

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD APRIL 20, 2020

The Devils Lake City Commission held a web hosted meeting on Monday, April 20, 2020 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Dale Robbins, Rob Hach and Jacob Volk. Commissioner Shane Hamre was absent.

Commissioner Volk moved to approve the minutes of the regular City Commission meeting held April 6, 2020, the special City Commission meeting held April 10, 2020 and the Board of Equalization meeting held April 14, 2020. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to review a request for a change in zoning from agricultural to suburban single family residential for a parcel of land adjacent to the southeasterly boundary of Wilcox Subdivision located on County Rd 1. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Volk moved to approve a change in zoning from agricultural to suburban single family residential for a 16-acre parcel of land adjacent to the southeasterly side of Wilcox Subdivision contingent on the purchase of the property recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Hach –The City Assessor stated he is retiring at the end of the month. The Commission expressed their gratitude for his years of service.

It was noted the spring special pickup starts next Monday, and the landfill will be open for city residents this Saturday.

Commissioner Volk - The Street Department is working on alleys and will go back over them after the special pickup is done. Temporary workers have started. A burial was held at the cemetery with the service by the shop.

Commissioner Robbins – The City Engineer reviewed the downtown banner proposal.

Commissioner Volk moved to approve the proposed banner and flag project for downtown as recommended by the City Engineer. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Also, discussed was the light work being done downtown, bid openings , the watermain project on 8th St, viaduct erosion control, the accident damaging the via duct, and not being able to move the walk control signal due to ADA guidelines.

The Police Chief reported Sergeant Bonney resigned. Two new officers will start May 1st.

Discussion followed on how to handle parties of more than 10 people. Consensus of the City Commission was to charge the house owner with disorderly house which is a misdemeanor and has a \$500.00 fine.

President Johnson – The Public Utilities Department repaired water breaks on 2nd St near Odd Fellows and on 6th St near St Olaf.

The City Auditor stated everything was fine.

The City Administrator gave an update on the City's financial situation. There could be a \$500,000.00 short fall by the end of the year. Discussion has been held on changing the budget deadline. The airport has been awarded \$16 million through the CARES Act.

The Fire Chief announced the cancellation of the fire convention in June in Devils Lake, reported on the local response meeting with EMS, and indicated training is being done by video.

The City Attorney said everything was fine.

The 2nd reading of Ordinance No 967 – Visitors Committee was held.

Commissioner Hach moved to approve Ordinance No 967 – Visitors Committee an ordinance, which upon adoption shall amend the ordinance which has been codified as section 3.09.020 of the Devils Lake municipal code. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Discussion was held on extending the resolution establishing a moratorium on alcohol delivery sales with food orders from entities that have a city on sale license since it expires today.

Commissioner Robbins moved to approve extending the resolution establishing a moratorium on alcohol delivery sales with food orders from entities that have a city on sale license until the moratorium is rescinded by the City Commission. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

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

1. Appointing Peter Jerome, Jr as a member of the Devils Lake Planning Commission for a term expiring June 30, 2022;
2. Fireworks permit submitted by Marks Fireworks/Mark Olson;
3. Gaming site authorizations submitted by Lake Region Community College Foundation of Devils Lake from November 1, 2020 through February 28, 2021 at Devils Lake Sports Center – 1601 College Dr N;
4. Gaming site authorization submitted by Neathery Simensen Post #756- VFW of US from July 1, 2020 through June 30, 2021 at VFW Club – 314 3rd Ave NE;
5. Change of date for gaming site authorization submitted by Rotary Club of Devils Lake from May 31, 2020 to July 12, 2020;
6. Gaming site authorization submitted by Rotary Club of Devils Lake for June 6, 2021 at Roosevelt Park – 4th St SW; and
7. Change of date for parade permit for Devils Run from May 30, 2020 to July 11, 2020.

The motion was seconded by Commissioner Robbins. It was noted the activities for Rotary are motorcycle raffles. The motion carried unanimously.

The City Administrator presented the plan for reorganization of the assessing department since the City Assessor, Gary Martinson, is retiring at the end the month. Discussion was held on the hourly rate.

Commissioner Hach moved to approve the reorganization plan for the assessing department which moves Mark Lange to a 17H and Dustin Willey to a 11E and to approve a general consulting services agreement for Gary Martinson as recommended by the City Administrator. The motion was seconded by Commissioner Robbins. On roll call Commissioners Hach, Robbins and President Johnson voted aye. Commissioner Volk voted nay. The motion carried.

The City Engineer requested to table the creation and grant of covenants needed for the embankment.

The City Engineer reviewed the trade-in program being offered by Ironhide for the toolcat. Discussion followed on this being considered a purchase of a new piece of equipment for around \$46,000.00, the value of the program, the availability of the program for other equipment owned by the City, and on the items not being budgeted.

Commissioner Volk moved to approve participating in the Ironhide Municipality yearly trade program, and to trade in the current toolcat for a new toolcat with Bobcat of Devils Lake as a sole source provider as

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

Commissioner Robbins moved to approve the amendment to the ND Department of Transportation Agreement for Temporary Highway Closure to close ND Highway 19 (Jct US 2 to ND 20) from 6:00 A.M. on July 11, 2020 to 3:00 P.M. on July 12, 2020 for the Devils Run car show as recommended by the City Engineer. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

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

President Johnson acknowledged the following report:
Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:30 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT