

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD OCTOBER 20, 2014

The regular meeting of the Devils Lake City Commission was held Monday, October 20, 2014 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 October 6, 2014 and of the canvassing meeting held October 13, 2014. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Jessica Ramey appeared before the City Commission to discuss the oil refinery.

**Commissioner Heisler** – The City Engineer stated work is continuing on the west side clean up.

The City Assessor said everything was fine.

**Commissioner Stromme** - The Police Chief received notification from the State that the state liquor license paperwork for Razor's was not filed timely and the business cannot be open without this paperwork.

The Police Chief has re-opened the position for another officer.

**Commissioner Robbins** – The Public Utilities Supervisor said everything was fine in the Water Department.

The Public Ways Supervisor received the contract with Structures Unlimited for the sand/salt building. The City Attorney reviewed the contract and made changes.

Commissioner Robbins moved to approve the contract with Structures Unlimited for the salt/sand building and to authorize the President to sign it as recommended by the City Attorney. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The Public Way Supervisor stated the Street Department has cut down thirty eight trees.

**President Johnson** – The Public Utilities Supervisor said everything was fine in the Sewer Department.

The City Auditor stated the 2015 grant award for the Lake Region Narcotics Task Force has been received. The Task Force has been awarded a \$22,900.00 grant with \$14,885.00 being grant funds and \$8,015.00 being match funds. The President will need to sign the grant paperwork.

Commissioner Heisler moved to approve accepting the grant award for \$22,900.00 for the Lake Region Narcotics Task Force and for the President to sign the documents. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

City Administrator said everything was fine.

The Fire Chief said the hearings for the three nuisances will be held on Friday, October 25<sup>th</sup>.

The City Attorney said the three nuisance cases will be the first ones under the new ordinance.

The second reading of Ordinance No. 923 – Tobacco Sales was read.

Liz Bonney from Lake Region District Health stated the ordinance is needed to add an age limit in purchasing e-cigarettes.

Commissioner Stromme moved to approve the second and final reading of Ordinance No. 923 – Tobacco Sales – An Ordinance, which upon adoption, shall amend that part of Ordinance No. 777 which has been codified as Section 9.73.020 of the Devils Lake Municipal Code with an effective date of November 1, 2014. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

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

1. Permit to sell alcoholic beverages at a special event submitted by Thirsty's Bar for a wedding reception and dance to be held on November 29, 2014 at the Memorial Building;
2. Permit to sell alcoholic beverages at a special event submitted by Thirsty's Bar for the National Guard Christmas Party to be held on December 6, 2014 at the Memorial Building; and
3. Reappointment of Tammy Meyer and Cary Eriksson as members of the Devils Lake Shade Tree Committee for three-year terms expiring June 30, 2017.

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

Commissioner Stromme moved to approve Budget Amendment No. 06-14 – Library. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Heisler moved to approve payment of Estimate No.5 to Elshaug Concrete Construction for 2014 Curb, Gutter & Sidewalk in the amount of \$10,754.07 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 Robbins moved to approve the statement of work for the BCBS health club credit. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Rachel Lindstrom, executive director of Forward Devils Lake, reviewed the list of board members for Forward Devils Lake and presented a request for a letter of support for an oil refinery. The oil refinery project has been reviewed by the board members for Forward Devils Lake. This would be the second refinery built since 1976. The refinery would be similar to the one in Dickinson. The project would be a 20,000 barrels per stream day Clean Fuels Refinery which is a new technology. It would create 100 new, well-paying jobs at the refinery and create 4 more jobs to support the industry for each job created. The business would purchase 300 acres, and construction would take place over a 24-month period with the refinery being built in modules. Corporate offices would be located in Devils Lake. If the City approves the project, then the project would be presented to the State. After State approval, community meetings would be held. The company is interested in the Devils Lake area because of the natural gas line, the Enbridge pipeline, Hwy 2 access, railroad access, water availability and land availability. Rachel Lindstrom reviewed the due diligence completed for the project. She also reviewed how the site location was chosen. The refinery would produce five different products. Since the equipment for this project is considered real property, city taxes could be \$500,000 annually. No incentives are being offered from the community.

Commissioner Robbins moved to approve writing a letter of support for Eagles Ledge Energy LLC for future development in Devils Lake contingent upon approvals from the EPA and Department of Health and on Eagles Ledge Energy LLC not impacting local wildlife, lake and agricultural environment. The motion was seconded by Commissioner Stromme, 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 reports:

1. 3<sup>rd</sup> Quarter Economic Data;
2. City Auditor monthly report;
3. Fire Department monthly report;
4. Municipal Court monthly report; and
5. Police Department monthly report.

The City Administrator indicated the State Tax Department made a mistake on the lodging and restaurant tax. Since 2011 Devils Lake has been receiving funds for a motel which are owed to a different city. Devils Lake will need to repay \$112,000.00. The State would like the money paid back by the end of the biennium.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:05 P.M.

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

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

