

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD AUGUST 15, 2016

The regular meeting of the Devils Lake City Commission was held Monday, August 15, 2016 at 5:30 P.M. with the following members present: President Johnson, Commissioners Ben Sander, Craig Stromme, Rick Morse, and Dale Robbins. None were absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held August 1, 2016, of the special City Commission meeting held July 29, 2016 and of the budget City Commission meeting held August 9, 2016. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

**5:30 P.M.** – This was the time set for the bid opening for a pipeline television inspection system. The following bid was opened and read:

Flexible Pipe Tool Company - St Joseph, MN Bid \$69,500.00

Commissioner Morse moved to accept the bid as read, and refer it to the Public Utilities Supervisor for further review and recommendation. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

Jessica Ramey was unable to appear before the City Commission tonight.

**Commissioner Robbins** – The Public Utilities Supervisor said everything was fine in the Water Department.

The Public Ways Supervisor stated bricks should start being laid for the cemetery fence on Wednesday.

The Public Ways Supervisor asked if the City Commission wanted to aerial spray for mosquitoes for Labor Day. It has always been an option, but the City has never had to use it. Out of \$43,000.00 budgeted for mosquitoes, \$38,000.00 has been spent. Three barrels of chemical have been ordered and will cost \$10,000.00. Aerial spraying will cost approximately \$8,500.00.

Commissioner Morse moved to approve aerial spraying for Labor Day weekend. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The Public Ways Supervisor stated they are on the third round of larvicide. The department has been spraying at night. They could start spraying in the mornings too, but it is only half as effective as the evening, and it costs about \$1,000.00/time. Discussion followed on people needing to remove water in backyards, on the possibility of the Grand Forks Air Base performing the aerial spraying and on the mosquito traps count from the previous week.

**Commissioner Morse** –The City Engineer stated everything was fine.

The Public Ways Supervisor said during the week of Sept 18<sup>th</sup> employees from Public Ways, Public Utilities and Sanitation will assist Shade Tree with cutting trees. Trimming was also discussed.

**Commissioner Sander** – The Public Utilities Supervisor stated there was more overland flooding last week on the Hwy 2 corridor. There was also water behind Sweetwater School; therefore, he requested approval to clean the ditch from Ruger Park to Hwy 2 by Cenex. Six thousand dollars is available in the budget; however, it would cost about \$18,000.00. The City Administrator stated funds could come from the sewer separation account.

Commissioner Sander moved to approve declaring an emergency and to have Public Utilities get the east drainage ditch cleaned. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Assessor stated everything was fine

**Commissioner Stromme** - The Police Chief said everything was fine.

The Sanitation Supervisor reported everything was fine.

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

The City Administrator said everything was fine.

The Fire Chief stated everything was fine.

The City Attorney said everything was fine.

The letter from the VFW was reviewed in regards to the former Devils Lake Kids building. The City Attorney stated if the value is over \$2,500.00 then it needs to be sold at a public sale or listed with all the realtors. The estimated value is \$300,000.00.

Commissioner Stromme moved to approve having the City Assessor meet with a realtor to get a listing price for the former Devils Lake Kids building and listing the building with all the realtors at the listing price. The motion was seconded by Commissioner Sander. Discussion followed on the daycare equipment both inside and outside of the building. Consensus of the City Commission was to list the property without the equipment. The motion carried unanimously.

The City Engineer reviewed the Northeast Regional Water District (NERWD) water purchase agreement. The maximum daily amount to be treated and delivered is 600 gallons/minute which equates to 864,000 gallons/day. With this agreement, the City will get pipes at the new industrial park. The design is not completed yet. All improvements to the City system will be approved by the City. If the City wants to expand in the future, NERWD would share in the improvements for the raw water transmission system. The City has invested \$18 million for the wellfield, transmission line and treatment plant. NERWD will contribute a little over \$3.4 million as a buy-in to the system. The City would be reimbursed for future capital expenditures. The rate to be charged to NERWD is what it costs the City. If the City wanted to improve the quality of water beyond the minimum standards, NERWD would pay its' share. If water needed to be rationed, the restrictions would be proportionate. The term of the agreement is 40 years which is the maximum allowed by the State. NERWD is only buying into the water supply and treatment. The City Engineer reviewed water usage trends and future usage predictions. Also discussed was that NERWD has the capability to control peak usage through their Nekoma site, who maintains pipes going out of town on the north and bidding the facilities on August 25<sup>th</sup>.

Commissioner Stromme moved to approve the water purchase agreement between the City of Devils Lake and the Northeast Regional Water District contingent on the review and approval by the City Attorney on the addition of wording that indicates NERWD can control the peak usage by using their own infrastructure as recommended by the City Engineer. The motion was seconded by Commissioner Morse. Discussion continued on if NERWD has the capacity to increase, on the City having debt on the water system, on using the NERWD contribution to payback debt and reduce the \$9.00 fee on the utility bill. The City Engineer indicated the hardness of the water could change overtime. Also discussed was the size of the water line to the new industrial park. On roll call all Commissioners voted aye, and the motion carried.

The City Administrator reviewed the information for the Park Board wellness center. The Grand Forks facility is twice as big so for facility related expenses, 50% was used. Their market was 100,000 so 10% of their memberships was used. Bond calculations were done based on a 2%, 3% and a 4% annual increase in tax collections. Family memberships were based on 4 members. Grand Forks funded their center with \$17 million

in donations and \$6 million in bond funds which is being paid back with operation income. There was no public money involved. The Devils Lake center would be half as big with membership 90% smaller. The wages were based on using half of the number of employees that Grand Forks has. This amount is \$140,000 more than what was used the first time. With this wage number, the facility has an annual deficit. Also, the bond would take 30 years to repay and not 16 years. Discussion followed on whether the Commission would want to commit half-cent of sales tax for 30 years, on the perception of the project being rushed to get on the ballot, on the contingency of keeping the center open, on the equipment being included in the cost of the project, on other entities having projects currently out there looking for funding, on how the pool would get into Phase II, and on the Park District working with Lake Region State College, the Board of Higher Education and local business owners on the project. Consensus of the City Commission was the timing was being rushed and better information is needed.

Commissioner Morse moved to table the discussion on the Lake Area Activities Center. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Commissioner Robbins moved to shift item 2 under the consent agenda (Taxicab license application submitted by #1 Taxi) to item 1 under new business. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

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

Appointment of Rodger Haugen and reappointment of Renard Bergstrom to the Devils Lake Airport Authority for five-year terms expiring June 30, 2021 and the reappointment of Dennis Olson to the Devils Lake Airport Authority for a two-year expiring on June 30, 2018.

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

The Police Chief reviewed the taxicab license submitted by Joshua Mathiason. Since the City already has two other taxicab services, justification is needed for a third one. If approved the Police Chief would like to see the name of the service changed.

The justification for another taxi service submitted by Joshua Mathiason was the other two services do not start giving rides until 2:00 P.M. His service would be available in the mornings.

Discussion followed on the name already being approved by the Secretary of State, on what happens if he changes his hours after approval, and on Joshua Mathiason being a former employee of A-1 Taxi.

Commissioner Stromme moved to approve the taxicab license application submitted by Joshua Mathiason dba #1 Taxi and applications for taxi drivers submitted by Joshua Mathiason and Brandon Mathiason. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The first reading of Ordinance No. 942 – Braunage Annexation was held. It was questioned if an annexation should be done contingent upon the property being purchased.

Commissioner Morse left the meeting at 7:05 P.M.

Commissioner Robbins moved to approve payment of Estimate No. 1 to Morris Sealcoat & Trucking for Street Improvement #59-16 Seal Coat in the amount of \$353,298.24 as recommended by the City Engineer. The motion was seconded by Commissioner Stromme. Discussion followed on the retainage being an incentive to get back and finish the job; whereas, the contract bond is for completing work. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Robbins moved to approve payment of Estimate No. 3 to Elshaug Concrete Construction for 2016 Curb, Gutter & Sidewalk in the amount of \$18,608.36 as recommended by the City Engineer. The motion was seconded by Commissioner Sander. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Morse returned to the meeting at 7:11 P.M.

Commissioner Stromme moved to approve payment of Estimate No. 12 to Murphy Pipeline Contractors for Watermain Improvement #24-15 - Various in the amount of \$95,487.84 as recommended by the City Engineer. The motion was seconded by Commissioner Sander. On roll call all Commissioners voted aye, and the motion carried.

The City Assessor reviewed the request to purchase a lot in the Roundhouse Subdivision. It would be for a move-in house. The owner will need to have a petition signed by 75% of the property owners within 300 feet approving of the move-in house.

Commissioner Stromme moved to approve the purchase of Lot 1, Block 11 by Steve Harish in the amount of \$2,000.00 plus the uncertified special assessment principal balance of \$267.00 as recommended by the City Assessor. The motion was seconded by Commissioner Morse, and the motion carried.

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

President Johnson acknowledged the following reports:

1. City Auditor monthly report;
2. Fire Department monthly report; and
3. Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:14 P.M.

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

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