

MINUTES OF THE BOARD OF CITY COMMISSIONERS
SPECIAL CITY COMMISSION MEETING
HELD JULY 29, 2016

Pursuant to due call and notice thereof, the Board of City Commissioners met at the City Office on Friday, July 29, 2016 at 12:00 P.M. with the following members present: Commissioners Craig Stromme, Rick Morse, Dale Robbins and President Richard Johnson. Commissioner Ben Sander was absent. Also present were members of Forward Devils Lake.

President Johnson stated the purpose of the meeting was to approve aerial mosquito spraying and to meet with the Executive Board of Forward Devils Lake to discuss the Ultra Green Packaging settlement agreement.

President Johnson requested an additional aerial mosquito spraying for the City since mosquitoes that carry the West Nile Virus were caught in the traps. If approved, spraying would be scheduled for tonight and would cost approximately \$8,500.00.

Commissioner Stromme moved to approve a second aerial mosquito spraying for the City to be held on July 29, 2016. The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Morse moved to enter into executive session jointly with Forward Devils Lake for attorney consultation to discuss pending litigation and reasonably likely pending litigation as well as to discuss negotiation of a settlement regarding those matters related to Ultra Green Packaging, Inc. The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

Executive session of the Commission was called to order at 12:05 P.M. on July 29, 2016 with President Richard Johnson, Commissioners Craig Stromme, Rick Morse and Dale Robbins, City Administrator Terry Johnston, City Attorney Tom Traynor, Acting City Attorney Dan Gaustad and Forward Devils Lake members.

During the executive session the City Commission and Forward Devils Lake members met with the Acting City Attorney to discuss pending litigation, reasonably likely pending litigation as well as negotiation of a settlement regarding those matters related to Ultra Green Packaging, Inc. Pursuant to N.D.C.C. §§ 44-04-19.1, 44-04-19.2 and 44-04-18.4, the Commission may convene into executive session for attorney consultation, regarding the pending litigation and likely pending litigation against Ultra Green Packaging, Inc. and to discuss negotiating strategy and /or settlement with its attorney on possible resolution of the case.

Commissioner Robbins moved to adjourn the executive session at 12:50 P.M. on July 29, 2016. The motion was seconded by Commissioner Morse. On roll call all Commissioners vote aye, and the motion carried.

Commissioner Robbins moved to approve the Ultra Green Packaging Inc settlement agreement and to authorize the Mayor to sign that agreement and any other agreement necessary to consummate the transaction. The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to approve the agreement between North Central Planning Council, City of Devils Lake, Forward Devils Lake and the City of Devils Lake Building Authority for the management of the Ultra Green Facility after closing and authorizing the Mayor to sign that agreement and any other agreement necessary to effectuate that agreement. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 12:55 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT