

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD AUGUST 7, 2017

The regular meeting of the Devils Lake City Commission was held Monday, August 7, 2017 at 5:30 P.M. with the following members present: President Richard Johnson, Commissioners Ben Sander, 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 July 17, 2017 and of the special City Commission meeting held July 27, 2017. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

**5:30 P.M.** - This was the time set for a public hearing to review a request to change the zoning from light industrial to highway commercial for a tract in Govt Lot 1, Section 3 (located on ease side 5<sup>th</sup> Ave SE and 2<sup>nd</sup> St). Discussion followed on the previous businesses located in this area. Hearing and receiving no other comments, President Johnson closed the public hearing.

Commissioner Stromme moved to approve a change in zoning from light industrial to highway commercial for a tract in Govt Lot 1, Section 3 (located on ease side 5<sup>th</sup> Ave SE and 2<sup>nd</sup> St) and submitted by Jim Moe and T & TJ Kurtz, as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

**Commissioner Robbins** – The Public Ways Supervisor reviewed the request from Mike Fisher and Lucille Holland to donate lots they had purchased to the Catholic Church.

Commissioner Robbins moved to approve the request for the donation of cemetery lots described as St Joseph's 2<sup>nd</sup> Addition, Block 47, Lot 18, Space 4; St Joseph's 2<sup>nd</sup> Addition, Block 47, Lot 19, Space 1; St Joseph's 2<sup>nd</sup> Addition, Block 47, Lot 19, Spaces 2, 3, & 4; and St Joseph's 2<sup>nd</sup> Addition, Block 47, Lot 20, Space 1 and purchased by Mike Fisher and Lucille Holland to the Catholic Church. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The Public Ways Supervisor stated mosquitoes are trapped every week, and the weekly reports are on the City's website.

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

**Commissioner Morse** - The Public Ways Supervisor stated Tri-State will be in town in two weeks.

The City Engineer updated the City Commission on the following projects:

1. Frontage roads adjacent to Hwy 2 and Hwy 20 will start later this month along with the mill and overlay project in Stromquist.
2. Mauve Estates will start late this month or the beginning of September.
3. West underpass is progressing. Currently, contractor is working to switch the rail over, and the old bridge will be removed by the end of September.
4. Henegar Landing – The contractor will be assembling the fishing pier and dock this week.
5. Culverts for the east ditch near Heartland Care Center have failed. A couple of 84 inch culverts are needed. When the culverts fail, it becomes an open ditch and the road has to be closed. It will cost about \$40,000.00 for the culverts. He has reviewed different types of culverts, and will probably go with the heavier wall, corrugated culverts.

Commissioner Morse moved to declare an emergency to replace the culverts near Heartland Care Center as recommended by the City Engineer. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

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

The City Assessor stated everything was fine.

Commissioner Sander received a request from Senior Meals and Services Inc to use a roll-off free of charge.

Commissioner Sander moved to approve the use of a roll-off free of charge by Senior Meals and Services Inc. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

**Commissioner Stromme** - The Sanitation Supervisor requested a leave of absence for an employee who is out do to a medical issue and will not have enough paid time to cover his absence.

Commissioner Stromme moved to approve leave without pay for Tim Eback while maintaining his work status. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The Police Chief stated everything was fine.

**President Johnson** - The City Administrator stated four applications were received for the Police Chief job. Discussion followed on interviewing all four candidates or readvertising the position. The consensus of the City Commission was to interview all four candidates starting at 9:00 A.M on August 14<sup>th</sup>.

The City Auditor stated everything was fine.

The Fire Chief said the new hire started today. He also indicated a court date of August 16<sup>th</sup> has been set for the nuisance house.

The City Attorney said everything was fine.

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

1. Appointment of Vonda Markestad to a four-year term expiring June 30, 2020 to the Devils Lake Renaissance Zone Authority;
2. Authorizing the City Auditor to call for bids for 2017 Sand, Gravel & Rip Rap with bids to be opened on Monday, August 21, 2017 at 5:30 P.M. at the City Office as recommended by the Public Ways Supervisor;
3. Authorizing the City Auditor to call for bids for a public utilities pickup;
4. Game of chance permits for the month of July 2017;
5. Permit to sell alcoholic beverages at a special event submitted by Thirstys Bar for a wedding reception to be held September 23, 2017 at the Memorial Building;
6. Permit to sell alcoholic beverages at a special event submitted by Ye Olde Tavern for a wedding dance to be held August 13, 2017 at the Burdick Arena; and
7. Reappointment of Rick Morse, Paul Thompson, Tammy Meyer and Cary Eriksson to four-year terms expiring June 20, 2020 to the Devils Lake Shade Tree Committee.

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

The City Administrator reviewed the agreement with Forward Devils Lake for annual funding. Changes included updating the amount of the City's contribution which now reads up to 4 mills and up to \$50,000.00 from the Lake Region Growth for operations.

Commissioner Stromme moved to approve the agreement with Forward Devils Lake for annual funding as recommended by the City Administrator. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Engineer reviewed the agreement with Ramsey County for ArcGIS services.

Commissioner Sander moved to approve the agreement with Ramsey County for use of ArcGIS services as recommended by the City Engineer. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Assessor reviewed the real estate certification for the repair of the Devils Lake Filter Stone. This is part of the dike project, and the sand drain needs to be repaired. On the dry side, there is the sand lens. With the larger dike, when it rains it is washing out the filter stone that they put to cap the sand lens.

City Assessor stated the City has to certify that we have the right to the real estate so the Corps may give the contractor authority to enter onto the property to complete the work.

Commissioner Morse moved to approve the Devils Lake North Dakota, Ramsey County, Flood Risk Management Project, Devils Lake City Embankments, Devils Lake Filter Stone Repair, Project Cooperation Agreement, Right-of-Entry and Attorney's Certificate as to Right-of-Way as recommended by the City Assessor. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Stromme moved to approve payment of Estimate No. 2 to Knife River Materials for Street Improvements #61-17 and #62-17 – CMS area in the amount of \$8,928.25 as recommended by the City Engineer. The motion was seconded by Commissioner Sander. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to approve payment of Estimate No. 3 to Elshaug Concrete Construction for 2017 Curb, Gutter & Sidewalk in the amount of \$7,382.36 as recommended by the City Engineer. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to approve forgiving the sewer usage over the average usage for two months on utility account #10251. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Rachel Lindstrom, Executive Director of Forward Devils Lake, appeared before the City Commission to request flex funds for Vasich Properties. The business will add 3 full-time and 1 part-time jobs with an average wage of \$35,000.00/yr plus benefits. It is a \$5.7 million project with \$86,000.00 being the community portion. Payback of the community portion would start after five years.

Commissioner Sander moved to approve flex funding for Vasich Properties LLC. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Commission discussed if Marco had provided information on video taping the commission meetings.

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

President Johnson acknowledged the following report:  
City Auditor monthly report.

The City Auditor stated the Library Director was resigning.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:20 P.M.

**LINDA LYBECK**  
**CITY AUDITOR**

**RICHARD S. JOHNSON**  
**PRESIDENT**