

Minutes of the Devils Lake City Commission
May 20, 2024

The regular meeting of the Devils Lake City Commission was held on May 20, 2024 with the following members present: President Moe, Dale Robbins, Jason Pierce, and Rob Hach.

Commissioner Hach moved to approve the minutes of the regular Commission meeting held on May 6, 2024. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Hope Center 10th Anniversary Proclamation – President Moe signed the proclamation and proclaimed Thursday, June 6th, 2024 to be Hope Center Hunger Awareness Day.

Recommendation of Concurrence Award – 8th Ave SE, 10th Ave SE, 16th St SE, 17th St SE – Commissioner Pierce made a motion to move this item to old business. Commissioner Hach seconded the motion, and the motion carried unanimously.

Devils Lake Planning Commission – Recommendation to Amend Chapter 17.56 of Devils Lake Municipal Code Zoning Regulations

Devils Lake Planning Commission – Recommendation to Make No Zoning Change

Commissioner Pierce made a motion to add Amachi Mentoring to the agenda. Commissioner Robbins seconded the motion, and the motion carried unanimously.

Amachi Mentoring – Brenda Bergsrud gave an update on Amachi Mentoring. She communicated how well the shelter is doing, how many beds they currently have and how many more she thinks they could have, mentioned that she has two school-aged people there and she has been in contact with the school, so they know about it. Commissioner Pierce asked about having the shelter in a different location, as he has been asked about that, and Brenda communicated that it would be difficult to do that since a lot of the people there do not have transportation and walk a majority of the places they go. Commissioner Pierce made a motion to release the \$10,000 contribution from the City. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

Commissioner Hach – The City Engineer communicated that the loan grant application was submitted for the automated garbage truck. The City Assessor communicated that people who live on Walnut St E and Hwy 2 should have received an assessment letter in the mail.

Commissioner Hamre - The City Engineering communicated that the Utility Department is working on flushing out the hydrants. If there is discoloration to your water, just let it run for a few minutes and it should go away, but if it does not contact the City Office.

Commissioner Robbins – The City Engineer communicated that there is not an update for the Street Department. The Engineering department is starting the watermain project on 8th Ave SE, 5th St SE, and 6th St SE. The Westside project will be starting later this summer.

Commissioner Pierce – The Fire Chief communicated that they have a full-time employee position open and that closes on Friday. He also mentioned that they have the fire convention in two weeks. They will be doing Fill the Boot again during Devils Run weekend at Leever's and Walmart. Commissioner Pierce mentioned that the Arbor Day celebration went very well.

The Police Chief communicated that they currently have one position open that will close at the end of the month. He also mentioned that Captain Harkness has been sworn in.

The City Administrator communicated that budget request memos were sent out to department heads. He also mentioned that he and Tanya, HR Consultant, are going over the salary plan.

The City Attorney communicated that he does not have an update.

Recommendation of Concurrence Award – 8th Ave SE, 10th Ave SE, 16th St SE, 17th St SE – The City Engineer communicated that bids were opened by NDDOT for this project on May 10th. There were two bids received. He recommended the City Commission concur with the NDDOT in awarding the bid to Gowan Construction in the amount of \$2,270,837.80. Commissioner Robbins made a motion to approve the recommendation. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

Contract Attorney Services – Jason Sayler, Traynor Law Firm – The City Administrator communicated that this agreement is with Jason Sayler with Traynor Law Firm. He mentioned that as stated in the agreement, it would be \$110,000 per year. The retainer may be reviewed by the City and the attorney during the term of this agreement to determine if the amount of the retainer is appropriate. He also mentioned that any legal services provided by the Attorney and not included in the retainer agreement will be at a reduced rate, which rate will be 2/3 of the normal billing rate of the Attorney. Commissioner Pierce made a motion to approve the contract for attorney services. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

Acknowledgement of Agreement – Devils Run – The City Engineer communicated that this agreement is to close ND19 from 6:00am on June 1, 2024 to 3:00pm on June 2, 2024. Commissioner Robbins made a motion to approve the agreement. Commissioner Pierce seconded the motion, and the motion carried unanimously. Commissioner Pierce asked about having the stoplights flashing during this time as well. Chief Toso and the City Engineer said they will look into this.

Signage – 2023-2024 Championships, Boys and Girls Basketball – The City Administrator communicated that there were two options discussed, rental of billboards along the Hwy 2 corridor for a short-term duration or a permanent sign located along the roadway on Hwy 2 that meets the aesthetics of the “Welcome to Devils Lake” signs. It was mentioned that a permanent sign would cost between \$50,000-\$75,000 in addition to potential future costs for alterations to the signs for any future championships to be recognized. Newman Signs provided options and pricing for billboard rentals around the area. They provided a 6-month rental of one 14' X24' billboard along Hwy 2 east of Devils Lake and one 14' X24' billboard along Hwy 2 west of Devils Lake that fits the goals of the proposed signage. The cost for the two billboards for 6 months will be \$9,975 and will be installed in June or July of this year, if approved. Commissioner Pierce made a motion to approve the signage. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

Governance Structure of Devils Lake Regional Airport – The City Administrator communicated that there are two models of airport governance in the state of North Dakota – Airport Authority and Airport as a department of a City. The Devils Lake Airport currently operates under the Airport Authority model. Other airport authorities in the state that operate as this are separate and distinct organizations, in which they provide their own administrative operations, employees, HR, financial reporting, payroll administration, etc. Over time, the City has taken responsibility of these functions on behalf of the airport. The City administers the airports finances,

payroll administration, retirement, health insurance, and all other benefits that the City offers. The airport operates under the City of Devils Lake EIN, which is turning problematic with the FAA. The FAA is asserting that the airport needs to have their own UEI – only one UEI number can be associated with the EIN number. He mentioned that there are two courses of action that will resolve the current situation:

- 1) The City and County undertake an effort to dissolve the Airport Authority and the City of Devils Lake assumes the airport as a department of the City.
- 2) The Airport Authority and City separate their current integrated relationship and the Airport Authority takes on the responsibility for their own administrative processes, payroll and benefit offerings, finances, etc.

It is proposed that the City of Devils Lake look to pursue a dissolution of the Airport Authority and assume the airport as a department of the City.

Geraldine Bingham approached the City Commission to talk about the empty lot that is next to her house. She communicated that she, along with family and friends, has been taking care of that lot for the past 15 years and she would like to purchase said lot. The City Engineer communicated that we would not be able to just sell it, but he can look into some options and bring them forward at a later time.

Commissioner Pierce moved to approve the list of bills as submitted. The motion was seconded by Commissioner Robbins. The motion carried unanimously on a roll call vote.

SPENCER HALVORSON
CITY ADMINISTRATOR/AUDITOR

JIM MOE
PRESIDENT OF CITY COMMISSION