

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD SEPTEMBER 16, 2019

The regular meeting of the Devils Lake City Commission was held Monday, September 16, 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 September 3, 2019. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Liz Bonney, Lake District Health Unit, appeared before the City Commission to discuss e-cigarettes and vaping and to request the City Commission ban all vaping products within the city. Discussion continued on whether to ban all products or to ban products for those under 21 years of age. Consensus of the City Commission was to have the City Attorney research other ordinances and prepare sample ordinances.

6:00 P.M. – This was the time set for a public hearing for the 2020 City of Devils Lake Budget. Hearing and receiving no comments, President Johnson closed the public hearing.

The City Administrator reviewed the budgeted expenditures by funds and the history of mills.

Commissioner Hamre moved to approve the 2020 City of Devils Lake Budget as presented. The motion was seconded by Commissioner Hach. Vicki Beckstrom asked the City Commission to reconsider the structure of taxes. She would like the taxes to be based on income and not property. The motion carried unanimously.

Commissioner Hamre – The City Engineer reported on the following activities in the Utility Departments.

1. Water break on 4th Street between 6th and 7th Ave;
2. Advertising for an open position, and another employee is resigning at the end of September; and
3. Corps of Engineers will be here to inspect the dike.

Commissioner Hach – The City Assessor stated everything was fine.

The City Engineer indicated the Sanitation Department will start fall cleanup next week.

The City Engineer stated the Senior Meal alley will be patched and not milled and overlaid.

Commissioner Volk – The City Engineer noted the Street Department has been getting equipment ready for winter and will be painting this week.

Commissioner Robbins – The City Engineer reviewed the following projects:

1. Walnut Street – asphalt is being placed.
2. Hwy 2 will be four lanes before winter. There will be no gravel areas. Temporary traffic lights will be used until the permanent ones arrive, possibly in January. The turn lanes might not be completed before winter.
3. The completion date for the Downtown project is October 14th.

The Police Chief stated the Police Department has received overtime grants.

President Johnson - The City Auditor stated everything was fine.

The City Administrator had a request from a county to use the recycling center for paper. The City Administrator will check with the county on the volume of paper expected to be recycled. Once the volume is known, the City will need to

determine if we have the manpower to handle the additional paper, and a fee would need to be established for this service.

The Fire Chief requested to declare truck 202 as surplus and advertise it for sale with the proceeds of the sale to be used towards the purchase of a new truck.

Commissioner Volk moved to approve declaring truck 202 as surplus and advertise it for sale with the proceeds of the sale going towards the purchase of a new truck as recommended by the Fire Chief. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The Fire Chief requested to call for proposals for a new fire truck.

Commissioner Volk moved to approve calling for proposals for a new fire truck as recommended by the Fire Chief. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The Fire Chief stated Alvin Schroeder will be retiring on November 1st.

The City Attorney said everything was fine.

The investigation and administrative leave policy was reviewed.

Commissioner Volk moved to approve the investigation and administrative leave policy as presented by the City Attorney. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

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

1. Parade permit submitted by Devils Lake Public Schools for Saturday, September 21, 2019 at 10:00 AM;
2. A permit to sell alcoholic beverages at a special event submitted by Proz Inc for the Pheasants Forever Banquet open to ticketholders to be held October 5, 2019 at the Memorial Building; and
3. A permit to sell alcoholic beverages at a special event submitted by Proz Inc for the Lake Region State College key event open to ticketholders to be held October 18, 2019 at the Memorial Building.

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

Commissioner Robbins left the meeting at 6.35 P.M.

The first reading of Ordinance No. 961 – microbrewery was held.

Brad Barth, Forward Devils Lake Executive Director, appeared before the City Commission to discuss the Downtown Revitalization program and BND's Flex Pace program. The program would use in-kind from the downtown improvement project to secure funds from the Bank of North Dakota in order to buy down the interest on the loans.

Commissioner Hamre moved to approve the City of Devils Lake Downtown Revitalization Program as recommended by Forward Devils Lake. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Brad Barth reviewed the Devils Lake Region Small Business Revolving Loan Fund. The loans would range from \$5,000.00 to \$20,000.00. The Lake Region Growth Fund would need to provide \$50,000.00 for the next three years in order to fund the program. For the first year, approximately \$25,000.00 from the mini-grant fund would be used to fund the program so the amount from the Lake Region Growth Fund would only be \$25,000.00.

Commissioner Volk moved to approve the Devils Lake Region Small Business Revolving Loan Fund as recommended by Forward Devils Lake. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Hamre moved to approve payment of Estimate No. 2 to Elshaug Concrete Construction for 2019 Curb, Gutter and Sidewalk in the amount of \$15,921.67 as recommended by the City Engineer. The motion was seconded by Commissioner Hach. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer reviewed the final payment estimate for 8th Ave NE and 9th St NE. The total work completed is over the contract amount due to full depth repairs needed in some area. The final amount is close to the amount used for the probable special assessments.

Commissioner Volk moved to approve payment of Estimate No. 2-Final to Strata Corporation for Street Improvement District 69-19 in the amount of \$234,982.43 as recommended by the City Engineer. The motion was seconded by Commissioner Hamre. 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 Hamre. 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 6:55 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT