

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD OCTOBER 5, 2020

The regular meeting of the Devils Lake City Commission was held October 5, 2020 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Dale Robbins, Shane Hamre, Rob Hach and Jack Volk. None were absent.

Pledge of allegiance was recited.

Commissioner Hamre moved to approve the minutes of the regular City Commission meeting held September 21, 2020. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

5:30 P.M. – This was the time set for the Confirmation of the Assessment List confirmed by the Special Assessment Commission. Hearing and receiving no comments, President Johnson closed the hearing.

Commissioner Volk moved to confirm the assessments on the 2019 Curb, Gutter & Sidewalk, 2020 Miscellaneous Charges, 2020 Parking Authority Maintenance District No. 03-16, Downtown Improvement District #01-18, Street Improvement District #64-17 – Frontage 2 & 20, Street Improvement District #67-18 – 5th Ave NE & 14th St NE, Street Improvement District #69-19 – 8th Ave NE & 9th St NE, Street Improvement District #70-19 – Walnut St E, 8th Ave NE & 1st St NE. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Robbins – Commissioner Robbins introduced Sawyer Hamre. Sawyer raised and sold pumpkins and donated the proceeds to the Police Department. The Police Chief accepted the donation on behalf of the department.

The Police Chief said everything was fine.

The City Engineer reported the watermain project will be done this week, and the asphalt next week.

Commissioner Volk - The City Engineer said Public Works is working on maintenance items, signs, and patching.

The City Engineer stated the request for proposals for a motor grader and loader will be reviewed at the next meeting

Commissioner Hamre – The City Engineer thanked the Public Utilities Department for replacing lead service lines. Twenty-two out of the twenty-five were replaced.

Commissioner Hamre requested to review overtime for work done on holidays. The Public Utilities crew had to repair a water break on July 4th. Since the 3rd was considered the holiday, only regular pay was earned for employees working on the water break. Discussion followed on the different overtime rules for various departments and Federal Labor Standards Act. The personnel committee will meet to review the overtime policy.

Commissioner Hach – The City Assessor reviewed extending the building permit for the construction of a house in the Roundhouse Subdivision.

Commissioner Robbins moved to approve extending the building permit for one year to August 8, 2021 for Andrew Johnson for a lot in the Roundhouse Subdivision, parcel 39-1806-00111-000, as recommended by the City Assessor. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Engineer presented a memo from the Sanitation Supervisor requesting to hire an employee at a 5D with the employee moving to a 5E after successfully completing probation. The individual to be hired has a CDL and experience using heavy equipment justifying hiring at a level above a Grade A.

Commissioner Volk moved to approve hiring LeRoy Lara for the Sanitation Department at a 5D since he has a CDL and experience operating heavy equipment with the employee moving to a 5E upon successfully completing probation as

recommended by the Sanitation Supervisor. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

It was reported special pickup was finished today for area 3. Area 4 is next week.

President Johnson – The City Auditor stated everything was fine.

The City Administrator reported everything was fine.

The Fire Chief indicated fire prevention week is October 4th – 10th.

The Fire Chief reported there was a fire at Klemetsrud's commercial building downtown on Saturday, and last week there was a house fire caused by a cooking incident.

Commissioner Volk commended Cory Meyer on doing an excellent job as acting chief during the fire Saturday.

It was noted National Night Out will be held tomorrow from 4:30 p.m. to 7:00 p.m.

The Fire Chief requested to declare a floor scrubber surplus. It needs some work to be operable. Consensus was to transfer it the Public Utilities.

The Fire Chief reported the gate was installed at the dump site. Discussion followed on cameras being installed, on commercial access and fees for dumping and on vandalism at the shooting range and including cameras for that area too.

The Assistant City Attorney said everything was fine.

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

1. Game of chance permits for the month of September 2020; and
2. Gaming site authorization submitted by Lake Region Community College Foundation of Devils Lake for raffles to be held April 7, 2021 through April 9, 2021; and
3. Moved to item 1 under new business.

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

Commissioner Volk inquired about the late fee listed on the special event permits. The late fee was added when the City was receiving special event permits and having to hold special meetings in order to approve the permits before the event. The late fee has only been collected if a special meeting for approving the permit is held. The City Auditor will research changing the language for the fee and permit.

Commissioner Hamre moved to approve a permit to sell alcoholic beverages at a special event submitted by Thirsty's Bar for a wedding reception and dance to be held October 10, 2020 at the Memorial Building. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Volk moved to approve Change Order No. 7 for Ti-Zack Concrete Inc for the downtown project for an administrative change with no cost impact as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reported the punch list for the west viaduct is done according to the ND Department of Transportation. Discussion followed on erosion control and the arboretum.

Commissioner Volk moved to approve Change Order No. 12 for Lunda Construction Company for the west viaduct project for subgrade prep work to the track area requested by BNSF for a net increase of \$21,542.00 as recommended by the City Engineer. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Robbins moved to approve payment of Estimate No. 1 to Elshaug Concrete Construction for 2020 Curb, Gutter & Sidewalk in the amount of \$14,622.68 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 Volk moved to approve payment of Estimate No. 3 to Kemper Construction for Watermain Improvement District 25-20 -8th St NE in the amount of \$274,444.20 as recommended by the City Engineer. The motion was seconded by Commissioner Hamre. On roll call all Commissioners voted aye, and the motion carried.

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

President Johnson acknowledged the following report:

3rd quarter economic data

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:22 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT