

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD FEBRUARY 21, 2017

The regular meeting of the Devils Lake City Commission was held Tuesday, February 21, 2017 at 5:30 P.M. with the following members present: President Johnson, Commissioners Ben Sander, Craig Stromme, and Dale Robbins. Commissioner Rick Morse was absent.

Pledge of allegiance was recited.

Commissioner Sander moved to approve the minutes of the regular City Commission meeting held February 6, 2017. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

5:30 P.M. – This was the time set for the bid opening for a public ways pickup. The following bids were opened and read:

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| 1. Devils Lake Chrysler Center – Devils Lake, ND | Bid \$26,550.00 |
| 2. Marketplace Motors – Devils Lake, ND | Bid \$26,499.00 |

Commissioner Robbins moved to accept the bids as read, and refer them to the Public Ways Supervisor for further review and recommendation. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

President Johnson requested the item under old business be moved to before commission portfolios due to a scheduling issue with the City's Acting Attorney.

Commissioner Stromme moved to approve moving the item related to the Eagle Bend settlement under old business up on the agenda so it would be considered before commission portfolios. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Assessor stated the full settlement agreement between the City and the Eagle Bend party defendants – Thompson and LaFleur was reviewed at the January 17, 2017 meeting. The parties met on February 8th to consider four items. The Acting City Attorney received a few minor changes today which have been worked out. The changes were made in exhibits H, I and J. The Acting City Attorney recommends when the agreement is approved to approve the attached settlement documents with the changes requested by the Eagle Bend parties on 2-21-17 to exhibits H, I and J. Discussion followed on the four issues: revocable license, easement width, indemnification and the fee of the expert witness. The Corps has been reviewing the agreement for LEERD credit, but approval will not be received until the documents with the final revisions are reviewed.

Commissioner Stromme moved to approve the Eagle Bend settlement documents with changes requested by the Eagle Bend parties on 2-21-17 to exhibits H, I and J as recommended by the Acting City Attorney. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Robbins moved to approve requiring the Eagle Bend parties to sign the settlement agreement within ten days. The motion was seconded by Commissioner Sander. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Robbins –The Public Ways Supervisor reviewed the 2017 aerial spraying contract. Last fall, the City Commission had discussed having the aerial spraying done five times per year. The Public Ways Supervisor contacted the company, and the City would receive a discount of 15 cents per acre if spraying was done five times per year. The price would be \$2.65/acre plus the ferry charge of \$450.00. Discussion followed on how many times other cities spray, on the ground spraying in addition to the aerial spraying, the amount of funds budgeted, carry over funds, and scheduling the dates now.

Commissioner Sander moved to approve the aerial mosquito spraying contract with Airborne Custom Spraying for five aerial sprayings at \$2.65/acre plus the ferry charge as recommended by the Public Ways Supervisor and contingent on a new agreement being received with the new price for five sprayings. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The Public Utilities Supervisor stated everything was fine in the Water Department.

Commissioner Sander – The Public Utilities Supervisor stated everything was fine in the Sewer Department.

The City Assessor stated everything was fine.

Commissioner Stromme - The Police Chief received a request from Officer Holter to move outside of city limits.

Commissioner Robbins moved to allow Officer Holter to reside outside of city limits in Frison Addition as recommended by the Police Chief. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The Police indicated he is looking for a place to have the new cars equipped at since Mike at Hy-Z Wireless is retiring. Possible stores are Stone's Mobile Radio in Grand Forks or a store in Pelican Rapids. Discussion followed on the possibility of Alken Auto being able to equip the cars.

The Sanitation Supervisor said everything was fine.

President Johnson – The Public Ways Supervisor recommended accepting the low bid from Marketplace Motors for the public ways pickup.

Commissioner Stromme moved to accept the low bid from Marketplace Motors of Devils Lake, ND for the public ways pickup in the amount of \$26,499.00 as recommended by the Public Ways Supervisor. The motion was seconded by Commissioner Sander. On roll call all Commissioners voted aye, and the motion carried.

The Public Ways supervisor stated the department is picking snow and cleaning gutter lines. He will be picking up asphalt to start patching.

The City Engineer said everything was fine.

The City Auditor stated everything was fine.

The City Administrator said everything was fine.

The Fire Chief stated seven firemen will be attending state fire school in Minot this weekend.

The City Attorney said everything was fine.

Commissioner Robbins indicated the Law Enforcement Center has requested a rate increase of \$5.00/day for housing inmates. It was noted that the timing could be better since the budgets for the year have been done for several months.

Commissioner Robbins moved to approve the rate increase of \$5.00/day for housing inmates at the Law Enforcement Center. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

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

1. Permit to sell alcoholic beverages at a special event submitted by Ye Olde Tavern for Women's Night Out on June 21, 2017 at the Memorial Building; and

2. Three gaming site authorizations submitted by Lake Region Community College Foundation of Devils Lake for March 1, 2017 through April 30, 2017 at Lake Region State College – 1801 College Dr N; for May 11, 2017 at the Quentin N Burdick Sports Arena – 501 6th St NW; and for October 27, 2017 at the Memorial Building – 524 4th Ave NE.

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

Commissioner Stromme moved to approve the 2016 Budget Amendment #07-16 – final adjust to actual as recommended by the City Auditor. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Administrator talked about incorporating a co-pay for single plus dependent coverage for the 2018 year. Discussion was also held on dropping the outside groups off of the City's self-insurance, and giving them notice now so the groups have time to look for different coverage.

Consensus of the City Commission was for the City Administrator to write a letter to the outside groups on the City's self insurance indicating the high probability of the groups being dropped from the City's insurance, and giving the groups a time limit for responding.

Suzie Kenner, Executive Director of Devils Lake Convention & Visitors Bureau, appeared before the City Commission to present the 2016 Tourism Report. The following items were discussed:

1. Paying back \$36,000.00 to the State in 2016 with the remainder of \$27,767.00 being repaid in 2017;
2. Addition of new event calendar on website;
3. Lake Access contributions increasing due to the Master Walleye Circuit and AIM tournament conservation fees;
4. AIM holding a regular tournament and their championship tournament in Devils Lake in 2017;
5. Attendance at the Outdoor Writers' Conference;
6. Targeting media to large media events – ice event and cast and blast; TV shows and printed material from events will be seen in the future; social media results were seen right away;
7. Website analytics for 2016 – 75,000 users with largest cities being Minneapolis/St. Paul, Chicago, Devils Lake, Grand Forks, Fargo, Omaha, Bismarck and Minot; and by state it is Minnesota, North Dakota, Wisconsin and Iowa;
8. Largest website referrals are Lake View Lodge due to them linking to the Tourism fishing report, mobile facebook and fishingbuddy.com;
9. Increased mobile users;
10. Facebook stats including over 32,000 fans; 3.3 million impressions; 9,200 people/day;
11. Marketing strategies; and
12. Decreased lodging tax and budget impact.

Commissioner Robbins moved to approve the ND Department of Transportation Agreement for Temporary Highway Closure to close ND Highway 19 (Jct US 2 to ND 20) from 6:00 A.M. on June 3, 2017 to 3:00 P.M. on June 4, 2017 for the Devils Run car show as recommended by the City Engineer. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Engineer reviewed the cost participation agreement with ND Department Transportation for seal coating on Hwy 19. The City share would be \$4,780.00 for the work done within city limits from the embankment to Hwy 2.

Commissioner Stromme moved to approve the cost participation and maintenance agreement for Project SS-NHU-3- 019(068)135 with the ND Department of Transportation for seal coating from the embankment to Jct US 2. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Robbins moved to approve the 2017 Loan Agreement between the National Museum of the United States Air Force and the City of Devils Lake for the period from April 1, 2017 and ending March 31, 2018

for displaying an airplane at the Devils Lake Regional Airport. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Administrator reviewed the proposal from Marco for IT services. This proposal would be an option to replace the ½ person the City pays the Law Enforcement Center. The cost is about the same for the two options. Discussion followed on Marco being proactive versus reactive, costs included in the proposal, costs not included such as project based (buy new – labor billable) and upgrades versus updates (upgrades billable). The company also offers a help desk and on-site help, and does not charge windshield time. The company would do an assessment, and the contract would be a 3-year commitment. They would also provide monthly visits for maintenance. Also discussed was the timeline if the City was to accept the proposal. The City Administrator will notify the Law Enforcement Center of its decision to discontinue sharing IT personnel.

Commissioner Sander moved to approve the proposal from Macro for managed IT service with a start date of May 1, 2017. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Stromme 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. Fire Department monthly report;
2. Municipal Court monthly report; and
3. Police Department monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:10 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT