

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD JUNE 17, 2019

The regular meeting of the Devils Lake City Commission was held Monday, June 17, 2019 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 June 3, 2019 and of the special City Commission meeting held June 12, 2019. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

5:30 P.M. – This was the time set for the public hearing on special assessments for Sidewalk Snow and Ice Removal. The letter from Sherry Walters was reviewed. Hearing and receiving no other comments, President Johnson closed the hearing.

Discussion followed on the procedure for contacting and on the policy being complaint driven.

Commissioner Volk moved to confirm the 2019 Sidewalk Snow and Ice Removal assessments. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk - The Public Ways Supervisor stated the following:

1. Mosquito spraying will start;
2. Crack sealing is finished;
3. Will start with hot mix;
4. Training was held this morning on the mini excavator; and
5. Mosquito aerial spraying is scheduled for July 2nd with an alternate date of July 3rd.

Commissioner Robbins – The City Engineer reviewed the following projects:

1. Hwy 2 – DOT is administering the contract. Intersections are being reconstructed for Hwy 19 and Hwy 20. Traffic signals will be replaced at Hwy 19, Hwy 20 and 5th Ave. The box culvert by Mac's Hardware will be replaced. Turn lanes will be expanded, and broken concrete panels will be replaced along with some small repairs. Discussion followed on the traffic flow and on issues with vehicles trying to turn left.
2. West underpass- Work is being done on the storm sewer at College Dr and 6thSt. Work should be completed in about a month. Discussion continued on the crosswalk signals which were an ADA requirement. DOT is looking to see if the one can be moved since it has been damaged twice already.
3. Downtown – Updates were provided on intersection closures and Phase I.
4. The City Engineer inquired if the supervisors needed to attend all City Commission meetings. Consensus of the City Commission was the supervisors did not need to attend if they had no agenda items.

The City Engineer reviewed change order 2 for the downtown project. KLJ was hired to perform construction administration and has a laboratory in Devils Lake so an aggregate laboratory is not needed.

Commissioner Volk moved to approve Change Order No. 2 for Ti-Zack Concrete Inc for the downtown project for the removal of the aggregate laboratory for a net decrease in the amount of \$11,000.00 and no additional calendar days as recommended by the City Engineer. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The Police Chief stated resources are being used at Spirit Lake to assist with the body discovery of a missing person.

Commissioner Hamre – The City Engineers said there was an issue on Walnut with a sewer. Ottetail Power was trenching in a line by Odd Fellows and hit the line. There was also a water break on 5th Ave NE. It was noted 2.3 million gallons of water are being used per day.

Commissioner Hach – The Sanitation Supervisor said everything was fine.

The City Assessor stated the day care building has issues with the air conditioner. One compressor and one fan are shot. He requested a proposal from Johnson Controls since they have been maintaining the air and heating systems. The air unit is 40 years old. To replace the parts in the old condenser it would cost \$6,800.00, and it would still be using the old R22 Freon which is being phased out. To replace the unit with a new Trane unit that uses the old R22 Freon would be \$20,290.00. To install new coils and a 15 ton unit with the new Freon R410A would cost \$31,840.00. It would take a minimum of three weeks to replace the whole unit. The City Assessor would like to declare an emergency and accept the proposal from Johnson Controls. Discussion followed on requesting proposals from the local vendors.

Commissioner Hamre moved to declare an emergency and to request proposals for replacing the air system at the day care building with the City Assessor choosing the best proposal. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

President Johnson - The City Auditor stated everything was fine.

The City Administrator reviewed the budget meeting schedule, the implementation of the new employee evaluation software and on the accounting software conversion.

The Fire Chief stated a \$9,000.00 grant was awarded from the Devils Lake Area Foundation for an educational tool. Also, he has applied to DES for a \$60,000.00 grant for stabilization equipment.

The Fire Chief reported eleven people tested on Saturday for the fire fighter 1, and ten people passed.

The City Attorney said everything was fine.

Commissioner Volk moved to approve the following consent agenda with the parade permit being contingent on the City Engineer approving the parade route due to the downtown construction:

1. 2019-2020 permit/license applicants effective July 1, 2019 through June 30, 2020;
2. Appointing Brad Barth to the Devils Lake Renaissance Zone Authority for a term expiring on June 30, 2020 and Richard Johnson, Sandy Shively and Barbara Britsch to the Devils Lake Renaissance Zone Authority for terms expiring June 30, 2022;
3. Appointing Paul Bourcy, Deb Follman and Terry Thompson to the Devils Lake Shade Tree Committee for three-year terms expiring June 30, 2022;
4. Parade permit submitted by Devils Lake Fire Department for July 4, 2019 starting at 11:00 A.M.; and
5. Three gaming site authorizations submitted by Devils Lake Blue Line Club July 1, 2019 through June 30, 2020 at the following locations: Devils Lake Elks #1216 – 425 Hwy 2 W; Old Main Street Café – 416 4th St NE; and Razors Edge LLC – 711 Hwy 19 W.

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

The City Administrator reviewed the infrastructure loan information for the City to borrow funds for the Downtown project. Interest is at 2%. The project was split into two loans – one for \$800,000 which is the amount to be assessed, and the other for \$1,180,000.00.

Commissioner Hamre moved to approve the Sales Tax Revenue Bond, Series 2019, the closing certificate, the loan agreement, and the resolution providing for the issuance and sale of City of Devils Lake, North Dakota, Sales Tax Revenue Bond, Series 2019 for \$1,180,000.00 and to approve the Definitive Improvement Warrant, Series 2019, the closing certificate, the loan agreement, and the financing resolution for the \$800,000.00 infrastructure loan administered by the Bank of North Dakota for the Downtown project. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed change order 1 for the downtown project. Additional concrete work is needed. Eighty percent of the cost will be paid with State/Federal funds with the City paying the remaining 20%. Discussion followed on

the inlets costs, using colored, stamped concrete for the crosswalks, issue with the concrete supplier, mixing of designs and a color issue.

Commissioner Robbins moved to approve Change Order No. 1 for Ti-Zack Concrete Inc for the downtown project for additional concrete replacement and for a decrease in the colored concrete for a net increase in the amount of \$114,798.00 and an additional 10 calendar days as recommended by the City Engineer. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Volk moved to approve the contract with the North Dakota State Tax Commissioner for the collection of city sales, use and gross receipts taxes for the period July 1, 2019 through June 30, 2021 as recommended by the City Administrator. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Administrator reviewed the request from Forward Devils Lake, and recommended only providing \$40,000.00 at this time since not all of the funds have been collected.

Commissioner Hamre moved to approve the 2019 funding for Forward Devils Lake in the amount of \$40,000.00 as recommended by the City Administrator. The motion was seconded by Commissioner Volk. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Hamre 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 reports:

1. City Auditor monthly report; and
2. Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:33 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT