

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD SEPTEMBER 17, 2018

The regular meeting of the Devils Lake City Commission was held Monday, September 17, 2018 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Dale Robbins, Shane Hamre, Rob Hach and Jacob Volk. None were absent.

Pledge of allegiance was recited.

Commissioner Hamre moved to approve the minutes of the regular City Commission meeting held September 4, 2018. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Pete Louters appeared before the City Commission to discuss selling insurance products door-to-door. Discussion followed on the City's ordinance prohibiting door-to-door sales, the ordinance can't be waived so to change it would require an ordinance change and issues with previous vendors going door-to-door. Consensus of the City Commission was to not change the ordinance for door-to-door sales.

Commissioner Volk – The Public Ways Supervisor stated weeds have been sprayed at the cemetery; patching is being done, and mosquitoes spraying has stopped because nothing has been in the traps for the last 2 weeks.

Commissioner Robbins – The City Engineer stated 5th Avenue would be paved on Tuesday and Wednesday. Milling east of 15th Ave, south of Heartland Care, should start Tuesday with 2nd, 3rd and 4th Avenues being milled later this week. Next week these areas should be paved. Discussion followed on if future projects could be bid so the work would be done before school starts. It was noted since these are smaller projects, it is hard to get competitive prices if completion dates are earlier.

The City Engineer stated the west via duct will be closed until at least mid-October. The waterline is in, but has not been tested.

The Police Chief said everything was fine.

Commissioner Hamre – The Public Utilities Supervisor stated the 9 position was filled internally so he will advertise for a grade 7.

Commissioner Hach – The Sanitation Supervisor said fall cleanup starts next week.

President Johnson – The City Auditor stated everything was fine.

The City Administrator reviewed information received at the League of Cities meeting regarding an infrastructure program being proposed at the next state legislature session. Devils Lake would receive grant funds of \$3.6 million every 2 years. The program would use earnings from the Legacy Fund, and if it passes the first funds would not be received until 2020. There is also the potential for a \$500 million loan program at a 2% interest rate.

The Fire Chief said a grant from the Department of Emergency Services was received for \$21,925.00 for equipment and to send two employees for training in Baltimore.

The City Attorney stated everything was fine.

The second reading of Ordinance No. 955 – Fireworks was held.

Mark Olson, owner of Mark's Fireworks, commented on how the proposed change to the fireworks ordinance would impact his business. Mr. Olson stated complaints have gone down each year. Also, the complaints each year are from the same area around the same time and no tickets have been issued, and he believes the current rules just need to be enforced. Discussion followed on tickets can't be issued unless an officer sees it happen or the person reporting the

issue signs a complaint. Discussion continued on providing more education on fireworks, publicizing the rules, and the impact on veterans.

Commissioner Volk moved to approve the second and final reading of Ordinance No. 955 –Fireworks – An ordinance which upon adoption shall amend those ordinances which have been codified as section 8.20.020 of the Devils Lake Municipal Code. President Johnson called for a second to the motion three times. The motion died for a lack of a second.

The City Administrator reviewed the changes to the airport hangar lease. The rent will increase from \$500.00 to \$1,000.00/month. The lease is for four years with a clause for cancellation with 90 days notice. According to the airport, Mr. Sotvik provides an important service. Discussion followed on no other party inquiring about using the hangar and on clarification of the responsibility for the lighting.

Commissioner Hamre moved to approve the lease agreement with Devils Lake Aero Service Inc for the exclusive use of the airport hangar on the condition the City Attorney clarifies wording regarding the lights as recommended by the City Administrator. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

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

1. Gaming site authorization submitted by Devils Lake Volunteer Fire Department to be held January 24, 2019 through January 26, 2019 at the Ramsey County Memorial Building - 524 4th Ave NE; and
2. Permit to sell alcoholic beverages at a special event submitted by Thirsty's Bars for a wedding reception to be held October 13, 2018 at the Heritage Center.

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

The City Engineer reviewed the construction easements needed for the downtown project.

Commissioner Volk moved to approve a minimum payment amount of \$300.00 per temporary construction easement as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

6:00 P.M. – This was the time set for a public hearing for the 2019 City of Devils Lake Budget. Hearing and receiving no comments, President Johnson closed the public hearing.

The City Administrator reviewed the budgeted expenditures by funds and the history of mills.

Commissioner Hamre moved to approve the 2019 City of Devils Lake Budget as presented. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk moved to approve payment of Estimate No. 1 to Mayo Construction for Street Improvement Districts 66-18, 68-18 and 57-17 in the amount of \$218,009.23 as recommended by the City Engineer. The motion was seconded by Commissioner Hach. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Robbins moved to approve payment of Estimate No. 2 to Elshaug Concrete Construction for 2018 Curb, Gutter and Sidewalk in the amount of \$24,592.63 as recommended by the City Engineer. The motion was seconded by Commissioner Hamre. On roll call all Commissioners voted aye, and the motion carried.

The City Engineer reviewed the final payment estimate for the fishing pier. Retainage was held for issues with the floating dock. The dock supplier has addressed the issues, and after the weekend high winds the issues seemed to be resolved.

Commissioner Volk moved to approve payment of Estimate No. 4-Final to Construction Engineers for fishing pier Henegar Landing in the amount of \$7,604.00 as recommended by the City Engineer. The motion was seconded by Commissioner Robbins. On roll call all Commissioners voted aye, and the motion carried

Commissioner Volk reported on the award received from Dakota Transit Association for the Rides for Veterans program.

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

President Johnson acknowledged the following reports:

1. City Auditor monthly report, and
2. Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:35 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT