

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD APRIL 21, 2014

The regular meeting of the Devils Lake City Commission was held Monday, April 21, 2014 at 5:30 P.M. with the following members present: President Johnson, Tim Heisler, Craig Stromme, Rick Morse and Dale Robbins. None were absent.

Pledge of allegiance was recited.

Commissioner Morse moved to approve the minutes of the regular City Commission meeting held April 7, 2014. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

**5:30 P.M.** - This was the time set for the bid opening for 2014 Curb, Gutter, and Sidewalk. The following bid was opened and read:

1. Elshaug Concrete Construction LLC - Devils Lake, ND      Bid \$145,722.50  
License No 47700 B      Cashier's Check \$2,914.45

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. Discussion followed on the timeline for the work. The motion carried unanimously.

**5:30 P.M.** - This was the time set for the bid opening for Street Improvement District 48-13 – Highland Park. The following bids were opened and read:

1. Strata Corporation - Grand Forks, ND      Bid \$565,261.83  
License No 693 A      Bid Bond 5%
2. Mayo Construction Company Inc - Cavalier, ND      Bid \$671,114.50  
License No 2924 A      Bid Bond 5%

Commissioner Robbins moved to accept the bids as read, and refer them to the City Engineer for further review and recommendation. The motion was seconded by Commissioner Morse. Discussion followed on the timeline for the project. The motion carried unanimously.

Commissioner Morse moved to approve a proclamation proclaiming May 4-10, 2014 as **“Devils Lake Children’s Mental Health Awareness Week”** and urging our citizens and all agencies and organizations interested in meeting every child’s mental health needs to unite on that week in the observance of such exercises as will acquaint the people of Devils Lake with the fundamental necessity of a year-round program for children and youth with mental health needs and their families. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Commissioner Heisler moved to approve a proclamation proclaiming May 1, 2014 as **“Oncology Nursing Day”** and urging all residents of Devils Lake, North Dakota to join in observance of and participate in activities to recognize the special contribution oncology nurses provide to the public. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

**Commissioner Heisler** – The City Assessor stated the City Commission needs to set the date for the Board of Equalization meeting. Consensus of the Commission was to meet on May 29, 2014 at 12:00 PM for the Board of Equalization.

The City Assessor requested out-of-state travel for the North Central Regional Assessor Association conference to be held June 8-12, 2014 in South Dakota.

Commissioner Heisler moved to approve out-of-state travel for the City Assessor to attend the North Central Regional Assessor Association annual conference to be held June 8-12, 2014 in South Dakota. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Engineer requested authorization to call for bids for the street improvement project at Agassiz. The water and sewer are already under contract and should be installed when the frost is out of the ground.

Commissioner Heisler moved to authorize the City Auditor to call for bids for Street Improvement #51-11 – Agassiz Phase II as recommended by the City Engineer. The motion was seconded by Commissioner Morse. Discussion followed

on the developer's plans for the area and on having an October 15, 2014 completion date for the city project. The motion carried unanimously.

**Commissioner Stromme** - The Police Chief reviewed the first quarter stats for the narcotics task force.

The Police Chief stated the department is still researching information for a canine unit. UND is starting a program and expects it to cost \$49,000 which includes a vehicle, dog and training. The City of Grand Forks needs to replace a dog and expects it to cost \$17,000.

The Devils Lake City Police Department was awarded the 2014 Occupant Protection Award at the traffic safety meeting last week. This is the second year in a row that Devils Lake has been the recipient.

The Sanitation Supervisor stated spring cleanup begins next week; the new loader will be delivered on Friday; and garbage will be moved back to the alleys on Monday.

**Commissioner Robbins** – The Public Ways Supervisor stated everything was fine.

The Public Utilities Supervisor said there was a water break on 13<sup>th</sup> St NW.

**Commissioner Morse** - The Public Ways Supervisor stated he has a full crew now with the hiring of two new guys. He also stated that patching is ongoing (being done twice a week), and crack sealing will start tomorrow.

The Public Utilities Supervisor stated the East Bay lift station is up and running. It is tied into SCADA, and the department was trained on it last week. Discussion followed on the amount of water that can be pumped, on the costs of the pumps, and on the electric company serving the station.

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

The City Administrator said everything was fine.

The Fire Chief requested permission to apply for a DES grant for urban search and rescue equipment. No match is required, and he would apply for \$40,000.

Commissioner Heisler moved to approve the Fire Chief applying for a DES grant for urban search and rescue equipment. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The Fire Chief requested to advertise bids for the sale of an old fire truck with the proceeds going to the new truck. The truck was declared surplus last year.

Commissioner Morse moved to advertise the old fire truck for sale on bids with the proceeds going towards the purchase of the new fire truck. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The Fire Chief requested a waiver from Section 10.30.130 for raising funds for MDA by firefighters and volunteers during Devils Run.

Commissioner Stromme moved to approve granting a waiver to Section 10.30.130 of the City of Devils Lake Ordinances for the firefighters and volunteers to solicit funds for MDA during Devils Run. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Discussion followed on the progress of the owner cleaning up the elevator site from the fire this winter. The Fire Chief will try to have them clean up the mess before the summer events start. The City Attorney stated if they don't comply we could follow the nuisance ordinance.

The City Administrator reviewed the 2013 year end financial report. Discussion followed on the decrease in the amount of water used, on the water source replacement fee, on the water service fee, on the streetlight charge, on the mill rate versus valuation and on the mill per capita.

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

1. Authorizing the City Auditor to call for bids for the 2014 Asphalt & Street Repair with the bids to be opened on Monday, May 5, 2014 at 5:30 P.M. at the City Office as recommended by the Public Ways Supervisor;
2. Gaming site authorization submitted by the Devils Lake Volunteer Fire Department for January 29, 2015 through January 31, 2015 at the Memorial Building - #6, 524 4<sup>th</sup> Ave NE; and
3. Parade permit submitted by Spirit Lake Riders MC on May 24, 2014 to begin at 12:00 P.M.

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

The City Administrator reviewed the employer participation agreement in the pretax service credit purchase program through the North Dakota Public Employees Retirement System (NDPERS) retirement plan. Employees wishing to purchase service credit can do so through a pretax payroll deduction. Anyone vested in NDPERS can buy up to five years of service. The City has to withhold pretax dollars since it is a contract with NDPERS and employees, and the employees can't terminate the contract while employed with the City.

Commissioner Stromme moved to approve the employer participation agreement in the pretax service credit purchase program through the North Dakota Public Employees Retirement System retirement plan. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Morse moved to approve the resolution declaring the necessity of an improvement for Street Improvement District No 51-13 – 5<sup>th</sup> St SE between 5<sup>th</sup> Ave and 8<sup>th</sup> Ave. The motion was seconded by Commissioner Robbins. The City Engineer stated probables had been sent to the property owners, and no comments have been received yet. The project will be 80% federal funds with the other 20% being split 75% city and 25% owners. The motion carried unanimously.

The City Assessor reviewed the request to purchase a lot in Stromquist 4<sup>th</sup> Addition.

The City Attorney stated the lot would need to be declared surplus and offered for sale on bids since the value is over \$2,500.

Discussion followed on the easements and power lines on the property. Otter Tail Power has indicated their old lines will be removed by June 2015.

Commissioner Heisler moved to declare parcel 39-1911-00006-000 (Lot 4, Block 2, Stromquist 4<sup>th</sup> Addition) as surplus and offer it for sale by bids. The motion was seconded by Commissioner Stromme. Bids will be opened at the May 19<sup>th</sup> City Commission meeting. The motion carried unanimously.

Commissioner Morse moved to approve payment of the list of bills as submitted. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to award the bid for Street Improvement District 48-13 to Strata Corporation of Grand Forks, ND in the amount of \$565,261.83 as recommended by the City Engineer. The bid amount is within the engineer's estimate. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

President Johnson acknowledged the following reports:

1. Municipal Court monthly report; and
2. Police Department monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:25 P.M.

**LINDA LYBECK  
CITY AUDITOR**

**RICHARD S. JOHNSON  
PRESIDENT**