

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD APRIL 4, 2016

The regular meeting of the Devils Lake City Commission was held Monday, April 4, 2016 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 Stromme moved to approve the minutes of the regular City Commission meeting held March 21, 2016. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

**5:30 P.M.** - This was time set for the bid opening for the 2016 Curb, Gutter, and Sidewalk. The following bid was opened and read:

Elshaug Concrete Construction LLC – Devils Lake, ND Bid \$154,822.50  
License No 47700 B Cashier's Check \$3,096.45

Commissioner Stromme moved to accept the bid as read, and refer it to the City Engineer for further review and recommendation. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

**Commissioner Stromme** - The Police Chief reviewed the 2015 stats from the Lake Region Narcotics Task Force, stated a new officer had been hired and will start May 1<sup>st</sup>, and stated the final draft of the taxi ordinance will go to the City Attorney.

The Sanitation Supervisor reported on the 2015 sale of recyclables. The weights were about same as the previous year, but the prices differed.

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

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

**President Johnson** - The City Auditor stated everything was fine.

The Fire Chief said everything was fine.

The City Attorney said everything was fine.

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

1. Appointment of Amber Sander to the Beautification Committee for a two year term expiring on June 30, 2018;
2. Authorizing the City Auditor to call for bids for 2016 Asphalt and Street Repair with bids to be opened on Monday, April 18, 2016 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 installation of cemetery fence with bids to be opened on Monday, April 18, 2016 at 5:30 P.M. at the City Office as recommended by the Public Ways Supervisor;
4. Authorizing the City Auditor to call for bids for a seal coat project with bids to be opened on Monday, May 2, 2016 at 5:30 P.M. at the City Office as recommended by the City Engineer;
5. Fireworks permit submitted by American Promotional Events dba TNT Fireworks;
6. Fireworks permit submitted by Kevin Brennan; and
7. Game of chance permits for the month of March 2016.

The motion was seconded by Commissioner Robbins. It was noted the address on item #5 for the location of Wal-mart is incorrect, and the applicant will be notified of the change. The motion carried unanimously.

Rachel Lindstrom, Executive Director of Forward Devils Lake, appeared before the City Commission to request reimbursement of the mini-grant fund. The projects funded were reviewed.

Commissioner Stromme moved to approve payment to Forward Devils Lake in the amount of \$27,746.09 for mini-grant reimbursements. The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

The request from Lake Region Corporation to be the local sponsor for a CDBG grant application was reviewed.

Commissioner Heisler moved to approve the City of Devils Lake being the local grant sponsor for the Hope Center's CDBG grant application and to approve the resolution of sponsorship and resolution concerning handicapped access. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Commissioner Stromme moved to approve funding for the second quarter of 2016 for the Lake Region Heritage Center in the amount of \$5,500.00 to be paid from general fund (1000-000-55170). The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

George Zenk introduced Rachel Johnson as the new director of the Heritage Center.

The request to buy Lot 1, Block 10, Roundhouse Subdivision was withdrawn by Paul and Elizabeth Malarkey.

Commissioner Robbins moved to approve selling the E28' Lot 4, Lot 5, Block 9, Roundhouse Subdivision for \$6,184.68 plus the outstanding special assessment principal balance of \$623.84 to Andrew Johnson with the stipulation that the lot be built on within two years and contingent upon the City getting clear title since the lot came back to the City for back taxes as recommended by the City Assessor. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Engineer stated the pay estimate included water service hook up for Phase I for which the developer had hired the contractor.

Commissioner Heisler moved to approve payment of Estimate No. 3 – Final to Peterson Construction for work completed on Water and Sewer Improvement 51-11 – Agassiz Subdivision in the amount of \$19,230.00 as recommended by the City Engineer. The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer reviewed the septic hauler policy and fees and rates. This is for the use of the City's lagoon system by the septic haulers. Rules for disposal have tightened up over the last few years. Most of the work occurs after normal business hours. The policy would require a hauler to get a permit, be licensed with the State, have liability insurance and pay a fee. The hauler will also be required to keep a weekly log. The average charged by other cities is \$40/1000 gallons. However, after meeting with the local septic haulers it was agreed to start with charging \$20/1000 gallons. Locks and cameras will be installed. Discussion followed on how much the trucks hold and on an average of 500 dumps/yr/contractor. The permit and fees will start April 15, 2016.

Commissioner Morse moved to approve city policy relative to private access to the wastewater treatment facility property and to establish the following fees in regards to the septic hauler policy: Permit fee for private septic hauler dumping -\$100/year; private septic hauler lagoon dumping fee - \$20/1000 gallons; and testing of effluent deposited in lagoon – up to \$75/test as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, 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 Commissioners voted aye, and the motion carried.

President Johnson acknowledged the following reports:

1. 1<sup>st</sup> quarter economic data;
2. City Auditor monthly report – January; and
3. City Auditor monthly report – February.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:10 P.M.

**LINDA LYBECK  
CITY AUDITOR**

**RICHARD S. JOHNSON  
PRESIDENT**