

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD DECEMBER 1, 2014

The regular meeting of the Devils Lake City Commission was held Monday, December 1, 2014 at 5:30 P.M. with the following members present: President Johnson, Commissioners Tim Heisler, Craig Stromme, Rick Morse and Dale Robbins. None were absent.

Pledge of allegiance was recited.

Commissioner Robbins moved to approve the minutes of the regular City Commission meeting held November 17, 2014. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

5:30 P. M. – This was the time set for a public hearing to review a request to change zoning from agricultural to residential single family for a parcel adjacent to Quiet Acres Subdivision, south of Cty Rd 1. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Heisler moved to approve a change in zoning from agricultural to residential single family for a .87 parcel of land lying adjacent to the north property line of Lot 2, First Addition to Quiet Acres Subdivision contingent upon the two properties being combined as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Jessica Ramey appeared before the City Commission to talk about the Mandan refinery and Eagles Ledge LLC.

Commissioner Heisler – The City Engineer reported everything was fine.

The City Assessor said everything was fine.

Commissioner Stromme – The Sanitation Supervisor reported everything was fine.

The Police Chief stated five people were interviewed for the open positions.

The Police Chief will be attending the Chiefs joint meeting on Thursday and Friday.

Commissioner Robbins - The Public Ways Supervisor stated an employee has been hired so the department is fully staffed.

The Public Ways Supervisor invited the City Commissioners to the employee Christmas party on December 12, 2014 at the VFW.

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

Commissioner Morse – The Public Ways Supervisor stated all the materials for the salt/sand building arrived today.

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

President Johnson – The City Auditor presented the request for forgiveness of a sewer bill due to watering new trees and lawn outside of sprinkling rate months. The amount of forgiveness would be \$46.72 for the above minimum sewer charges. Sprinkling rates are applied from May 1 through October 1.

Commissioner Heisler moved to deny forgiving any of the utility bill for account 00009130 for the above normal sewer charge since the sprinkling policy had been in place for many years. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Auditor stated Safe Alternatives for Abused Families (SAAF) has been awarded an \$18,000 JAG grant. The funds will come to the City and be passed through to SAAF.

Commissioner Stromme moved to accept the \$18,000 JAG grant for Safe Alternatives for Abused Families. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Administrator said everything was fine.

The Fire Chief said everything was fine.

The City Attorney said proceedings for three nuisance houses continues. The Fire Chief is working with the owner of the one house on renovating it. The other two houses are owned by the same individual who has not responded to any correspondence. The City Attorney requested to call for bids for demolition of the houses at 610 5th St NE and 306 9th St NW.

Commissioner Robbins moved for the City Attorney to call for bids for demolition of the houses at 610 5th St NE and 306 9th St NW due to the houses being nuisances. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

President Johnson reviewed the access easement from Summers Manufacturing which was requested when a portion of Summers St NW lying between Hwy 2 and Kelly Dr NW was vacated. The City Engineer requested that the first paragraph of page 2 where it states "at no cost or expense to the party of the first part" be changed to allow for special assessments in case a special assessment district is created for a frontage road.

Commissioner Heisler moved to approve the access easement by Summers Manufacturing to allow a frontage road adjacent to Hwy 2 should further development of the area occur with an adjustment suitable to the City Attorney for the paragraph on page 2 where it states "at no cost or expense to the party of the first part" as recommended by the City Assessor. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Engineer stated the City is reserving utility easements within the 66 feet parallel to the Hwy 2 right-of-way for construction of the frontage road.

Commissioner Stromme moved to approve the resolution vacating property set aside for public use for Summers St NW that lies between Kelly Dr NW and a line running parallel and 66 feet from the Southwesterly right of way line of US Hwy 2, within the platted Replat of Devils Lake Industrial Park, Devils Lake, ND as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Heisler moved to approve the resolution vacating property set aside for public use – west 139.79 feet of Brook St SW, less dedicated cul de sac, located between 13th Ave SW and 14th Ave SW and lying between Lots 26 and 27, Auditor Lot 1000, Frison 2nd Subdivision, Ramsey County, North Dakota. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

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

Game of chance permits for November 2014.

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

The City Administrator reviewed the 2015 Blue Cross Blue Shield contract. The stop loss premium is going up 17%. During the budget meeting the family policy was increased to \$1,350 per month. Claims for 2014 are coming in under budget so the reserve will have close to \$500,000. With the \$50 increase, the contribution to the self-insurance account should be almost the same.

Commissioner Morse moved to approve the stop-loss contract and administrative service agreement with Blue Cross Blue Shield for the 2015 plan year. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Engineer reviewed the final replat of Block 4, Highland Park Estates 2nd Subdivision. The Devils Lake Planning Commission waived part of the process since the outline of the block did not change and the entire infrastructure is already laid out in that area. There is no change to the street elevation or layout of the water and sewer. One water service and one sewer service may be terminated.

Commissioner Morse moved to approve the final replat of Block 4, Highland Park Estates 2nd Subdivision as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed the Lake Region Snowmobile Club trail agreement. A slight modification to the trail was made. The trail is adjacent to the fence line paralleling the flood control project. Larry Spidahl, trail coordinator for Lake Region Snowmobile Club would like the lease to be for more than one year. Discussion followed on the lease being approved last year on a one year basis and on changing the term of the lease.

Commissioner Robbins moved to approve the North Dakota Parks & Recreation Department snowmobile trail lease agreement for the Lake Region Snowmobile Club for use of the land along the embankment from Highway 20 to Highway 2 with the changes of the lease automatically renewing annually and to add President Johnson's title to the signature line.

The motion was seconded by Commissioner Morse. The City Engineer stated the agreement was beneficial to the City and to the snowmobilers. The motion carried unanimously.

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

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:07 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT