

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD MARCH 18, 2013

The regular meeting of the Devils Lake City Commission was held Monday, March 18, 2013 at 5:30 P.M. with the following members present: President Johnson, Commissioners Tim Heisler, and Dale Robbins. Commissioners Craig Stromme and Rick Morse were absent.

Commissioner Robbins moved to approve the minutes of the regular City Commission meeting held March 4, 2013 and of the special City Commission meeting held March 5, 2013. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

5:30 P.M – This was the time set for the bid opening for the self contained breathing apparatus (SCBAs) for the Fire Department. The following bid was opened and read:

1. M&T Fire & Safety, Volga, SD Bid \$36,835

Commissioner Heisler moved to accept the bid as read, and it be referred to the Fire Chief for further review and recommendation. The motion was seconded by Commissioner Robbins. Discussion followed on there being only two places able to provide the equipment. The motion carried unanimously.

Commissioner Heisler – The City Assessor said everything was fine.

The City Engineer stated the infrastructure subcommittee met, and there was discussion on the cost share policy. In the past the City has cost shared at 25% for infrastructure improvements in the public right-of-way. Clarification is needed that the cost share is for qualifying infrastructure in the public right-of-way for new additions including commercial and residential. Consensus of the City Commission was to continue to follow this cost share policy.

Commissioner Robbins –The Public Ways Supervisor said everything was fine at the cemetery.

The Public Utilities Supervisor stated everything was fine in the Water Department.

President Johnson - The Public Ways Supervisor reported they have been removing snow. He thanked the Utility and Sanitation Departments for all their help. Tonight crews will clear entry ways, residential areas and some parking places downtown. Tuesday night, the downtown area will be cleaned.

The 2001 cat motor went down last week. It is either a cracked head gasket or cracked head. The County will haul it down to Grand Forks to be fixed.

The Public Utilities Supervisor said everything was fine in the Sewer Department.

The Sanitation Supervisor said everything was fine.

President Johnson - The City Administrator reviewed the disclosures for negotiated underwriting with Northland Securities for the 2013 bond issuance. Northland is legally required to make these disclosures.

Commissioner Robbins moved to acknowledge and approve the disclosures for negotiated underwriting with Northland Securities for the 2013 bond issuance. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

The Fire Chief requested the bid for the self contained breathing apparatus from M&T Fire and Safety be accepted. The equipment is identical to what the City already has, and will be paid for by a grant from the Department of Emergency Services.

Commissioner Heisler moved to award the bid for self contained breathing apparatus to M&T Fire and Safety, Volga, SD in the amount of \$36,835 as recommended by the Fire Chief. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The Police Chief stated everything was fine.

The City Attorney said everything was fine.

The City Attorney reviewed his recommendation for payment on the appraisal invoices for the embankment project. He has had discussions with David Campbell (speaking on behalf of both companies) about the time documentation. If the City Commission accepts the City Attorney's recommendation on payment, he would recommend denying the interest claimed on the invoices. Also the checks should be delivered to the City Attorney's office so that they can be held until the companies sign off agreeing that this is payment-in-full.

Commissioner Robbins moved to approve payment to Appraisals and Real Estate Research Inc in the amount of \$102,275 and to Appraisal Associates Inc in the amount of \$25,275 with interest being excluded from both payments as recommended by the City Attorney. The motion was seconded by Commissioner Heisler. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Heisler moved to approve the consent agenda which included the following:

1. Fireworks permit submitted by Mark Olson; and
2. Transient merchant permit submitted by Greg J Parenteau dba Parenteau Oof-da Tacos for food concession to be held June 5, 6, 7, and 8 and September 11, 12, 13 and 14 at Leever's Supermarket, 807 Hwy 20 South.

The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Heisler moved to approve the contract agreement with the North Dakota Department of Health for chemical and radiological analyses for the period of January 1, 2013 through December 31, 2013. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Robbins moved to approve the contract agreement with the North Dakota Department of Health for bacteriological analyses for the period of January 1, 2013 through December 31, 2013. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

The City Assessor reviewed the purchase agreement for purchasing land needed for Phase 3 - Airport Reach of the embankment project.

Commissioner Heisler moved to approve the agreement to purchase real estate from Robert and Helen Weed due to Phase 3 – Airport Reach of the embankment in the amount of \$510 as recommended by the City Assessor. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

The Fire Chief reviewed the request to add a \$25 inspection fee per rental facility to the 2013 rates and fees.

Commissioner Robbins moved to approve adding a \$25 inspection fee per rental facility to the 2013 rates and fees as recommended by the Fire Chief. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Robbins moved to approve payment of the list of bills as submitted. The motion was seconded by Commissioner Heisler. On roll call all Commissioners voted aye, and the motion carried.

President Johnson acknowledged the following reports:

1. City Auditor monthly report;
2. Municipal Court monthly reports;
3. Police Department monthly report; and
4. Resignation of Karla Heisler from the Lake Region Public Library board.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 5:48 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT