

CITY OF LINCOLN
COUNCIL MEETING

May 8, 2014

The regular meeting of the Lincoln city council was called to order by Mayor Robert Johnston at 7:00 pm, at the Lincoln Community Center, 74 Santee Road, Lincoln, ND. Other Members Present: Daly and Cantleberry. Absent Urlacher.

Approval of minutes for April 3 and April 8th Equalization

--1st motion—Daly—to approve the minutes

--2nd motion—Cantleberry

All members present approve and motion carried.

Groundwater effects on sanitary sewer/contributing factors

Ervin Fischer expressed his opinion that silt in the drainage easement on the North side of Lincoln Road is causing surface water runoff from the city to drain more slowly and/or back up. He said that he believes that is causing water table levels to rise in the city. He said he thinks that if the city removes silt from the easement it will lower water table levels. City Engineer Brad Krogstad stated that the elevation in the easement drainage area has gone up only approximately one foot from the design elevation and that it is his opinion that, based on elevations, the water is still draining properly and emptying into the creek.

--1st motion—Daly--The city will have a cost estimate done if they decide that cleaning out the easement would make a substantive difference in the drainage.

--2nd motion—Cantleberry

All members present approve and motion carried.

Ray Volk was also present to discuss the large amounts of groundwater that some of the residents have been pumping out of their basement sumps. Engineer Krogstad stated the large amount of precipitation that we have had over the last approximately ten years has contributed to some of the ground water problem. Krogstad stated that a project could be done that could lower the ground water level in the area of affected properties. Such a project would have to be specially assessed to the affected properties.

Intent to terminate Building Inspection with Bismarck

The City of Bismarck is currently are contracted inspections department for Lincoln. We were approached by Burleigh counties new Zoning department/Building Inspections for them to be able to possibly perform our inspections. Since our contract with Bismarck needs a 6 month termination letter we would like council opinion on whether we should pursue the new department as they are already out in the area for other county inspections and they have less of a workload than Bismarck.

--1st motion-Cantleberry—to table the discussion on this matter until the Mayor, Auditor, and Engineer have had a meeting with the Bismarck inspections department

--2nd motion—Daly

All members present approve and motion carried.

Bid acceptance for Lagoon Project

We had the public bid opening for the lagoon rip rap project on April 24 at 1:00pm. There were three companies that bid on the project. Bohlman, Sand Creek, and MMI all bid and the lowest bid was from Sand Creek in the amount of \$124,140.

--1st motion—Daly—motion to send Notice of award to Sand Creek

--2nd motion—Cantleberry

All members present approve and motion carried.

Permits

Raffle Permits for North Dakota Coop Fur Harvester, St Baldricks, and Kris West Cancer Benefit all presented Raffle permits for approval

--1st motion—Cantleberry—to approve the permits

--2nd motion—Daly

All members approve and motion carried.

Site Authorization (Gaming) for Nodak Sportsmans Club at the Tumbleweed

--1st motion—Cantleberry—to approve the site authorization for gaming

--2nd motion—Daly

All members present approve and motion carried

Special use permit presented by DJ's to hold an open bar at the South Forty for May 17

--1st motion--Daly—to approve the special use permit

--2nd motion—Cantleberry

All members present approve and motion carried.

Tax abatement

Tax abatement form for 112 Libby Road due to fire

--1st motion—Cantleberry—to approve abatement

--2nd motion—Daly

All members present approve and motion carried.

First reading to update part of Chapter 5,6,9 of the code

--1st motion—Daly- to update 5-03-01.5 to add R-9 to definition of Residential Districts, 8-02-02.3,8 to remove statement allowing curb returns at driveway cut-ins instead of drop curb.

Modified approach slab characteristics for mathematical correctness, 8-02-03.1,2 Minor modifications, 9-03-01 Added R-9 to list of districts, 9-03-10.1,I,p Minor grammatical change, 9-03-10.1t added language to cover off street parking requirements for warehouses, 9-03-10.6 added language to prevent counting space in front of overhead doors in parking area, 9-03-13.10e added R-0, 9-04-02 Added lot requirements for split lots in R-2 district, 9-04-03.6 grammatical changes, added max 600sf garage and accessory building setback language to provide 7.5' min. eave-eave separation between accessory building & home, 9-04-07.6 modified front yard from 30 to 25, 9-04-11.8g modified density language from "12 families" to "32 dwelling units," 9-05-01 added "drainage flow directions" and "erosion control" to lot survey rqmts., 9-05-09 added language requiring utility and curb 7 gutter install and approval prior to building permit issuance, 9-08-05.1d modified language for P&Z discretion for major road abutment, added landscape buffer requirement.

--2nd motion—Cantleberry

All members present approve and motion carried.

Application for temporary merchant

Dakota Landscapes has presented an application for a temporary business license to conduct a greenhouse stand at the corner of the Tumbleweed parking lot.

--1st motion-Daly—to approve the permit if all the bonding is in order and fees are paid

--2nd motion Cantleberry

All members present approve and motion carried.

Portfolios

Cantleberry—The park board will meet at the shelter the 3rd Tuesday of the month. They are looking for people who would like to run for the park board. The board has 2 vacant positions for the upcoming election. The softball for the summer is being planned they might do a

younger team this year as well. There was a fundraiser at the Lincoln School for volleyball nets and the park contributed. She will be getting a list together of the lots that need Beautification letters.

Daly-Financials are in. The 2013 Audit is back and we are finally up to date since 2005! The tree board met and is looking for another member. The Arbor Day celebration will be May 17th.

Designate the official newspaper

--1st motion—Daly-to designate the Bismarck Tribune

--2nd motion—Cantleberry

All members present approve motion carried.

She has been discussing an ordinance change to outlaw ATV/dirt bikes in city limits. City attorney Andrist will do some research for a first reading next month.

Johnston-The Planning and Zoning met and will hold a public hearing on a proposed Mobile home park for June's meeting. The current zoning is Ag. There will be a preliminary plat at the June meeting for some Row housing across the street from the school that will need a zoning change from R-9 to PUD. The Rural road sharing grant was awarded that we applied for in the amount of \$200,000 for a combined pedestrian path/multi use trail project along Lincoln Road.

Motion to pay Bills

-1st motion-Daly -to pay bills

-2nd motion—Cantleberry

All members present approve and motion carried.

Meeting adjourned

Minutes submitted by Auditor, Melanie Kitzan, subject to request and revision of the City Council.