

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD APRIL 17, 2017

The regular meeting of the Devils Lake City Commission was held Monday, April 17, 2017 at 5:30 P.M. with the following members present: President Richard Johnson, Commissioners Ben Sander, 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 3, 2017 and of the special City Commission meeting held April 10, 2017. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for the bid opening for the Henegar Landing fishing pier. The following bid was opened and read:

1. Construction Engineers Inc – Grand Forks, ND Base Bid \$190,100.00
Installation Option \$35,740.00
License No 34207 A Bid Bond 5%

Commissioner Morse 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 Sander, and the motion carried unanimously.

President Johnson - The City Administrator reviewed the current obligations for the infrastructure fund. Discussion followed on available funds for possible projects. Mill and overlay of the streets by Central Middle School and 6th St SE could be done this year. Next year nothing would be scheduled since the City needs \$1.6 million dollars for the west underpass with the majority being paid next year. Also discussed was the buy-in payment to be received from Northeast Regional Water District (NRWD). This money could be used wherever the City wanted. The payment will be received prior to NRWD receiving water.

Commissioner Morse moved to approve the street projects by Central Middle School and 6th St SE as recommended by the City Administrator. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Robbins – The Public Utilities Supervisor stated everything was fine.

The Public Ways Supervisor said the department will be trimming trees at the cemetery.

Commissioner Morse – The Public Ways Supervisor said patching and sweeping continue, and cracking sealing will start this week or next week.

The City Engineer stated the work on the west underpass was pushed back until the week of May 1st. Discussion followed on extending work hours beyond the normal work-noise hours for the piling of the temporary bridge.

The City Engineer stated probable assessments have not been sent for the street projects, but they should go out this week. The protest period will be extended.

The City Engineer said street improvement districts for improving the Hwy 2 frontage roads on Hwy 20 S and the Cenex area on Hwy 19 will be created. The City will be responsible for the cost share within the city limits.

The City Engineer reviewed the bid for the Henegar Landing fishing pier. The bid is 25% higher than engineer's estimate, but the project would still be within budget. Discussion followed on if the amount was acceptable, the project needing to be awarded soon in order for it to be completed this year, and on not awarding the installation part of the bid.

Commissioner Robbins moved to award the base bid for Henegar Landing fishing pier to Construction Engineers Inc of Grand Forks, ND in the amount of \$190,100.00 as recommended by the City Engineer. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

Commissioner Stromme - The Police Chief stated everything was fine.

The Sanitation Supervisor said spring cleanup starts next Monday, April 24, 2017.

Commissioner Sander –The Public Utilities Supervisor stated everything was fine in the Sewer Department.

The City Assessor said everything was fine.

President Johnson - The City Auditor stated everything was fine.

The City Administrator requested the City buyback the outdoor playground equipment installed at the daycare building from Bethel Church so it may be used by the possible new tenant. If the equipment is resold, Bethel Church would have the first option to buy it.

Commissioner Stromme moved to buy back the outdoor play equipment at the daycare building from Bethel Church in the amount of \$2,100.00 with Bethel Church having the first option to buy it back again if it becomes available as recommended by the City Administrator. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Administrator said the Fire Chief had inspected the fire alarm system at the daycare building and received an estimate of \$9,522.00 to update it. The estimate includes the fire panel and replacing all detectors.

Commissioner Sander moved to approve the updating of the fire panel and detectors at the daycare building in the amount of \$9,522.00 as recommended by the City Administrator. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The Fire Chief stated the department will be hosting the Northeast Fire School on April 29, 2017.

The City Attorney said everything was fine.

The City Attorney reviewed the lease agreement for Bright Beginnings. Language was added for the owners to provide daycare numbers monthly to the City.

Commissioner Morse moved to approve the lease agreement for the City daycare building to Holly Malheim dba Bright Beginnings Childcare. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

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

1. Authorizing the City Auditor to call for bids for 2017 Asphalt and Street Repair with bids to be opened on Monday, May 1, 2017 at 5:30 P.M. at the City Office as recommended by the Public Ways Supervisor;
2. Fireworks permit submitted by Mark Olson dba Mark's Fireworks; and
3. Transient merchant permit submitted by Two Rivers Outfitters, Ben Murphy dba Oof-da Tacos for food concessions to be held May 31, 2017 and June 1, 2, and 3, 2017 at Leever's Supermarket, 807 Hwy 20 South.

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

The City Engineer reviewed the addendum to the water purchase agreement with Northeast Regional Water District. He noted that south of the meter facility could possible be used by the City at a future time.

Commissioner Stromme moved to approve the addendum to the water purchase agreement between the City of Devils Lake and Northeast Regional Water District for the waterline use and maintenance of the pipe from the City to the meter facility as recommended by the City Engineer. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Administrator reviewed the computer equipment upgrade proposal from Macro.

Commissioner Stromme moved to declare an emergency and to approve the two proposals from Macro in the amount of \$131,929.51 for upgrading the City's network so all locations are on the same system with appropriate security and for upgrading the servers and data storage as recommended by the City Administrator. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Administrator recommended temporary pay adjustments for the Police Department personnel while the department is short staffed.

Commissioner Stromme moved to approve additional pay of \$1,000.00/month for interim Police Chief Frank and to approve additional pay of \$250.00/month for Sergeant Toso, Sergeant Ertelt and Sergeant Harkness due to additional duties being assumed while the department is short two positions as recommended by the City Administrator. The motion was seconded by Commissioner Morse, and the motion was carried unanimously.

The City Engineer reviewed the proposal for installing railroad signals at 14th St NW. It would improve safety at the crossing.

Commissioner Stromme moved to approve the Urban Agreement for Construction of Federal Aid Project Title II Safety Program, Project No RPS-9-999(389) with the ND Department of Transportation for the new signal system installation over 14th St NW at DOT 6980074W for the Northern Plains Railroad. The City share would be 10% of the cost. The motion was seconded by Commissioner Sander. Discussion followed on if there was an option of not doing the project. The motion carried unanimously.

The City Engineer reviewed the shared road responsibility agreement. No changes were made from last year.

Commissioner Robbins moved to approve the Ramsey County, Devils Lake City, Creel and North Creel Township Shared Road Responsibility agreement. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Assessor reviewed the request to purchase Lot 16, Block 10 in the Roundhouse Subdivision.

Commissioner Robbins moved to approve selling Lot 16, Block 10, Roundhouse Subdivision for \$2,000.00 to Roger and Lila Haugland with the stipulation that the lot be built on within two years. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Sander moved to approve the Title VI checklist. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Engineer reviewed the truck route agreement. Paragraph 2 was changed because the County wanted to rotate months for blading. The City will blade the truck route during May, July and September.

Commissioner Stromme moved to approve the truck route agreement between the City of Devils Lake and Ramsey County as recommended by the City Engineer. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

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

President Johnson acknowledged the following report:

Municipal Court monthly report.

The City Attorney requested to enter into an executive session to discuss negotiating strategy or provide negotiating instructions to the City Attorney regarding the Separation Agreements with Chief Schroeder and Captain Barnett which are currently being negotiated. The executive session is being held because an open meeting would have an adverse fiscal effect on the bargaining position of the City.

Commissioner Robbins moved to enter into executive session to discuss negotiating strategy or provide negotiating instructions to the City Attorney regarding the Separation Agreements with Chief Schroeder and Captain Barnett which are currently being negotiated. The motion was seconded by Commissioner Morse. On roll call all City Commissioners voted aye, and the motion carried.

The City Commission recessed at 6:29 P.M. for those not allowed at the executive session to exit the meeting.

The City Commission reconvened at 6:33 P.M.

Executive session of the Commission was called to order at 6:33 P.M. on April 17, 2017 with President Dick Johnson, Commissioners Ben Sander, Craig Stromme, Rick Morse and Dale Robbins, City Administrator Terry Johnston, City Auditor Linda Lybeck and City Attorney Tom Traynor. The City Commission met in executive session under Section 44-04-19.2 to discuss negotiating strategy or provide negotiating instructions to the City Attorney regarding the Separation Agreements with Chief Schroeder and Captain Barnett which are currently being negotiated. This executive session was held because an open meeting would have an adverse fiscal effect on the bargaining position of the City. This is as provided In Section 44-04-19.1(9).

Commissioner Robbins moved to adjourn the executive session at 7:07 P.M. on April 17, 2017. The motion was seconded by Commissioner Morse. On roll call all Commissioners vote aye, and the motion carried.

The City Commission reconvened into open meeting at 7:07 P.M.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:08 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT