

**Devils Lake Planning Commission**  
**4-26-07**

Present: Larry Liere, Kevin Davidson, Tom Traynor, Mike Grafsgaard, Marlene Bertsch, Terry Thompson, Terry Johnston, Ray Sletteland, Gary Martinson, Eric Boren, Mark Shipley, Louise Olson, Tim Greene, Nels Nelson, Renard Bergstrom.

Larry called the meeting to order. Kevin made a motion to approve the minutes of the last meeting. Motion 2<sup>nd</sup> by Terry. Carried.

Tom was asked if he had looked at the proposed ordinance that would limit the size of retail buildings. He said that he is not interpreting the ordinance; the people that proposed the ordinance need to explain what they want.

Marlene said that one place states nothing over 90,000 SF would be allowed and another place states 90,000 SF and 5%.

Gary said the 5% is in the resolution, not in the ordinance. The resolution is temporary until the ordinance is passed. The ordinance would over rule the resolution; the resolution allows the planning commission and city commission more time to review the ordinance.

Marlene expressed concern about limiting building size and not letting other businesses come in like Lowe's or Menard's.

Larry said the ordinance would not restrict businesses, just the building size.

Marlene said we would not want to prohibit any new businesses from coming to town.

Larry said our job is to look carefully to see the pros and cons and if the ordinance fits our city. Before the next meeting all members should look at "Wal Mart and small towns" on the computer and read it and see who the author is. We should get this all done before July and maybe rescind the motion to put the ordinance on hold until July. Maybe we could look at going with 100,000 SF instead.

Marlene said July was set so we would have more information as a board and enough time to thoroughly review the information. She has no problem with getting it done sooner.

Discussion was held on having a public input meeting in the evening so more people would have a chance to attend.

Ray made a motion to hold a public meeting in the evening to review the ordinance that would restrict retail building size. Motion 2<sup>nd</sup> by Marlene.

Mike asked if this meeting would be for a formal presentation or public input.

Larry thought that it could include both.

Marlene said maybe the people who presented the first presentation could be there again.

It was decided to hold the public hearing May 24 at the Armory at 7:00 pm, with a regular business meeting at 6:30 pm.

Motion carried.

Marlene said the Devils Lake Journal has a poll on their website on big box ordinances and 77% said they were not opposed to a big box retailer in Devils Lake.

People have the conception that Super Wal Marts close other businesses. Can the city put together a summary of when businesses came and when they closed? Did one business end up closing another business?

Gary said the city would not have those kinds of records.

Tom stated the “whereas” paragraphs in the ordinance mean a finding has been made and that needs to be explained by the people proposing the ordinance.

Nels Nelson said he did some research on how Super Wal Marts have affected 8 farming communities in mid-USA. Many of them said after 3 years the Super Wal Mart is helping the community and their downtown was coming back. Devils Lake can't be turning away businesses of any kind.

Marlene said Spirit Lake Nation has approached Wal Mart to locate a Super Wal Mart at Fort Totten. Do we want to totally lose Wal Mart? We need to look at the whole picture.

Larry reminded everyone to look at the website “Wal Mart and small towns” and be prepared to discuss at the next meeting.

The terms of planning commission members Marlene, Tim, Larry and Kevin are expiring in June. Kevin indicated he may be looking at finding a replacement for himself.

Larry asked them to at least stay on the commission until this ordinance is final.

Larry's term on the Shade Tree Committee is also expiring. He said he only makes about 50% of the meetings, but is willing to be the planning commission representative.

Kevin made a motion to recommend the city commission re-appoint Marlene Bertsch, Tim Greene, Larry Liere, and Kevin Davidson as members of the planning commission. Motion 2<sup>nd</sup> by Ray. Carried.

Tim made a motion to recommend the city commission re-appoint Larry Liere as the representative to the Shade Tree Committee. Motion 2<sup>nd</sup> by Ray. Carried.

Larry asked Helen to contact Doug Goulding to explain the “whereas” paragraphs in the proposed ordinance.

Meeting adjourned.

Respectfully submitted,

Helen Carlson  
Recording Secretary