

MINUTES OF THE DEVILS LAKE CITY COMMISSION
MAY 02, 2022

The regular meeting of the Devils Lake City Commission was held on May 2, 2022 at 5:30pm with the following members present: President Johnson, Rob Hach, Jack Volk, Dale Robbins, and Shane Hamre.

Commissioner Hach moved to approve the minutes of Board of Equalization held on April 14, 2022. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk moved to approve the minutes of the regular City Commission meeting held on April 18, 2022. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Hach moved to approve the minutes of the Auditor Interviews held on April 20, 2022. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Administrator opened bids for 2022 Curb, Gutter & Sidewalks. The only bid was from Elshaug Concrete Construction LLC. The City Attorney confirmed Elshaug Concrete Construction LLC has a Class A Contract License issued from the State of North Dakota and provided a check. Elshaug Concrete Construction LLC bid came in at \$62,782.00. Commissioner Volk motioned to refer them to the Engineer for a review. Commissioner Hach seconded the motion and the motion carried.

The City Administrator opened bids for 2022 Concrete and Asphalt Street Repair. The first bid was from Strata Corporation. The City Attorney confirmed they have a Class A Contract license issued from the state of North Dakota and they are bonded. Strata Corporation's bid came in at \$116,722.50. The second bid was from Tri-State Paving Incorporated. The City Attorney confirmed Tri-State Paving Inc had a Class A Contract License in the State of North Dakota and they provided a certified check. Tri-State Paving's bid came in at \$80,400.00 they did not bid on three of the line items – this is part of the reason for the difference. Commissioner Volk motioned to refer them to the Engineer for review. Commissioner Robbins seconded the motion and the motion carried.

There were no visitors or delegations.

Commissioner Robbins – The City Engineer gave an update on the Engineering Department's work on design and application for funding for summer projects.

The LEC sent out the bill for their portion of the SORN project and it was sent out for this meeting. There was a discussion on the cost sharing for the SORN project and the status of the agreement. It was noted that the LEC borrowed money for the equipment that they had purchased and with that they receive a 2.5% interest rate. This is the lowest interest rate that they had found. The Acting City Auditor and the City Administrator communicated that the agreement had been finalized in the past and that the agreement has the allocations in it. From the materials provided it was communicated that the LEC borrowed the money from the State Bank of Lakota. Commissioner Volk asked why they didn't lend with US bank as they had a lower interest rate. Commissioner Robbins said they did not remember why US Bank was not chosen.

Commissioner Volk – The City Engineer communicated that they are aware of the state of the alleys and potholes that need filling. Commissioner Volk said he received a number of complaints on alleys and said the taxpayers deserve better alleys. The City Engineer stated they were aware of the state of the alleys. Commissioner Hamre spoke about the paving of alleys and Commissioner Volk referred to

previous conversations with the City Engineer on mixing asphalt chips with gravel. Further discussion on how to improve the alleys ensued. Commissioner Volk and the City Engineer conversed on the long-term strategy for the alleys and the previous 8-year improvement plans.

Commissioner Hach – The Public Works director gave an update on Special Pick-up week operations. Commissioner Hamre said he got a few calls from constituents that had flooding in their basement and advocated that the City do their best to assist those with disposal of their damaged property as part of special pickup operations.

Commissioner Hamre – The Public Works Director said operations were going smoothly in the Public Utilities Department.

President Johnson - The Acting City Auditor updated the Commission on City staff's desire to change the pay periods to every 2 weeks from 2 times a month. Payroll would hit every other Friday – so payroll would be run every Wednesday. It would go from 24 paychecks per year to 26 paychecks a year. The new system has electronic time sheets and employee portals. Employees will be able to get what they need out of that portal. Commissioner Robbins made the motion to amend the pay periods from twice a month to every two weeks and to let the administration decide when this would be most beneficial to change. Commissioner Volk seconded the motion, and the motion was carried unanimously.

The City Administrator thanked former City Assessor Mark Lange for his 35 years at the City of Devils Lake and thanked the Acting City Auditor for everything he is doing and taking on quite a few tasks making the office more efficient. He also thanked the Sanitation Department for all they do with Special Pickup and all the work they do to make it happen.

President Johnson mentioned that CHI was supposed to have communicated a plan for the hospital moving forward. He said the state got a letter on CHI's plan and President Johnson expressed that it was far short from what is expected. CHI planned on redoing their Emergency Room in 2015 and nothing has been done as of today. Discussion continued about the hospital.

The City Attorney said the City will need to publish the title and penalty clause should they approve the ordinances for discussion later in the meeting agenda.

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

- Fireworks Permit – Mark Olson
- Fireworks Permit – Memory Firework
- Extension of Premises Application – Ye Olde Tavern

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

Recommendation for Utility Pickups – The City Engineer said they had \$60,000 in the budget to purchase new vehicles. Commissioner Hamre advocated that it would be best to buy locally and rebid it. Discussion continued about the purchase of new vehicles and whether to pay more if the business would stay local or to take the lower bid from the State Fleet bid to save money. Commissioner Robbins motioned to reject the recommendation and to rebid. Commissioner Hamre seconded the motion, and the motion carried unanimously.

Recommendation for Award City Project 220101 – Street Improvement District 78-22 – The City Engineer recommended to award the bid to Strata Corporation. Commissioner Volk motioned to approve the recommendation. Commissioner Hamre seconded the motion and the motion carried unanimously.

Recommendation to Award City Project 220101 – Water Main Improvement District 27-22 – The City Engineer recommended to award the bid to Kemper Construction. Discussion continued on the Water Main Improvement District 27-22. Commissioner Volk motioned to approve the recommendation. Commissioner Robbins seconded the motion and the motion carried unanimously.

Authorize Call for Bids – Skid Steer – The City Engineer gave a background on the bid and said the Fire Chief could use a Skid Steer at his shop for snow removal if needed. He said they could move a Skid Steer from Sanitation once a new one is purchased. Commissioner Hach motioned to approve the authorize call for bids-Skid Steer. Commissioner Volk seconded the motion and the motion carried unanimously.

Property Tax Exemption – 1207 2nd Ave NW – Commissioner Hach said this item is a standard situation as previous exemptions that have been approved in the past. Commissioner Robbins motioned to approve the property tax exemption. Commissioner Hamre seconded the motion and the motion carried unanimously.

2nd and Final Reading of Ordinance 977 – Tobacco and Vaping – Commissioner Hamre motioned to approve the 2nd and Final Reading of Ordinance 977 – Tobacco and Vaping. Commissioner Volk seconded the motion, and the motion carried unanimously.

2nd and Final Reading of Ordinance 978 – Use of Seatbelts – Commissioner Volk motioned to approve the 2nd and Final Reading of Ordinance 978 – Use of Seatbelts. Commissioner Robbins seconded the motion and the motion carried unanimously.

2nd and Final Reading of Ordinance 979 – Child Restraint Devices – Commissioner Hamre motioned to approve the 2nd and Final reading or Ordinance 979 – Child Restraint Devices. Commissioner Volk seconded the motion and the motion carried unanimously.

Commissioner Robbins moved to approve the list of bills as submitted. The motion was seconded by Commissioner Volk. The motion carried unanimously on a roll call vote.

TERRY JOHNSTON
ACTING CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT OF CITY COMMISSION