

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD MAY 15, 2017

The regular meeting of the Devils Lake City Commission was held Monday, May 15, 2017 at 5:30 P.M. with the following members present: President Richard Johnson, Commissioners Ben Sander, Craig Stromme, Rick Morse and Dale Robbins. None were absent.

Pledge of allegiance was recited.

Commissioner Robbins moved to approve the minutes of the regular City Commission meeting held May 1, 2017. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

Commissioner Robbins – The Public Ways Supervisor said the Department will spray for dandelions in the cemetery, and requested visitors to please stay out of coned areas.

The Public Ways Supervisor requested contracting out the mowing and weed-eating on Highway 2 and Highway 20 for next year. The City crew spends too much time mowing, and is now just getting ready to crack seal. The Department needs more help. Three of the employees will be needed to get the cemetery ready for Memorial Day. The temporary street sweeper quit so a full-time employee needs to sweep until someone else is hired.

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

Discussion continued on contracting out mowing or crack sealing. Consensus of the City Commission was to review contracting out the mowing at budget time for next year.

Commissioner Morse – The Public Ways Supervisor requested out-of-state travel to pick up the flowers.

Commissioner Robbins moved to approve out-of-state travel for the Public Ways Department to pick up the flowers in Red Wing, MN next week. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Engineer stated works continue on the west underpass. Traffic control is working okay.

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

The City Assessor said he is working with the daycare on the building. The renter would like to take out a wall, and is willing to pay for the remodeling. The contractors would be licensed.

Commissioner Sander moved to approve Holly Malheim making and paying for minor structural modifications to the daycare building. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Assessor stated the Board of Equalization meets on Wednesday, May 17, 2017.

Commissioner Stromme - The Sanitation Supervisor stated spring cleanup is done. It was noted that the landfill will be open the second Saturday of each month from June through October from 9 AM to 1 PM.

The Police Chief stated a former police officer that resigned in February 2017 was rehired. The Police Chief requested permission to start him at the salary he left at, but he would start over on the other benefits. The officer was trained by the Devils Lake Police Department and knows the system.

Commissioner Stromme moved to approve starting Brandon Dalzell at a Grade 10 Step C with the other benefits starting over. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

President Johnson - The City Auditor stated Safe Alternative for Abused Families has applied for a JAG grant. The City acts as the pass-through agency for the funds.

The City Auditor indicated underwriting for the City's health insurance has approved of the other groups being removed from the City's insurance. In addition, the Law Enforcement Center may opt off in October of this year.

Commissioner Robbins moved to approve the City being the sponsor for the JAG grant application submitted by Safe Alternatives for Abused Families. The motion was seconded by Commissioner Morse, and the motion carried unanimously.

The City Administrator distributed the proposed dates for the 2018 budget. Due to legislative changes, the preliminary budget needs to be completed by August 10th.

The Fire Chief requested permission to solicit funds for MDA at three locations during Devils Run.

Commissioner Sander moved to approve granting a waiver to Section 10.30.130 of the City of Devils Lake Ordinance for the firefighters and volunteers to solicit funds for MDA during Devils Run. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The Fire Chief requested out-of-state travel on Tuesday and Wednesday for himself, Cory and a volunteer to travel to Brandon, SD for designing the new truck.

Commissioner Robbins moved to approve out-of-state travel for two Fire Department employees and a volunteer to travel to Brandon, SD on May 16th and 17th for designing the new truck. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The Fire Chief stated Shade Tree started today, and has three employees. The Fire and the Public Ways Departments will plan certain days to trim and other days to cut.

The City Attorney apologized for the letter from Attorney General. He really thought the City could go into executive session. Discussion followed on having a second opinion on whether items qualify for executive session and on a timeline for the second opinion. Commissioners were agreeable to this if the City Attorney was okay with it.

The City Engineer reviewed the project area for Street Improvement District No 64-17. The bids will be opened June 19th. The State is handling the bid opening.

Commissioner Stromme moved to approve the resolution approving plans and specifications and directing advertisement for bids for Street Improvement District No 64-17 (A portion of frontage road on Hwy 2 and Hwy 20). The motion was seconded by Commissioner Morse, and the motion carried unanimously.

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

1. Authorizing the City Auditor to cancel Check No 111833 dated April 4, 2017 in the amount of \$200.00 to ND Association of Assessing Officers (General-Assessing-Education & Training) - the employee will not be attending the conference;
2. Gaming site authorization submitted by Neathery Simensen Post #756 VFW of the US for July 1, 2017 through June 30, 2018 at the VFW Club – 314 3rd Ave NE;
3. Parade permit submitted by Spirit Lake Riders MC for May 27, 2017 starting at 12:30 P.M.; and
4. Three gaming site authorizations submitted by Devils Lake Blueline Inc for July 1, 2017 through June 30, 2018 at the following locations: Devils Lake Elks 1216 – 425 Hwy 2 W, Old Main Street Café – 416 4th St NE and Razor's Edge LLC – 711 Hwy 19 W.

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

Commissioner Stromme moved to approve the contract with the North Dakota State Tax Commissioner for the collection of city sales, use and gross receipts taxes for the period July 1, 2017 through June 30, 2019 as recommended by the City Administrator. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed the cost participation agreement with ND Department Transportation for mill, overlay and chip seal US 2 frontage roads. The City is responsible for 20% of the projects costs and 10% of the preliminary construction engineering. The City share would be \$43,297.00.

Commissioner Morse moved to approve the cost participation and maintenance agreement for Project NH-NHU-CPU-3- 002(158)268 with the ND Department of Transportation for mill, overlay and chip seal on US 2 frontage roads. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed the cost participation agreement with ND Department Transportation for mill, overlay and chip seal ND 20 frontage roads. The City is responsible for 20% of the project costs and 10% of the preliminary construction engineering. The City share would be \$17,309.00.

Commissioner Morse moved to approve the cost participation and maintenance agreement for Project NH-NHU-CPU-3- 020(128)101 with the ND Department of Transportation for mill, overlay and chip seal on ND 20 frontage roads. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

The City Attorney reviewed the separation agreement and release of claims for Jon Barnett.

Commissioner Robbins moved to approve the separation agreement and release of claims with Jon Barnett. The motion was seconded by Commissioner Morse. On roll call all Commissioners vote aye, and the motion carried.

The City Attorney reviewed the separation agreement and release of claims for Keith Schroeder.

Commissioner Sander moved to approve the separation agreement and release of claims with Keith Schroeder. The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

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

President Johnson acknowledged the following reports:

1. 2016 year end financial report;
2. City Auditor monthly report;
3. Fire Department monthly report; and
4. Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:24 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT