

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
SEPTEMBER 8, 2015

The regular meeting of the Devils Lake City Commission was held Tuesday, September 8, 2015 at 5:30 P.M. with the following members present: President Johnson, Commissioners Tim Heisler, Craig Stromme and Dale Robbins. Commissioner Rick Morse was absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held August 17, 2015 and of the special City Commission meetings held August 18, 2015 and August 26, 2015. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Heisler moved to add the bid opening for the rubber membrane roof system for the Devils Lake Fire Department to the agenda. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This is the time set for the bid opening for the rubber membrane roof system for the Devils Lake Fire Department. The following bids were opened and read:

- |   |                       |                                  |
|---|-----------------------|----------------------------------|
| 1. Tecta America Dakotas – Devils Lake, ND<br>License # | Option A Bid \$61,637 | Option B Bid \$ No bid submitted |
| 2. A&R Roofing Co Inc – Fargo, ND<br>License # 1970 A   | Option A Bid \$79,700 | Option B Bid \$45,450            |

Commissioner Stromme moved to refer the bids for the rubber membrane roof system to the Fire Chief for further review and recommendation. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

**Commissioner Heisler** – The City Engineer reported that the drainage contract work has started. They are excavating to put the ditch in out by Ed's Bait. This will eliminate the need for a flood plain on the east side of Hwy 20. Further south on Hwy 20, more drainage improvements will be made. Culverts should be placed this month. The surface of Hwy 20 will not be impacted. The frontage road will be closed, but Highway 20 will be open. Three 36" pipes will be placed.

The City Assessor stated the reroofing project at the recycling center is being advertised. Bids will be opened at 3:00 P.M. on September 21<sup>st</sup>.

The City Assessor stated the City Commission had approved requests from Kevin Ruston & Kevin Kvalevog for lots in the Roundhouse. The lots have not been deeded yet. The one lot will be hard to build on so Kevin Rushton would like to switch that lot for a different lot.

Commissioner Heisler moved to approve exchanging Lot 3 Block 10 for Lot 1 Block 13 with Kevin Ruston as recommended by the City Assessor. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

**Commissioner Stromme** - The Police Chief said one officer was injured during an arrest. She is on light duty.

The Police Chief stated Interviews will be held on September 17<sup>th</sup> for the open position.

The Sanitation Supervisor indicated free landfill starts next week for two weeks, and then the fall special pickup begins.

**Commissioner Robbins** - The Public Ways Supervisor said the city surplus sale will be the last week in October.

The Public Utilities Supervisor said there was a water break on 15<sup>th</sup> St NE just off of College Dr. This area is scheduled to be pipe burst yet this fall.

**President Johnson** - The Public Ways Supervisor reported the sand/salt mixture and the sander are ready. Tri State Paving will be in town tomorrow to fix water break areas, and to paver patch other areas.

The Public Utilities Supervisor said everything was fine in the Sewer Department.

**President Johnson** – The City Auditor stated everything was fine.

The Fire Chief recommended approving the bid from Tecta America Dakotas for \$61,637.

Commissioner Stromme moved to approve awarding the bid for the rubber membrane roof system for the Devils Lake Fire Department to Tecta Dakotas America in the amount of \$61,637 as recommended by the Fire Chief. The motion was seconded by Commissioner Robbins. Funds for the project will come from the General Fund surplus. The project has a completion date of November 15, 2015. The motion carried unanimously.

Discussion followed on water in the water treatment plant after the last rain. There was water, but items are tarped so there was no major damage. The contractor could be on site this week to repair the roof on the water treatment plant.

The City Attorney said everything was fine.

The 2016 Budget Overview was reviewed.

Following are the significant items or changes discussed during the 2016 budget meetings.

1. 2% cost of living increase on January 1, 2016;
2. Police officer, detective, sergeant, captain and chief all moved up one grade;
3. Salary consultant will complete a comprehensive salary survey specific to Devils Lake;
4. Family insurance plan increased to \$1,450/month – shared at 80/20 – city pays \$1,160 and employee pays \$290;
5. Equipment purchases include pickup for \$25,000, utility camera for \$60,000, mower for \$20,000, dump truck for \$35,000, two police squad cars for \$75,000 and a dike mower for \$200,000;
6. Sewer charge increases from \$2.14/1000 gallons to \$2.54/1000 gallons;
7. Added one employee in Sewer Department;
8. Roll off rental charges and inert cubic yard charges will be increased;
9. Start reserving \$30,000 annually for future landfill expansion;
10. Residential utility account will increase approximately \$2.00/month;
11. \$850,000 budgeted in infrastructure for various projects;
12. Net decrease in mill levy of 3 mills;
13. Property tax dollars levied equals CPI for last ten years; and
14. Sales tax budgeted at \$3.3 million versus \$3.4 million in 2015.

Commissioner Stromme moved to approve the 2016 preliminary budget as presented. The motion was seconded by Commissioner Heisler. President Johnson stated the preliminary budget can be lowered, but not increased at the next meeting. The motion carried unanimously.

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

1. Authorizing the City Auditor to call for bids for installation of cemetery fence with bids to be opened on Monday, September 21, 2015 at 5:30 P.M. at the City Office as recommended by the Public Ways Supervisor;
2. Authorizing the City Auditor to cancel Check No 108229 dated August 18, 2015 in the amount of \$171.98 to Candlewood Suites of Bismarck (General-City Commission- Education & Training). The invoice was paid by employee, and a check was issued to him.
3. Game of chance permits for August 2015;
4. Parade permit submitted by Devils Lake High School for Saturday, September 19, 2015 at 10:00 A.M.;
5. Permit to sell alcoholic beverages at a special event and a public dance permit submitted by Thirstys Bar for the rodeo beer gardens to held September 25, 26, and 27, 2015 at the Burdick Arena and for the rodeo dance to be held September 26, 2015 at the Burdick Arena;
6. Permit to sell alcoholic beverages at a special event submitted by Thirstys Bar for a fundraiser for the Heritage Center to be held September 25, 2015 at the Heritage Center;

7. Permit to sell alcoholic beverages at a special event submitted by Thirstys Bar for the Kyle Everson and Joey Kurtz benefit to be held September 19, 2015 at the Memorial Building; and
8. Reappointment of Larry Schneider for a five-year term and Shane Diseth for a four-year term to the Parking Authority with terms expiring June 30, 2020 and June 30, 2019 respectively.

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

The 1<sup>st</sup> reading of Ordinance No. 930 – Lake Region Public Library was held.

The changes were requested by the Library Board. One major change would be the number of board members appointed by the City and the County. Currently, the City appoints 5 members and the County appoints 2 members. Since support from the County and City are pretty even, it is being proposed to have the City appoint 4 members, and the County appoint 3 members.

Discussion followed on the current vacancy where two individuals had sent letters of intent to serve on the board. The Library has received another resignation so there will be two openings.

The 1<sup>st</sup> reading of Ordinance No. 931 – Sunday Opening for Liquor Establishments was held.

The City Engineer reviewed the change order for the watermain project. The change order adds 1 ½ inch water service connection to the curb stop as a bid item; therefore, it is not an additional cost. Five thousand dollars was for additional pipe insulation on 8<sup>th</sup> St.

Commissioner Stromme moved to approve Change Order No. 1 for Murphy Pipeline Contractors Inc for Watermain Improvement District No. 24-15 – various locations for a net increase in the amount of \$11,975.00 as recommended by the City Engineer. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

The City Engineer reviewed the final plat for Braunagel 1<sup>st</sup> Addition. All utilities and roadway work for the public perspective will be included.

Commissioner Stromme moved to approve the final plat for Braunagel 1<sup>st</sup> Addition as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Rachel Lindstrom, Executive Director of Forward Devils Lake, appeared before the City Commission to request flex pace funding for Eastgate Industries LLC. The City's share would be \$50,000.00 to be repaid at the end of the fifteen year loan. The business will relocate from College Dr to the contractors' park on the east outskirts of town. The proposed project does not include job creation.

Commissioner Robbins moved to approve Flex Pace funding for Eastgate Industries LLC in the amount of \$50,000.00 as recommended by Forward Devils Lake. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Commissioner Heisler moved to approve payment of Estimate No. 3 to Elshaug Concrete Construction for 2015 Curb, Gutter & Sidewalk in the amount of \$12,697.82 as recommended by the City Engineer. The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer stated work has been completed adjacent to the middle school and 6<sup>th</sup> St S except for some patching. The contractor is currently working on 12<sup>th</sup> St. From 12<sup>th</sup> St, the contractor will go to 14<sup>th</sup> St, 15<sup>th</sup> St and Sweetwater Dr.

Commissioner Stromme moved to approve payment of Estimate No. 3 to Murphy Pipeline Contractors for Watermain Improvement District 24-15 – various locations in the amount of \$335,196.75 as recommended by the City Engineer. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer reviewed the easement request from Kenneth and Downey Larson to place a fence on city right-of-way. The fence would be located along 2<sup>nd</sup> Ave to College Dr. The bike path is located on this right-of-way, but there are no utilities in the right-of-way.

Commissioner Stromme moved to approve an easement to Kenneth and Downey Larson for 10' on a tract in the W1/2NE1/4 of Section 34, Township 154, Range 64 in the City of Devils Lake, Ramsey County, North Dakota for the sole purpose of constructing a fence as recommended by the City Engineer. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Heisler moved to approve funding for the year for the Retired & Senior Volunteer Program in the amount of \$5,100.00 to be paid from general fund (1000-000-55160). The motion was seconded by Commissioner Stromme. On roll call all Commissioners voted aye, and the motion carried.

Bill Fahey, Northland Securities, appeared before the City Commission to review the bond sale. The principal was reduced by \$5,000. The average coupon is 2.671% while the true interest cost is 2.749% and the all in cost is 2.930%.

Commissioner Robbins moved to approve the certificate of minutes relating to \$1,960,000 improvement warrants and the resolution creating the funds of improvement districts, providing for and appropriating special assessments for the support and maintenance of the funds, and authorizing the issuance of improvement warrants thereon. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Stromme moved to approve the certificate of minutes relating to \$1,960,000 refunding improvement bonds, series 2015A and the resolution authorizing the issuance of \$1,960,000 refunding improvement bonds, series 2015A, prescribing the terms and covenants thereof, and creating a fund for the payment thereof. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Bill Fahey stated this completes financing for several improvements, and at a future date the City may be able to refinance the two older debts to reduce the interest on those older bonds.

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

President Johnson acknowledged the following reports:

1. City Auditor monthly report; and
2. Police Department monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:15 P.M.

**LINDA LYBECK**  
**CITY AUDITOR**

**RICHARD S. JOHNSON**  
**PRESIDENT**