

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD AUGUST 6, 2018

The regular meeting of the Devils Lake City Commission was held Monday, August 6, 2018 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Dale Robbins, Shane Hamre, Rob Hach and Jacob Volk. None were absent.

Pledge of allegiance was recited.

Commissioner Volk moved to approve the minutes of the regular City Commission meeting held July 16, 2018 and of the special City Commission meetings held July 11, 2018, July 12, 2018 and July 30, 2018. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Karen Nick, Lake Region Community Shelter, appeared before the City Commission to request funding of \$10,000.00 per year for the homeless shelter. The history of the shelter, services provided, demographics of individuals served, and hours of operation were reviewed.

Commissioner Volk moved to approve funding of \$5,000.00 for 2018 for the Lake Region Community Shelter. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Volk – The Public Ways Supervisor noted the mosquito traps in July contained mosquitoes with the West Nile Virus; however, the last 2 tests were negative. The mosquito count has gone down, and the City is still spraying.

The Public Ways Supervisor stated the Street Department is painting and patching this week. Also most of the temporary summer help at the cemetery will be done this week.

Commissioner Robbins - The City Engineer reviewed the following:

1. Preconstruction meeting for the mill and overlay on 2nd Ave, 3rd Ave, 4th Ave and south of Heartland Care Center was held. The contractor will start next week. The completion date is in September.
2. Work on 5th Ave and 14th St has not started yet and has a completion date in September.
3. NDDOT had given the west underpass contractor 72 days to close Highway 20 which would be to mid-August. The contractor is allowed extra days for extra work which would allow Highway 20 to be closed through the end of August. The contractor would like to keep it closed until mid-September. The City Engineer met with the adjoining businesses, and they would prefer to keep the road closed and get the work done. Discussion was held on contacting the schools and college about keeping Highway 20 closed and on the possibility of using flaggers. The roadway completion date is scheduled for this year. Consensus of the City Commission was to allow the City Engineer to negotiate with NDDOT and the contractor for the west underpass on the number of days for the underpass to be closed.
4. The Veterans Ride Service, funded by the City, won an award, and Commissioner Volk will accept the award on September 16th.

The Police Chief stated Christon Dallas has been hired as the school resource officer and will start August 13, 2018.

Discussion was held on parking tickets being issued consistently in order to prevent issues and on the feasibility of having a Street Department employee fill-in if Sam is gone.

The Police Chief presented the fireworks report. The officers received 15 calls between 11:00 P.M and midnight for the period of July 1st through July 5th. The City Commission discussed reviewing the fireworks ordinance, limiting fireworks to July 2nd, 3rd and 4th and forming a committee to review the issue. The consensus of the City Commission was to have the City Administrator and City Attorney review the fireworks policy and report back at the next meeting.

Commissioner Hach – The Sanitation Supervisor stated the landfill will be open on August 11th from 9:00 AM to 1:00 PM and is free for city residents with can service.

The City Assessor stated he would be in Bismarck next week for the State Board of Equalization.

Commissioner Hamre – The Public Utilities Supervisor requested hiring a new employee at a Grade 7 Step D due to his experience.

Commissioner Robbins moved to approve hiring David Johnson for the Public Utilities Department at a Grade 7 Step D as recommended by the Public Utilities Supervisor. The motion was seconded by Commissioner Hamre. It was noted the employee will receive a step if the probation period is completely satisfactory. The motion carried unanimously.

The Public Utilities Supervisor stated the open house hosted by Northeast Regional Water District (NRWD) has been changed to Aug 22nd.

The City Engineer stated the water tower was inspected and no big issues were found. The water tower will not need to be painted next year.

The City Engineer requested to move NRWD commitment agreement to portfolios since he needed to leave for another meeting.

The City Engineer reviewed the letter of commitment from Northeast Regional Water District regarding a potential study to evaluate alternatives to the Missouri River for rural systems to access additional water as part of the Red River Water Supply Project. The City's share of the study would be \$11,364.00. Some of the entities listed had requested money for industrial use. The study will evaluate this alternative for water, but it will not tell whether this is the best alternative for the City. A concern with the study is what engineering firm will be used so as not to get a bias result.

Commissioner Hamre moved to approve the letter of commitment for a study to evaluate alternatives to the Missouri River for rural systems to access additional water as part of the Red River Water Supply Project with the City's share at \$11,364.00 with discussion on engineering firms as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Hamre had contacted Lara Prozinski about her students streaming the City Commission meetings. The meetings could be streamed live on Facebook and/or uploaded to YouTube. Discussion followed on if having a camera present would change the platform and complexion of the meetings and the meetings being held at a time when most people can attend.

President Johnson entertained a motion to video the City Commission meetings. President Johnson called for a motion 3 times. The issue died for the lack of a motion.

President Johnson – The City Auditor stated everything is fine.

The City Administrator said everything was fine.

The Fire Chief reported on the following:

1. Street light project started this morning and should be completed by Thursday.
2. The exhaust system on all the trucks was completed today.
3. The Street and Sanitation Departments assisted with the fire on Friday.
4. Fire Department assisted with a semi accident on Thursday.

The City Attorney stated when Biofiber asked the City if they could remove equipment from the industrial park building, they were given permission to if they reimbursed the City for rent and damages. A demand letter had been sent, and the individual finally called. He would like to sell the equipment before paying the City. There is no way for the City to know if and when he sells the equipment. The consensus of the City Commission was to proceed with suing for the money.

The City Administrator reviewed the 2019 Budget Overview. The \$650,000.00 for painting the water tower was removed, and he will add \$10,000.00 for the Lake Region Community Shelter. Discussion followed on having a flat increase versus

a percentage increase for the cost-of-living. Consensus of the City Commission was to have the personnel committee review the cost-of-living increase. The dollar amount will be the same so the dollar amount in the preliminary budget will not change.

Commissioner Hach moved to approve the 2019 preliminary budget with the addition of \$10,000.00 for the Lake Region Community Shelter. The motion was seconded by Commissioner Volk. It was noted the water fee will be discussed in December when the rates and fees are reviewed. The motion carried unanimously.

Dennis Lyon, Regional Area Manager for Utility Service Partners, presented information on the service line warranty program endorsed by the National League of Cities. United Service Partners administers the program. The warranty program is on a month-to-month contract with a 30-day waiting period. Discussion followed on coverage offered, benefits to the city, how the program operates, area contractors, the rates being standard among the states, and on if the HomeServe is the same company used by MDU. Clarification on HomeServe will be presented at the August 20th meeting.

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

1. Game of chance permits for the month of July 2018;
2. Reappointing Rodger Haugen as a member of the Devils Lake Planning Commission for a five-year term expiring June 30, 2023; and
3. Reappointing Dennis Olson as a member of the Devils Lake Regional Airport Authority for a five-year term expiring June 30, 2023

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

The City Assessor reviewed the request to purchase a lot in the Roundhouse Subdivision.

Commissioner Hach moved to approve selling Lot 1, Block 11, Roundhouse Subdivision for \$2,000.00 to Andrew Johnson with the stipulation that the lot be built on within two years as recommended by the City Assessor. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

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

President Johnson acknowledged the following report:

City Auditor monthly report.

The City Administrator will review the airport hangar rent.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:56 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT