

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD AUGUST 19, 2019

The regular meeting of the Devils Lake City Commission was held Monday, August 19, 2019 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.

Pledge of allegiance was recited.

Commissioner Volk moved to approve the minutes of the regular City Commission meeting held August 5, 2019. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk – The City Engineer reported on the following:

1. Painting is being done in the school zones, downtown and at the west via duct;
2. Hot mix will be available next week for patching;
3. The contractor is working on installing the decorative medallions on the west via duct;
4. Work on Walnut will start the beginning of September; and
5. Aerial spraying is scheduled for September 2nd. Discussion followed on mosquito counts and ground spraying.

Commissioner Volk reminded everyone of the Forward Devils Lake meeting on Wednesday at CoJack Pack and Snack, and he updated the Commissioners on the marijuana dispensary.

Commissioner Robbins – The City Engineer reviewed the work on the downtown project, 8th St NE and Walnut. Discussion followed on the Department of Transportation's Hwy 2 project and on the installation of traffic lights.

The Police Chief reported on the active shooter exercise at the high school, the SWAT golf tournament and the school resource officers.

Commissioner Hach – The City Assessor attended the State Board of Equalization last week in Bismarck.

President Johnson – The City Engineer stated an employee in the Public Utilities Department resigned. He also noted the water usage by Greater Ramsey was dropping off.

The City Engineer discussed the signage to be installed at the recycling center.

The City Auditor stated everything was fine.

The City Administrator said everything was fine.

The Fire Chief stated the battle of badges starts Wednesday.

The City Attorney said everything was fine.

Tanya Wieler, Human Resource Consultant, reviewed the investigation and administrative leave policy.

Discussion continued on the following:

1. Giving discretion to the department head on whether leave will continue after the internal investigation is complete;
2. If the employee under investigation can be moved to different job duties;
3. Having the employee turn in keys to city owned/leased facilities;
4. Adding benefits paid to the policy;
5. Who approves placing the employee on leave;
6. Who decides if the leave is paid or unpaid; and

7. Giving the City Administrator the authority to place the employee on leave with it being brought to the next city commission meeting for confirmation.

Tanya Wieler reviewed the recommendation for the grade change for the accounts payable/payroll clerk. Based on the salary survey and review of the duties performed a grade reclassification is not recommended. Discussion followed on the comparison of job duties to similar positions.

Commissioner Volk moved to change the grade classification for the accounts payable/payroll clerk to a Grade 10. Discussion continued on the current salary and benefits of the position and on the different duties of the clerks. President Johnson called for a second to the motion three times. The motion died for the lack of a second.

Commissioner Robbins moved to table the request for a grade change for the accounts payable/payroll clerk until all five commissioners are present. The motion was seconded by Commissioner Hach. Commissioners Robbins, Hach and President Johnson voted aye. Commissioner Volk voted nay. The motion carried.

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

1. Appointing Eric Kaeding as a member of the Board of Adjustment for a three-year term expiring June 30, 2022 and Rick Jorgenson as an alternate member of the Board of Adjustment for an one-year term expiring June 30, 2020;
2. Authorizing the City Auditor to cancel Check No 116589 dated June 4, 2019 in the amount of \$15.93 to Christon Dallas (General – Police Department - Permanent Salaries) - the check was lost and will be reissued;
3. A permit to sell alcoholic beverages at a special event submitted by Proz Inc for a wedding reception and dance for Chris Dahlen and Paige Sandvik to be held September 7, 2019 at the memorial building;
4. Reappointing Rob Hach and Jeff Frith as members of the Devils Lake Regional Airport Authority for five-year terms expiring June 30, 2024; and
5. A taxicab license submitted by Brandon Mathiason dba DL Transportation LLC.

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

Commissioner Robbins moved to approve the 2019 mileage rate of \$.58 if using own vehicle because City vehicle is unavailable or \$.20 if using own vehicle and City vehicle is available. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Engineer reviewed change order #4 for the downtown project. Core samples are needed and were not included in the bid items. Also, a light base by the delivery entrance for Leever's needs to be moved.

Commissioner Volk moved to approve Change Order No. 4 for Ti-Zack Concrete Inc for the downtown project for the addition of a cored sample and to relocate a concrete light standard for a net increase of \$4,300.00 as recommended by the City Engineer. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Robbins moved to approve payment of Estimate No. 1 to Elshaug Concrete Construction for 2019 Curb, Gutter and Sidewalk in the amount of \$25,274.54 as recommended by the City Engineer. The motion was seconded by Commissioner Volk. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer stated payment 1 was for work completed on 8th St to date.

Commissioner Volk moved to approve payment of Estimate No. 1 to Strata Corporation for Street Improvement District 69-19 in the amount of \$158,908.44 as recommended by the City Engineer. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Volk moved to approve 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.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:40 P.M.

**LINDA LYBECK
CITY AUDITOR**

**RICHARD S. JOHNSON
PRESIDENT**