

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD DECEMBER 2, 2013

The regular meeting of the Devils Lake City Commission was held Monday, December 2, 2013 at 5:30 P.M. with the following members present: President Johnson, Commissioners Tim Heisler, Craig Stromme, and Dale Robbins. Commissioner Rick Morse was absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held November 18, 2013. The motion was seconded by Commissioner Robbins. Discussion followed on the security position for Ultra Green Packaging's loan. The motion and second were amended to be contingent on the clarification of the security position, and the motion carried unanimously.

The motion from the November 18, 2013 minutes regarding the security position for Ultra Green Packaging was amended as follows:

Commissioner Stromme moved to approve releasing the City's ~~first second~~ position on the equipment for Ultra Green Packaging's loan, and to take a ~~second third~~ position on the equipment behind SBA ~~and Western State Bank~~ contingent upon the approval of the City's attorney for this matter, Dan Gaustad, as recommended by Forward Devils Lake. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

Jim Chattin, Library Director, appeared before the City Commission to invite everyone to the 10th anniversary of the Lake Region Public Library on December 19, 2013 from 5:00 P.M. to 7:00 P.M. and to discuss a nationwide campaign for "Libraries Change Lives: Declaration for the Right to Libraries." He would like the City Commission to sign the declaration at the December 16, 2013 meeting. Consensus of the City Commission was to approve the proclamation tonight.

Commissioner Stromme moved to approve the proclamation "Libraries Change Lives: Declaration for the Right to Libraries." The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Robbins - The Public Ways Supervisor said they will start plowing snow at 4:00 A.M. The snow removal policy and procedures were reviewed.

It was noted the Christmas party will be December 13th at the VFW.

Discussion followed on what happens when a business does not remove the snow from the sidewalks. The business is given notice to remove the snow; if the snow is not removed within the required timeframe, the City will remove the snow and bill the business.

Commissioner Heisler – The City Engineer reviewed the following:

1. Hwy 2 waterline extension has been tied-in, tested and approved. More tie-ins will be done next year along with the insulation of fire hydrants.
2. Wal-Mart waterlines will be tested in mid-December.
3. Agassiz storm sewer and sanitary sewer and water won't happen this year.
4. Highland water and sewer are in. Water pressure has been tested, and one bacteria test completed and passed. One more bacteria test is needed. Roadway plans are being worked on. Underground work needs to be done. Discussion followed on waiting to place gravel until next spring since the ground is frozen.

The City Assessor said the house next door was moved today. The hole needs to be filled by the contractor.

Commissioner Stromme - The Police Chief stated everything was fine.

President Johnson – The Public Ways Supervisor said everything was fine.

The City Auditor stated everything was fine.

The City Administrator said everything was fine

The Fire Chief stated everything was fine.

The City Attorney said everything was fine.

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

1. Game of chance permits for the month of November 2013;
2. Appointment of Guy DeSautel as a member of the Board of Adjustment for a three-year term expiring on June 30, 2016 and the appointment Richard Jorgenson as an alternate member of the Board of Adjustment for a one-year term expiring on June 30, 2014; and
3. Designating the Memorial Building as the voting place for precinct 1.1 for the election to be held June 10, 2014.

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

Commissioner Heisler moved to approve the stop-loss contract and administrative service agreement with the Blue Cross Blue Shield for the 2014 plan year. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Engineer reviewed the change order with Peterson Construction for the Highway 2 water main project. The waterline is functional to provide service. Tie-ins are needed. The change order adds 197 days for completion to the contract.

Commissioner Robbins moved to approve Change Order No.1 for Peterson Construction for the Water Main Improvement District No. 22-13 (Hwy2) for a change in the completion date from November 30, 2013 to June 15, 2014 with no change in the contract price as recommended by the City Engineer. The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to approve payment of Estimate No.1 to Peterson Construction for Highland Park project #2 in the amount of \$190,926.54 as recommended by the City Engineer. The motion was seconded by Commissioner Heisler. The waterline has been tested. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer stated the water main on Hwy 2 passed testing.

Commissioner Robbins moved to approve payment of Estimate No.1 to Peterson Construction for Water Main Improvement District No. 22-13 (Hwy 2) in the amount of \$172,060.80 as recommended by the City Engineer. The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

Suzie Kenner, representing Lake Access, reviewed their request for funds. Lake Access had asked for an extra \$1,000 because of the addition of the four season fish cleaning station. The additional funds are included in the 2013 and 2014 budgets. Discussion followed on how the new station is used and by how many. It was noted the new motel will have a fish cleaning station, a freezer for fish and a dog kennel.

Commissioner Heisler moved to approve funding for 2013 for Lake Access in the amount of \$6,000.00 to be paid from the general fund (1000-000-55070). The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to approve payment of Estimate No.6 to Tri-State Paving for 2013 Curb, Gutter & Sidewalk in the amount of \$17,536.55 as recommended by the City Engineer. The motion was seconded by Commissioner Heisler. On roll call all Commissioners voted aye, and the motion carried.

The City Assessor reviewed the request from James and Petra Jacobsen to purchase two lots in the Smith Subdivision. Based on the drawing, two lots are justified for the house size and the garage. The cost is \$7,500.00 per lot.

Commissioner Heisler moved to approve the sale of Lots 4 & 5, Block 1, Replat of Smith's Subdivision to James and Petra Jacobsen for \$15,000.00 as recommended by the City Assessor. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

MDI Limited Partnership is renovating buildings using funds from a bond issue. The City has no liability with respect to the bonds.

Commissioner Stromme moved to approve the resolution authorizing the sale and issuance of multifamily housing revenue bonds (MDI Limited Partnership #112 Project). The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Robbins moved to authorize the execution of documents for The MDI Limited Partnership #112 Project. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Stromme 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 report:
Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:00 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT