

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD JUNE 1, 2015

The regular meeting of the Devils Lake City Commission was held Monday, June 1, 2015 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 May 18, 2015 and of the Board of Equalization and special City Commission meetings held May 27, 2015. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

5:30 PM – This was the time set for a public hearing to review a request for a conditional use permit to allow an eight bed transitional home and up to three individual apartments at 124 6th Ave NE. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Heisler moved to approve the conditional use permit to allow an 8 bed transitional home and three individual apartments at 124 6th Ave NE as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

5:30 PM – This was the time set for a public hearing to review a request for a conditional use permit to allow the remodeling of the wash bays at 1106 Hwy 20 S into storage units. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Stromme moved to approve the conditional use permit to allow North Country Car Wash, 1106 Hwy 20 S, to be remodeled into storage garages as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Robbins – The Public Ways Supervisor stated on the south side of the cemetery building, the shingles need to be replaced. He will have a price for the work at the next meeting. The project can be done this year; however, it is not urgent so it can wait to be included in the budget for next year.

The Public Ways Supervisor said trapping for mosquitoes started last week, but there were not enough mosquitoes in it today to send in for testing. The department has been larviciding, but they have not started ground spraying.

The Public Utilities Supervisor stated there were a couple of water breaks on 5th St NE between 6th and 8th Ave NE. The breaks were most likely caused from flushing the hydrants.

Commissioner Morse – The Public Ways Supervisor said Tri State will be in town this week to start street repairs. The department plans to cut this week and then crack seal next week.

The Public Ways Supervisor indicated an employee resigned.

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

Discussion followed on the feasibility of contracting out the mowing so the part-time summer help can concentrate on street maintenance. Discussion was also held on the department needing to paint, to mowing lots which should be done by adjoining property owners, on nuisance mowing and on the mowing for the railroad fence. It was decided the railroad mowing would be addressed in the agreement with the railroad. Consensus of the City Commission was to have the City Engineer, City Administrator and the Public Ways Supervisor study the issues and make a recommendation.

Commissioner Heisler – The City Engineer stated he will be going down to the Lake Region Heritage Fund on Wednesday for the lake access grant request.

The City Engineer stated a special city commission meeting will be held on June 10, 2015 at 12:00 P.M. for the bid opening for the Watermain Improvement District 24-15 – various locations.

The City Assessor indicated the new van ordered last fall will be here next week. The City will need to decide if the old van should be kept or sold.

The City Assessor stated he had a preliminary value for the daycare building. The closest comparable would be the former Video Max building which was on the market for four years and was recently sold. Based on that value, the daycare building would be worth \$320,000-\$350,000. Discussion followed on the cost for keeping the building, the need for daycare in the community, the impact daycare has on the workforce, job growth and community growth, the probable causes of the former daycares not succeeding, incentives for home-based daycares and commercial based daycares needing a corporate /government sponsor.

Consensus of the City Commission was to put a value on the daycare building and list it with a realtor while Forward Devils Lake reaches out to the community on the daycare.

Commissioner Stromme – The Sanitation Supervisor stated everything was fine.

The Police Chief indicated Alex Schwab was hired today while Sam Hanson celebrated 10 years and Sue Schwab celebrated 28 years with the department.

The Police Chief reviewed his recommendation for canceling Al's Taxi Service license. There is an appeal process if the business chooses to appeal the decision.

Commissioner Robbins moved to approve canceling the taxicab license for Al's Taxi Service effective immediately as recommended by the Police Chief. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

President Johnson - The City Auditor stated everything was fine.

The City Administrator said search and rescue contacted him about the roof leaking on the building. The Sanitation Supervisor stated he would look at it. If the roof is repairable that can be done now; otherwise, if it needs to be replaced it will have to be brought back to the City Commission.

The City Administrator questioned what the City Commission would like to see from event center committee meetings. Attendance had gone down and is mainly people from the park and college. He does not want to see the committee go down the same path that was voted down. The committee is trying to make some changes based on the survey results. Discussion followed on the convention center part. As of now, the plan is for Forward Devils Lake and Tourism to write a request-for-proposal (RFP) for a convention center. The RFP would be sent to all the hotels in town, anyone else who requests one and would be published. Discussion continued on what would be included in the RFP, who would review the proposals and who would make recommendations to the City Commission. At this time, the convention center is a priority over a wellness center.

The Fire Chief stated two new sirens were installed and will be wired on Thursday. One is located by the new Wal-Mart, and the other one is by Bethel Church which will replace the one at Prairie View School.

The Fire Chief indicated \$8,750.00 was raised for MDA.

Shade Tree has two workers, and one more application has been received. The current employees will be able to work longer since they are not students.

The City Attorney said everything was fine.

The City Engineer reviewed the change order for the Water and Sewer Improvement District 59-14 - Smith Dr.

Commissioner Stromme moved to approve Change Order No 1 for Naastad Brothers, Inc for Water & Sewer Improvement District No 59-14 – Smith Dr SW for the deduction of \$7.50 per foot for watermain installation and of \$20.00 per foot for sanitary sewer installation for a net decrease of \$17, 210.00 as recommended by the City Engineer. The motion was seconded by Commissioner Morse. Discussion followed on the businesses to be served by the project. The motion carried unanimously.

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

1. Game of chance permits for the month of May 2015;
2. Gaming site authorization submitted by Rotary Club of Devils Lake to be held June 5, 2016 at Roosevelt Park – 4th St SW and Roosevelt Ave;
3. Two gaming site authorizations submitted by Devils Lake Rural Fire Department, Inc for July 1, 2015 through June 30, 2016 at the following locations: Great American Inn & Suites – 1116 Hwy 2 E and Pop's Package Store – Hwy 2 E;
4. Five gaming site authorizations submitted by Devils Lake Youth Activities Association for July 1, 2015 through June 30, 2016 at the following locations: Columbus Club & Building Association of Devils Lake – 522 4th St; Nellies Bar & Lounge Inc – 301 4th Ave NE; Proz End of the Line – 101 6th St; Thirsty's LLC – 318 4th St and Ye Olde Tavern LLC - 410 4th Ave; and
5. Permit to sell alcoholic beverages at a special event submitted by Thirsty's Bar for a wedding reception to be held July 4, 2015 at the Burdick Arena.

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

Commissioner Heisler moved to approve the contract with the North Dakota State Tax Commissioner for the collection of city sales, use and gross receipts taxes for the period July 1, 2015 through June 30, 2017 as recommended by the City Administrator. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Commissioner Robbins moved to approve a request to start the process to vacate a portion of public right-of-way - portion of Cedar Avenue as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Assessor reviewed the request for the purchase of a lot in the Roundhouse Subdivision. At the May 4, 2015 meeting, two individuals had requested purchasing four lots. The City only approved selling them two lots. The lot being requested now is one of the lots that was requested by those two individuals.

Commissioner Robbins moved to approve selling Lot 1, Block 10, Roundhouse Subdivision for \$2,000.00 plus the outstanding special assessment principal balances of \$703.20 to Eric Kaeding with the stipulation that the lot be built on within two years as recommended by the City Assessor. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

The City Assessor stated the City chose Lot 2, Block 11 and Lot 1, Block 13 as the two lots to sell to Kevin Rushton and Kevin Kvalevog when they had requested four lots. Rushton and Kvalevog would like to exchange Lot 2, Block 11 for Lot 3 & W 22' of Lot 4, Block 9.

Commissioner Robbins moved to approve exchanging Lot 2, Block 11 for Lot 3 & the W 22' of Lot 4, Block 9 with Kevin Rushton and Kevin Kvalevog as recommended by the City Assessor. The lot price stay at \$2,000 plus the outstanding special assessment principal balance of \$767.15. The motion was seconded by Commissioner Heisler, and 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 Commissioner voted aye, and the motion carried.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:00 P.M.

CITY AUDITOR

PRESIDENT