

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD JUNE 4, 2018

The regular meeting of the Devils Lake City Commission was held Monday, June 4, 2018 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Craig Stromme, Rick Morse, Dale Robbins and Shane Hamre. None were absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held May 7, 2018. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

5:30 P.M. - This was the time set for the bid opening for custodial service at city office. No bids were received. Discussion followed on contacting the current provider to see if they are willing to continue providing custodial service.

5:30 P.M. - This was the time set for a public hearing to review a request to change zoning from highway commercial to single family residential for a parcel of land described as Outlot plat 05-0097 - located on Hwy 20 S. Hearing and receiving no comments, President Johnson closed the public hearing.

The City Assessor reviewed the owner's plans and the other zoning in the area.

Commissioner Robbins moved to approve a request to change zoning from highway commercial to residential single family for a parcel of land described as Outlot 05-0097 and located on Hwy 20 S and submitted by Gary and Rose Wilhelmi, as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Hamre – The Public Utilities Supervisor requested to rent a tractor to use for the mower. The other tractor is hooked up to the sprayer. It would cost \$3,837.50 for eight months. It is a government contract rate offered through the local John Deere dealership.

Commissioner Hamre moved to approve renting a tractor from Leading Edge of Devils Lake, ND to use for the mower for eight months at a cost of \$3,837.50 contingent upon the City Attorney reviewing the agreement as recommended by the Public Utilities Supervisor. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Assessor stated everything was fine.

Commissioner Stromme –The Police Chief said Devils Run went well.

The Police Department employees wanted to thank the City Commission for the employee recognition program.

The Sanitation Supervisor stated everything was fine.

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

Commissioner Morse – The City Engineer said work on 5th Ave and 14th St should start in a couple of weeks.

President Johnson – The City Administrator stated on the 4th Tuesday in June, June 26th, the new commissioners will be sworn in and the reorganizational meeting held.

The City Administrator said a rating call was held with Moody's. The rating of A2 will stay the same.

The Fire Chief stated the employee recognition program was great.

Two firefighters are going to Baltimore for haz-mat training.

The City Attorney stated everything was fine.

The City Engineer recommended awarding the 2018 asphalt and street repair bid to Tri-State Paving for all items except for the hot mixed asphalt.

Commissioner Stromme moved to award the 2018 asphalt and street repair to Tri-State Paving for paver patch at \$150/ton, asphalt street repair (5") at \$90/ton, asphalt street repair (7") at \$110/ton, asphalt street opening (5") at \$90/ton and asphalt street opening (7") at \$110/ton. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Engineer recommended awarding the 2018 Curb, Gutter & Sidewalk bid to Elshaug Concrete Construction.

Commissioner Robbins moved to award the 2018 Curb, Gutter & Sidewalk bid to Elshaug Concrete Construction LLC of Devils Lake, ND in the amount of \$64,728.75 as recommended by the City Engineer. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Engineer recommended rejecting all the 2018 Sand, Gravel and Rip Rap bids. The bids did not comply with the bid requirements. The dollar amounts are small and fall under the requirements for bidding.

Commissioner Hamre moved to reject the 2018 Sand, Gravel and Rip Rap bids as recommended by the City Engineer. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Engineer recommended awarding the street improvement bid to the low bidder, Mayo Construction.

Commissioner Stromme moved to award the Street Improvement Districts 66-18, 68-18 and 57-17 bid to Mayo Construction Company Inc of Cavalier, ND in the amount of \$558,031.30 as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed the information for Downtown Improvement District 01-18. The steering committee met after meeting with concerned individuals. Changes were made to save twelve parking spaces. The adjustment to the bulb outs to save parking spots would be considered additional work and would be at an additional cost above the current contract. The current contract was hourly to a maximum. The maximum has been met. DOT will not be opening bids until October now, so construction will not start until 2019. The plans will need to be to DOT in January. The new plans should be ready in two to four weeks. DOT funds have been committed to the project. The contract with KJL for the plans would need to be amended to add \$24,700.00. Discussion followed on the engineering costs – the amounts and when incurred.

Commissioner Robbins moved to approve adjusting the contract with Kadmas, Lee & Jackson Inc for engineering and professional services for the downtown project in an amount not to exceed \$24,700.00 as recommended by the City Engineer. The motion was seconded by Commissioner Morse. Discussion followed on the amount and reason for the contract change. The motion carried unanimously.

The City Engineer reviewed the water purchase agreement with Greater Ramsey Water District (GRWD). The agreement allows for GRWD to use 400 gpm. The agreement addresses raw water capacity increases in the future. GRWD would own 13.79% of the system and would share in future capital expenditures. The agreement also includes a service area and how annexations into the City would be handled.

Discussion continued on the amount of the buy-in, the rate to city residents, the number of wells running, the cost share discount being different between NRWD and GRWD (difference due to the annexation of land into City and the ability of GRWD to service the City), the water distribution costs, amount of water allowed by the State permit, the amount of water each entity might need, and the amount of grant funds GRWD might receive. The Commissioners discussed the amount of the buy in.

Commissioner Robbins moved to approve the buy in amount for the water purchase agreement with Greater Ramsey Water District at \$1.1 million. The motion was seconded by Commissioner Stromme. Discussion followed on peak capacity and annexation areas. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Stromme moved to approve compensating Greater Ramsey Water District \$4,000.00 for each GRWD customer that becomes served by the City. The motion was seconded by Commissioner Morse. On roll call all Commissioners vote aye, and the motion carried.

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

1. Game of chance permits for the month of May 2018;
2. Three gaming site authorizations submitted by Devils Lake Blueline Inc for July 1, 2018 through June 30, 2019 at the following locations: Devils Lake Elks 1216 – 425 Hwy 2 W, Old Main Street Café – 416 4th St NE and Razor's Edge LLC – 711 Hwy 19 W;
3. Three gaming site authorizations submitted by Devils Lake Rural Fire Department Inc for July 1, 2018 through June 30, 2019 at the following locations: Great American Inn & Suites – 1116 Hwy 2 E; Pop's Package Store – 924 Hwy 2 E and Ye Olde Tavern – 410 4th Ave N; and
4. Public dance permit for the Casey and Carly Reardon wedding dance on September 8, 2018 at the Memorial Building; and
5. Permit to sell alcoholic beverages at special event submitted by Ye Olde Tavern for the Casey and Carly Reardon wedding dance on September 8, 2018 at the Memorial Building.

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

Commissioner Stromme moved to approve a Resolution to Set the Limit of Liability on the Commercial Blanket Bond of the City of Devils Lake in the amount of \$2,000,000 as recommended by the City Administrator. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Stromme moved to approve the resolution of sponsorship and the resolution concerning handicapped access for the IOOF CDBG project. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Scott Privatsky, Superintendent of Devils Lake Public School District, reviewed the current memorandum of understanding with the City for a part-time school resource officer for 9 months of the year. The school district is interested in adding a second school resource officer. It would cost approximately \$80,000.00 for another officer. The school district is willing to increase their contribution from \$10,000.00 to \$50,000.00.

The Police Chief stated the current resource officer fills shifts when the Police Department is short staffed. With a second officer, there would always be at least one officer at the school. Discussion followed on staffing at the Police Department.

Commissioner Stromme moved to approve hiring an additional school resource officer with the Devils Lake Public School District contributing \$50,000.00 the next school year as recommended by the Police Chief. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Assessor reviewed the request to purchase a Roundhouse lot and the requirement for moving in a house.

Commissioner Robbins moved to approve selling Lot 3, Block 5, Roundhouse Subdivision for \$2,000.00 to Mary Kraft contingent upon the submission of the required petition for moving in a house and building permit with the stipulation that the lot be built on within two years as recommended by the City Assessor. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

Commissioner Stromme 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 7:05 P.M.

**LINDA LYBECK
CITY AUDITOR**

**RICHARD S. JOHNSON
PRESIDENT**