

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD JANUARY 16, 2018

The regular meeting of the Devils Lake City Commission was held Tuesday, January 16, 2018 at 5:30 P.M. with the following members present: President Johnson, Commissioners Craig Stromme, and Dale Robbins. Commissioner Rick Morse was absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held January 2, 2018. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

**Commissioner Robbins** – The Public Utilities Supervisor said there was a water break on 11<sup>th</sup> St NW on January 2<sup>nd</sup> and a curb stop leak on January 3<sup>rd</sup>.

Commissioner Morse arrived at 5:31 P.M.

**Commissioner Stromme** – The Police Lieutenant said everything was fine.

**Commissioner Morse** – The City Engineer said the steering committee for the downtown improvement project will meet at 4:00 P.M. tomorrow.

The City Engineer stated the snow removal policy needs to be reviewed and updated. Currently, there are inefficiencies in the snow removal process. The City has several pieces of equipment for snow removal with the two blades with snow gates and the two loaders with snowblades and snow gates being the main pieces. If the pieces work in tandem, the City would be able to go curb to curb with two passes. Using this techniques and utilizing personnel from Public Utilities, Streets and maybe Sanitation, the City could go into a storm operation mode. The priority routes would be identified, and done first. From there secondary routes, downtown and street/avenues would be cleaned. The City Engineer thinks the entire town could be cleaned within thirty-six hours using a storm operation mode. Crews would work twelve hours on and twelve hours off. The City would have to utilize the equipment and personnel that it has. No ticketing would occur in the residential areas during the storm operation mode. Upon exiting the storm operation mode, the City would go back to normal operation mode with street/avenue cleaning. Ticketing in the residential areas would occur during normal operation mode. Discussion followed on driveways, homestead credit, billing owners for private lots downtown pushing snow into the public right-of-way, city maintained sidewalks, operational status of the two snow blowers, the age of the snow blades and gates and the possibility of leasing snow equipment through Caterpillar.

Consensus of the City Commission was to update the policy for the next meeting.

**President Johnson** - The Public Utilities Supervisor said everything was fine in the Sewer Department.

The City Auditor stated everything was fine.

The City Administrator said everything was fine.

The Fire Chief stated there were a couple of fires over the holidays, but nothing too serious. The fishing tournament is coming together.

The City Attorney said everything was fine.

The 1<sup>st</sup> reading of Ordinance No. 951 – mandatory alcohol server training was held.

Liz Bonney of Lake Region District Health asked for the ordinance to state that everyone would need a ND certification and not a certification from another State. She also stated Lake Region District Health would email updated lists after every class to the effected establishments.

Discussion followed on what individuals needed to be trained and on what programs were acceptable for certification.

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

1. Gaming site authorization submitted by Devils Lake Rural Fire Department, Inc for January 25, 2018 through January 27, 2018 at the Memorial Building - 524 4th Ave NE;
2. A permit to sell alcoholic beverages at a special event submitted by Razor's Edge for ND Pond Hockey and the Devils Lake Blue Line Club public dance on February 10, 2018 and the ND Cornhole Tournaments on February 11, 2018 at the Memorial Building; and
3. A public dance permit submitted by Devils Lake Blue Line Club for February 10, 2018 at the Memorial Building.

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

Commissioner Robbins moved to appoint election workers for the special election: Terry Johnston, Inspector; Grace Steffen, Judge; Sylvia Loehr, Judge; Carol Kuntz, Clerk and Dianne Mikkelson, Clerk. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Administrator reviewed the commission vacancy and name placement on the ballot and the sales tax measure. He questioned if the ballot should contain a dollar amount for the activity center. Right now, the ballot says the tax will be on there until the debt for the activity center is paid. It does not limit the dollar amount to be used for the activity center. A 30-year bond would finance a 15 to 18 million dollar project. The last amount presented for the activity center was 24 million dollars. Also, the City Administrator asked if the City Commission was comfortable with the language and if the language was clear enough for the increase in sales tax. Discussion followed on the percentages and fractions used and if the measure could be split into two separate questions. Consensus of the Commission was to rewrite the wording of the sales tax measure and to hold a special meeting on Monday, January 22, 2018 at noon to approve the ballot for the special election.

Commissioner Stromme moved to table the ballot for the special election on March 13, 2018. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Attorney recommended voting on the joint powers agreement and the resolution at the same time as the ballot.

Commissioner Stromme moved to table the joint powers agreement between the City of Devils Lake and the Devils Lake Park Board and to table the resolution to hold a special election on March 13, 2018 as recommended by the City Attorney. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Stromme moved to approve the 2018 mileage rate of \$.545 if using own vehicle because City vehicle is unavailable or \$.18 if using own vehicle and City vehicle is available as of January 1, 2018. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Morse moved to approve the Pledge of Assets and a Certified Copy of the Board of Directors Meeting minutes submitted by Bremer Bank and Ramsey National Bank and Trust Company as recommended by the City Auditor. At this time no City funds are deposited with American Bank Center, Horizon Financial Bank, US Bank or Western State Bank. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Administrator reviewed the memorandum on changes in the Public Ways Department. Based on an assessment of the department and the retirement of the Supervisor, the Senior Operator was placed on paid

administrative leave. During the interim Mike Holden has agreed to take on the Senior Operator position. The City Engineer has also agreed to have Public Works Director added to his duties.

The City Attorney reviewed the separation agreement for Greg Schwab. The agreement is similar to the one used for the former Police Captain. The agreement gives the employee three months of paid administrative leave with employment ending March 31, 2018.

The City Administrator has spoken with the employee's attorney, and he has indicated the employee will sign the agreement. The employee has 21 days to accept the agreement.

Commissioner Robbins moved to approve the separation agreement and release of claims for Greg Schwab as recommended by the City Attorney. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Administrator requested to move Mike Holden from a 9c to an 11C since he is assuming a lot more responsibility.

Commissioner Morse moved to approve a salary adjustment for Mike Holden while he is acting as the Senior Operator from a 9C to an 11C as recommended by the City Administrator. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Administrator asked to make a change to the Grade 22 salary schedule. He worked with the human resource consultant on the pay change. The schedule would move the amount from Step B to Step AA and recalculate the steps.

Commissioner Stromme moved to approve the change to the Grade 22 salary schedule as recommended by the City Administrator. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Administrator indicated he would like to move the City Engineer from a 22N on the old schedule to a 22L on the new schedule. Most of the larger cities have both an engineer and a public works director. Devils Lake would be combining the two positions so it would justify an adjustment to the City Engineer's salary.

Commissioner Stromme moved to approve adding Public Works Director to the City Engineer's duties and adjusting the salary from 22N on the old schedule to a 22L on the new schedule as recommended by the City Administrator. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Administrator stated they are reviewing the job descriptions for two positions, and will be advertising for the Senior Operator and an Operator.

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

President Johnson acknowledged the following reports:

1. 4<sup>th</sup> quarter economic data;
2. Fire Department monthly report; and
3. Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:35 P.M.

**LINDA LYBECK**  
**CITY AUDITOR**

**RICHARD S. JOHNSON**  
**PRESIDENT**