

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD APRIL 2, 2018

The regular meeting of the Devils Lake City Commission was held Monday, April 2, 2018 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Shane Hamre, Rick Morse and Dale Robbins. Commissioner Craig Stromme was absent.

Pledge of allegiance was recited.

Commissioner Morse moved to approve the minutes of the regular City Commission meeting held March 19, 2018 and of the Canvassing Board meeting held March 19, 2018. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to review final language to amend Chapter 17.78 Temporary Uses of the Municipal Code. President Johnson noted the Devils Lake Planning Commission tabled action on this request.

Commissioner Hamre moved to table action on the change to the zoning ordinance that regulates temporary uses such as greenhouses as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Theresa Leiphon, American Association of University Women (AAUW), reviewed information about the pay gap between men and women and requested April 10th be proclaimed as Equal Pay Day.

Commissioner Robbins moved to sign a proclamation proclaiming April 10, 2018 as “Equal Pay Day” and urging the citizens of Devils Lake, North Dakota to recognize the full value of women’s skills and significant contributions to the labor force and further encourage businesses to conduct an internal pay evaluation to ensure women are being paid fairly. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Tanya Wieler, Human Resource Consultant, reviewed changes to the personnel policy and the service awards and retirement recognition program. Consensus of the City Commission was to move forward with the changes and to review the changes at the May 7th City Commission meeting.

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

The City Assessor stated everything was fine.

Commissioner Robbins – The Public Utilities Supervisor said everything was fine in the Water Department.

The Public Ways Supervisor stated Leroy Shereck has been hired for the cemetery position. He already has his CDL, public health and weed certifications. It is being requested to hire him at a Grade 9D.

Commissioner Robbins moved to approve hiring Leroy Shereck for the cemetery position at a Grade 9D. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Morse – The Public Ways Supervisor stated the department has been patching, and the sweeper is ready to go.

The City Engineer said all the positions in the street department are now filled.

The City Engineer stated plans for the downtown project are still being worked on.

President Johnson - The Sanitation Supervisor said garbage was moved out to the streets, and there will be free landfill for City residents next week.

The Police Chief said the department inherited the double-wide trailer from the Law Enforcement Center. It will be used as a training platform and destroyed.

The Police Chief stated it is texting and driving awareness month so extra enforcement will be done.

Officer Chad Engen has been asked to be an instructor for a federal government class for active shooter training in North Carolina. Discussion followed on the school resource officer and how prepared Devils Lake is in the case of an active shooter.

Commissioner Hamre moved to approve out-of-state travel for Officer Chad Engen to attend active shooter training in North Carolina. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Auditor stated a request for the forgiveness of a late fee was received from CHI.

Commissioner Robbins moved to deny forgiving the late fee of \$36.02 on the CHI account. The motion was seconded by Commissioner Hamre. Commissioner Morse abstained. The motion carried.

The City Administrator inquired if the City Commission was interested in having a joint meeting with the County Commission to hear an update on the Forward Devils Lake director position. Consensus of the City Commission was for the City Administrator to schedule a meeting with the County Commission to discuss Forward Devils Lake.

Suzie Kenner, Executive Director of Devils Lake Convention & Visitors Bureau, appeared before the City Commission to present the 2017 Tourism Report. The following items were discussed:

1. Restaurant tax being over the budgeted amount, but the lodging tax being down due to less construction work in the area;
2. Highlighting the in-town amenities;
3. Mobile units;
4. Ramp access;
5. Great Lakes Outdoor Writers conference;
6. Attendance at 4 sport shows;
7. Hosting the Master Wally Circuit
8. Placed ads;
9. Trend towards mobile use;
10. Media sharing drive – google drive;
11. Events calendar;
12. Facebook use; and
13. National Walleye Tournament.

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

1. Game of chance permits for the month of March 2018, and
2. Transient merchant permit submitted by Two Rivers Outfitters, Ben Murphy dba Oof-da Tacos for food concessions to be held May 30, and 31, 2018 and June 1, and 2, 2018 at Leever's Supermarket, 807 Hwy 20 South.

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

The first reading of Ordinance No. 952- Sales tax was held

The City Engineer reviewed the cost participation agreement for 5th Ave NE and 14th St NE. The project would be cost shared 80% federal and 20% local. The total maximum is at \$1,032,000.00. The actual estimate is much less than that. The City's share (20%) plus engineering would be approximately \$275,000.00.

Commissioner Hamre moved to approve the cost participation, construction and maintenance agreement for Project SH-3-982(035) with the ND Department of Transportation for milling, hot mix asphalt, sidewalk and ADA ramps for 5th

Ave NE (6th St NE to North City Limits) and 14th St NE (College Dr to E City Limits) as recommended by the City Engineer. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Robbins moved to approve the 2018 Loan Agreement between the National Museum of the United States Air Force and the City of Devils Lake for the period from April 1, 2018 and ending March 31, 2019 for displaying an airplane at the Devils Lake Regional Airport. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Morse moved to approve the first supplement to post-issuance compliance and policy for bond issues as recommended by the City Administrator. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed the preliminary report for Street Improvement District No 66-18.

Commissioner Morse moved to approve the preliminary report for Street Improvement No 66-18 (2nd Ave NE between 10th St and 14th St, 3rd Ave NE between 11th St and 12th St, 4th Ave NE between 12th St and Ruger St, Ruger St NE between 4th Ave and 5th Ave) as recommended by the City Engineer. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The City Engineer reviewed the preliminary report for Street Improvement District No 68-18.

Commissioner Robbins moved to approve the preliminary report for Street Improvement No 68-18 (15th Ave NE between Walnut St and 3rd St, 2nd St NE between 14th Ave and 15th Ave, 3rd St NE between 14th Ave and 140 feet east of 15th Ave, 5th St NE between 14th Ave and Heartland Ave) as recommended by the City Engineer. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Robbins moved to approve funding for the second quarter of 2018 for the Lake Region Heritage Center in the amount of \$6,590.00 to be paid from general fund (1000-000-55170). The motion was seconded by Commissioner Hamre. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer stated Street Improvement District No 67-18 will be bid through the Department of Transportation with a May bid opening.

Commissioner Hamre moved to approve the resolution approving plans and specifications and directing advertisement for bids for Street Improvement District No 67-18 (5th Ave NE from 6th St to north city limits and 14th St NE from College Dr to east city limits). The motion was seconded by Commissioner Morse. The City Engineer stated the special assessment probables are ready to send. The motion carried unanimously.

Commissioner Robbins moved to approve the resolution approving preliminary report and directing preparation of plans and specifications for Street Improvement District No 66-18 (2nd Ave NE between 10th St and 14th St, 3rd Ave NE between 11th St and 12th St, 4th Ave NE between 12th St and Ruger St, Ruger St NE between 4th Ave and 5th Ave). The motion was seconded by Commissioner Morse, and the motion carried unanimously.

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President Johnson acknowledged the following reports:

1. 2017 year end financial report; and
2. 2018 first quarter economic data.

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

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:00 P.M.

**LINDA LYBECK
CITY AUDITOR**

**RICHARD S. JOHNSON
PRESIDENT**