

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD SEPTEMBER 7, 2021

The regular meeting of the Devils Lake City Commission was held September 7, 2021 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 Hamre moved to approve the minutes of the regular City Commission meeting held August 16, 2021. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Volk – The Public Ways Supervisor prepared a list of items to be declared as surplus and sold online.

Commissioner Robbins – The City Engineer reported the mill and overlay should be completed late next week. Discussion followed on the number of millings stockpiled, and what the plans were for using or disposing of them.

The water tower contractor is onsite. Work is being done on the inside and the hand railing outside. The completion date is scheduled for October 1, 2021, but it will be a tight schedule. The contract does provide for liquidated damages.

Work is progressing on the lift station by Walmart. The concrete forming walls have been placed.

The Police Chief reported on the School Resource Officers being back at the schools, attendance at a showing of products by Axon, and work done at the range.

Commissioner Hamre inquired about having a chip reader at the pound to identify pets. Discussion followed on the number of different readers and chips, the cost associated with purchasing readers, and other ways to identify owners of pets. The Animal Control Officer will be contacted about the pros and cons of obtaining chip readers.

Commissioner Hamre – The City Engineer stated the pumps are working well while the tower is offline. Water usage is also down due to the current rain.

Discussion followed on the fuse in the treatment plant that blew and the protocol for what to do when this happens.

Commissioner Hach – The City Engineer said Sanitation will have free dumping for residents at the landfill the week of September 13, 2021.

The City Assessor said the Planning Commission will be meeting to consider a conditional use permit for a daycare center in the Southgate building. They will also look at rezoning lots at the end of 16th St S.

President Johnson - The City Auditor requested to appoint Nan Jager as an alternate to the Special Assessment Commission.

Commissioner Robbins moved to appoint Nan Yager as an alternate to the Special Assessment Commission for an unexpired term ending April 30, 2023 as recommended by the City Auditor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Auditor requested out-of-state travel for the auditing staff to travel to Provo UT for training on the accounting software.

Commissioner Robbins moved to approve out-of-state travel for the auditing staff to travel to Provo UT for accounting software training the week of September 20, 2021. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Administrator reported everything was fine.

It was noted everything was fine in the Fire Department.

The City Attorney said everything was fine.

6:00 P.M. – This was the time set for a public hearing for the 2022 City of Devils Lake Budget.

Cindy Kraft requested an explanation of the budget. Discussion followed on what services are provided by the City, the amount of property taxes received by the City, and that the City is only a small portion of residents taxes. Dale Kraft stated raising taxes every year is not sustainable. He is disappointed in the lack of snow removal on his street and inquired about a safety net for not raising taxes. Hearing and receiving no other comments, President Johnson closed the public hearing.

Commissioner Volk moved to approve the 2022 budget as recommended by the City Administrator. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk moved to approve the following items for Public Works as surplus and offer them for sale: 1979 Chevy Cheyenne 3 ton truck, 1985 Ford 1.5 ton boom truck w/fixed equip, 1994 Ford L8000 truck, 1975 International 2.5 ton truck, 2003 Dodge Ram 1500 pickup, 1979 Fiat Allis Payloader 645B, 1999 Kelly-Creswell paint striper, 1999 John Deere F925 mower with deck/snowblower & cab, 2008 E2020 XT Hiway sander with spill guards, 2002 XT Hiway sander with spill guards, 1964 Davis backhoe, 2007 HP Compaq NX9420 laptop computer, various Christmas ornaments, one way truck snowplow w/mount, bikes, small v dump trailer, small 3 point box blade, Merry Tiller Scotsman 2012, JD chainsaw, Jonsered chainsaw, misc. gas cans, (2) Husky Push mowers, tire lift, Bobcat snowblower model FCTSB62 with mount, sod cutter, (6) snapper push mowers, 140 gallon metal tank, TV & VCR stand, Emerson DVD/VCR, Sanyo 25" color TV, Campbell Hausfeld air compressor, Lanier LD015spf copier and HP Deskjet 130 color printer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The 2nd reading of Ordinance No 975 – minors in licensed premises was held. Discussion followed on item 2E regarding the owner needing permission and if it should be excluded from the ordinance .

Commissioner Hamre moved to approve Ordinance No 975 –minors in licensed premises and to omit 2E with an effective date of October 1, 2021- An ordinance which upon adoption shall be codified as section 5.24.155 of the Devils Lake Municipal Code. 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. Authorizing the City Auditor to cancel Check No 120935 dated July 7, 2021 in the amount of \$849.00 to Lincoln Marketing Inc (Airport-Non-departmentalized-Publishing/Printing/Advertising)– the check was lost in the mail and will be reissued; Check No 121101 dated August 3, 2021 in the amount of \$50.00 to ND Dept. of Environmental Quality (Sanitation-Sanitation Operation-Education & Training & Water-Water Treatment Plant – Education & Training) - the vendor requires separate checks and payments will be reissued; Check No 121185 dated August 16, 2021 in the amount of \$202.47 to Leever's Foods North (General-Fire Department-Miscellaneous Expense, General-Planning-Miscellaneous Expense, General-Non-departmentalized-Miscellaneous Expense, General-Police Department-Miscellaneous Expense, Airport-Non-departmentalized-Miscellaneous Expense) - check included a non-city invoice and will be reissued; and
Check No 121221 dated August 16, 2021 in the amount of \$525.43 to Track Inc (Sewer-Embankment-Equipment Maintenance) - the check included payment for an invoice previously paid and the check will be reissued;
2. Permits for the month of August 2021;
3. Permit to sell alcoholic beverages at a special event submitted by Thirsty's Bar for Tyson Ackerman's wedding on October 2, 2021 at the Memorial Building; and

4. Permit to sell alcoholic beverages at a special event submitted by Thirsty's Bar for Madison Barstad's wedding October 9, 2021 at the Memorial Building.

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

The City Engineer discussed the deducts and videoing sewer laterals regarding the change order for Kemper Construction.

Commissioner Volk moved to approve Change Order No 3 Kemper Construction for Watermain Improvement District No 25-20 – 8th St NE as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Hamre moved to approve the loan loss allowance policy as recommended by the City Auditor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Robbins moved to approve payment of Estimate No. 2 to Elshaug for the 2021 Curb, Gutter & Sidewalk in the amount of \$24,482.78 as recommended by the City Engineer. The motion was seconded by Commissioner Volk. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Volk moved to approve payment of Estimate No. 3 to Strata Corporation for the citywide mill and overlay in the amount of \$64,505.15 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 Robbins moved to approve payment of Estimate No. 8-Final to Kemper Construction for Watermain Improvement District 25-20-8th St NE in the amount of \$11,969.42 as recommended by the City Engineer. The motion was seconded by Commissioner Hamre. On roll call all Commissioners voted aye, and the motion carried.

The public service seller agreement and payment processing agreement will allow the City to sell surplus items online instead of in person. The City Attorney has reviewed the agreements and made the necessary changes.

Commissioner Volk moved to approve the Public Surplus seller agreement and the PayMac Inc agreement for payment processing as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Assessor reviewed the requests to purchase city owned property.

Commissioner Robbins moved to declare parcel 39-0000-00337-000 as surplus and offer it for sale as recommended by the City Assessor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Robbin moved to declare parcel 39-1903-00026-000 as surplus and offer it for sale as recommended by the City Assessor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Volk moved to approve a temporary construction easement for North Dakota Department of Transportation for curb ramp at Lot 24 Block 160 Original Townsite. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Assessor stated the motion for selling the parcel next to State Farm has the incorrect parcel number.

Commissioner Robbins moved to amend the earlier motion and to declare parcel 39-1903-00029-000 as surplus and offer it for sale as recommended by the City Assessor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

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

President Johnson stated invitations have been received for the ribbon cutting at the Hofstad Ag Center on September 22nd and for the grand opening of Firebird Lane on September 10th.

After further review, the City Assessor stated the original motion had the correct parcel for the lot next to State Farm.

Commissioner Robbin moved to amend the earlier motion and declare parcel 39-1903-00026-000 as surplus and offer it for sale as recommended by the City Assessor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

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 7:05 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT