Triebold, to permit Auditor Fett to transfer this amount from the money market account at Vision Bank to the checking account at Vision Bank to cover the amount of the check. Motion carried.
- Road striping at the intersection of 81/Clubhouse Dr costs came in too high to justify the need for striping. The council agreed to not move forward with that project.
- Motion by Furstenau, second by Sanders, to approve reimbursement request #133 in the amount of \$416,152.79. Motion carried.
- The walk through at the water treatment plant will take place in October.

**Water treatment plant:** Dennis Dalager was not in attendance.

Motion by Furstenau, second by Sanders, to approve the bills. Motion carried.

Motion by Sanders, second by Furstenau, to approve financials. Motion carried.

Motion by Triebold, second by Furstenau, to approve the 2025 final budget. Motion carried.

There was a large discussion on snow removal and equipment. The city council scheduled a special meeting for October 9<sup>th</sup> at 6 pm at the maintenance shop to determine the number of volunteers available for this winter and discuss more in depth the needs for equipment.

Motion by Sanders, second by Furstenau, to approve the release of the water easement on the lot next to Hwy 81. Motion carried.

Discussion on aggressive dogs:

- Covenants state the following:

Section 2. **Animals.** Other than household pets kept for non-commercial uses, no animals, livestock, poultry, or insects of any kind shall be raised, bred, or maintained on any of the Lots. Pets are restricted to Owner's Lot, either by kennel, leash, or electronic fencing, must not be a nuisance, must be picked up after, and will not be allowed to stray to adjacent Lots. No pets which are determined to be vicious, potentially dangerous or dangerous by the City of Oxbow, Cass County North Dakota, the State of North Dakota or any other political subdivision shall be kept, maintained or raised on any of the Lots.

- Residents need to remember that underground fences are not leashes. The small batteries on the collars are not dependable especially for a larger breed. The instances mentioned were dogs charging at residents riding bike/walking by homes with the residents not knowing if the fence is active or working.
- The safety of the community is priority.
- Current protocol is emailing the dog owners to make notice of the complaints. Auditor Fett to reach out to Corporal Krause to find out what the protocol is with the Sheriff's department.
- Furstenau suggested amending the covenant to state that the electric fence line should be moved to behind the setback of the house. This way the dogs won't be able to run to the curb and scare other residents/children.

Motion by Triebold, second by Furstenau, to adjourn the meeting. Meeting adjourned at 7:45 pm.

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Mayor Jim Nyhof

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Stacey Fett – City Auditor