

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD SEPTEMBER 3, 2019

The regular meeting of the Devils Lake City Commission was held Tuesday, September 3, 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 August 19, 2019. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to review a request for a conditional use permit to allow an above ground fuel tank at 211 National Guard St at the Airport. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Volk moved to approve a conditional use permit submitted by Jess Brekke to place a 2,000 gallon above ground fuel tank at 211 National Guard St NW at the Devils Lake Airport as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to review a request for a conditional use permit to place a propane tank at Mac's Hardware at 704 Hwy 2 E. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Robbins moved to approve a conditional use permit submitted by Mac's Hardware to place a 1,000 gallon above ground propane tank at Mac's Hardware at 704 Hwy 2 E as recommended by the Devils Lake Planning Commission. 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 to amend an existing conditional use permit and conditions attached to it that allow a manufactured home in residential medium density zoning at 724 6th St SE. Discussion followed on the one objection received. Hearing and receiving no other comments, President Johnson closed the public hearing.

Commissioner Volk moved to approve leaving the original conditional use permit in place allowing a mobile home at 724 6th St SE, amending the conditional use permit to remove the condition that the mobile home would have to be moved if the original occupant in 2003 was not residing there, and adding a condition that the existing mobile home can't be replaced with another mobile home as recommended by the Devils Lake Planning Commission and submitted by Stacy Sabbe. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Hamre – The City Engineer stated the Corps of Engineers will be here later this month for another inspection.

Commissioner Hamre updated the City Commission on the fireworks display for next year. Commissioner Hamre had contacted Hollywood Pyrotechnics and Pyrotechnic Display both from Minnesota. Hollywood Pyrotechnics would have the show on July 4th and buy all new electronics and boards. It would cost \$20,000.00. Pyrotechnic Display is booked for the 4th, but could do the show on July 3rd or 5th. Commissioner Hamre had inquired if the show could be held on the 4th if the City had its own guys to run the show. A couple of volunteers would be willing to do the show and would actually become employees of Pyrotechnic Display. Pyrotechnic Display would carry all the insurance. The cost would be whatever the City decides as of now that would be \$13,500.00.

Consensus of the City Commission was to go with Pyrotechnic Display for the fireworks show to be held July 4, 2020.

Commissioner Hach – The City Assessor stated everything was fine.

Commissioner Volk – The City Engineer stated the street department is waiting for hot mix to patch. Tri-State Paving will be back to finish up projects. The city crew is fixing signs and getting equipment ready for winter.

The City Engineer noted material had been hauled and leveled at the cemetery.

Discussion followed on some of the downtown street signs being hard to read which may be due to a different lettering style.

Discussion continued on the pavement markings on College Dr. The life expectancy for inlaid tape is 7 to 8 years.

Commissioner Robbins – The City Engineer stated 8th Ave & 9th St should be finished tomorrow. The bottom lift for Walnut should be done this week with asphalt being placed next week.

President Johnson - The City Auditor stated everything was fine.

The City Administrator requested out-of-state travel for the Municipal Judge to attend training in Minneapolis, MN on October 3rd.

Commissioner Robbins moved to approve out-of-state travel for the Municipal Judge to attend training in Minneapolis, MN on October 3, 2019 as recommended by the City Administrator. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Robbins stated all the other entities provided the amount of funds requested for the Law Enforcement Center (LEC). He was wondering how the City should be billed since the amount approved for the LEC was less than requested and includes the amount for boardings. The other entities are billed at the beginning of the year. Discussion followed on the LEC needing to streamline operations, on charging less than what it costs to house an individual at the reentry center, on keeping 911 versus switching to state radio, and on the possibility of having an outside consultant review the jail to see what could be done to improve operations.

The Fire Chief said the Fire Department won the battle of the badges - 123 to 95.

The City Attorney said everything was fine.

The Accounts Payable/Payroll Clerk appeared before the City Commission to request a grade change from an 8N to a 10N. Discussion continued on the current salary and benefits of the position and on the different duties of the clerk.

Commissioner Volk moved to approve changing the accounts payable/payroll clerk's grade to a 9N. The motion was seconded by Commissioner Hach. Discussion followed on the possible effects regarding other employees if the request was approved. On roll call Commissioners Volk, Hamre and President Johnson voted aye. Commissioners Hamre and Robbins voted nay. The motion carried.

The investigation and administrative leave policy was reviewed. Discussion was held on assigning the employee to other duties and if refusing the other duties leads to leave being without pay. Also discussed was adding back the commission affirming the decision at the next city commission meeting.

Commissioner Hamre moved to table the investigation and administrative leave policy until the City Attorney adds the changes. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

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

1. Game of chance permits for the month of August 2019; and
2. Appointing Shane Diseth as a member of the Devils Lake Parking Authority for a five-year term expiring June 30, 2024.

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

The City Administrator stated the stop loss premium on the 2020 BlueCross BlueShield contract increased 13.7%.

Commissioner Volk moved to approve the stop-loss contract with BlueCross BlueShield for the 2020 plan year as recommended by the City Administrator. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Engineer reviewed change order #5 for the downtown project. The seal coat and pavement markings to be installed in asphalt areas will be completed in the 2020 construction season.

Commissioner Volk moved to approve Change Order No. 5 for Ti-Zack Concrete Inc for the downtown project for the seal coat and pavement markings to be installed in asphalt areas during the 2020 construction season with the completion date for the seal coat being changed to June 20, 2020 and the completion date for permanent stripping in asphalt areas being changed to July 15, 2020 as recommended by the City Engineer. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The City Engineer reviewed the request from the curling club for recycled asphalt.

Commissioner Robbins moved to approve providing 25-30 yards of recycled asphalt to the curling club. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Hamre 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.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:45 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT