

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD MARCH 16, 2015

The regular meeting of the Devils Lake City Commission was held Monday, March 16, 2015 at 5:30 P.M. with the following members present: President Johnson, Commissioners Craig Stromme and Dale Robbins. Commissioners Tim Heisler and Rick Morse were absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held March 2, 2015. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to issue a Class IV retail liquor license to Bill Welder dba Sleep Inn located at 1413 Hwy 2 E. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Stromme moved to approve issuing a Class IV retail liquor license to Bill Welder dba Sleep Inn as recommended by the Police Chief. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to review a request for a conditional use permit to allow more than 18 children in a home daycare at 801 3rd Ave NE. Two written comments were received. Jessica Ramey stated daycare is needed in Devils Lake. Jody Pike stated she supports the permit. Jen Eback stated if approved, she would be able care for three additional children. Hearing and receiving no other comments, President Johnson closed the public meeting.

Commissioner Robbins moved to approve a conditional use permit submitted by Jennifer Eback to have more than 18 children at a home daycare located at 801 3rd Ave NE which is zoned as residential low density 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 discuss the oil refinery and Lane Powell.

Commissioner Morse arrived at 5:44 P.M.

Tom Rime appeared before the City Commission to introduce himself as the new director of the Law Enforcement Center.

Commissioner Stromme - The Sanitation Supervisor reviewed the 2014 sales of recyclables. The Sanitation Supervisor commended Lake Region Corporation for their help with the recycling.

The Sanitation Supervisor stated garbage pickup was moved to the streets last week.

The Police Chief stated an officer resigned today.

The Police Department is hosting an active shooter school at Lake Region State College on Thursday and Friday.

Three officers are still in training and are on duty with a direct supervisor. There is one individual on the previous hiring roster, and the Police Chief will try to contact him about the opening. Otherwise, he will have to start advertising for the position. Discussion continued on the availability of officers versus the number of job openings statewide.

Commissioner Robbins – The Public Ways Supervisor stated everything was fine

The Public Utilities Supervisor said there was a water break at 2nd Ave and 10th St NE.

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

The Public Ways Supervisor reported the LED lights on 4th Street and 4th Avenue should be completed this week. Otter Tail Power ran some numbers, and the costs were \$4.46/pole for the old lights and will now be \$1.07/pole with the LED lights.

President Johnson - The City Engineer said everything was fine.

The City Assessor stated the building inspector resigned and will be done the end of March. He may work part-time through May to help with inspections.

The City Auditor stated everything was fine.

The City Administrator said the Development Agreement Committee met for the first time last week. The second draft of the agreement was received on Friday. There will be another meeting tomorrow.

The City Attorney reviewed the policy for city commission meetings. According to the Attorney General's Office, the public is allowed to attend the meetings, but they are limited to when they can address the city commission. The city commission policy which is in effect will be implemented.

The City Attorney said a quiet title action is proceeding, and will be published in the paper. The City acquired some property from the County who acquired it from the railroad, and there were some restrictions on the property.

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

1. Authorizing the City Auditor to cancel Check No. 107124 dated February 3, 2015 in the amount of \$600.00 payable to Joseph Vetsch (General-Municipal Court-Legal Fees). This check was lost and will be reissued.
2. Fireworks permit submitted by Mark Olson; and
3. Parade permit submitted by Devils Run on May 30, 2015 to begin at 9:50 A.M.

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

The City Administrator reviewed the Capital Improvement Budget. The Infrastructure Committee met, and a list of projects was drafted. The City Administrator proposes using infrastructure funds for the smaller projects, and bonding the two larger projects.

The City Engineer stated a request from Cenex has not been received, and the number is very preliminary. In regards to waterline replacement, it is an assessment of risk and looking at what roadways need replacement.

Commissioner Stromme moved to approve the Capital Improvement Budget for 2015. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Suzie Kenner and the City Engineer reviewed a fishing access improvement grant application for the Heritage Fund. The total cost is \$464,500 with 75% of the cost (\$348,375) being requested from the Heritage Fund. ND Game & Fish is putting \$30,000 of contributions towards the project and \$15,000 in a fishing pier which they would like to see at Channel A. Mr. Grafsgaard and Ms. Kenner will be meeting with different organizations in the next two weeks to request contributions for the local share. Overall, there would be three projects – Channel A, Henegar Landing and East Ditch Recreation Area. The project would provide accessibility for lakeshore fishing to the elderly and mobility impaired.

Discussion followed on if only partial funding was received, the size and types of the fishing piers, ramps being either steel or aluminum, who is responsible for maintenance, who would police the use of the areas and the in-kind match.

Commissioner Stromme moved to approve submitting a grant application to the North Dakota Outdoor Heritage Fund for fishing access improvement with city funding not to exceed \$100,000 cash and \$60,000 in-kind. The motion was seconded by Commissioner Morse. Discussion followed on property ownership, city cash amount and wording of the grant application. The motion carried unanimously.

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

President Johnson acknowledged the following reports:

1. City Auditor monthly report;
2. Fire Department monthly report; and
3. Municipal Court monthly report.

The Police Chief stated the department had received grant funds for the last two years to have their policy manual online. After working with the human resource consultant, the manual is now ready to be online.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:55 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT