



**Monday, December 15, 2025
5:30PM CST**

City Commission Meeting Agenda

**Devils Lake City Hall Commission Chambers
423 6th St NE, Devils Lake, 58301**

Meeting Items

- 1) Call to Order
- 2) Approval of Minutes – December 01, 2025

Awards and Proclamations

Public Hearings – 5:30 PM

Bid Openings – 5:30 PM

Visitors or Delegations

**Limited to five minutes per guest, unless extended by presiding officer*

Commission Portfolios

Old Business

Consent Agenda

New Business

- 1) Second Reading – Ordinance 1028 – NDTC Franchise Agreement
- 2) Second Reading – Ordinance 1029 – NDTC Franchise Agreement
- 3) Second Reading – Ordinance 1030 – NDTC Franchise Agreement
- 4) Second Reading – Ordinance 1031 – NDTC Franchise Agreement
- 5) Second Reading – Ordinance 1032 – NDTC Franchise Agreement
- 6) Pay Estimate #4 Final – Curb Gutter & Sidewalk
- 7) Homestead Tax Credit 2023 and 2024 Application Denial – 1115 6th St NE
- 8) Biannual Update to City Policy Manual
- 9) 2026 Capital Improvement Plan
- 10) Police Department Facility Cost Estimate Report
- 11) Extension of Letter of Intent – Stride Development
- 12) Tree Purchase Order with Landscapes Unlimited

Citizen Comment

Informational Items

- 1) November 2025 Financial Report

Motion to approve payment of the list of bills as submitted.

The City of Devils Lake may convene in an executive session as provided by NDCC 44-04-19.2 to consider and discuss closed or confidential records and information, negotiating strategy or negotiating instructions as provided by NDCC 44-04-19.1, 44-04-19.2, 44-04-18.4.

ORDINANCE NO. 1028

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS CHAPTER 13.37 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Chapter 13.37 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

Chapter 13.37 - NON-EXCLUSIVE FRANCHISE FOR COMMUNICATIONS SYSTEM
(NORTH DAKOTA TELEPHONE CO.)

**MEETING MINUTES OF THE CITY COMMISSION
OF THE CITY OF DEVILS LAKE, ND
DECEMBER 01, 2025**

The regular meeting of the Devils Lake City Commission was held on December 01, 2025, with the following members present: President Moe and Commissioners Hach, Pierce, Knowski and Uhlenkamp.

MEETING ITEMS

- 1) Call to Order
- 2) Approval of Minutes – November 17, 2025

Commissioner Uhlenkamp made a motion to approve the minutes of the November 17, 2025, City Commission meeting. Commission Pierce seconded the motion, and the motion was approved unanimously.

AWARDS AND PROCLAMATIONS

PUBLIC HEARINGS – 5:30 PM

BID OPENINGS – 5:30 PM

VISITORS OR DELEGATIONS

- 1) Lake Region District Health Unit – Opioid Settlement Fund Usage

The City Administrator said representatives from Lake Region District Health Unit would provide an update at a future meeting.

COMMISSION PORTFOLIOS

Commissioner Knowski – The City Engineer said that the utility department is working on shutting down lift stations.

Commissioner Hach – The City Engineer said that there is not an update for the sanitation or engineering departments.

The City Assessor said that there is nothing to report.

Commissioner Uhlenkamp – The City Engineer said that there has been an interim fix in a downtown alley. It was also mentioned that there are 30 new Christmas decorations. He said that some of them do not have working lights, which the street department is working on repairing.

Commissioner Pierce – There is nothing to report for the Fire Department.

Commissioner Pierce said that at the last Law Enforcement Board meeting there was an agreement to have the attorney start negotiation on a plot of land for the proposed Law Enforcement Center.

He also said that Devils Lake has been ranked one of the best ice fishing locations in the country.

President Moe – President Moe said that the speaker system downtown is now up and running. The Police Chief that there is nothing to report for the Police Department.

The City Administrator said that at the next meeting there will be some routine updates to the Employee Policy Manual put forward before the City Commission. He also said that the Municipal Court position is open and advertised.

The City Attorney did not have anything to report.

OLD BUSINESS

CONSENT AGENDA

NEW BUSINESS

1) First Reading – Ordinance 1028 – NDTC Franchise Agreement

A first reading of Ordinance 1028 – NDTC Franchise Agreement was held.

2) First Reading – Ordinance 1029 – NDTC Franchise Agreement

A first reading of Ordinance 1029 – NDTC Franchise Agreement was held.

3) First Reading – Ordinance 1030 – NDTC Franchise Agreement

A first reading of Ordinance 1030 – NDTC Franchise Agreement was held.

4) First Reading – Ordinance 1031 – NDTC Franchise Agreement

A first reading of Ordinance 1031 – NDTC Franchise Agreement was held.

5) First Reading – Ordinance 1032 – NDTC Franchise Agreement

A first reading of Ordinance 1032 – NDTC Franchise Agreement was held.

6) Sale of Lot 1 Block 11 Roundhouse Subdivision

The City Assessor said that Shane and Lisa Diseth have requested to purchase the city owned lot located at 322 11th St NW for \$2,000. The city would reclaim the property if construction has not started within two years and the \$2,000 would not be returned. Commissioner Pierce

made a motion to approve the sale of lot 1 block 11 roundhouse subdivision. Commissioner Hach seconded the motion, and the motion was approved unanimously on a roll call vote.

7) Pay Estimate #7 (Final) – City Project 250102 – Various Mill and Overlays

Commissioner Knowski made a motion to approve pay estimate #7 (final) – city project 250102 – various mill and overlays. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously on a roll call vote.

8) Pay Estimate #4 – City Project 250104 – Alleys and Parking Lots

Commissioner Pierce made a motion to approve pay estimate #4 – city project 250104 – alleys and parking lots. Commissioner Hach seconded the motion, and the motion was approved unanimously on a roll call vote.

9) Resolution to Create Street Improvement District 86-26 – City Project 260101

Commissioner Knowski made a motion to approve a resolution to create street improvement district 86-26 – city project 260101. Commissioner Hach seconded the motion, and the motion was approved unanimously.

10) Resolution to Create Street Improvement District 87-26 – City Project 260102

Commissioner Uhlenkamp made a motion to approve a resolution to create street improvement district 87-26 – city project 260102. Commissioner Pierce seconded the motion, and the motion was approved unanimously

11) North Central Housing Authority Yearly Contribution – 10% Payment in Lieu of Taxes (PILOT)

The City Administrator said that the Housing Authority and the City have had a long-standing agreement since the 1960's. Because the Housing Authority does not pay property taxes or special assessments, this agreement provides a formula for a payment in lieu of taxes (PILOT). North Central Housing Authority provided a check to the city in the amount of \$8,936.46 which was equivalent to 5% of their rent revenue minus utility expenses. The agreement on file says the amount remitted to the City should be 10% of rent revenue less utility expenses.

Adam Leiphon, Chair of North Central Housing Board of Directors, said that they would like to see the PILOT change from 10% to 5%. He gave a brief overview of what North Central Housing Authority does. He said that there have been discussions in the past about what the North Central Housing Authority could do with the funding that comes from PILOT. Other authorities in North Dakota pay anywhere from 0%-10%, with many of them paying around 5%. Discussion continued on the topic, with the Mayor asserting that the City has budgeted to receive the funds at their 10% PILOT level for both the 2025 and 2026 budget. Mr. Leiphon

said he would relay the feedback from the Commission at their next board meeting. Mayor Moe said the City could sit down and discuss a renegotiation of terms for 2027 and beyond.

CITIZEN COMMENT

INFORMATIONAL ITEMS

LIST OF BILLS

Commissioner Hach made a motion to approve the list of bills as submitted. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously on a roll call vote.

SPENCER HALVORSON
CITY ADMINISTRATOR/AUDITOR

JIM MOE
PRESIDENT OF CITY COMMISSION

ORDINANCE NO. 1029

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS SECTION 13.37.010 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Section 13.37.010 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

13.37.010 - Statement of intent and purpose.

The city intends, by the adoption of this franchise, to bring about the development of a communications services system and the continued operation of it. Such a development can contribute significantly to the communication needs and desires of many. Further, the city may achieve better utilization and improvement of public services with the development and operation of a communications services system. Said communications services system includes telephone service, broadband services, and video service.

ORDINANCE NO. 1030

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS SECTION 13.37.090 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Section 13.37.090 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

13.37.090 - Operation and administration providing.

A. Franchise Fee.

1. The grantee shall pay the city an annual franchise fee in the amount of three percent of the grantee's annual gross revenues provided that the city may increase the franchise fee up to the maximum amount permitted by State law provided the city gives at least ninety (90) days notice to the grantee prior to any increase in the franchise fee.
2. The franchise fee shall be payable monthly. The payment shall be made within thirty days of the end of each of the grantee's fiscal month, together with a brief report showing the basis for the computation.

B. Indemnification of City.

1. The city, its officers, boards, committees, commissions, elected officials, employees, and agents shall not be liable for any loss or damage to any real or personal property of any person, or any injury or death of any person, arising out of or in connection with the construction, operation, maintenance, repair or removal of, or other action or event with respect to the system.
2. The grantee shall indemnify, defend, and hold harmless the city, its officers, boards, committees, commissions, elected officials, employees, and agents from and against all liability, damages, and penalties which they may legally be required to pay as a result of the exercise of the franchise, except claims because of EG programming, or the city's operation, administration, promotion or management of the EG access channel or any use of the internet services in public institutions.
3. Nothing in this franchise relieves a person from liability arising out of the failure to exercise reasonable care to avoid injuring the grantee's facilities while performing work connected with grading, regrading, or changing the line of a street or public place or with the construction or reconstruction of a sewer or water system.
4. In order for the city to assert its rights to be indemnified, defended, and held harmless, the city must, with respect to each claim:
 - a. Promptly notify the grantee, in writing, of any claim or legal proceeding which gives rise to such right;
 - b. Afford the grantee the opportunity to participate in and fully control any compromise, settlement, or other resolution or disposition of any claim or proceeding; and

- c. Fully cooperate with reasonable requests of the grantee, at the grantee's expense, in its participation in and control, compromise, settlement, or resolution, or other disposition of such claim or proceeding subject to subsection (B)(4)(b) of this section.
- C. Insurance.
 1. As a part of the indemnification provided in subsection B of this section, but without limiting the foregoing, the grantee shall file with its acceptance of this franchise, and at all times thereafter maintain in full force and effect at its sole expense, a comprehensive general liability insurance policy, including contractual liability coverage, in protection of the city in its capacity in such. The policies of insurance shall be in the sum of not less than three hundred thousand dollars for property damage to any one person and one million dollars for property damage resulting from any one act or occurrence.
 2. The policy or policies of insurance shall be maintained by the grantee in full force and effect during the entire term of the franchise. Each policy of insurance shall contain a statement on its face that the insurer will not cancel the policy or fail to renew the policy, whether for nonpayment of premium, or otherwise, and whether at the request of the grantee or for other reasons, except after thirty days advance written notice have been provided to the city.

ORDINANCE NO. 1031

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS CHAPTER 13.37 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Chapter 13.37 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

13.37.150 - Renewal of franchise.

The franchise identified in Chapter 13.37 shall be renewed, pursuant to Sections 13.37.030(B)(9), 13.37.040(D), and 13.37.130, by action of the city commission by adoption of this ordinance, which franchise shall be in effect for a period of fifteen years from the date this ordinance is adopted by the city commission.

ORDINANCE NO. 1032

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS CHAPTER 13.39 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Chapter 13.39 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

Chapter 13.39 - Non-Exclusive Franchise for Communications System (North Dakota Telephone Co.)

Repealed.

12/10/2025

To: President Moe and City Commissioners
From: Michael Grafsgaard, City Engineer
Re: 2025 Curb, Gutter & Sidewalk - 4354-000-56600
Contract Amount: \$54,295.25

mgb

devils lake
Engineering

I hereby certify the work listed below has been completed and inspected and has been done in conformity with the plans and specifications for the above mentioned project. All work was completed by Lakeview Construction, 1439 Bay View Dr, Devils Lake ND 58301

Estimate No 4 - Final

Item Description	Quantity	Unit	Unit price	Bid Amount	QUANTITIES		AMOUNT		
					Current	Total to Date	Current	Total to Date	
Saw Bituminous Surfacing	50.00	LF \$	3.25	\$ 162.50	0.00	37.50	\$ -	\$ 121.88	
Saw Concrete	100.00	LF \$	5.50	\$ 550.00	0.00	0.00	\$ -	\$ -	
Removal of Concrete	360.00	SY \$	28.00	\$ 10,080.00	8.00	130.72	\$ 224.00	\$ 3,660.16	
Removal of Block Sidewalk	20.00	SY \$	25.00	\$ 500.00	0.00	0.00	\$ -	\$ -	
Removal of Curb & Gutter	120.00	LF \$	12.25	\$ 1,470.00	0.00	70.50	\$ -	\$ 863.63	
Removal of Retaining Wall	10.00	LF \$	13.00	\$ 130.00	0.00	0.00	\$ -	\$ -	
Curb & Gutter - Type I	20.00	LF \$	72.00	\$ 1,440.00	0.00	7.00	\$ -	\$ 504.00	
Over 10'	100.00	LF \$	68.00	\$ 6,800.00	0.00	70.50	\$ -	\$ 4,794.00	
Valley Gutter - 8" Reinforced	5.00	SY \$	94.00	\$ 470.00	0.00	0.00	\$ -	\$ -	
Over 3 SY	20.00	SY \$	93.00	\$ 1,860.00	0.00	0.00	\$ -	\$ -	
4" Sidewalk Concrete	275.00	SY \$	66.25	\$ 18,218.75	8.00	81.00	\$ 530.00	\$ 5,366.25	
4" Sidewalk Concrete - Reinforced	5.00	SY \$	63.50	\$ 317.50	0.00	0.00	\$ -	\$ -	
6" Sidewalk/Driveway Concrete	60.00	SY \$	76.75	\$ 4,605.00	0.00	59.22	\$ -	\$ 4,545.14	
6" Sidewalk/Driveway Concrete - Rein	5.00	SY \$	78.75	\$ 393.75	0.00	0.00	\$ -	\$ -	
8" Concrete	10.00	SY \$	90.00	\$ 900.00	0.00	11.28	\$ -	\$ 1,015.20	
8" Concrete - Reinforced	5.00	SY \$	95.00	\$ 475.00	0.00	0.00	\$ -	\$ -	
Detectable Warning Panel (Cast Iron)	32.00	SF \$	94.50	\$ 3,024.00	0.00	0.00	\$ -	\$ -	
Earthen Excavation	5.00	CY \$	29.75	\$ 148.75	0.00	5.68	\$ -	\$ 168.98	
Earthen Embankment	5.00	CY \$	30.00	\$ 150.00	0.00	0.00	\$ -	\$ -	
Gravel Base	10.00	CY \$	40.00	\$ 400.00	0.00	0.00	\$ -	\$ -	
Topsoil and Seeding	10.00	SY \$	30.00	\$ 300.00	0.00	0.00	\$ -	\$ -	
Concrete Full Depth Street Repair	10.00	SY \$	190.00	\$ 1,900.00	0.00	0.00	\$ -	\$ -	
Total Bid Amount:					\$ 54,295.25		\$ 754.00	\$ 21,039.23	

Total Work Completed: \$ 21,039.23
Retainage @ 0%: \$ -
Previous Payments: \$ 19,473.82
Total Due This Estimate: \$ 1,565.41

Agenda Item: Homestead Tax Credit 2023 and 2024 Application Denial – 1115 6th St NE

Submitted By: Spencer Halvorson, City Administrator/Auditor

Staff Recommended Action: Consider the course of action communicated in the effort to resolve the circumstance

Homestead Tax Credit applications were approved for 2023 and 2024 for the resident at the property located at 1115 6th Street NE. It was later discovered that the home is not owned by the resident, but by an irrevocable trust.

Ramsey County advised us that the state denied the applications because the home is technically owned by an irrevocable trust, which is ineligible to receive the Homestead Tax Credit.

Therefore, the property tax credits that were granted for 2023 and 2024, for a total of \$4,479.34 are due from the owner to the respective political subdivisions. The amounts due to each political subdivision are depicted below:

- City - \$1,1164.21
- County - \$1,307.21
- School - \$1,419.94
- Park – \$539.93
- Ambulance - \$35.23
- State - \$12.83

Ramsey County has suggested that the City remit \$4,479.34 to the County who will then properly distribute the funds to the respective political subdivisions. City staff would then engage the executors of the trust and the resident on a multi-year payment plan for the \$4,479.34.

The proper avenue for recovering the delinquent property taxes is the County's delinquent property tax proceedings where owners are provided notice and must pay in full by a certain date and with interest.

It has been relayed to the City that should the City not remit the funding to Ramsey County, they would withhold the \$4,479.34 from future City property tax disbursements.

devils lake

Assessing/Building

423 6th St NE
Devils Lake, ND
701-662-7600 Ext 3
www.dvlnd.com

April 15, 2025

[REDACTED]

Greetings [REDACTED]

I was recently advised by Ramsey County that the State denied your 2023 and 2024 Homestead Tax Credit applications as your property is in an Irrevocable Trust. Properties in an irrevocable trust are not eligible to receive the Homestead Property Tax Credit. The explanation I was given is that in an irrevocable trust you do not retain ownership of the property and cannot terminate the trust, the trust owns the property and since you do not own the property you do not qualify for a Homestead Tax Credit.

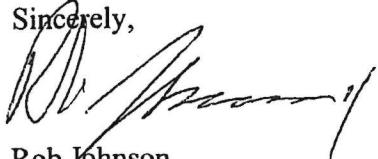
What this means is that the property tax credits you were given for 2023 and 2024 are now due. The credit and reimbursement you received for 2023 was \$2,870.83 and the credit you were granted for 2024 was \$1,608.51 for a total of \$4,479.34 due.

I understand the financial hardship that this may cause and would encourage you to contact the Ramsey County Treasurer's Office to see what your options may be for payment.

Please know that this will also render your 2025 application ineligible. I have included a corrected copy of that application indicating the denial. I apologize that I was not aware that your property was in an irrevocable trust and ineligible for the Homestead Tax Credit program.

Please do not hesitate to contact me if you have any questions.

Sincerely,



Rob Johnson
City Assessor
robj@dvlnd.com

[REDACTED]

NO DISCOUNT APPLIED

Taxable Value															
Tax Year	of HC	City	County	School	Park	Ambulance	State	Total							
2023	\$ 9,000	91.11	\$ 819.99	101.11	\$ 909.99	99.55	\$ 895.95	43.00	\$ 387.00	0.00	\$ -	1.00	\$ 9.00	335.77	\$ 3,021.93
2024	\$ 4,500	90.11	\$ 405.50	103.56	\$ 466.02	133.05	\$ 598.73	40.30	\$ 181.35	8.24	\$ 37.08	1.00	\$ 4.50	376.26	\$ 1,693.17
		\$ 1,225.49		\$ 1,376.01		\$ 1,494.68		\$ 568.35		\$ 37.08		\$ 13.50		\$ 4,715.10	

5% DISCOUNT APPLIED

Taxable Value															
Tax Year	of HC	City	County	School	Park	Ambulance	State	Total							
2023	\$ 9,000	91.11	\$ 778.99	101.11	\$ 864.49	99.55	\$ 851.15	43.00	\$ 367.65	0.00	\$ -	1.00	\$ 8.55	335.77	\$ 2,870.83
2024	\$ 4,500	90.11	\$ 385.22	103.56	\$ 442.72	133.05	\$ 568.79	40.30	\$ 172.28	8.24	\$ 35.23	1.00	\$ 4.28	376.26	\$ 1,608.51
		\$ 1,164.21		\$ 1,307.21		\$ 1,419.94		\$ 539.93		\$ 35.23		\$ 12.83		\$ 4,479.34	



**EMPLOYEE
POLICY MANUAL**

UPDATED: NOVEMBER 15, 2025

Welcome,

On behalf of your colleagues, we welcome you to the City of Devils Lake (the City) and wish you every success here.

We believe that each employee contributes directly to the City's growth and success, and we hope you take pride in being a member of our team.

This handbook was developed to describe some of the expectations of our employees and to outline the policies, programs, and benefits available to eligible employees. Employees should familiarize themselves with the contents of the employee handbook as soon as possible, for it will answer many questions about employment with the City.

We hope that your experience here will be challenging, enjoyable, and rewarding. Again, welcome!

Sincerely,

Devils Lake City Commission

EMPLOYEE ACKNOWLEDGMENT FORM

I understand that this employee handbook describes important information about the City of Devils Lake and that I should consult my supervisor regarding any questions not answered in the handbook.

Since provisions of the handbook are subject to change, I further understand that revisions to the handbook may supersede or eliminate one or more existing policies.

My employment relationship with the City of Devils Lake is voluntarily entered into and is subject, within provisions of state and federal law, to termination by me or my employer, at will, with or without cause or advance notice, at any time either party believes such action to be appropriate.

I acknowledge that this handbook is not a contract of employment. I have received, read, understood, and will comply with the policies contained in this handbook and any subsequent revisions.

I acknowledge the receipt of this Employment Manual from the City of Devils Lake.

Employee's Signature

Employee Name (typed or printed)

Date

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INTRODUCTORY STATEMENT

This handbook is designed to acquaint you with the City of Devils Lake (the City) and provide you with information about working conditions, employee benefits, and the policies affecting your employment. You should read, understand, and comply with all provisions of the handbook. It describes many of your responsibilities as an employee and outlines the programs developed by the employer to benefit employees. One of our objectives is to provide a work environment that is conducive to both personal and professional growth.

No employee handbook can anticipate every circumstance or situation. As the organization continues to grow, the need may arise to change policies described in the handbook. The City therefore reserves the right to revise, supplement, or rescind any policies or portion of the handbook from time to time as it deems appropriate, at its sole and absolute discretion.

PLEASE NOTE

This Personnel Policy Manual has been drafted as a guideline for City employees. It shall not be construed to form a contract between the City of Devils Lake and its employees; rather, it describes the City's general philosophy concerning policies and procedures.

100 - NATURE OF EMPLOYMENT

It shall be the responsibility, within the scope of this policy, of the City Commission to establish and/or maintain such ordinances and policies as are necessary to clearly define the performance and role expected of all **employees**.

This handbook is intended to provide employees with a general understanding of our personnel policies. Employees are encouraged to familiarize themselves with the contents of this handbook, for it will answer many common questions concerning employment with the City.

The following positions are classified as department heads: City Administrator, City Auditor, City Assessor, City Engineer, Chief of Police, and Fire Chief. It shall be the responsibility of each department head to comply with the direction supplied by means of all active ordinances and policies established by the City Commission. Each department head shall also be responsible for the smooth, complete, and efficient performance of all duties conferred in the manner described above, and for the conduct of all employees in his or her charge.

However, this handbook cannot anticipate every situation or answer every question about employment. It is not an employment contract and is not intended to create contractual obligations of any kind.

To retain necessary flexibility in the administration of policies and procedures, the City reserves the right to change, revise, or eliminate any of the policies and/or benefits described in this handbook.

102 – EMPLOYEE RELATIONS

The City believes that the work conditions, wages and benefits it offers to its employees are highly competitive with those offered by other employers in the area and industry. Our experience has shown that when employees deal directly with supervisors, the work environment is excellent, communications

are clear, and attitudes are positive. If employees have any concerns about work conditions or compensation, they are strongly encouraged to voice these concerns openly and directly to their supervisors.

Employees are asked to first direct their concerns to their Department Head or immediate supervisor. If the concern remains, all irreconcilable employee complaints, grievances, or requests shall be channeled through the Department Head, to the City Administrator thereafter, and then to the Commissioner whose portfolio is involved. More information can be found in Attachment B -Grievances.

Whenever possible, employees should avail themselves of training and educational programs which would better the performance of their assigned job responsibilities. Participation in such programs will be at the discretion of the employee's Department Head with due regard taken of existing budgetary considerations.

104 – EQUAL EMPLOYMENT OPPORTUNITY

The City is an equal opportunity employer. It is the policy of the City to recruit, hire, train and promote employees without discrimination because of race, color, religion, sex, age, creed, status of marriage or public assistance, national origin or physical or mental handicap except where specific age, sex or physical requirements are a bona fide occupational qualification.

106 – HIRING OF RELATIVES

It is well accepted that employment of relatives in the same area of an organization can cause serious conflicts and problems due to **actual or perceived favoritism**. This can negatively affect employee morale. In these circumstances, all parties, including supervisors, leave themselves open to charges of inequitable consideration in decisions concerning work assignments, transfer opportunities, time off privileges, training and development opportunities, performance evaluations, promotions, demotions, disciplinary actions, and discharge. In addition to claims of partiality in treatment at work, personal conflicts from outside the work environment can be carried into day to day working relationships.

It is the City's policy that relatives of persons currently employed by the City may be hired only if they will not be working directly for or supervising a relative, unless approved by the Department Head or City Administrator in collaboration with the Commission Portfolio Holder if that person's immediate supervisor and relative would be the Department Head.

If already employed, they cannot be transferred into such a reporting relationship. If the relative relationship is established after employment, the individuals concerned may recommend who is to be transferred. If that recommendation is not made within 30 days, the City Commission and/or Department Head in collaboration with the City Administrator will decide.

In other cases where a conflict or the potential for conflict arises, even if there is no supervisory relationship involved, the parties may be left unaffected or be separated by reassignment or terminated from employment.

For the purposes of this policy, a relative is defined to include spouses, parents, children, brothers, sisters, brothers and sisters-in-law, fathers and mothers-in-law, stepparents, stepsiblings, and stepchildren. This policy also applies to individuals who are not legally related but who reside with

another employee.

108 – IMMIGRATION LAW COMPLIANCE

The City is committed to employing only United States citizens and aliens who are authorized to work in the United States and comply with the Immigration Reform and Control Act of 1986, and or the Free Trade Agreement.

As a condition of employment, each new employee must properly complete, sign, and date the first section of the Immigration and Naturalization Service Form I-9 **on their first day of employment**. Before commencing work, newly rehired employees must also complete the form if they have not previously filed an I-9 with the City, if their previous I-9 is more than three years old, or if their previous I-9 is no longer valid.

110 – OUTSIDE EMPLOYMENT

Employees must disclose, in advance, circumstances or situations to the Department Head. An employee may hold a position with another non-competing organization as long as he or she satisfactorily performs his or her job responsibilities with the City. Employees should consider the impact that outside employment may have on their health and physical endurance. All employees will be judged by performance standards and will be subject to the City's scheduling demands, regardless of any existing outside work requirements.

If the City determines that an employee's outside work interferes with performance or the ability to meet the requirements of the City as they are modified from time to time, or is a potential liability to the City, the employee may be asked to terminate the outside employment if he/she wishes to remain with the City.

Outside employment will present a conflict of interest if it has an actual or potential adverse impact on the City.

112 – NON-DISCLOSURE AND CONFIDENTIALITY

The protection of confidential business information is vital to the interests and the success of the City. Such confidential information includes but is not limited to the following examples:

- Economic Development Plans (as sealed)
- Tax Assessment Records (as deemed appropriate)
- Certain Personnel Record Information

Any employee who discloses any confidential business information will be subject to disciplinary action (including possible discharge), even if he or she does not actually benefit from the disclosed information.

Any record of a City employee's medical treatment or use of an employee assistance program is confidential and may not be released or disclosed without the written consent of the employee. **Certain** personal information regarding a City employee contained in an employee's personnel record or given to the City by the employee in the course of employment is confidential and may not be released or disclosed without the written consent of the employee. As used in this policy, "personal information" means a person's home address; home telephone number; photograph; medical information; motor

vehicle operator's identification number; social security number; payroll deduction information; the name, address, telephone number, date of birth, and social security number of any dependent or emergency contact; any credit, debit, or electronic fund transfer card number; and any account number at a bank or other financial institution.

All juvenile records in the City or Police Department are confidential and may only be released or disclosed with the written consent of the juvenile's parents or legal guardian.

All security information and access codes, such as lock or safe combinations and computer access codes or passwords, are confidential and must not be released or disclosed. Any written documentation regarding this information or these codes should be safeguarded.

Disclosure of information governed by this policy within the City, its employees, and the Board of Commissioners is limited to a strict "need to know" and in accordance with applicable law. This type of disclosure between employees and/or the Board of Commissioners should be limited to the minimum necessary information needed for the management purpose.

Employees who fail to adhere to this policy will be subject to disciplinary action, up to and including termination of employment and possibly legal action, even if they do not actually benefit from the disclosed information.

114 – DISABILITY ACCOMMODATION

The City is committed to complying with the Americans with Disabilities Act (ADA) and ensuring equal opportunity in employment for qualified persons with disabilities. All employment practices and activities are conducted on a non-discriminatory basis.

Hiring procedures have been reviewed and provide persons with disabilities meaningful employment opportunities. Pre-employment inquiries are made only regarding an applicant's ability to perform the duties of the position.

Reasonable accommodation is available to all disabled employees, where their disability affects the performance of job functions. All employment decisions are based on the merits of the situation in accordance with defined criteria, not the disability of the individual.

Qualified individuals with disabilities are entitled to equal pay and other forms of compensation (or changes in compensation) as well as in job assignments, classifications, organizational structures, position descriptions, lines of progression and seniority lists. Leave of all types will be available to all employees on an equal basis.

The City is also committed to not discriminating against any qualified employees or applicants because they are related to or associated with a person with a disability. The City will follow any state or local law that provides individuals with disabilities greater protection than the ADA.

This policy is neither exhaustive nor exclusive. The City is committed to taking all other actions necessary to ensure equal employment opportunity for persons with disabilities in accordance with the ADA and all other applicable federal, state, and local laws.

200 – EMPLOYMENT CATEGORIES

It is the intent of the City to clarify the definitions of employment classifications so employees understand their employment status and benefit eligibility. Each employee is designated as either NONEXEMPT or EXEMPT from the federal and state wage and hour laws. NONEXEMPT employees are entitled to overtime pay under the specific provisions of federal and state laws. EXEMPT employees are excluded from specific provisions of federal and state wage and hour laws. Please refer to position specific Job Descriptions for exempt and nonexempt designations for all positions.

In addition to the above categories, each employee will belong to one of the following employment categories:

FULL-TIME: Employees who are not in a part-time, temporary, or introductory status and who are regularly scheduled to work the organization's full-time schedule. Generally, they are eligible for the employer's full benefit package, subject to the terms, conditions, and limitations of each benefit program.

PART-TIME: Employees who are not in a full-time, temporary or introductory status and who are regularly scheduled to work less than the fulltime work schedule but at least 10 hours per week and a maximum of 32 hours per week. Part-time employees retain that status until notified of a change. (While part-time employees receive all legally mandated benefits such as workers' compensation insurance and Social Security, they are ineligible for any of the employer's other benefit programs.)

INTRODUCTORY: Employees who are being evaluated to determine whether further employment in a specific full-time position with the organization is appropriate. Employees who satisfactorily complete the introductory period will be notified of their new employment classification.

TEMPORARY: Employees hired as interim replacements, or to temporarily supplement the work force, or to assist in the completion of a specific project. Employment assignments in this category shall not exceed 10 months in any calendar year. Employment beyond any initially stated period does not in any way imply a change in employment status. "Temporary" employees retain that status until notified of a change. While temporary employees receive all legally mandated benefits (such as workers' compensation insurance and Social Security), they are ineligible for any of the employer's other benefit programs.

202 – ACCESS TO PERSONNEL FILES

Personnel files are the property of the City and access to the information they contain is restricted. With reasonable advance notice, an employee may review material in their file but only in the City Auditor's office and in the presence of the City Auditor or their designee.

204 – PERSONAL DATA CHANGES

It is the responsibility of each employee to promptly notify the City Auditor's Office of any changes in personnel data. Personal mailing addresses, telephone numbers, number and names of dependents, marital status, individuals to be contacted in the event of emergency, educational accomplishments, and other status reports should be accurate and current at all times. **All changes must be made in person**

with Auditing Department staff to prevent fraud.

206 – INTRODUCTORY PERIOD

An employee should use the initial period after being hired or rehired, promoted, demoted or transferred within the City to determine whether the new position meets his or her expectations. The City uses this period to evaluate employee capabilities, attitude, and work habits. Either the employee or the City may end the employment relationship at will at any time during or after the introductory period, with or without cause or advance notice.

Most newly hired employees work on an introductory basis for the first 6 months (average 180 calendar days) after their date of hire, unless otherwise stated by the department head/supervisor. Any significant absence will automatically extend the introductory period by the length of the absence. If the City determines that the designated introductory period does not allow sufficient time to thoroughly evaluate the employee, the City may extend the introductory period for a specified period.

Introductory employees will assume “full-time” status upon satisfactory completion of the introductory period. During the introductory period, new employees are eligible for those benefits that are required by law, such as workers’ compensation insurance and Social Security and for group health insurance, vacation and sick accrual, and other benefits. Please see section 300 for details on benefits.

208 – EMPLOYMENT APPLICATIONS

The City relies upon the accuracy of information contained in the employment application, as well as the accuracy of other data presented throughout the hiring process and employment. Any misrepresentations, falsifications, or material omissions in any of this information or data may result in the City’s exclusion of the individual from further consideration for employment or, if the person has been hired, termination of employment.

210 – PERFORMANCE EVALUATION AND SALARY REVIEW

Supervisors and employees are strongly encouraged to discuss job performance and goals on an informal, day-to-day basis. Formal performance evaluations are conducted at the end of an employee’s introductory period in any new position. This introductory period allows the supervisor and the employee to discuss the job responsibilities, standards, and performance requirements of the new position.

Additional formal performance reviews are conducted annually to provide both supervisors and employees the opportunity to discuss job tasks, identify and correct weaknesses, encourage and recognize strengths, and discuss positive, purposeful approaches for meeting goals. You cannot assume that you will necessarily receive a wage or salary increase each time your performance is reviewed. Annual performance evaluations and salary review of each employee will be done in May or June of each year by the Supervisor, and handed in to the City Administrator for review no later than July 1st of each year. The City Administrator will complete evaluations for the Department Heads. These reviews will indicate whether or not the employee is to receive a step increase. It will also contain the signatures of the Supervisor and Employee.

All other pay increases will be effective on the beginning of a regular pay period. There is no provision

for any more than one step increase.

Step increases are provided one time per year, whether that be at the conclusion of an employee's introductory period, or after annual performance evaluations should approval be provided from the employee's supervisor.

300 – EMPLOYEE BENEFITS

Eligible employees in the City are provided a wide range of benefits. A number of the programs (such as Social Security, workers' compensation and unemployment insurance) cover all employees in the manner prescribed by law.

Benefits eligibility is dependent upon a variety of factors, including employee classification. Your supervisor can identify the programs for which you are eligible. Details of many of these programs can be found elsewhere in this handbook. Please note that not all of these benefits are employer paid.

The following benefit programs are available to eligible employees:

Auto/Vehicle (City Owned)	Medical Insurance	Meal Allowance
Auto Mileage	Military Leave	Lodging Allowance
Benefit Conversion @ Termination	Retirement Plan	Maternity Leave
Bereavement Leave	Sick Leave	Witness Duty Leave
Dental Insurance	Uniform Allowance	Cancer Care Insurance
Holidays	Vacation Benefits	Flexible Benefits
Life Insurance	Vision Insurance	Accident Insurance
Retirement Awards	Early Retirement Incentive	EAP Program
Jury Duty Leave	Service Awards	

Some benefit programs require contributions from the employee, but many are fully paid for by the City. There may be additional benefits not listed above offered by the City at the employees' cost. Please contact your supervisor or the City Auditor's office for more details on these benefits.

Employees are responsible for all checks issued for reimbursements of meals, lodging, etc. If checks are lost and/or not cashed within a reasonable amount of time, checks will be re-issued less any bank fees for the stop payment of the check.

301 – EARLY RETIREMENT INCENTIVE

As an early retirement incentive, the City will follow the Rule of 85 in regard to providing health, vision, and dental insurance. In addition to meeting the general Rule of 85, employees must have worked a minimum of 25 years (full time or the equivalent of 25 complete years of service) for the City of Devils Lake and be less than the required age to receive full retirement benefits as defined by the Social Security Administration. Retirement is fully voluntary, and no employee shall be required or coerced in any manner to retire at any given age. All personnel who desire early retirement and meet the requirements

are eligible.

To qualify, the employees combined age and years of service, must be equal to or greater than 85 and the employee must be under the required age to receive full retirement benefits as defined by the Social Security Administration. Upon qualifying the City will pay monthly health insurance premiums, up to the established cap set by the City Commission, for a period of one year from the effective date of retirement. This policy will be that of which was in place prior to retirement.

Monthly premiums which exceed the established cap will be the responsibility of the retired employee. If a monthly premium is due to the City, it must be paid by the due date given. Premiums not received by the due date may be cause for discontinuation of benefit. If for any reason the employee wishes to discontinue this benefit, they may do so at any time by written notification. If benefits are discontinued, the employee will not be eligible for reinstatement. All other benefits associated with full-time employment will discontinue effective the date of retirement.

302 - POSITIONS

Each department is authorized for a certain number of positions which are determined by the City Commission at the approval of each years' budget. Upon a vacancy occurring, the supervisor and Department Head can rehire within the authorized grade at starting level B and should collaborate with the City Administrator and Commission Portfolio Holder as appropriate given the grade and seniority of the position being filled. Anything above Step F requires Commission approval.

304 – NEW POSITION

To create a new position or hire above the F step requires approval of the full City Commission.

309 – VACANCIES AND PROMOTIONS

All recruitment ads must include position title, explicit description of skills/knowledge required (must be descriptive enough to discern qualified vs. non-qualified applicants in the screening process), information directing applicants where to obtain application and where to return the application (and resume if requested), application deadline, and a statement designating City of Devils Lake as an Equal Opportunity Employer. All open positions must be posted on the city website, in the official City Newspaper, and with North Dakota Job Service. Additional agencies/places may be used as well, at supervisor's discretion.

The hiring official must ensure the following:

- All applicants are requested to complete the Equal Employment Opportunity form that requests disclosure of their ethnic background. Completing the EEO form is voluntary but if applicants choose to return the form all information on the form is kept confidential; the hiring official must give all returned forms to the Title VI Coordinator (City Administrator). This form is not a consideration in the hiring process and is used strictly for data collection purposes.

Upon conclusion of the hiring process please provide a list of all applicants to the Title VI coordinator highlighting the individual chosen for the position.

Employees may be considered for transfer from one position to another or from one department to another as vacancies occur. Present employees who qualify for openings within the City are encouraged to apply; when external and internal applicants are equally qualified internal applicants will be given preference. All accumulated benefits will be transferable; however, no transferring employee shall be considered as having seniority, in any sense, over comparably classified members already employed by the receiving department. Unless otherwise stated by the Supervisor, all transfers of personnel will include a probationary period of six months, and the persons so affected will continue to enjoy all previous benefits and accumulate the same.

Care will be given when hiring new employees at a step higher than an A, to allow for a timely flow into the evaluation and annual step increase system. Consideration must be given at this time that this system will allow personnel to reach the last step, or "top out" at a quicker pace and only cost of living increases will apply thereafter. Therefore, it is recommended to start at lower steps as much as possible to allow for steady career advancement.

Employment should begin at the beginning of a pay period, whenever possible.

Veteran's Preference: North Dakota Century Code provides a preference in public employment for wartime veterans and, in some instances, the spouses of wartime veterans. For purposes of this policy, the following definitions apply:

Veteran: a North Dakota resident who has served in the active military forces during a period of war, or who received the armed forces expeditionary or other campaign service medal during an emergency condition, and must have been released under honorable conditions.

Disabled veteran: a veteran who meets the requirements listed above who has a service-connected disability as determined by the United States Veterans Administration; the disability must exist at the time of application.

Eligible spouse: the unremarried spouse of a deceased veteran (as defined above) who died while in service, or later died from a service-connected cause or causes; or the spouse of a disabled veteran as defined above, who because of his or her disability is unable to exercise his or her right to employment preference.

Minimum Qualifications: the qualifications required for the position for which the veteran has applied, as determined by the hiring authority. Qualifications required may be educational or by way of prior experience; applicant must be physically and mentally able to perform the duties of the position to meet the minimum qualifications.

All veterans and disabled veterans claiming preference must include current proof of their veteran status with a copy of their form DD-214. If claiming disabled veteran's preference, the veteran must include current proof of their disability (must be dated no more than 1 year prior to claiming preference). Additional documentation, such as death certificate or marriage certificate, is required if claiming eligibility as the spouse of a deceased or disabled veteran. **Preference legally does not apply when applying for a different position within the city of Devils Lake.**

The City of Devils Lake uses a competitive personnel system to fill vacancies, through which veterans are given preference using a prescribed scoring system. Veterans who are not selected for a position must

be notified by certified mail that employment was refused. The certified letter must include the reason(s) for non-selection and provide specific information on how to appeal. A template for this letter can be obtained from the HR Advisor.

311 – DEMOTIONS

Employees who are demoted due to job performance, loss of applicable drivers license, or elimination of current position will receive a pay decrease. They will retain all current benefits as long as employment status remains full-time. An employee's decrease in wage will vary based on the circumstances surrounding demotion. If a current position is eliminated, generally the new wage will be the closest wage to the old grade and step.

312 – COST OF LIVING

Cost of living adjustments will be made only by the full Commission during budget time each year. This adjustment will be applied to the entire grade and step system as directed by the Commission.

314 – STANDBY TIME

If an employee is “engaged to wait,” the time must be compensated. If the employee is merely “waiting to be engaged,” payment for such time is not required.

318 – COMPENSATORY TIME/FLEXTIME

The general practice of the City of Devils Lake shall be to pay overtime to non-exempt employees who have worked more than the minimum time. Compensatory time shall be accrued only in isolated incidences and requires the approval of the Supervisor. When granted, compensatory time for classified employees shall be granted at one and one- half the regular time for hours worked in excess of 40 hours in a workweek, 160 hours (Police Dept) or 212 (Fire Dept) in a 28-day time sheet and scheduled for use at the mutual convenience of the employee and Supervisor

Employees may accumulate up to 32 hours of compensatory time and any amount over 32 hours must be utilized within the following month, or the employee shall receive pay for the excess time. When this is necessary, compensatory time to be paid shall be certified to the City Auditor as overtime pay.

When possible, it is desirable for supervisors to flex the work schedule in order to avoid working excess hours in the work period. When flex time is used the total hours worked still remain at or below the threshold of 40 hours in a workweek or 160 (police) or 186 (fire) in a 28-day timesheet, therefore reducing/eliminating the accrual of comp time and/or overtime costs. Fire department receives straight-time flex for hours between 187 and 212.

320 – COMPENSATION FOR NONSCHEDULED HOURS

When an employee is called to work during nonscheduled hours, compensation shall consist of a minimum of one hour for the first call back each day, then actual time worked thereafter.

322 – CONVERSION FORMULA

The monthly salary is multiplied by 12, of which the result is the annual salary. The hourly wage can be found by dividing the annual salary divided by 2,080.

324 – VACATION BENEFITS

Employee classifications that are eligible for vacation benefits according to the guidelines set forth in this policy include full-time employees and introductory employees.

Vacation begins accruing from the date an employee is hired into an eligible employment category. Leave may be used as soon as it has been earned, at the discretion of the Department Head or supervisor.

Vacation leave will be prorated for new employees if they start after the first of the month, anniversary dates for length of service, any unpaid leave of absence and at the termination of employment. Vacation leave cannot be taken in increments of less than $\frac{1}{2}$ hour.

Vacation pay will be calculated based on the employee's straight-time pay rate (in effect when vacation benefits are used) times the number of hours the employee would otherwise have worked. Vacation pay does not include shift differentials, incentive pay, bonuses, or other special forms of compensation. Vacation benefits for salaried employees will be based on their normal wages.

Employees who have satisfied all eligibility requirements should submit vacation requests to their supervisors, if possible, with more than a minimum of thirty days in advance of the time requested. Requests will be evaluated based upon various factors, including anticipated operating requirements and staffing considerations during the proposed period of absence. Consecutive days of vacation taken in excess of ten days require advance approval by the Department Head or Supervisor.

Employees are strongly encouraged to take earned vacation during the benefit year of its accrual. Beginning July 1st, 2009, all new personnel hired by the City of Devils Lake are allowed to accrue a maximum of 30 days vacation at the end of the calendar year. Any vacation time accrued over 30 days as of December 31st will be forfeited. (This policy does not affect those employees hired before 7-1-09, in which case the former policy of 45 days maximum accrual applies.) Upon termination of employment, employees will be paid for vacation benefits that have accrued through the last day of work. An employee may use, as part of their voluntary termination of employment notice, up to 30 work days of available vacation leave. The Eligibility Table below defines when vacation benefits become available to full-time employees.

VACATION BENEFITS ELIGIBILITY TABLE ACCRUAL RATES:

<u>LENGTH OF SERVICE</u>	<u>HOURS PER MONTH</u>
1 thru 60 months	8 hours
61 thru 120 months	12 hours
121 months and over	16 hours

326 – HOLIDAYS

The City will grant holiday time off to most full-time and introductory employees on the holidays listed below. Rotating-shift employees in the Police Department and Fire Department receive 8 hours of straight-time pay in lieu of the holiday whether they work the holiday or not (4 hours for half-holiday).

- New Year's Day (January 1)
- Martin Luther King Jr. Day (third Monday in January)
- President's Day (third Monday in February)
- Good Friday (Friday preceding Easter)
- Memorial Day (last Monday in May)
- Independence Day (July 4)
- Labor Day (first Monday in September)
- Veteran's Day (November 11)
- Thanksgiving (fourth Thursday in November)
- 1/2 day on Christmas Eve Day (December 24) (must fall Monday thru Thursday) Christmas (December 25)
- Any other day approved by the City Commission.

A recognized holiday that falls on a Saturday will be observed on the preceding Friday. A recognized holiday that falls on a Sunday will be observed on the following Monday. If a non-exempt, non-rotating-shift employee is called to work (unscheduled) on an actual holiday, he or she will receive time and a half pay for the hours worked. If the employee is scheduled to work straight-time pay applies.

If a recognized holiday falls during an eligible employee's paid absence (e.g. vacation, sick), the employee will not have to use their paid time for that holiday (with the exception of rotating-shift employees in the Police Department and Fire Department since they are paid the holiday regardless of whether it is worked). Paid time off for holidays will not be counted as hours worked for the purposes of determining whether overtime pay is owed.

The City Commission approves the official City Calander in November of the preceding calendar year, which will include all the holiday paid time off for the upcoming calendar year.

328 – WORKERS' COMPENSATION INSURANCE

The City provides a comprehensive workers' compensation insurance program at no cost to employees. This program covers any injury or illness sustained in the course of employment, as defined by law, that requires medical, surgical, or hospital treatment. Subject to applicable legal requirements, workers' compensation insurance provides benefits after a short waiting period or, if the employee is hospitalized, immediately.

Any employee who sustains a work-related injury or illness, as defined by law, must inform his or her supervisor immediately. Workforce Safety and Insurance operates under very strict reporting requirements. To defer costs to the City, any injury that may result in a Worker's Compensation claim must be reported by midnight (Central Time) of the next business day following the injury/incident date. If a supervisor or the City Auditor is unavailable to report the injury immediately (example – during weekend shift work), it is the responsibility of the employee to do so. If a worker has an incident but does not seek immediate medical attention, the employee or supervisor must still file an "Incident Report." Injuries and/or incidents can be reported online at www.WorkforceSafety.com. All reports filed

online should be printed and turned into the City Auditor's office immediately. This will enable an eligible employee to qualify for coverage as quickly as possible.

An employee will be allowed full pay during a Workers Compensation disability up to the maximum sick leave, comp time, or vacation the employee has accumulated. After an employee has used all accumulated sick, comp, or vacation leave and is still under Workers Compensation disability, the employee will receive only such compensation as is paid by Workers Compensation. Any money received from Workers Compensation while using sick leave benefits because of that injury must be turned in to the City Auditor's office immediately. The employees' total pay (from Workers Compensation and the City) will not exceed the employee's regular rate of pay; the employee will be credited back sick leave in the amount that was received from Workers Compensation at the employee's current hourly rate of pay.

Injured workers returning to work must provide the City Auditor's office with detailed documentation from a doctor defining any or all medical restrictions.

330 – SICK LEAVE BENEFITS

The City provides paid sick leave benefits to all regular full-time and introductory employees for periods of temporary absence due to illnesses or injuries.

Eligible employees will accrue sick leave benefits at the rate of 8 hours per month. Sick leave will be prorated for new employees if they start after the first of the month, anniversary dates for length of service, any unpaid leave of absence, and at the termination of employment. All sick leave accruals will carry over from year to year, with an unlimited amount of carry over. Sick leave cannot be taken in increments of less than $\frac{1}{2}$ hour. Leave may be used as soon as it is accrued.

An eligible employee may use sick leave benefits for an absence due to illness or injury sustained by that employee or an immediate family member. Immediate family includes employee's spouse, parent (natural, adoptive, foster or stepparent), child (natural, adoptive, foster, or stepparent), or any other family member who is financially or legally dependent upon the employee or who resides with the employee for the purpose of the employee providing care to the family member.

Sick leave can also be used concurrently with FMLA usage for the birth of a child.

Employees who are unable to report to work due to an illness or injury should notify their supervisor before the scheduled start of their shift if possible. The supervisor should also be contacted each additional day of absence. If an employee is absent for more than three consecutive days due to illness or injury for themselves or a qualifying family member, a physician's statement may be requested verifying the nature of the disability and its beginning and expected ending dates. Such verification may be requested for other sick leave absences as well and may be the basis for payment authorization of sick leave benefits. Before returning to work from a sick leave absence of more than three calendar days, an employee may be requested to provide a physician's verification that he or she may safely return to work. For an absence of one week or more, the City Auditor must be notified to initiate the completion of Family & Medical Leave paperwork (refer to section 600).

Sick leave benefits will be calculated based on the employee's base pay rate at the time of absence and will not include any special forms of compensation, such as incentives, commissions, bonuses, or shift

differentials. As an additional condition of eligibility for sick leave benefits, an employee must apply for any other available compensation and benefits, such as state disability insurance. Sick leave benefits will be used to supplement any state disability insurance or workers' compensation benefits that an employee is eligible to receive. The combination of any such disability payments and sick leave benefits cannot exceed the employee's normal earnings.

It is the employer's intention that regular appointments and office visits to the doctor, dentist, optometrist, etc. be scheduled for non-work time, but in the event that employees must be absent for such appointments during normal working hours, sick leave may be taken if approved in advance.

Employees may transfer sick leave hours to another employee who has used all of their leave and needs additional time because of a personal serious illness or to care for a family member with a serious illness. The afflicted person must be "suffering from an extraordinary or severe illness, injury, impairment, physical or mental condition that has caused or is likely to cause the employee to take leave without pay or terminate employment." These terms do not include conditions associated with normal pregnancy. The employee must provide a medical certificate from a licensed physician or health care practitioner verifying the severe or extraordinary nature and expected duration of the condition. The donating employee must have a balance of at least 150 hours sick leave and is allowed to donate up to 10% of their sick leave balance. The donation must be authorized by the City Administrator. Employees may not receive more than 12 weeks of donated leave time.

Upon termination of employment, unused sick leave will be paid to the employee at 25% of the employee's current rate of pay.

332 – BEREAVEMENT LEAVE

If an employee wishes to take time off due to the death of an immediate family member, the employee should notify his or her supervisor immediately. Paid time off will be granted to allow the employee to attend the funeral and make any necessary arrangements associated with the death.

Up to three days of paid bereavement leave will be provided to regular full-time and introductory employees. Three days leave will equate a maximum of 24 hours – shift work consisting of hours in excess of 8 hours per day may use their 24 hours in less than three days, depending on the length of their scheduled shifts. Hours in excess of 24 must either be vacation or sick leave, in accordance with relationship to employee. (If the bereaved individual qualifies under the definition of immediate family in the sick leave policy, then sick leave may be used after the 24 hours bereavement leave has been exhausted.) Bereavement pay is calculated based on the base pay that an employee would otherwise have earned had he or she worked on the day of absence.

Approval of bereavement leave will occur in the absence of unusual operating requirements. Any employee may, with the supervisor's approval, use any available annual leave for additional time off as necessary.

For Bereavement Leave, the City defines "immediate family" as the husband, wife, son, daughter, father, mother, stepparents, brother, sister, grandparents, grandchildren, stepchildren, foster parents, foster children, daughter-in-law, and son-in-law of the employee and employee spouse.

333 – Commercial Driver’s License

When determined by the department head, the City may financially assist in paying the training fee for Commercial Drivers License (CDL) training required to obtain a CDL. The employee will be required to sign a contract with the City committing to pay back the City’s out-of-pocket CDL training cost should the employee leave employment with the City within two years from their date of hire. Such repayment will be made on a pro-rated basis.

334 – JURY DUTY

The City encourages employees to fulfill their civic responsibilities by serving jury duty when required. Employees may request up to the duration of the trial of paid jury duty leave over any one-year period. Jury duty pay will be calculated on the employee’s base pay rate. Employee classifications that qualify for paid jury duty leave include regular full-time employees and introductory employees.

Employees must turn in the jury duty summons to their supervisor as soon as possible so that the supervisor may make arrangements to accommodate the employee’s absence. Of course, the employee is expected to report for work whenever the court schedule permits.

Insurance benefits will remain in effect and unchanged for the full term of the jury duty absence. Accrual for benefits calculations, such as vacation, sick leave, or holiday benefits, will not be affected during paid jury duty leave.

336 – WITNESS DUTY

The City encourages employees to appear in court for witness duty whenever summoned to do so. Eligible employees will be granted a maximum of sixteen hours per summons of paid time off to appear in court as a witness. Employees will be paid at their base rate. Employee classifications that qualify for paid witness duty leave include regular full-time employees and introductory employees.

The witness summons should be turned in to the employee’s supervisor immediately after it is received, so that operating requirements can be adjusted, where necessary, to accommodate the employee’s absence. The employee is expected to report for work whenever the court schedule permits. If the employee has been summoned as a witness of the employer as a result of a job-related event, he or she will receive paid time off for the entire period of witness duty.

400 – TIMEKEEPING

Accurately recording time worked is the responsibility of every nonexempt employee. Federal and state laws require the City to keep an accurate record of time worked in order to calculate employee pay and benefits. Time worked is all the time actually spent on the job performing assigned duties.

Non-exempt employees should accurately record the time they begin and end their work, as well as the beginning and ending time of each meal period. They should also record the beginning and ending time of any split shift or departure from work for personal reasons. Any additional work hours (beyond the normal schedule hours) must always be approved before it is performed.

If corrections or modifications are made to the time record, both the employee and the supervisor must verify the accuracy of the changes by initialing the time record.

Tampering, altering, or falsifying time records or recording time on another employee's time record may result in disciplinary action, including immediate discharge.

402 – PAYDAYS

All employees are paid on a bi-weekly basis. Each paycheck will include regular earnings for all work performed from the end of the previous payroll period. Overtime pay and additional straight-time pay will be paid on the pay period following the end of the 28-day time period.

In the event that a regularly scheduled payday falls on a holiday or observed holiday (Thursday or Friday) employees will receive paychecks on the day preceding the holiday or observed holiday.

403 – DIRECT DEPOSIT

All payroll earnings will be received in the form of direct deposit. Deposits can be made to either a checking or savings account at the employee's banking institution of choice. Employees must sign a written authorization, along with providing bank routing and account numbers. Any changes to bank account information must be made in person with the Payroll Clerk or Auditor/Deputy Auditor for security and fraud prevention reasons.

404 – EMPLOYMENT TERMINATION

Since employment with the City is based on mutual consent, both the employee and the City have the right to terminate employment within provisions of state and federal law.

Terminations are an inevitable part of personnel activity within any organization, and many of the reasons for termination are routine. Following are examples of some of the most common circumstances under which employment is terminated:

RESIGNATION - employment termination initiated by an employee who chooses to leave the organization voluntarily.

DISCHARGE - employment termination initiated by the City.

LAYOFF - involuntary employment termination initiated by the City for non-disciplinary reasons.

MEDICAL TERMINATION - employment termination initiated by the employee or by the City when an employee is unable, for health reasons, to continue to work.

RETIREMENT - voluntary retirement from active employment status initiated by the employee.

Employees will receive their final pay in accordance with applicable state law.

Employee benefits will be affected by employment termination. All accrued benefits that are due and payable at termination will be paid. Some benefits may be continued at the employee's expense if the employee so chooses.

Suspension, Removal or Demotion: Any employee of the City may be suspended, removed, demoted, or discharged by their Department Head or the City Commission. In the event the suspension or demotion is of a Department Head, the two City Commissioners who are members of the Personnel Committee, along with the City Administrator, shall determine the suspension or demotion of the Department Head. The City Commission will determine the removal or discharge of any Department Head. Employment with the City is at-will; either the City or the employee may terminate the employment relationship at any time, with or without notice and with or without cause.

Any violation of the general rules and regulations of conduct governing the employees in the respective departments will be considered sufficient cause for disciplinary action but will not be exclusive, and an employee may be suspended, removed, demoted, or discharged for any other cause considered sufficient by the Department Head.

406 – PAY ADVANCES

Pay advances nor extensions of credit on unearned wages will be provided to employees.

408 – ADMINISTRATIVE PAY CORRECTIONS

The City takes all reasonable steps to assure that employees receive the correct amount of pay in each paycheck and that employees are paid promptly on the scheduled payday.

In the unlikely event that there is an error in the amount of pay, the employee should promptly bring the discrepancy to the attention of their Department Head and then the City Auditor's office so that corrections can be made as quickly as possible.

Once under-payments are identified, they will be corrected in the next regular paycheck. Overpayments will also be corrected in the next regular paycheck unless this presents a burden to the employee (where there is a substantial amount owed). In that case, the City will attempt to arrange a schedule of repayments with the employee to minimize the inconvenience to all involved.

410 – PAY DEDUCTIONS

The law requires that the City make certain deductions from every employee's compensation. Among these are applicable federal and state income taxes. The City also must deduct Social Security taxes on each employee's earnings up to a specified limit that is called the Social Security "wage base". The City contributes the amount of taxes as required by law.

The City offers programs and benefits beyond those required by law. Employees who wish to participate in these programs may voluntarily authorize deductions from their checks. If an employee does not understand why deductions were made or how they were calculated, the Auditor's Office can assist in having your questions answered.

500 – SAFETY

Establishment and maintenance of a safe work environment is the shared responsibility of the City and employees from all levels of the organization. The City will attempt to take reasonable steps to assure a safe environment and compliance with federal, state, and local safety regulations. Employees are

expected to obey safety rules and to exercise caution in all their work activities. They are asked to immediately report any unsafe conditions to their supervisor. Not only supervisors, but employees at all levels of the City are expected to correct unsafe conditions as promptly as possible.

All accidents must be reported to their supervisor, regardless of how insignificant the injury may appear. Such reports are necessary to comply with laws and initiate insurance and workers' compensation procedures.

When chemicals are involved, please refer to material safety data sheets located in each department. It will be the Department Head's responsibility to, once each year, review with individual employees in the department all copies of material safety data sheets posted on site and master copy given to the Fire Department.

502 – WORK SCHEDULES

Work schedules for employees vary throughout the City. Supervisors will advise employees of their individual work schedules. Staffing needs and operational demands may necessitate variations in starting and ending times, as well as variations in the total hours that may be scheduled each day and week. The 7-day work week shall begin on Monday at 12:01 a.m.

The standard work period for non-continuous-shift employees (those in positions which are not required to be staffed 24/7) shall be a 40-hour workweek. The shift is normally 8 hours; however, work schedules are the sole authority of the Supervisor. Timesheets and overtime are reconciled based on 40-hour work weeks, not 8-hour days.

Continuous-shift employees (those in positions which must be staffed 24/7) shall operate on a work period of 160 hours in a 28-day time period for law enforcement, and 186 hours for the Fire Department. For the Fire Department, consecutive shifts for 24 hours shall count eating and sleeping as hours worked; consecutive shifts for more than 24 hours shall generally be avoided.

Nonscheduled hours are the employee's personal time unless called into work.

504 – TOBACCO

In keeping with the City's intent to provide a safe and healthy work environment, use of tobacco in the workplace is prohibited. Tobacco use will be strictly prohibited within City buildings, leased buildings, grounds, vehicles and equipment. In accordance with NDCC 23-12-10, smoking is prohibited within twenty feet [6.10 meters] of entrances, exits, operable windows, air intakes, and ventilation systems of enclosed areas in which smoking is prohibited. This policy applies to all employees, contractors, and visitors.

Tobacco Definition

For purposes of this policy, tobacco use is defined as using cigarettes, e-cigarettes, pipes, cigars, chewing or spit tobacco, or any other like product that contains a warning from the surgeon general or that has not been approved by the FDA for smoking cessation.

506 – REST AND MEAL PERIODS

Each workday, all employees are provided with two fifteen-minute rest periods. Supervisors will advise employees of the regular rest schedule. To the extent possible, rest periods will be provided in the middle of work periods. Since this time is counted and paid as time worked, employees must not be absent from their workstations beyond the allotted rest period time.

All employees are provided with a meal period each workday. Supervisors will schedule meal periods to accommodate operating requirements. Employees will be relieved of all active responsibilities and restrictions during meal periods and will not be compensated for that time.

If rests/breaks are used to conduct non-work related activities away from the City's premises, no workers compensation coverage is available.

508 - OVERTIME

When operating requirements or other needs cannot be met during regular working hours, employees may be required to work overtime hours. When possible, advance notification of these mandatory assignments will be provided. All overtime work must receive the supervisor's prior authorization. Overtime assignments will be distributed as equitably as possible to all employees qualified to perform the required work. The City reserves the right to designate overtime as compensatory time in order to maintain a balanced budget (see section 318).

Overtime compensation is paid to all non-exempt employees in accordance with federal and state wage and hour restrictions. For non-continuous-shift employees overtime pay is provided after 40 hours physically worked in the defined workweek. Overtime for continuous-shift employees is provided after 160 hours (Police) and 212 hours (Fire). (Fire department receives additional straight-time pay for hours worked between 187 and 212). Exempt employees will not receive overtime pay. As required by law, overtime pay is based on actual hours worked. Time off on sick leave, vacation leave, or any leave of absence will not be considered hours worked for purposes of performing overtime calculations.

Failure to work scheduled overtime or overtime worked without prior authorization from the supervisor may result in disciplinary action, up to and including possible discharge.

Overtime pay shall be paid following the submission of the 28-day time sheets.

510 – USE OF EQUIPMENT AND VEHICLES

Equipment and vehicles essential in accomplishing job duties are expensive and may be difficult to replace. When using property, employees are expected to exercise care, perform required maintenance, and follow all operating instructions, safety standards, and guidelines.

Please notify the supervisor if any equipment, machines, tools, or vehicles appear to be damaged, defective, or in need of repair. Prompt reporting of damages, defects, and the need for repairs could prevent deterioration of equipment and possible injury to employees or others. The supervisor can answer any questions about an employee's responsibility for maintenance and care of equipment or vehicles used on the job.

The improper, careless, negligent, destructive, or unsafe use or operation of equipment or vehicles, as

well as excessive or avoidable traffic and parking violations, can result in disciplinary action, including discharge. All violations of traffic laws and fines levied as a result are the exclusive responsibility of the employee. Additionally, the driver's license status of all employees may be checked with the North Dakota Motor Vehicle Department annually or when the need arises. If an employee's drivers license is suspended or expired, that employee shall notify their supervisor immediately. Disciplinary action may be taken upon review.

City vehicles shall not be utilized for any personal gain by any person. City vehicle usage shall be as directed by each Department Head within their respective departments.

Seatbelts will be worn by all persons using any City Vehicle at all times. If an employee uses their own vehicle for City business they must wear their seatbelt at all times.

Accident review: An accident review board consisting of the Department Heads shall review all accidents involving City vehicles where there is any damage.

Department Heads may refer to other situations involving loss to the City, for review by the accident review board at their discretion.

512 – USE OF PHONE, FAX, AND MAIL SYSTEMS

Personal use of the fax machine or telephones for long distance and toll calls is not permitted. Employees should practice discretion in using company telephones when making local personal calls and may be required to reimburse the City for any charges resulting from their personal use of the telephone or fax. Charges for cell phone use not work related will be the responsibility of the employee. **The taking or sending of cell phone photos in this capacity, which would pose or potentially pose a liability risk or any unauthorized transmittal of documents which contain restricted information, is prohibited.** Any such action will be subject to disciplinary action, including possible discharge.

Phone calls placed to personal residences while out of town will be at the employee's expense.

To assure effective telephone communications, employees should always use the approved greeting and speak in a courteous and professional manner. Please confirm information received from the caller, and hang up only after the caller has done so.

The use of City paid postage for personal correspondence is not permitted.

514 – USE OF CREDIT CARDS

The City of Devils Lake possesses several credit cards for purchasing gas and retail charging. Any misuse of any of the City credit cards can result in disciplinary action up to and including possible termination.

516 – ACCEPTABLE USE OF COMPUTERS AND TECHNOLOGY

The City provides a variety of electronic communication devices (ECDs) and an IT infrastructure designed to facilitate business communications. These devices may include (but are not limited to) cell phone, telephone, facsimile (fax) machines, all computers and network-related hardware, software, and/or peripheral devices (including email and internet). These devices may be connected to the City's IT

infrastructure and as such, public scrutiny and/or disclosure of usage must not damage the reputation of the City of Devils Lake, nor jeopardize the system's integrity.

ECDs, computer files, internet access, the email system and software furnished to employees are the City's property and intended for business use only. Employees should not access a file or retrieve any stored communication without authorization. **Emails received which contain important data should be printed to retain a hard copy.**

Unless exempted by law, all electronic communications shall follow North Dakota's Open Records Law. It is the City's intent to provide access to ECDs for the purpose of conducting official business. However, users may be permitted to utilize ECDs for personal use if reasonable in time, duration, and frequency; personal usage is of nominal cost or value; and usage does not interfere with the performance of the user's public duties, or the public duties of any other representative of the City of Devils Lake. **Use of "streaming" audio and video for non-official business (including Internet radio, YouTube, podcasts, etc.) must be limited.**

The City strives to maintain a workplace free of harassment and sensitive to the diversity of its employees. Therefore, the City prohibits the use of computers and the email system in ways that are disruptive, offensive to others, or harmful to morale. For example, the display or transmission of sexually explicit images, messages, and cartoons is not allowed. Other such misuse includes, but is not limited to, ethnic slurs, racial comments, off-colored jokes, or anything that may be construed as harassment or showing disrespect for others.

The City purchases and licenses the use of various computer software for business purposes and does not own the copyright to this software or its related documentation. Unless authorized by the software developer, the City does not have the right to reproduce such software for use on more than one computer. Employees may only use software on local area networks or on multiple machines according to the software license agreement. The City prohibits the illegal duplication of software and its related documentation.

518 – SOCIAL MEDIA

The City respects the right of employees to use social media tools as a means of personal self-expression and as a means to further the organization's interests. It is important that employees be aware of the implications of engaging in social media and online communications.

When using social media:

- Adhere to the Acceptable Use of Computers & Technology Policy.
- Do not post confidential or proprietary information about the organization, City staff members, elected officials, clients, or business partners. It is important to protect this information.
- The City logo or other organizational images may not be used on personal social media sites **without prior permission.** The City's name may not be used to promote a personal cause, **business, product, political party, or candidate.**
- City computers and time on the job are reserved for organizational business as approved by management and in accordance with City policies.

- Be respectful to all people and organizations. **the organization, other staff members, elected officials, vendors, and business partners.**
- If you come across positive or negative remarks about the City or City related services that you believe are important, please forward this information to your supervisor or another appropriate official.
- Be conscious of mixing your business and personal lives. The internet is immediate and nothing posted is ever truly private, nor does it expire.

Online, your personal and business personas are likely to intersect. The organization respects the free speech rights of its staff members, but asks you to remember that other organizations, colleagues, and business partners may have access to the online content you post.

Employees are responsible for their own actions. Recognize that you are legally liable for anything you post online. Understand that anything you post that can potentially tarnish the City's image will ultimately be your responsibility. Be aware that your actions captured via posts, images, or comments may reflect upon the City. **While the organization does not discourage social media use, we urge you to do so properly while exercising sound judgment, common sense, and good taste.**

Posting in an Official Capacity:

Social media **content** creators' conduct will be consistent with the City's values and professional standards. Social media content creators will:

- Use all reasonable efforts to keep social media interactions factual and accurate, providing only verifiable facts;
- Strive for transparency and openness and never seek to use information for personal gain;
- Provide links to credible sources of information when possible to support interactions;
- Wherever possible, links to more information should direct users back to the City of Devils Lake's official website for more information, forms, documents, or online services;
- Publicly correct any information communicated that is later found to be in error;
- Be honest about relationships, opinions, and identity;
- Protect privacy and not share confidential or non-public information;
- Respect the public's opinion, whether positive or negative, provided it is topical and not offensive, denigrating, or completely out of context.

City social media profiles will not contain any political information or be used for political activity. Social media content **creators** are prohibited from exchanging any form of material that is:

- Prohibited by federal, state, or local law; or City policies, specifically including this policy;
- Threatening, obscene, vulgar, offensive, abusive, derogatory, discriminatory, disparaging, defamatory, harassing or that constitutes personal attacks of any kind;
- Involves sales or solicitation or facilitates any **for-profit, non-City business activity. This includes the sale of personal goods.**
- Used for any political advocacy efforts or any non-City activity that would cause the City to incur any liability.

519 – VISITORS IN THE WORKPLACE

To provide for the safety and security of employees, including city-owned property, only authorized visitors are allowed in the workplace. Restricting unauthorized visitors helps maintain safety standards, protects against theft, ensures security of equipment, protects confidential information, safeguards employee welfare, and avoids potential distractions and disturbances.

All visitors should enter the City's facilities at the main entrances. Authorized visitors will receive directions or be escorted to their destination. Employees are responsible for the conduct and safety of their visitors.

If an unauthorized individual is observed on the City's premises, employees should immediately notify their supervisor or, if necessary, direct the individual to the appropriate person or place.

600 – MEDICAL/FAMILY LEAVE

It is the intent of the City to comply with the statutory and regulatory requirements of the Family and Medical Leave Act of 1993, revised January of 2009. Under the provisions of that Act the City allows eligible employees to take up to 12 weeks of unpaid, job-protected leave in a 12-month period for specified family and medical reasons. Employees classified as regular full-time (must have completed at least 12 months of service) or regular part-time employees (must have worked at least 1,250 hours in previous 12 months) are eligible to request medical leave as described in this policy.

Eligible employees should make requests for medical leave to their supervisors at least 30 days in advance of foreseeable events or as soon as possible for unforeseeable events.

The City will grant an eligible employee up to a total of 12 workweeks of unpaid leave during any 12-month period for one or more of the following reasons:

- for the birth and care of a newborn child of the employee;
- for placement with the employee of a son or daughter for adoption or foster care;
- to care for a spouse, son, daughter, or parent with a serious health condition;
- to take medical leave when the employee is unable to work because of a serious health condition; or
- for qualifying exigencies arising out of the fact that the employee's spouse, son, daughter, or parent is on active duty or called to active duty status as a member of the Armed Forces in support of a contingency operation.

The City will also grant an eligible employee who is a spouse, son, daughter, parent, or next of kin of a current member of the Armed Forces, including a member of the National Guard or Reserves, with a serious injury or illness up to a total of 26 workweeks of unpaid leave during a "single 12-month period" to care for the service member.

After a request for FMLA is received, the City will respond with additional documentation to inform the employee of any other supporting documentation required to designate the leave as FMLA. Any changes in the status of leave or any related medical condition should be promptly reported to the City. Employees returning from medical leave may be required to submit a health care provider's verification of their fitness to return to work. Under most circumstances, employees or the City will "substitute" (run concurrently) accrued paid leave (such as sick or vacation leave) to cover some or all of the FMLA leave.

The City is required to maintain group health insurance coverage for an employee on FMLA leave whenever such insurance was provided before the leave was taken and on the same terms as if the employee had continued to work. If applicable, arrangements will need to be made for employees to pay their share of health insurance premiums while on leave. When a family/medical leave ends, the employee will be reinstated to the same position, if it is available, or to an equivalent position for which the employee is qualified. For further information on eligibility or definitions please see the City Administrator.

602 – PERSONAL LEAVE

In accordance with the guidelines set forth in this policy, the City may provide unpaid personal leave to eligible employees who wish to take time off from work duties to fulfill personal obligations. Those classified as regular full-time employees are eligible for personal leave.

Personal leave may be granted for a period of up to two weeks, pending the Department Head's approval. Any other leave of absence in excess of two weeks may be granted only by the board of City Commissioners. No sick or vacation time will accrue for any personal leave that extends beyond one week.

Requests for personal leave will be evaluated based on a number of factors, including anticipated operational requirements and staffing considerations during the proposed period of absence.

The City will continue to provide its share of insurance benefits until the end of the month in which the leave begins, at which time the employee will assume full costs.

To the extent possible, employees returning from personal leave will be returned to their former position or will be offered the first available comparable position for which they are qualified. If an employee fails to report to work at the expiration of the approved leave period, the employer will assume that the employee has resigned.

604 – MILITARY LEAVE

An employee who is either an enlisted person or an officer in the National Guard or Armed Forces Reserve, subject to call, or volunteer for such service shall be granted military leave annually in accordance with Section 37-01-25 and 37-01-25.1 of the North Dakota Century Code. If such people have been in continuous employment for a period of ninety (90) calendar days immediately preceding the leave of absence. Please refer to North Dakota Century Code (Attachment C) and/or the Uniformed Services Employment and Reemployment Rights Act (USERRA) for further information.

606 – MATERNITY RELATED ABSENCES

The City will not discriminate against any employee who requests an excused absence **for medical conditions associated with** a pregnancy. Such leave requests will be made and evaluated in accordance with the medical leave policy provisions outlined in this handbook and in accordance with all applicable federal and state laws.

Requests for time off associated with pregnancy, adoption and/or childbirth (apart from medical disabilities associated with these conditions) will be considered after all other vacation, sick leave and

comp time is used up. Employees can also refer to the FMLA section for further guidance and direction.

700 – EMPLOYEE CONDUCT AND WORK RULES

Role of Employees: You are expected each day to remember that, as an employee of the City, you serve the citizens of Devils Lake. Your actions in this capacity reflect favorably or unfavorably upon you, your supervisor(s) and City government as a whole. We expect that you will maintain favorable visibility with the public, that you will act responsibly within the means of your position in meeting the needs of the public and that you will be accountable for your actions in this capacity.

Getting Started: You have been carefully selected to perform an essential service for the City. To help you get started, your supervisor will provide you with a description of your job and will discuss your duties with you. If you have any questions about your job, don't hesitate to ask your supervisor. Your supervisor is just as concerned about your success on the job as you are and will do everything possible to see that you receive the help you need.

Orientation and Introduction: As soon as possible after employment, the employee should go to the Auditor's Office to complete the various fringe benefit program forms, tax table status, and any other forms deemed necessary for their employment.

To assure orderly operations and provide the best possible work environment, the City expects employees to follow rules of conduct that will protect the interests and safety of all employees and the employer.

It is not possible to list all the forms of behavior that are considered unacceptable in the work place, but the following are examples of infractions of rules of conduct that may result in disciplinary action, including suspension or termination of employment.

- Theft or inappropriate removal or possession of City property
- Falsification of timekeeping records or any other records
- Working under the influence of alcohol or illegal drugs
- Possession, distribution, sale, transfer, or use of alcoholic or illegal drugs in the work place, while on duty, or while operating employer-owned vehicles or equipment
- Fighting or threatening violence in the work place
- Boisterous or disruptive activity in the work place
- Negligence or improper conduct leading to damage of employer-owned or customer-owned property
- Insubordination or other disrespectful conduct
- Violation of safety or health rules
- Smoking in prohibited areas
- Sexual or other unlawful harassment
- Possession of dangerous or unauthorized materials, such as explosives or firearms, in the work place
- Excessive absenteeism or any absence without notice
- Unauthorized absence from work station during the work day
- Unauthorized use of telephones, mail system, or other employer- owned equipment
- Violation of personnel policies
- Unsatisfactory performance or conduct

Misconduct can occur either on or off the job. Examples of misconduct on the job are cited above. Examples of misconduct off the job include, but are not limited to involvement in criminal activity or activity involving moral turpitude which, in the judgment of the City, reflects adversely on the image or standing of the City. Employees arrested or cited for driving under the influence or reckless driving, on or off the job, are subject to disciplinary action up to and including immediate termination.

Employment with the City is at the mutual consent of the City and the employee, and either party may terminate that relationship at any time, with or without cause and with or without advance notice, within the provision of state and federal law.

Grievance and disciplinary procedures for employees of the City shall be in accordance with the provisions of the North Dakota Century Code.

701 – DRESS CODE

Appearance and dress should correlate with the job being performed, both for safety reasons and to reflect a positive image for the City. Should an employee arrive for work wearing clothing or accessories which, in the opinion of their supervisor, is inappropriate, they may be required to go home and change prior to commencing work. Some positions are provided with City uniforms; these are the property of the City and must be returned upon leaving employment.

702 – DRUG AND ALCOHOL USE

Drug and alcohol use is highly detrimental to the safety and productivity of employees in the workplace. No employee may use or possess any illicit drug or alcohol while in the workplace, while on duty, or while operating a vehicle or equipment owned or leased by the City.

The Drug and Alcohol Policy adopted by the City is attached to this policy and is referred to as **Attachment A**.

703 – INCLEMENT WEATHER

A decision to close the City offices due to inclement weather shall be at the discretion of the City Administrator, who will make the necessary arrangements to notify employees. Should an employee choose not to attend work due to inclement weather when the City offices are still open, that employee will have that time off charged to either vacation or leave without pay (if no other leave available). Non-exempt employees required to work will receive straight-time compensatory time in the same amount of hours that city offices are closed, up to a maximum of 8 hours.

704 – SEXUAL & OTHER FORMS OF IMPERMISSIBLE HARASSMENT

The City is committed to providing a work environment that is free of discrimination. Actions, words, jokes or comments based on an individual's sex, race, ethnic, age, religion or any other legally protected characteristic will not be tolerated.

Sexual harassment is the unwarranted and unwanted action of an individual against another individual involving sexual overtones. The City will not tolerate verbal or physical conduct by an employee which harasses, disrupts or interferes with another's work performance or which creates an intimidating,

offensive or hostile work environment. The City is opposed to sexual harassment in the workplace and such harassment is against the law.

Sexually harassing conduct in the workplace or elsewhere, whether committed by supervisory or non-supervisory personnel is prohibited. Such conduct may include, but is not limited to:

- Sexual flirtation, touching, advances, etc.
- Verbal abuse of a sexual nature.
- Graphic or suggestive comments about an individual's dress or body.
- Sexually degrading words to describe an individual.
- The display in the workplace of sexually suggestive objects or pictures, including nude photographs.
- It is important to note that sexually harassing conduct also includes:
- Explicitly or implicitly making submission to conduct, a term or condition of an individual's employment.
- Using submission or rejection of the conduct as a basis for employment decisions.
- The conduct substantially interferes with the individual's work performance or creates an intimidating, hostile or offensive work environment.

Any employee who believes that the actions or words of any employee or fellow employee constitute unwelcome harassment, has a responsibility to report this behavior, in writing, as soon as possible to their Department Head or City Administrator. All complaints of harassment will be investigated promptly in a confidential manner. In all cases, the employee will be advised of the investigation's conclusions.

Any employee who is found, after appropriate investigation, to have engaged in harassment of another employee, will be subject to appropriate disciplinary action and may be subject to immediate discharge.

705 – INVESTIGATION AND ADMINISTRATIVE LEAVE

Administrative Leave is defined as the temporary removal from the work environment of a employee, with or without pay, following an allegation of misconduct, or other similar circumstance, that requires an investigation and review of the related facts. This policy identifies the procedures to be followed when an employee has been placed on Administrative Leave.

An employee may be placed on Administrative Leave with or without pay in circumstances following an allegation of misconduct, which requires an investigation and review of the related facts. Compensation for Administrative Leave with pay will be equal to the employee's base rate of pay. In certain situations where pending litigation is present, an employee may not be allowed to return to their position immediately following the internal investigation. Generally, paid Administrative Leave will not continue beyond the length of the internal investigation. However, the City retains the right to determine paid/unpaid status on a case by case basis. Whether paid or unpaid, benefits will continue to be provided throughout the duration of the leave in the same manner as if an employee was not on Administrative Leave.

When an employee is to be placed on Administrative Leave with or without pay, and an investigation is either pending or foreseeable regarding suspected or alleged misconduct involving that employee, the following procedures shall be observed:

- Prior to any contact with the employee, the affected individual's immediate supervisor shall

meet (face-to-face and/or by telephone) with the City Administrator and the Human Resources designee and, as necessary, legal counsel (these four individuals herein referred to as the representatives) to discuss the appropriate course of action under the circumstances, including termination or Administrative Leave. The City Administrator has the authority to place an employee on Administrative Leave.

- The representatives shall address any safety concerns arising out of the alleged or suspected misconduct as well as the scope of any investigation and the need for the preservation of evidence. The representatives shall determine the role of each department, and establish an action plan (i.e. who should attend the meeting with the employee, what property, if any, can be removed, next steps, etc.).
- After a review of the facts and circumstances relating to the grounds for the Administrative Leave, the representatives shall determine whether the safety and security of City personnel requires the presence of an officer, or alternatively, an officer to remain in the general vicinity.
- In any situation in which an investigation is pending or foreseeable, the employee shall be permitted to leave the City premises with only his or her personal items approved jointly by the direct supervisor and City Administrator. Based on the circumstances, the employee may be escorted by a representative from law enforcement. Prior to leaving, all keys, passwords, access codes, etc must be collected and/or changed by the direct supervisor as appropriate.
- Pending the completion of the investigation, steps must be taken to secure or prevent the destruction of documents relevant to the investigation. It is the responsibility of the immediate supervisor or manager, with the assistance of IT and other applicable personnel, to (a) terminate or suspend, as applicable, the employee's access privileges to City information systems; and (b) to inventory and remove (or request removal of) the employee's personal belongings. Pending the outcome of an investigation, the City will use reasonable efforts to keep the employee's personal belongings in a secure manner.
- Investigations shall be conducted in an expedited manner as circumstances allow and personal belongings shall be returned to the employee as soon as feasible. If circumstances allow, the affected employee may be returned to work in an alternative position until the investigation is complete.
- At the conclusion of the investigation, the employee who was on an Administrative Leave without pay and determined not to be at fault, shall receive any wages owed while on administrative leave without pay.

At-will employment not affected

Notwithstanding anything to the contrary stated in this policy, nothing herein is intended to alter the at-will status of any City employee. The City of Devils Lake at all times retains the right to terminate any employee at any time, with or without cause.

706 – ATTENDANCE AND PUNCTUALITY

To maintain a safe and productive work environment, the City expects employees to be reliable and punctual in reporting for scheduled work. Absenteeism and tardiness place a burden on other employees and on the City. In the rare instance when an employee cannot avoid being late to work or is unable to work as scheduled, he or she should notify the supervisor as soon as possible in advance of the anticipated tardiness or absence.

Poor attendance and excessive tardiness are disruptive. Either may lead to disciplinary action, including termination of employment.

708 – RETURN OF PROPERTY

Employees are responsible for all property, materials, or written information issued to them or in their possession or control. Employees must immediately return all property of the City that is in their possession or control in the event of termination of employment, resignation, or layoff. This includes uniforms. In the event property is not returned, the proper authorities will be notified by the City Administrator and future legal actions may be taken.

710 – RESIGNATION

Resignation is a voluntary act initiated by the employee to terminate employment with the City. Although advance notice is not required, the City requests at least two weeks written resignation notice from all employees.

712 – SECURITY AND INSPECTION

The City wishes to maintain a work environment that is free of illegal drugs, alcohol, firearms, weapons (such as knives, clubs, etc.), explosives or other improper materials. The City prohibits the control, possession, transfer, sale, or use of such materials on its premises. The City requires the cooperation of all employees in administering this policy.

Desks, lockers and other storage devices may be provided for the convenience of employees, but remain the sole property of the City. Accordingly, they, as well as any articles found within them, can be inspected by an agent or representative of the City at any time, either with or without prior notice. At no time may an employee install or utilize their own locking mechanism or device to secure the above.

The City likewise wishes to discourage theft or unauthorized possession of the property of employees, the City, visitors or customers. To facilitate enforcement of this policy, the City or its representative may inspect not only desks and lockers, but also packages and persons entering and/or leaving the premises. Additionally, the City reserves the right, at its sole discretion to install and use security/ surveillance cameras or devices on its property. Any employee who wishes to avoid inspection of any articles or materials should not bring them onto the City's premises.

Some areas of the City's premises are designated as "restricted entry", i.e. the vault, parts storage, cash drawer, etc. Unauthorized entry into these restricted areas may result in disciplinary action up to and including termination.

714 – SOLICITATION

In an effort to assure a productive and harmonious work environment, persons not employed by the City may not solicit or distribute literature in the work place at any time for any purpose, unless approved in advance by the City Administrator or the **City Commission**.

The City recognizes that employees may have interests in events and organizations outside the work place. However, employees may not solicit or distribute literature concerning these activities during working time. (Working time does not include lunch periods, work breaks, or any other periods in which employees are not on duty.)

Examples of impermissible forms of solicitation include:

- The collection of money, goods, or gifts for community or religious groups. The collection of money, goods, or gifts for charitable or political groups
- The sale of goods, services, or subscriptions outside the scope of official organization business
- The circulation of petitions or distribution of literature not approved by the employer. The solicitation of memberships, fees, or dues

In addition, the posting of written solicitations on City bulletin boards is prohibited. Bulletin boards are reserved for official organization communications.

800 – EMPLOYMENT OF INDIVIDUALS WITH LIFE THREATENING ILLNESSES

The City recognizes that employees with life threatening illnesses, such as cancer, heart disease, and AIDS, may wish to continue their normal pursuits, including work, to the extent that their condition allows. The decision to continue work will be based on the ability to meet normal performance standards and on the receipt of satisfactory medical evidence that the employee does not present an immediate threat to themselves or others. Evaluation of the potential dangers presented by individuals with life threatening diseases will occur on a case by case basis and will consider existing medical and scientific evidence.

802 – PERSONNEL ADVISORY COMMITTEE

A committee designated as the Personnel Advisory Committee will be composed of: two City Commissioners appointed by the City Commission at their biannually organizational meeting; the City Administrator; one full-time classified employee elected by the employees in January of each even numbered year; and the Human Resources Advisor.

This committee will act to assist the City Commission in the periodic review and revision of this policy. This committee will meet to review additions, amendments, revisions, and deletions to this policy and recommend such changes as it deems necessary to the City Commission.

804 – COBRA BENEFITS

The federal Consolidated Omnibus Budget Reconciliation Act (COBRA) gives employees and their qualified beneficiaries the opportunity to continue health insurance coverage under the City's health plan when a "qualifying event" would normally result in the loss of eligibility. Some common qualifying events are resignation, termination of employment, or death of an employee; a reduction in an employee's hours or a leave of absence; an employee's divorce or legal separation; and a dependent child no longer meeting eligibility requirements.

Under COBRA, the employee or beneficiary pays the full cost of coverage at the City's group rates plus an administration fee. The City provides each eligible employee with a written notice describing rights granted under COBRA when the employee becomes eligible for coverage under the City's health insurance plan. The notice contains important information about the employee's rights and obligations.

807 – FRAUD PREVENTION AND INVESTIGATION

This City-wide fraud policy is established to facilitate the development of controls which will aid in the detection and prevention of fraud against the City of Devils Lake.

This policy applies to any fraud, or suspected fraud, involving employees, elected and appointed officials, as well as consultants, vendors, contractors, outside agencies doing business with employees of such agencies, and/or any other parties with a business relationship with the City. Any investigative activity required will be conducted without regard to the suspected wrongdoer's length of service, position/title, or relationship to the City.

All employees and elected officials of the City are responsible for the detection and prevention of fraud, misappropriations, and other inappropriate conduct. Each member of the management team will be familiar with the types of improprieties that might occur within his or her area of responsibility, and be alert for any indication of irregularity. Any fraud that is detected or suspected must be reported immediately to the City Administrator, who coordinates all investigations with the legal counsel and other affected areas, both internal and external. If suspected fraudulent activity involves the City Administrator, the report must be brought to the attention of the **Commission President**. The City Administrator and/or **Commission President** shall lead the Investigation Unit until the matter is resolved.

Actions constituting fraud

The terms defalcation, misappropriation, and other fiscal wrongdoings refer to, but are not limited to:

- Any dishonest or fraudulent act
- Forgery or alteration of any document or account belonging to the City
- Forgery or alteration of a check, bank draft, or any other financial document
- Misappropriation of funds, securities, supplies, or other assets
- Impropriety in the handling or reporting of money or financial transactions
- Disclosing confidential and proprietary information to outside parties
- Accepting or seeking anything of material value from contractors, vendors or persons providing services/materials to the City. Exception: gifts less than \$50 in value.
- Destruction, removal or inappropriate use of records, furniture, fixtures, and equipment
- Any similar or related inappropriate conduct

Other inappropriate conduct

Any other suspected improprieties concerning an employee's or official's moral, ethical, or behavioral conduct, should be brought to the attention of the **City Administrator**. If there is any question as to whether an action constitutes fraud, contact your supervisor or the **City Administrator** for guidance.

Reporting procedures

Great care must be taken in the investigation of suspected improprieties or wrongdoings so as to avoid mistaken accusations or alerting suspected individuals that an investigation is under way. An employee who discovers or suspects fraudulent activity will *contact the City Administrator immediately*. The employee or other complainant may remain anonymous. All inquiries concerning the activity under investigation from the suspected individual, his or her attorney or representative, or any other inquirer should be directed to the City Administrator or the City Attorney. No information concerning the status of an investigation will be given out. The proper response to any inquiries is: "I am not at liberty to discuss this matter." Under no circumstances should any reference be made to "the allegation," "the crime," "the fraud," "the forgery," "the misappropriation," or any other specific reference.

Confidentiality

The City Administrator treats all information received *confidentially* to the extent possible within the constraints of the law. Any employee who suspects dishonest or fraudulent activity will notify the City Administrator immediately, and should not attempt to personally conduct investigations or interviews/interrogations related to any suspected fraudulent act (see **Reporting Procedure** section above). Investigation results *will not be disclosed or discussed* with anyone other than those who have a legitimate need to know. This is important in order to avoid damaging the reputations of persons suspected but subsequently found innocent of wrongful conduct and to protect the City from potential civil liability.

Investigation responsibilities

The City Administrator, with the assistance of the City Attorney as appropriate, has the primary responsibility for the investigation of all suspected fraudulent acts as defined in the policy. If the investigation substantiates that fraudulent activities have occurred, the Administrator will issue reports to appropriate designated personnel and, if appropriate, to the City Commission. Decisions to prosecute or refer the examination results to the appropriate law enforcement and/or regulatory agencies for independent investigation will be made in conjunction with legal counsel and senior management, as will final decisions on disposition of the case.

ATTACHMENT A – DRUG AND ALCOHOL POLICY

On January 1, 1996, The City of Devils Lake was required by Federal law to have in place a program for alcohol and drug testing for pre-employment, post-accident, random, return-to-duty, follow-up, and reasonable suspicion.

Use of alcohol and illegal drugs in the workplace and on the road are a danger to those who use them, to those who work around users, and to the public in general. The City feels alcohol and drug testing will help discourage substance abuse and reduce absenteeism, accidents, health care costs, and other alcohol/drug related problems. In addition, it will protect the health and safety of City employees and the general public.

To comply with Federal regulations for alcohol and drug testing, the City of Devils Lake contracts with a private medical company to conduct alcohol and drug testing for the City.

Policy Statement

Employees are reminded that they represent the City of Devils Lake while working, as well as after working hours. The City takes violation of laws regulating the use and consumption of such drugs and/or alcohol very seriously, both while on and off the clock. Repeat violations of state and federal law related to controlled substances will be taken seriously with circumstances heavily scrutinized by the City. The City and its employees will be held to a high standard. Singular and especially repeat violations of state/federal drug and alcohol laws by City employees reflect poorly upon the organization. The reputation and credibility of the City with the public will be of immediate priority and will be a factor in determining if employees found in violation of drug and alcohol laws are to remain employed by the organization.

It shall be the policy of the City of Devils Lake that all employees are subject to reasonable suspicion testing. Regular full-time and part-time safety-sensitive employees are subject to the random alcohol and drug testing program, as well as post-accident, return-to-duty, and pre-employment testing. Safety-sensitive positions are defined as those whose duties are fraught with “such risks of injury to others that even a momentary lapse of attention can have disastrous consequences”. This would include (but may not be limited to) Police Officers, Firefighters, Heavy Equipment Operators, Sanitation Drivers, Waste and Sewage Treatment Plant Operators, and drivers operating with a CDL.

Method of Testing

The contracted private medical company will provide the City with a computer generated random list which will identify the employees requiring random testing. There will be no advance notice to an employee of an alcohol or drug test. Testing will normally take place at the City Recycling Center.

Breath alcohol tests will be communicated to the City (or its designate) as soon as the test is completed. Negative drug tests will be reported within 24 hours if not needing any Medical Review Officer (MRO) handling and positive tests are reported as soon as the MRO process/interview is complete.

All employees subject to random testing will be placed in one of two pools, depending on the nature of their position. Those with a Commercial Driver’s License are in one pool; all other safety-sensitive positions are in another pool. Random selections will be drawn quarterly.

Types of Testing

Random Testing

- *Random alcohol testing* shall be conducted in accordance with the following requirements:
 - o Random alcohol testing shall be administered at a minimum annual rate of 10% of the average number of regular full-time and part-time employees included in the alcohol/drug program.
 - o The City designate shall ensure that random alcohol tests are unannounced and spread reasonably throughout the calendar year.
 - o The City designate shall ensure the employees selected for random alcohol tests proceed immediately to the testing site upon notification of being selected.

Random Drug Testing shall be conducted in accordance with the following requirements:

- Random drug testing shall be administered at a minimum annual rate of 35% of the average number of regular full-time and part-time employees included in the alcohol/drug program.
 - o The City designate shall ensure that random drug tests are unannounced and spread reasonably throughout the calendar year.
 - o The City designate shall ensure the employees selected for random drug tests proceed immediately to the testing site upon notification of being selected.

Reasonable Suspicion Alcohol and Drug Testing

1. The City must require a driver to submit to an alcohol or drug test when the City has reasonable suspicion to believe the employee has violated the alcohol or drug prohibitions. Reasonable suspicion is the belief that the employee has violated the alcohol or drug prohibitions, based on specific, contemporaneous, articulable observations concerning the appearance, behavior, speech or body odors of the employee.
2. Alcohol testing as a result of reasonable suspicion is authorized only if the observations are made during, just before, or just after the period of workday the employee is required to be in compliance. If a reasonable suspicion alcohol test is not administered within two hours following the observations, the City designate shall prepare and maintain on file a record stating the reasons the alcohol test was not administered promptly. In addition, if not administered within eight hours, the City shall cease attempts to administer the test, and shall prepare and maintain the record listed above. Observations may include indications of the chronic and withdrawal effects of drugs.

Return-To-Duty and Follow-Up Testing

- The City shall ensure that before an employee returns to duty requiring the performance of a safety sensitive function, and/or after engaging in prohibited conduct regarding alcohol misuse, the employee shall undergo a return-to-duty alcohol test indicating a breath alcohol concentration of less than .02.
- In the event a return-to-duty test is required, the employee must also be evaluated by a substance abuse professional and participate in any assistance program prescribed.

Pre-employment Alcohol and Drug Testing

- Prior to the first time an employee performs safety-sensitive on duty functions, the employee must submit to testing for drugs. Safety sensitive functions related to "on duty" time include:
 - o All time waiting to be dispatched, unless relieved from duty
 - o All time performing inspections of equipment
 - o All driving time
 - o All time, other than driving time, in or upon any commercial motor vehicle

- All time loading or unloading a vehicle
- All time spent performing activities related to accidents
- All time repairing, obtaining assistance, or remaining in attendance upon a disabled vehicle.

- The employer shall not allow an employee to perform a safety-sensitive function until a drug test result from the MRO indicates a verified negative test.

Post Accident and Drug Testing

- As soon as practicable following an accident involving a commercial motor vehicle, each employer shall test for alcohol and drugs from each surviving driver when either:
 - The accident involved a fatality; or
 - The employee receives a citation under state or local law for a moving violation arising from the accident
- For the purpose of this rule, an accident is defined as an incident involving a commercial motor vehicle requiring to be towed from the scene.

Employee's responsibility:

An employee who is subject to post-accident testing must remain available, or the employer may consider the employee to have refused to submit to testing. The employee subject to post-accident testing must refrain from consuming alcohol for 8 hours following the accident, or until he/she submits to an alcohol test, whichever comes first.

Employees must not have even one drink fewer than 4 hours before work duties begin. Employees in the random pool must be available to be tested for alcohol and/or drugs while on duty and just prior to, just after, or while performing a safety-sensitive function. Employees who refuse to be tested or to cooperate in testing, or who attempt to alter test results, are subject to termination procedures.

Employees must notify their supervisor if using a prescription containing a controlled substance. The employee must also provide documentation that use of the drug does not adversely affect the employee's ability to operate a commercial motor vehicle.

Employer's responsibility:

The City shall provide employees with necessary post-accident information, procedures and instructions, prior to the employee operating a commercial motor vehicle, so that employees will be able to comply with the requirement.

All applicants and employees who undergo City-mandated tests must be notified if the test result is positive. The vendor will follow specific procedures if an alcohol test result is positive. The procedures are required by federal guidelines and are intended to make sure that the test result is a true positive. Tests required by the City, except for pre-employment tests and return-to-duty tests, are considered a duty assignment. Time for travel and time spent in providing the specimen at the collection site will be with pay.

Definition of a positive alcohol test:

Alcohol tests will be considered positive if the breath test indicates an alcohol presence of .04 or greater. If the test results are positive, the employee and supervisor will be notified before the employee leaves the test site.

If an alcohol test indicates an alcohol concentration of at least .02, but less than .04, the test is considered negative, but the employee will be taken out of service for 24 hours.

Definition of a positive drug test:

A test will be considered positive if a controlled substance for which no legitimate explanation, determined by the Medical Review Officer (MRO), is found in the urine specimen.

Out-of-Service Request

Many employees are subject to call for emergency duties. However, if the employee has had even one drink in the 4 hours prior to the call or suspects that he/she may have a breath-alcohol concentration of .02 or above, the employee must take himself/herself out of service. No disciplinary measures will be taken when the employee requests to take himself/herself out of service.

City Requirements of Previous or Prospective Employers

The City may inquire with previous employers before requiring an employee to perform work in a safety-sensitive position. New hires must sign a release of information allowing City officials to inquire with previous employers about the applicant's drug-testing history during the previous two years. Information that may be requested includes:

- Previous test dates
- Positive test results
- Refusals to test
- Evaluation and rehabilitation results.

If asked, and the proper release of information is provided, the City will disclose the following information to any potential future employers of employees covered under the City's alcohol and drug testing program:

- Results of any tests which an employee took
- Any referral for evaluation and rehabilitation
- The results of any such referral.

New employees will be notified about this policy after they are hired but before they report to work with the City. They must sign off, indicating that they have read and understood the policy, before they begin work duties with the City.

ATTACHMENT B – GRIEVANCE PROCEDURES

GRIEVANCE PROCEDURES

The purpose of this internal grievance policy and procedure is to provide a fair and effective opportunity to resolve work-related problems by using a series of interactive and progressive steps.

Definitions for the purpose of this policy:

- Working days – the workdays of Monday through Friday, excluding holidays
- Reduced to writing - a concise statement outlining the nature of the grievance and the relief requested.
- Harassment-related – any grievance related to violation of section 704 of this handbook.

Scope: This policy applies to all departments and employees of the City of Devils Lake. This policy does not usurp any rights or avenues laid out in state or federal labor law. Department Heads are identified in City Code as appointive officers and the authority to remove or suspend such appointments rests with the City Commission as identified in 212.40 of City Municipal Code.

All grievances shall be handled in the following manner

Step 1

When an employee has a grievance, he/she shall always attempt first to resolve the matter informally by directly addressing the individual involved. In harassment-related grievances, employees are not required to deal directly with an offending individual(s) in seeking resolution.

Step 2

If informal attempts at resolving the matter are not successful, the grievance shall be reduced to writing within 10 working days of the grieved incident and presented to the Department Head. (If the matter directly involves the Department Head, move to Step 3.) The employee should expect a response in writing within 10 working days. If the employee feels the concern has not been sufficiently considered or addressed with the Department Head proceed to Step 3.

Step 3

Any matter not resolved in a satisfactory manner by the Department Head should be presented in writing to the City Administrator for an appeal. The employee should expect a response in writing within 10 working days. If the employee feels the concern has not been sufficiently considered, the aggrieved employee may proceed to Step 4.

Step 4

A Grievance Review Board comprised of the Mayor, the portfolio commissioner, (Commission Vice President if Mayor and portfolio commissioner are the same person) the City Attorney, and the Human Resources Advisor may elect to hear the grievance or to contract a hearing officer to hear or review the grievance. Once the Board has reviewed the initial grievance, the employee shall be notified in writing of the method, time and place of a hearing. If the Board elects to hear the grievance, they will establish the terms for hearing the grievance, either by requesting all parties submit information in writing, verbally, or combine both options. Once the Board has either heard the grievance or received a recommendation from a contracted source, the Board **will then make a final decision. The Board's**

decision will be final and will be provided to the employee in writing within 15 days after making a determination. The Board reserves the right to forward the matter to the City Commission should it deem appropriate.

At any time through the grievance process, either the employee and/or supervisory level may request alternative dispute resolution or mediation services. All parties involved must agree to the use of mediation prior to using this method.

An employee who is a party to a work-related grievance proceeding may be accompanied, advised, and represented throughout the proceeding by another employee or by a representative chosen by the employee involved in the proceeding according to NDCC 34-11.1-04.2 All representatives must conduct themselves in a respectful and professional manner during the grievance procedure.

Non-grievable items

There are various departments and offices of the City of Devils Lake with a small number of employees. In order to provide the assistance needed to another department, an employee may be transferred, permanently or temporarily, to another department so long as it does not decrease the salary and benefits of employees affected. Such action does not constitute a grievance. Additionally, the following items are also non-grievable:

- Issues deemed settled by the Grievance Review Board
- Relocation or transfer of an employee within the department that results in no change of pay, benefits, and/or classification.
- Temporary work assignments.
- Budget and organizational structure, including the number of assigned employees within any department.
- The manner and method of performing work assignments, including performance evaluations, unless in the case of discrimination.
- Benefits.

devils lake

Engineering



CAPITAL IMPROVEMENT PLAN

2025 - 2030



2025 - 2030

Capital Improvement Plan (CIP)

December 2025

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City of Devils Lake - Capital Improvement Plan Project Summary

Updated 12/15/2025



Project - Scheduled

Project - Flexible

Project - Other Funding

2025

	Total Cost	Local Share	Non-Local Share
2025 Mill & Overlay			
Mill & Overlay - Original Townsite	\$ 1,118,559	\$ 1,118,559	\$ -
Downtown Parking Lots & Alleys	\$ 450,138	\$ 450,138	\$ -
2025 Mill & Overlay Total:	\$ 1,568,697	\$ 1,568,697	\$ -
2025 Seal Coat			
Seal Coat - Various Locations (2021 & 2022 Projects)	\$ 494,419	\$ 494,419	\$ -
2025 Seal Coat Total:	\$ 494,419	\$ 494,419	\$ -
2025 New Construction			
New Construction - 14th Ave NE, 14th St NE	\$ 592,293	\$ 179,067	\$ 413,227
2025 New Construction Total:	\$ 592,293	\$ 179,067	\$ 413,227
2025 Miscellaneous Construction			
City Curb & Gutter Replacement Program	\$ 10,000	\$ 10,000	\$ -
City Sidewalk Replacement Program	\$ 50,000	\$ 50,000	\$ -
Lead Service Line Replacement	\$ 50,000	\$ 50,000	\$ -
NDDOT - Microsurfacing, Signal Upgrades - College Dr N, College Dr S, Hwy 19 W	\$ 2,284,250	\$ 273,267	\$ 2,010,983
NDDOT - Lighting Upgrades - US Hwy 2 E	\$ 339,394	\$ -	\$ 339,394
2025 Miscellaneous Construction Total:	\$ 2,733,644	\$ 383,267	\$ 2,350,377
	2025 Total:	\$ 5,389,053	\$ 2,625,450
			\$ 2,763,604

2026

	Total Cost	Local Share	Non-Local Share
2026 Mill & Overlay			
Mill & Overlay - South Side	\$ 1,554,000	\$ 1,554,000	\$ -
Mill & Overlay - US Hwy 2 Frontage Roads	\$ 1,749,240	\$ 577,249	\$ 1,171,991
2026 Mill & Overlay Total:	\$ 3,303,240	\$ 2,131,249	\$ 1,171,991
2026 Miscellaneous Construction			
City Curb & Gutter Replacement Program	\$ 10,000	\$ 10,000	\$ -
City Sidewalk Replacement Program	\$ 50,000	\$ 50,000	\$ -
Lead Service Line Replacement	\$ 50,000	\$ 50,000	\$ -
Inert Landfill Expansion - Land Acquisition and Soil Testing	\$ 400,000	\$ 400,000	\$ -
2026 Miscellaneous Construction Total:	\$ 510,000	\$ 510,000	\$ -
	2026 Total:	\$ 3,813,240	\$ 2,641,249
			\$ 1,171,991

2027

	Total Cost	Local Share	Non-Local Share
2027 Mill & Overlay			
Mill & Overlay - 8th Ave SE, 12th Ave SE, 12th Ave NE, 2nd St NE, 5th St SE	\$ 1,617,320	\$ 533,716	\$ 1,083,604
Mill & Overlay - Downtown Concrete Driving Lanes	\$ 871,600	\$ 287,628	\$ 583,972
2027 Mill & Overlay Total:	\$ 2,488,920	\$ 821,344	\$ 1,667,576
2027 Seal Coat			
Seal Coat - Various Locations (2024 & 2025 Projects)	\$ 363,240	\$ 363,240	\$ -
2027 Seal Coat Total:	\$ 363,240	\$ 363,240	\$ -
2027 Miscellaneous Construction			
City Curb & Gutter Replacement Program	\$ 10,000	\$ 10,000	\$ -
City Sidewalk Replacement Program	\$ 50,000	\$ 50,000	\$ -
Lead Service Line Replacement	\$ 50,000	\$ 50,000	\$ -
Main Sewer Lift Station Safety Improvements	\$ 150,000	\$ 150,000	\$ -
2027 Miscellaneous Construction Total:	\$ 260,000	\$ 260,000	\$ -
	2027 Total:	\$ 3,112,160	\$ 1,444,584
			\$ 1,667,576

City of Devils Lake - Capital Improvement Plan Project Summary

Updated 12/15/2025



Project - Scheduled

Project - Flexible

Project - Other Funding

2028

	Total Cost	Local Share	Non-Local Share
2028 Mill & Overlay			
Mill & Overlay - 10th Ave NE, 14th Ave NE, 10th St NE, 14th St NW	\$ 1,832,800	\$ 604,824	\$ 1,227,976
2028 Mill & Overlay Total:	\$ 1,832,800	\$ 604,824	\$ 1,227,976
2028 Miscellaneous Construction			
City Curb & Gutter Replacement Program	\$ 10,000	\$ 10,000	\$ -
City Sidewalk Replacement Program	\$ 50,000	\$ 50,000	\$ -
Lead Service Line Replacement	\$ 50,000	\$ 50,000	\$ -
Inert Landfill Expansion - Construction	\$ 1,000,000	\$ 1,000,000	\$ -
2028 Miscellaneous Construction Total:	\$ 1,110,000	\$ 1,110,000	\$ -
2028 Total:	\$ 2,942,800	\$ 1,714,824	\$ 1,227,976

2029

	Total Cost	Local Share	Non-Local Share
2029 Water Main Replacement			
Water Main Replacement - 3rd Ave NE, 5th Ave NE, 4th St NE, 5th St NE, 6th St NE	\$ 3,317,200	\$ 1,326,880	\$ 1,990,320
2029 Water Main Replacement Total:	\$ 3,317,200	\$ 1,326,880	\$ 1,990,320
2029 Miscellaneous Construction			
City Curb & Gutter Replacement Program	\$ 10,000	\$ 10,000	\$ -
City Sidewalk Replacement Program	\$ 50,000	\$ 50,000	\$ -
Lead Service Line Replacement	\$ 50,000	\$ 50,000	\$ -
2029 Miscellaneous Construction Total:	\$ 110,000	\$ 110,000	\$ -
2029 Total:	\$ 3,427,200	\$ 1,436,880	\$ 1,990,320

2030

	Total Cost	Local Share	Non-Local Share
2030 Mill & Overlay			
Mill & Overlay - 5th Ave SE, 4th St NE, 7th St NE	\$ 1,830,510	\$ 604,068	\$ 1,226,442
2030 Mill & Overlay Total:	\$ 1,830,510	\$ 604,068	\$ 1,226,442
2030 Miscellaneous Construction			
City Curb & Gutter Replacement Program	\$ 10,000	\$ 10,000	\$ -
City Sidewalk Replacement Program	\$ 50,000	\$ 50,000	\$ -
Lead Service Line Replacement	\$ 50,000	\$ 50,000	\$ -
2030 Miscellaneous Construction Total:	\$ 110,000	\$ 110,000	\$ -
2030 Total:	\$ 1,940,510	\$ 714,068	\$ 1,226,442

	Total Cost	Local Share	Non-Local Share
2025-2030 Mill & Overlay Total:	\$ 11,024,167	\$ 5,730,182	\$ 5,293,985
2025-2030 Seal Coat Total:	\$ 857,659	\$ 857,659	\$ -
2025-2030 New Construction Total:	\$ 592,293	\$ 179,067	\$ 413,227
2025-2030 Misc. Construction Total:	\$ 4,833,644	\$ 2,483,267	\$ 2,350,377
2025-2030 Watermain Replacement Total:	\$ 3,317,200	\$ 1,326,880	\$ 1,990,320
2025-2030 Total:	\$ 20,624,963	\$ 10,577,055	\$ 10,047,908

City of Devils Lake - Capital Improvement Plan Detailed Summary

Updated 12/15/2025



2025

2025 Mill & Overlay

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
2nd Ave NE	6th St NE	7th St NE	320	33	\$93	\$ 29,668	\$ 29,668	\$ -
3rd Ave NE	6th St NE	7th St NE	320	33	\$93	\$ 29,668	\$ 29,668	\$ -
4th Ave NE	6th St NE	7th St NE	320	33	\$93	\$ 29,668	\$ 29,668	\$ -
6th Ave NE	6th St NE	7th St NE	320	33	\$93	\$ 29,668	\$ 29,668	\$ -
7th Ave SE	South End	1st St NE	460	33	\$93	\$ 42,647	\$ 42,647	\$ -
7th Ave NE	1st St NE	3rd St NE	700	33	\$93	\$ 64,898	\$ 64,898	\$ -
7th Ave NE	4th St NE	7th St NE	1,150	33	\$93	\$ 106,618	\$ 106,618	\$ -
9th Ave NE	Walnut St E	4th St NE	1,350	33	\$93	\$ 125,160	\$ 125,160	\$ -
13th Ave NE	6th St NE	10th St NE	2,015	33	\$93	\$ 186,813	\$ 186,813	\$ -
2nd St NE	6th Ave NE	12th Ave NE	2,400	33	\$93	\$ 222,507	\$ 222,507	\$ -
3rd St NE	12th Ave NE	14th Ave NE	840	33	\$93	\$ 77,877	\$ 77,877	\$ -
6th St NE	12th Ave NE	14th Ave NE	1,050	33	\$93	\$ 97,347	\$ 97,347	\$ -
11th St SE	8th Ave SE	10th Ave SE (Midblock)	160	33	\$93	\$ 14,834	\$ 14,834	\$ -
Lynn PL NE	14th St NE	South End	220	33	\$93	\$ 20,396	\$ 20,396	\$ -
Cherry PL NE	14th St NE	South End	220	33	\$93	\$ 20,396	\$ 20,396	\$ -
Janna PL NE	14th St NE	South End	220	33	\$93	\$ 20,396	\$ 20,396	\$ -
2025 Mill & Overlay Total:							\$ 1,118,559	\$ 1,118,559
2025 Seal Coat								
			Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
Various Streets - 2021 & 2022 Overlay Projects			43,220	Varies	\$11	\$ 494,419	\$ 494,419	\$ -
2025 Seal Coat Total:							\$ 494,419	\$ 494,419
2025 New Construction								
Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
14th Ave NE	10th St NE	14th St NE	1,700	33	\$144	\$ 245,585	\$ 74,247	\$ 171,338
14th St NE	5th Ave NE	14th Ave NE	2,400	33	\$144	\$ 346,708	\$ 104,819	\$ 241,889
2025 New Construction Total:							\$ 592,293	\$ 179,067
2025 Total:							\$ 2,205,272	\$ 1,792,045
2025 Total:							\$ 2,205,272	\$ 1,792,045
2025 Total:							\$ 2,205,272	\$ 1,792,045

2025 Seal Coat

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
Various Streets - 2021 & 2022 Overlay Projects			43,220	Varies	\$11	\$ 494,419	\$ 494,419	\$ -
2025 Seal Coat Total:							\$ 494,419	\$ 494,419

2025 New Construction

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
14th Ave NE	10th St NE	14th St NE	1,700	33	\$144	\$ 245,585	\$ 74,247	\$ 171,338
14th St NE	5th Ave NE	14th Ave NE	2,400	33	\$144	\$ 346,708	\$ 104,819	\$ 241,889
2025 New Construction Total:							\$ 592,293	\$ 179,067
2025 Total:							\$ 2,205,272	\$ 1,792,045
2025 Total:							\$ 2,205,272	\$ 1,792,045

City of Devils Lake - Capital Improvement Plan Detailed Summary

Updated 12/15/2025



2026

2026 Mill & Overlay

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
2nd Ave SE	3rd St SE	5th St SE	675	33	\$120	\$ 81,000	\$ 81,000	\$ -
3rd Ave SE	3rd St SE	South End	1,000	33	\$120	\$ 120,000	\$ 120,000	\$ -
4th Ave SE	3rd St SE	6th St SE	920	33	\$120	\$ 110,400	\$ 110,400	\$ -
6th Ave SE	3rd St SE	8th St SE	1,550	33	\$120	\$ 186,000	\$ 186,000	\$ -
7th Ave SE	3rd St SE	8th St SE	1,500	33	\$120	\$ 180,000	\$ 180,000	\$ -
3rd St SE	College Dr N	7th Ave SE	2,280	33	\$120	\$ 273,600	\$ 273,600	\$ -
4th St SE	College Dr N	6th Ave SE	1,800	33	\$120	\$ 216,000	\$ 216,000	\$ -
6th St SE	5th Ave SE	8th Ave SE	1,075	33	\$120	\$ 129,000	\$ 129,000	\$ -
7th St SE	5th Ave SE	8th Ave SE	1,075	33	\$120	\$ 129,000	\$ 129,000	\$ -
8th St SE	5th Ave SE	8th Ave SE	1,075	33	\$120	\$ 129,000	\$ 129,000	\$ -
Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
Hwy 2 Frontage Rd - North	Hwy 19 W	Elks Dr N	6,825	26	\$120	\$ 819,000	\$ 270,270	\$ 548,730
Hwy 2 Frontage Rd - South	Hwy 19 W	Elks Dr N	7,752	26	\$120	\$ 930,240	\$ 306,979	\$ 623,261
2026 Mill & Overlay Total:						\$ 3,303,240	\$ 2,131,249	\$ 1,171,991
2026 Total:						\$ 3,303,240	\$ 2,131,249	\$ 1,171,991

2027

2027 Mill & Overlay

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
8th Ave SE	11th St SE	Hwy 2 E	698	33	\$125	\$ 87,250	\$ 28,793	\$ 58,458
8th Ave SE	Hwy 2 E	5th St SE	1,369	36	\$130	\$ 177,970	\$ 58,730	\$ 119,240
12th Ave SE	US Hwy 2	Walnut St E	2,445	42	\$140	\$ 342,300	\$ 112,959	\$ 229,341
12th Ave NE	Walnut St E	7th St NE	2,530	33	\$125	\$ 316,250	\$ 104,363	\$ 211,888
2nd St NE	College Dr S	5th Ave SE	1,960	37	\$130	\$ 254,800	\$ 84,084	\$ 170,716
5th St SE	College Dr S	5th Ave SE	1,270	33	\$125	\$ 158,750	\$ 52,388	\$ 106,363
5th St SE	5th Ave SE	12th Ave SE	2,240	33	\$125	\$ 280,000	\$ 92,400	\$ 187,600
Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
2nd Ave NE	4th St NE	6th St NE	698	33	\$200	\$ 139,600	\$ 46,068	\$ 93,532
3rd Ave NE	4th St NE	5th St NE	65	46	\$250	\$ 16,250	\$ 5,363	\$ 10,888
4th Ave NE	3rd St NE	6th St NE	850	24	\$150	\$ 127,500	\$ 42,075	\$ 85,425
5th Ave NE	3rd St NE	6th St NE	895	24	\$150	\$ 134,250	\$ 44,303	\$ 89,948
3rd St NE	Railroad Ave NE	6th Ave NE	770	46	\$250	\$ 192,500	\$ 63,525	\$ 128,975
4th St NE	Railroad Ave NE	6th Ave NE	1,035	24	\$150	\$ 155,250	\$ 51,233	\$ 104,018
5th St NE	College Dr N	3rd Ave NE	150	24	\$150	\$ 22,500	\$ 7,425	\$ 15,075
5th St NE	4th Ave NE	6th Ave NE	335	46	\$250	\$ 83,750	\$ 27,638	\$ 56,113
2027 Mill & Overlay Total:						\$ 2,488,920	\$ 821,344	\$ 1,667,576

2027 Seal Coat

Street/Avenue	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
Various Streets - 2024 & 2025 Overlay Projects	30,270	Varies	\$12	\$ 363,240	\$ 363,240	\$ -
2027 Seal Coat Total:						\$ 363,240
2027 Total:						\$ 2,852,160
2027 Seal Coat Total:						\$ 1,184,584
2027 Total:						\$ 1,667,576

City of Devils Lake - Capital Improvement Plan Detailed Summary

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2028

2028 Mill & Overlay

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
10th Ave NE	7th St NE	10th St NE	1,090	33	\$125	\$ 136,250	\$ 44,963	\$ 91,288
14th Ave NE	Walnut St E	10th St NE	3,600	33	\$125	\$ 450,000	\$ 148,500	\$ 301,500
14th St NW	College Dr N	W City Limits	4,450	33	\$125	\$ 556,250	\$ 183,563	\$ 372,688
10th St NE	College Dr N	14th Ave NE	5,310	36	\$130	\$ 690,300	\$ 227,799	\$ 462,501
2028 Mill & Overlay Total:						\$ 1,832,800	\$ 604,824	\$ 1,227,976
2028 Total:						\$ 1,832,800	\$ 604,824	\$ 1,227,976

2029

2029 Watermain Replacement

Street/Avenue	From	To	Distance (ft)	Size (in)	\$/LF	Total Cost	Local Share	Non-Local Share
3rd Ave NE	6th St NE	7th St NE	366	-	\$400	\$ 146,400	\$ 58,560	\$ 87,840
5th Ave NE	6th St NE	10th St NE	1,464	-	\$400	\$ 585,600	\$ 234,240	\$ 351,360
2nd St NE	College Dr N	5th Ave SE	1,500	-	\$400	\$ 600,000	\$ 240,000	\$ 360,000
4th St NE	8th Ave NE	10th Ave NE	732	-	\$400	\$ 292,800	\$ 117,120	\$ 175,680
5th St NE	8th Ave NE	12th Ave NE	1,752	-	\$400	\$ 700,800	\$ 280,320	\$ 420,480
6th St NE	8th Ave NE	12th Ave NE	2,479	-	\$400	\$ 991,600	\$ 396,640	\$ 594,960
2029 Watermain Replacement Total:						\$ 3,317,200	\$ 1,326,880	\$ 1,990,320
2029 Total:						\$ 3,317,200	\$ 1,326,880	\$ 1,990,320

2030

2030 Mill & Overlay

Street/Avenue	From	To	Distance (ft)	Width (ft)	\$/LF	Total Cost	Local Share	Non-Local Share
5th Ave SE	Mogul St SE	Hwy 2 E	760	37	\$125	\$ 95,000	\$ 31,350	\$ 63,650
5th Ave SE	Hwy 2 E	1st St NE	3,005	48	\$160	\$ 480,800	\$ 158,664	\$ 322,136
4th St NE	6th Ave NE	12th Ave NE	3,419	46	\$150	\$ 512,850	\$ 169,241	\$ 343,610
7th St NE	College Dr N	12th Ave NE	4,429	33	\$140	\$ 620,060	\$ 204,620	\$ 415,440
7th St NE	12th Ave NE	14th Ave NE	870	39	\$140	\$ 121,800	\$ 40,194	\$ 81,606
2030 Mill & Overlay Total:						\$ 1,830,510	\$ 604,068	\$ 1,226,442
2030 Total:						\$ 1,830,510	\$ 604,068	\$ 1,226,442

Miscellaneous Construction

2026

Project Description	Comment	Total Cost
Inert Landfill Expansion	New land purchase, land fill expansion to the east	\$ 400,000

2027

Project Description	Comment	Total Cost
Main Sanitary Sewer Lift Station - Safety	Upgrade steps and safety improvements	\$ 150,000

2028

Project Description	Comment	Total Cost
Inert Landfill Expansion	Design and Construction	\$ 1,000,000

Unscheduled

Project Description	Comment	Total Cost
Citywide Sanitary Sewer Rehab	Inventory sewer system and implement re-lining plan and invert/manhole repair plan.	\$ -
Citywide Storm Sewer Inlet Rehab	Inventory storm system catch basins and manholes and implement repair/replacement plan.	\$ -
Public Works Shop Cold Storage Upgrades	Pour floor, potentially heat cold storage building at Public Works shop	\$ -
Ford Storm Sewer Lift Station Improvements	New pumps/electrical, increase capacity	\$ 1,000,000
Industrial Park Roadways	Kelly Dr, Summers St, Schwan Ave -Between \$700,000 and \$2,500,000	\$ 2,500,000
Cemetery Roadway Improvements	Remove/replace existing asphalt, extend roadways to new part of cemetery	\$ 300,000
LEC Improvements/PD Building	New Building Downtown or Upgrade Existing Downtown Building	\$ 4,000,000
City Hall Remodel		\$ -
-City Hall Remodel Alternate	Existing building, no new space, renovation, ADA	\$ 500,000
Downtown Concrete Roadway Replacements	Remove/replace existing concrete roadways and parking areas. (Mill and overlay project scheduled.)	\$ -
Main Sanitary Sewer Lift Station	Upgrade pumps, capacity and grinders	\$ -
Lagoon Odor Improvements		\$ -
Public Works Relocation/Building Improvements		\$ -
Septic Hauler Receiving Station		\$ -
Shared Use Path	14th Ave, Walnut St E, Elks Dr, Hwy 2 E	\$ 500,000
Splash Park		\$ 500,000
Water Fill Station		\$ -

Miscellaneous Construction Total: \$ 10,850,000

Prairie Dog & NDDOT Flex Funding

	2025	2026	2027	2028	2029	2030	2031
Start Balance	\$ 2,769,427	\$ 1,758,904	\$ 2,164,546	\$ 1,314,581	\$ 709,757	\$ 1,882,877	\$ 1,278,809
Revenue (Flex Funding)	\$ 132,682	\$ 36,891	\$ 24,595	\$ -	\$ -	\$ -	\$ -
Revenue (Prairie Dog)	\$ 1,024,675	\$ 2,500,000	\$ 96,784	\$ -	\$ 2,500,000	\$ -	\$ 2,500,000
Projects							
<i>Ford Lift Station Improvements</i>	\$ (116,605)						
<i>Mill & Overlay - Original Townsite</i>	\$ (1,118,559)						
<i>Downtown Alley Mill & Overlay</i>	\$ (319,838)						
<i>14th Ave NE & 14th St NE Paving</i>	\$ (118,459)						
<i>Seal Coat - Various (2021 & 2022 Projects)</i>	\$ (494,419)						
<i>Mill & Overlay - South Side</i>		\$ (1,554,000)					
<i>Mill & Overlay - Hwy 2 Frontage Rd (Urban)</i>		\$ (577,249)					
<i>Mill & Overlay - Downtown (Urban)</i>			\$ (287,628)				
<i>Mill & Overlay - 8th Ave, 12th Ave (Urban)</i>			\$ (533,716)				
<i>Main Sewer Lift Station Safety Improvements</i>			\$ (150,000)				
<i>Mill & Overlay - 14th Ave, 10th St (Urban)</i>				\$ (604,824)			
<i>WM Replacement - 4th St, 5th St, 6th St</i>					\$ (1,326,880)		
<i>Mill & Overlay - 5th Ave, 7th St (Urban)</i>						\$ (604,068)	
<i>New Const. - Industrial Park</i>							
Total Project Expenses	\$ (2,167,880)	\$ (2,131,249)	\$ (971,344)	\$ (604,824)	\$ (1,326,880)	\$ (604,068)	\$ -
End Balance	\$ 1,758,904	\$ 2,164,546	\$ 1,314,581	\$ 709,757	\$ 1,882,877	\$ 1,278,809	\$ 3,778,809

Infrastructure

	2025	2026	2027	2028	2029	2030	2031
Start Balance (2033)	\$ 456,959	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Start Balance (5005)	\$ 199,981	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Total Start Balance	\$ 656,940	\$ 1,215,108	\$ 1,153,091	\$ 1,179,906	\$ 918,306	\$ 1,017,380	\$ 1,650,249
	2025	2026	2027	2028	2029	2030	2031
(+2%/yr every 2 years)	\$ 4,312,000	\$ 4,414,184	\$ 4,398,240	\$ 4,502,467	\$ 4,486,205	\$ 4,592,517	\$ 4,575,929
32.50% Sales Tax	\$ 1,401,400	\$ 1,434,610	\$ 1,429,428	\$ 1,463,302	\$ 1,458,017	\$ 1,492,568	\$ 1,487,177
Miscellaneous Revenue	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -	\$ -
Non-Bonded Debt Service Revenue	\$ 113,902	\$ 108,203	\$ 101,669	\$ 96,140	\$ 92,100	\$ 87,901	\$ 83,067
New Special Assessment Payments	\$ 95,986	\$ 145,900	\$ 145,900	\$ 145,900	\$ 145,900	\$ 145,900	\$ 145,900
Total Revenue	\$ 1,611,288	\$ 1,688,713	\$ 1,676,997	\$ 1,705,342	\$ 1,696,017	\$ 1,726,369	\$ 1,716,144
Bond/Fixed Payments - Infrastructure							
<i>Various St Imp - 5485</i>	\$ (41,000)	\$ (41,000)	\$ (41,000)	\$ (41,000)	\$ (41,000)	\$ (41,000)	\$ (41,000)
<i>Ref. Imp Bond 2020A - 5489</i>	\$ (191,520)	\$ (191,521)	\$ -	\$ -	\$ -	\$ -	\$ -
<i>Highland/Agassiz - 5492</i>	\$ (155,000)	\$ (155,000)	\$ (155,000)	\$ (155,000)	\$ -	\$ -	\$ -
<i>Cenex - 5493</i>	\$ (20,942)	\$ (20,942)	\$ (20,942)	\$ (20,942)	\$ (20,942)	\$ -	\$ -
<i>Beautification - 8008</i>	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)	\$ (10,000)
<i>Flood Protection - 4019</i>	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)	\$ (300,000)
<i>Public Buildings Reserve Fund - 4100</i>	\$ (60,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)	\$ (100,000)
<i>Miscellaneous - 2033</i>	\$ (125,000)	\$ (125,000)	\$ (125,000)	\$ (125,000)	\$ (125,000)	\$ (125,000)	\$ (125,000)
Total Bond/Fixed Payments	\$ (903,462)	\$ (943,463)	\$ (751,942)	\$ (751,942)	\$ (596,942)	\$ (576,000)	\$ (576,000)
General Infrastructure Projects							
<i>City Sidewalk Program</i>	\$ (19,364)	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)
<i>Lead Service Line Replacement</i>		\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)
<i>Downtown Parking Lot Mill & Overlay</i>	\$ (130,294)						
<i>Inert Landfill Expansion - Land Purchase/Design</i>		\$ (400,000)					
<i>Hwy 20 & Hwy 19 Microsurface/Signal Upgrades</i>		\$ (273,267)					
<i>Seal Coat - Various (2024 & 2025 Projects)</i>			\$ (363,240)				
<i>Police Department Relocation¹</i>			\$ (375,000)	\$ (375,000)	\$ (375,000)	\$ (375,000)	\$ (375,000)
<i>Inert Landfill Expansion - Construction</i>				\$ (500,000)	\$ (500,000)		
<i>Airport Projects - City Contribution²</i>	\$ -	\$ (9,000)	\$ (35,000)	\$ (215,000)	\$ -	\$ (17,500)	\$ -
Total Project Expenses	\$ (149,658)	\$ (807,267)	\$ (898,240)	\$ (1,215,000)	\$ (1,000,000)	\$ (517,500)	\$ (500,000)
End Balance	\$ 1,215,108	\$ 1,153,091	\$ 1,179,906	\$ 918,306	\$ 1,017,380	\$ 1,650,249	\$ 2,290,393

Note: 1) Placeholder for potential 15-year, \$4 million @ 4.5% project

2) 'Airport Projects - City Contribution' details shown below

Airport Infrastructure

	2025	2026	2027	2028	2029	2030	2031
Start Balance	\$ -	\$ 35,000	\$ -	\$ -	\$ -	\$ 22,500	\$ -
Airport Contribution (Interest Earnings)	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000	\$ 35,000
City Contribution	\$ -	\$ 9,000	\$ 35,000	\$ 215,000	\$ -	\$ 17,500	\$ -
Airport Infrastructure Projects¹							
<i>Pvmt Rehab/Storm Sewer Replacement</i>		\$ (75,000)					
<i>Runway 3/21 Electrical Rehab - Design</i>		\$ (4,000)					
<i>Wildlife Assessment and Plan Update</i>			\$ (30,000)				
<i>Runway 3/21 Electrical Rehab - Construction</i>			\$ (30,000)				
<i>SRE Building - Final Design/Bidding</i>			\$ (10,000)				
<i>SRE Building - Construction</i>				\$ (250,000)			
<i>Extend Taxiway A - Design</i>					\$ (12,500)		
<i>Extend Taxiway A - Construction</i>						\$ (75,000)	
End Balance	\$ 35,000	\$ -	\$ -	\$ -	\$ 22,500	\$ -	\$ 35,000

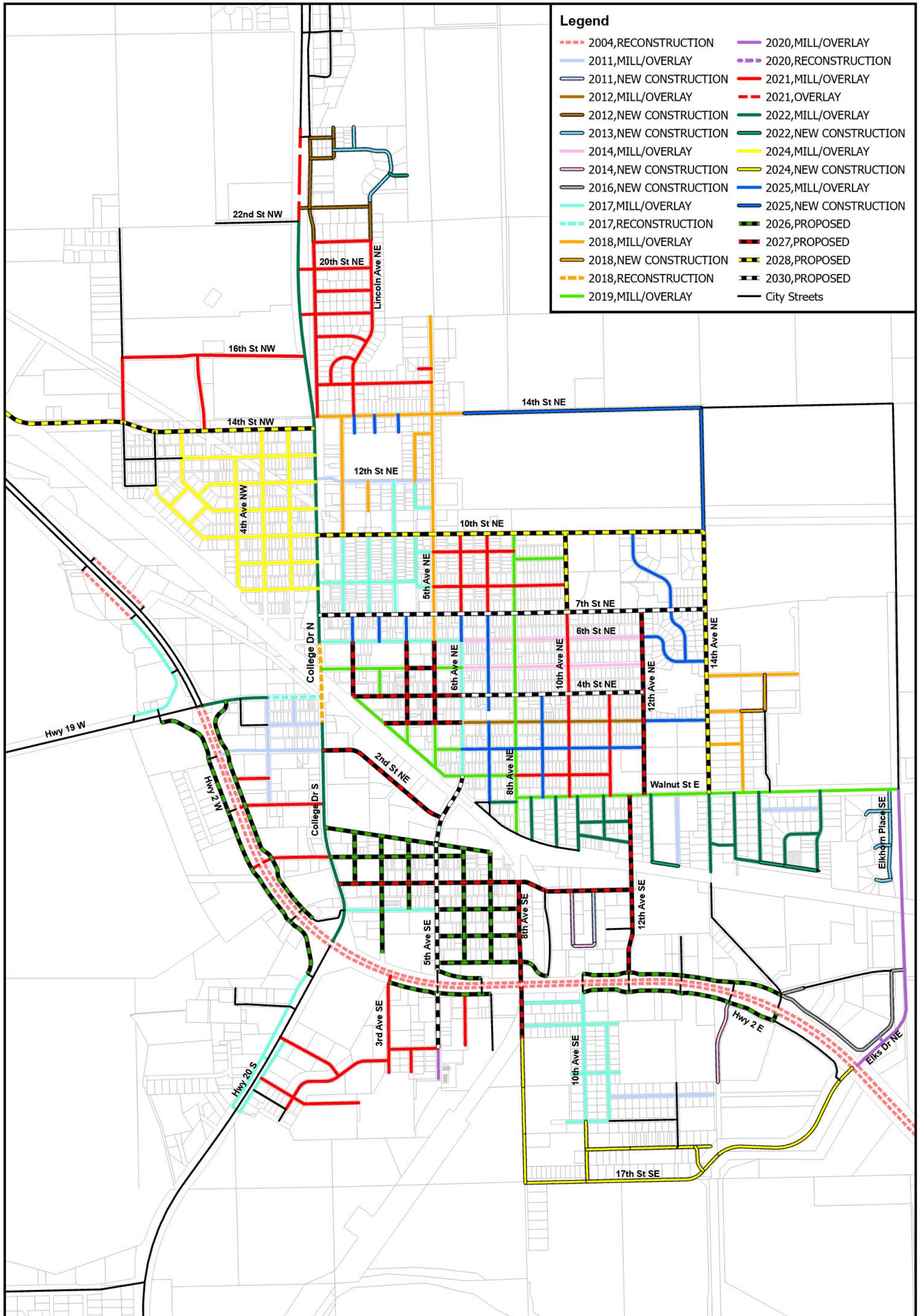
Note: 1) Airport projects listed below are based on CIP prepared by Mead & Hunt

Water Source Replacement Fund

	2025	2026	2027	2028	2029	2030	2031
Start Balance	\$ 3,316,835	\$ 3,516,835	\$ 3,606,835	\$ 3,696,835	\$ 3,786,835	\$ 3,876,835	\$ 3,966,835
Revenue	\$ 275,000	\$ 165,000	\$ 165,000	\$ 165,000	\$ 165,000	\$ 165,000	\$ 165,000
Projects							
<i>Water Main Replacement - South Side</i>	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)	\$ (75,000)
End Balance	\$ 3,516,835	\$ 3,606,835	\$ 3,696,835	\$ 3,786,835	\$ 3,876,835	\$ 3,966,835	\$ 4,056,835

Public Buildings Reserve Fund

	2025	2026	2027	2028	2029	2030	2031
Start Balance	\$ 472,933	\$ 532,933	\$ 82,933	\$ 132,933	\$ 182,933	\$ 232,933	\$ 282,933
Revenue	\$ 60,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000	\$ 100,000
Projects							
<i>City Hall Remodel</i>		\$ (500,000)					
<i>Miscellaneous</i>		\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)	\$ (50,000)
End Balance	\$ 532,933	\$ 82,933	\$ 132,933	\$ 182,933	\$ 232,933	\$ 282,933	\$ 332,933

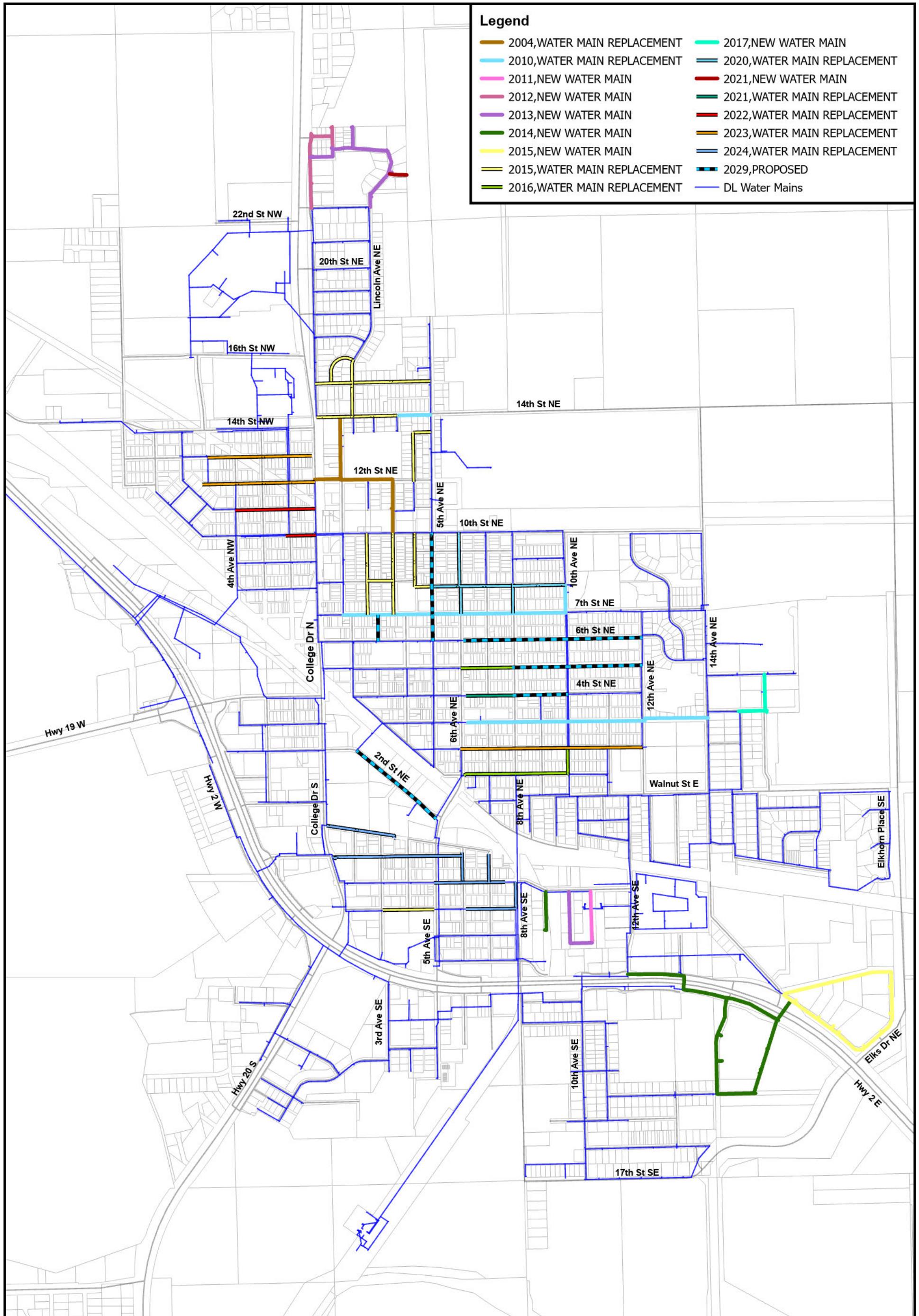


Roadway Improvement Plan

Created By: City Engineering Department

Updated: December 15th, 2025

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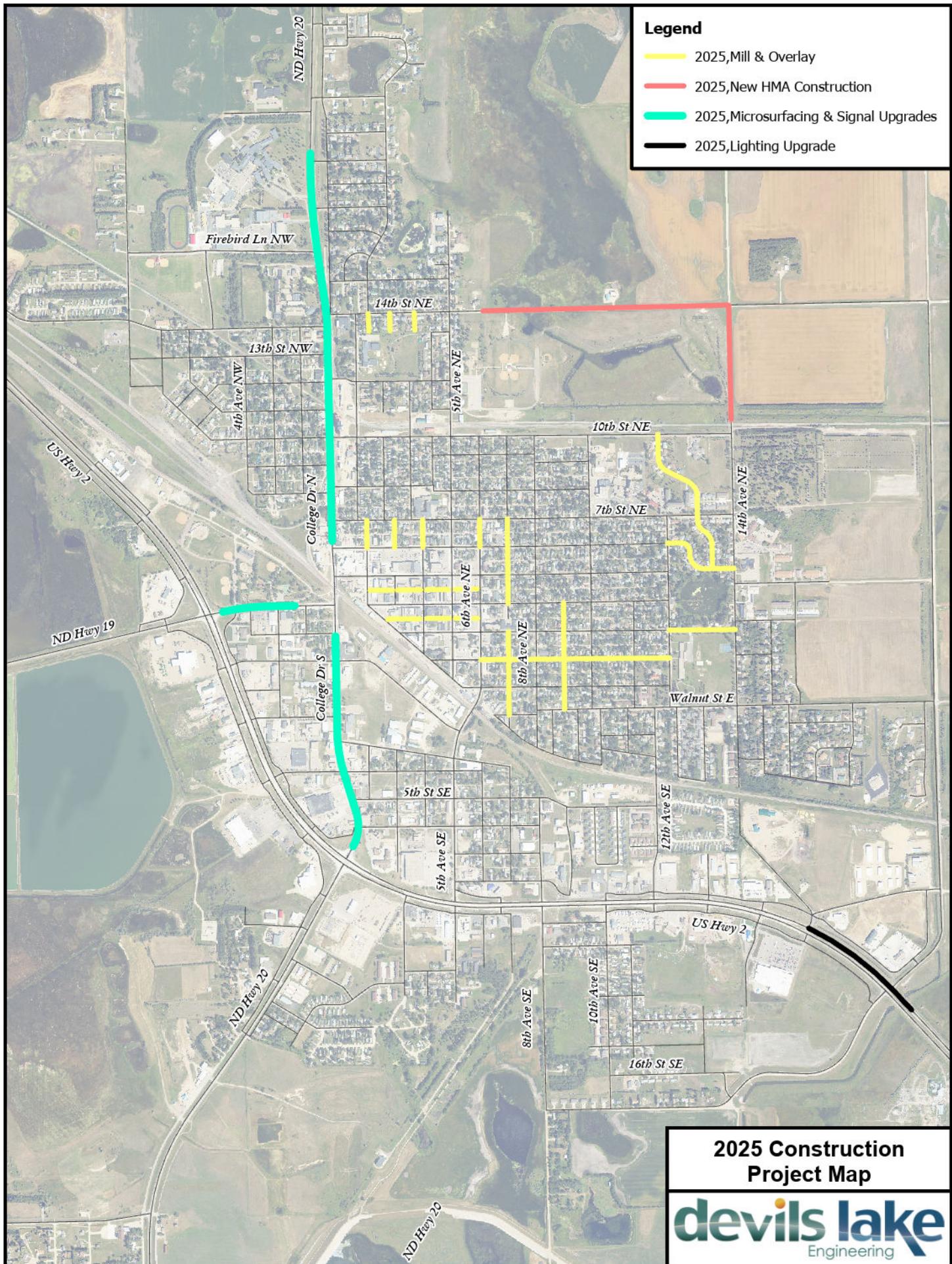


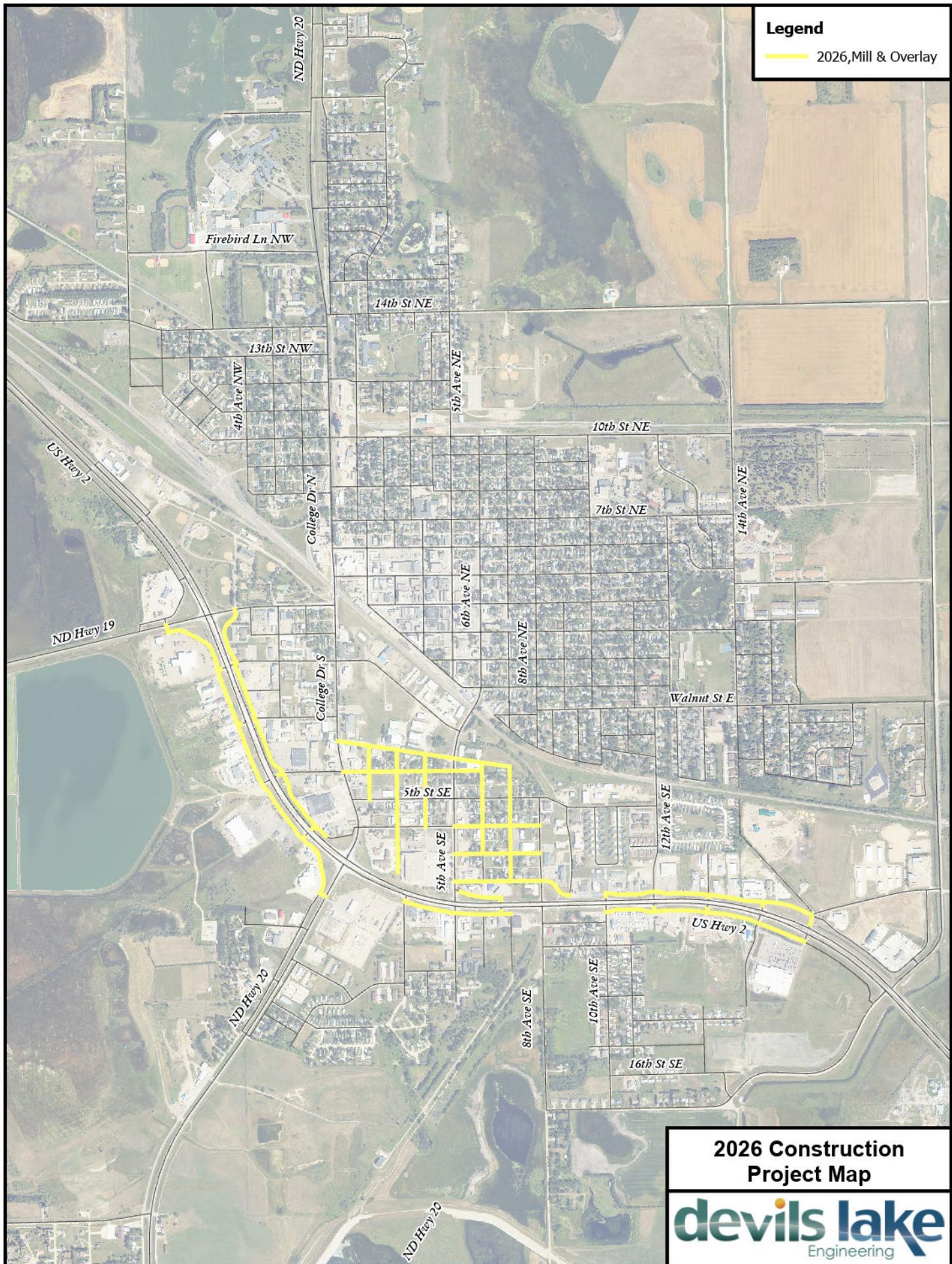
Water Main Improvement Plan

Created By: City Engineering Department

Updated: December 15th, 2025

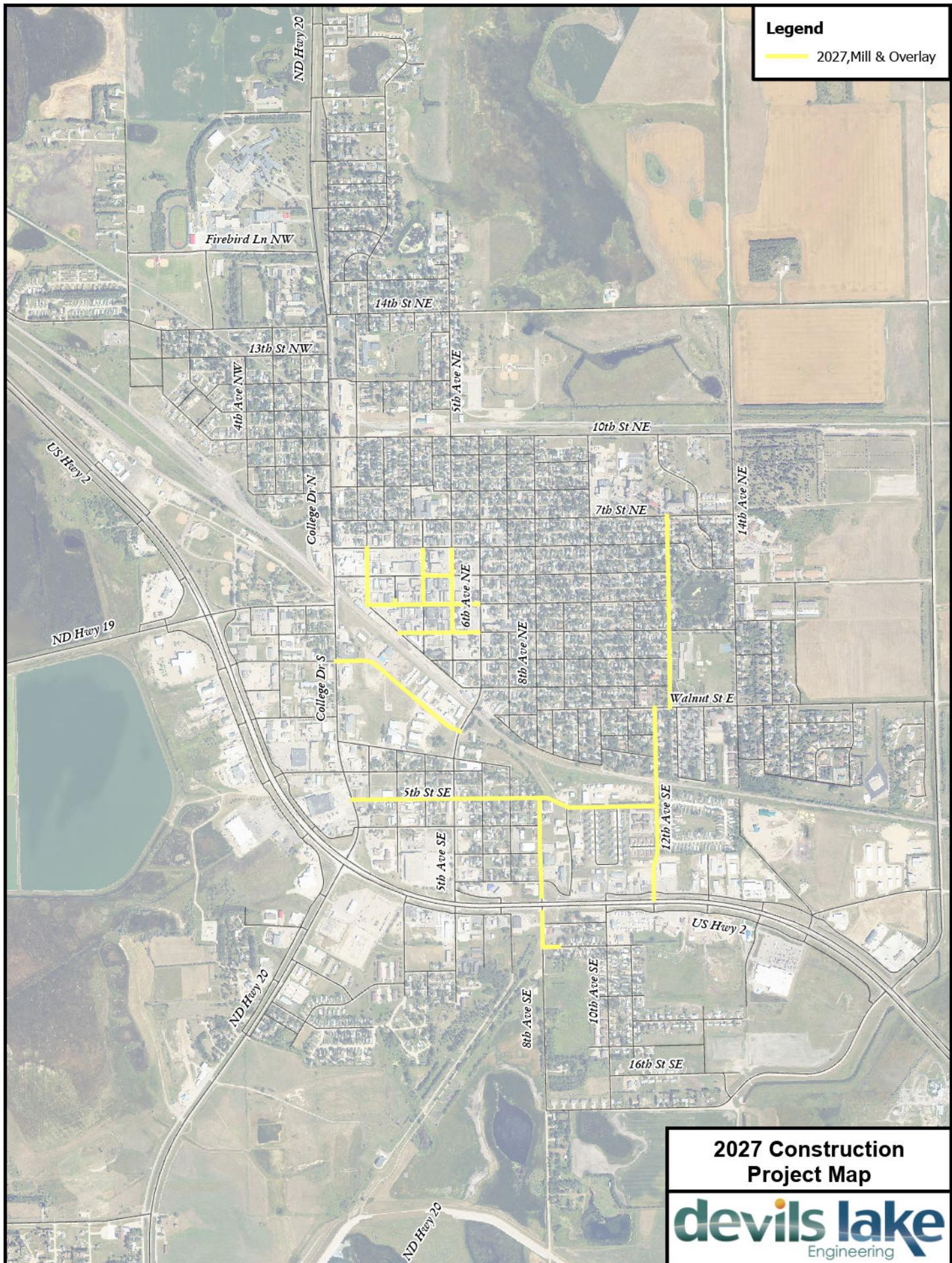
devils lake
Engineering

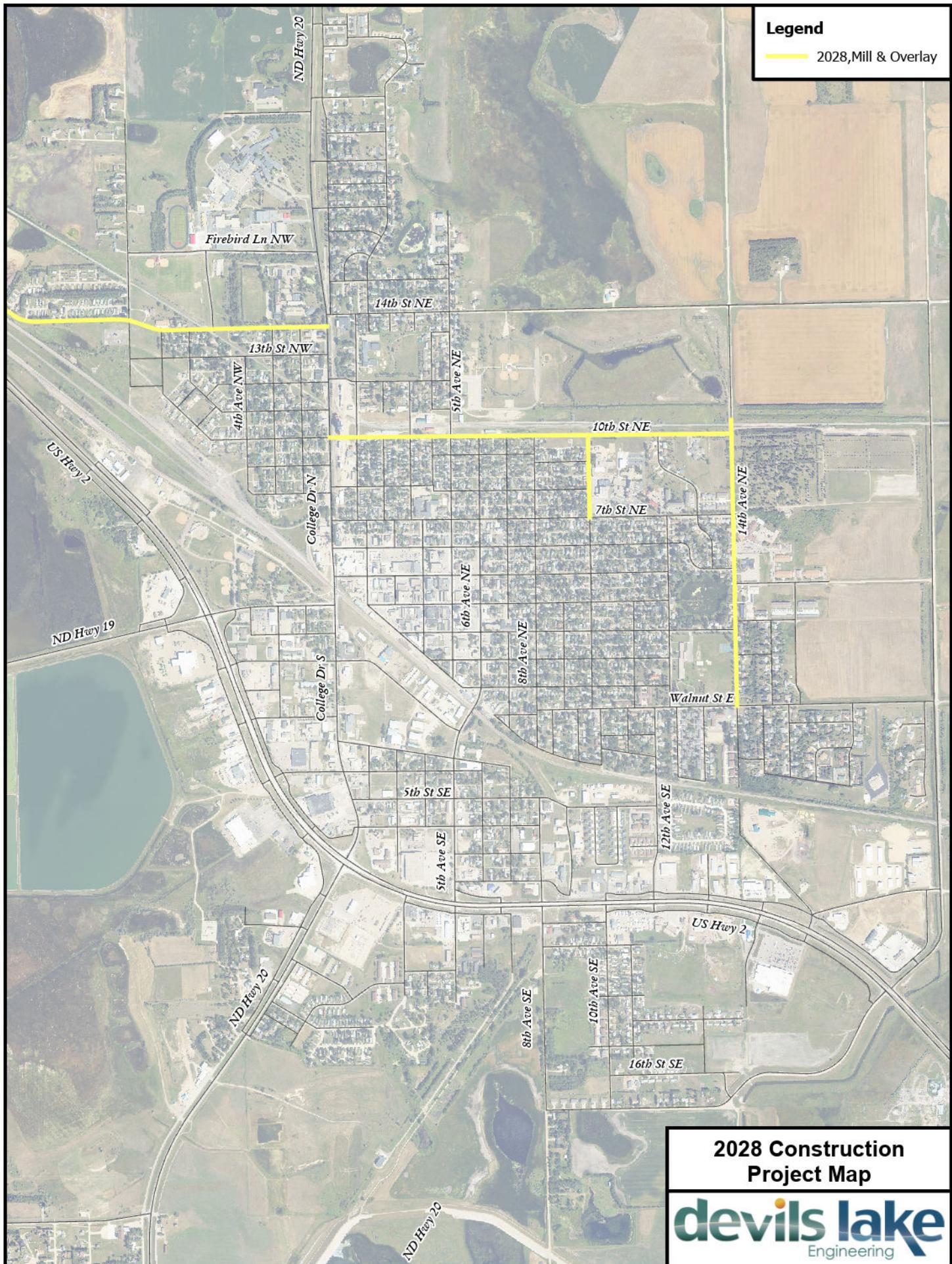


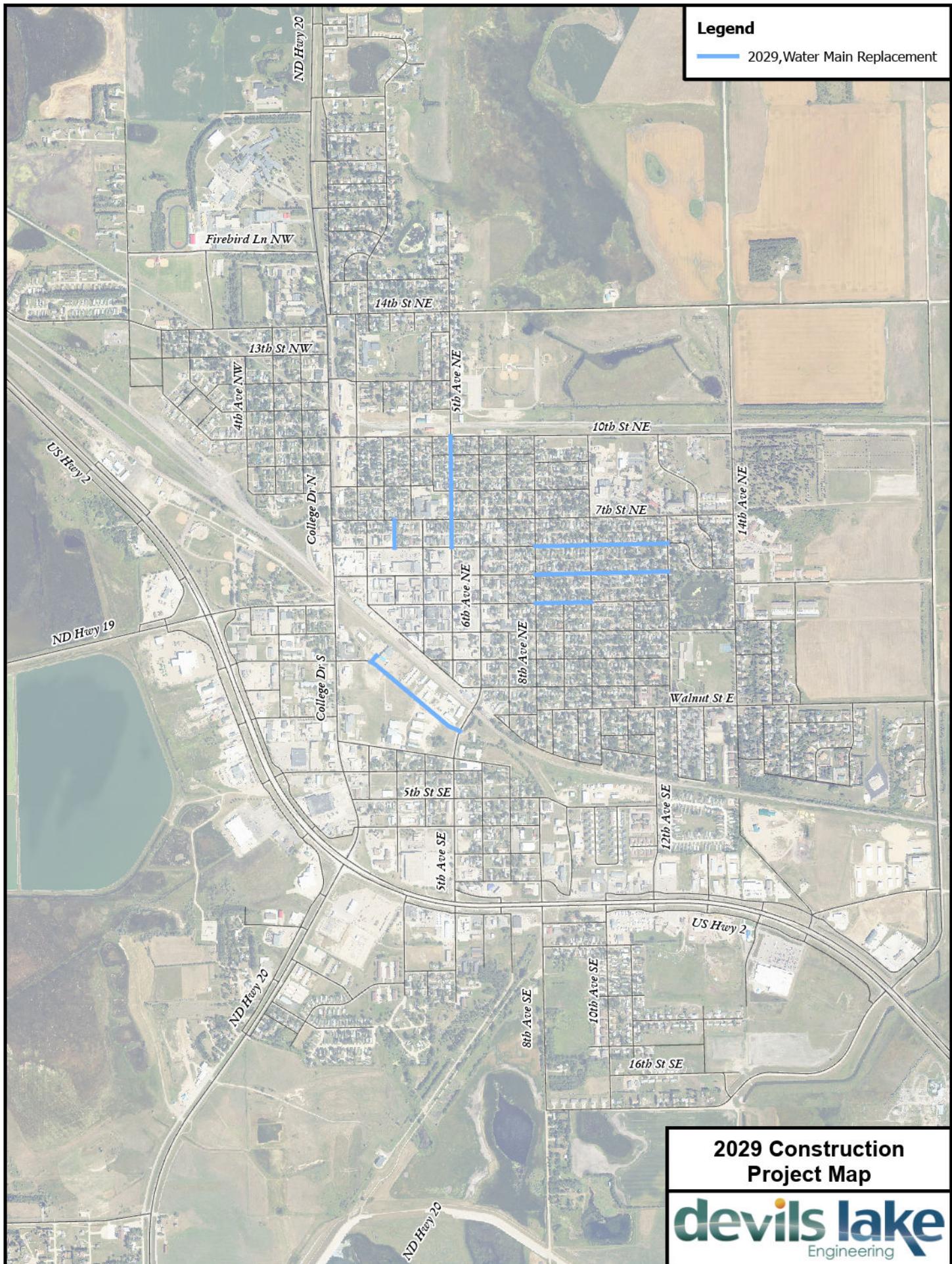


**2026 Construction
Project Map**

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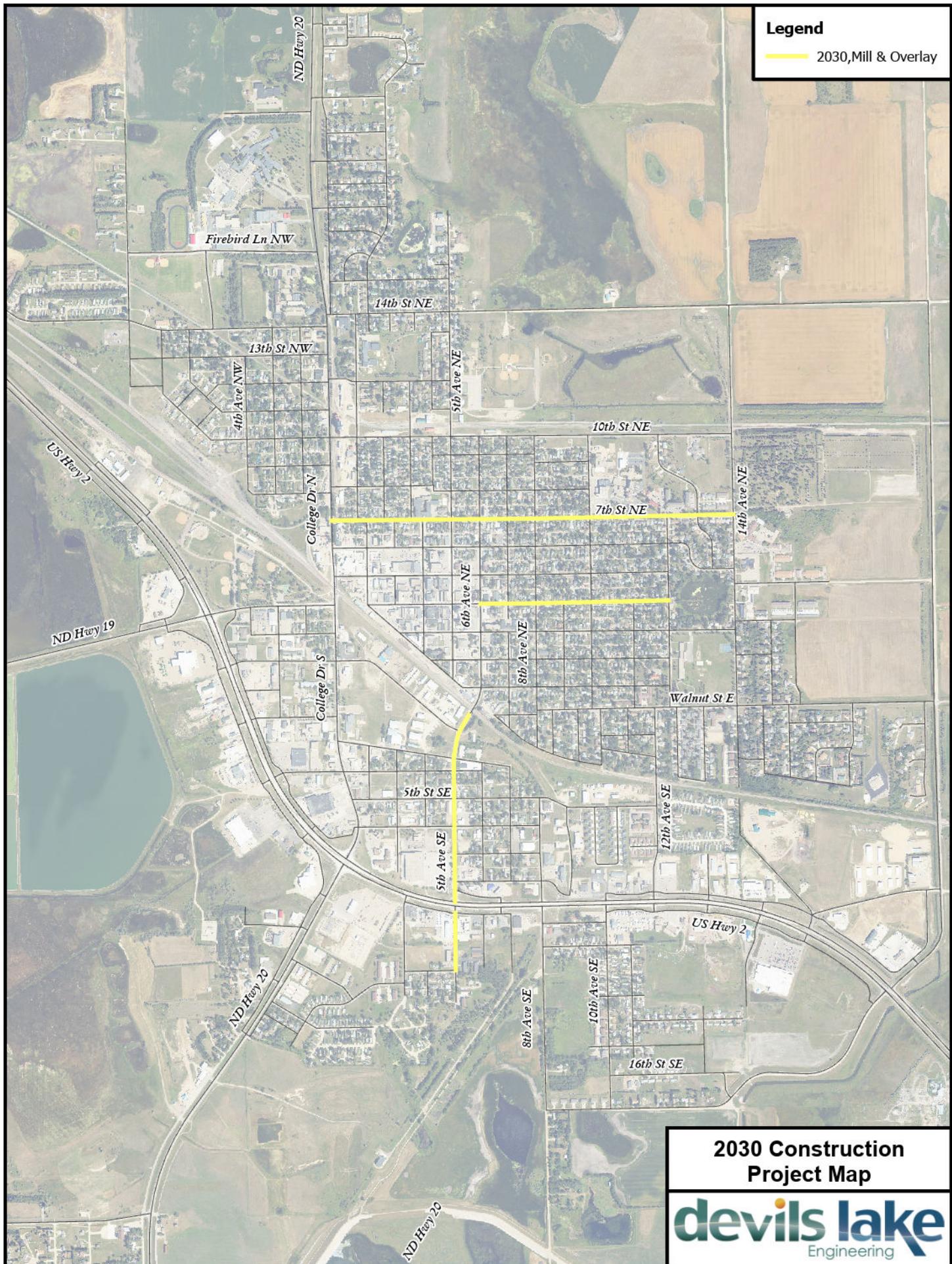






**2029 Construction
Project Map**

devils lake
Engineering



Agenda Item: Police Department Facility Cost Estimate Report

Submitted By: Spencer Halvorson, City Administrator/Auditor

Staff Recommended Action: Review the staff report

The Capital Improvement Planning working group met last week and reviewed the cost estimates for the various options to relocate the Devils Lake Police Department from the Law Enforcement Center to a new location.

The group reviewed and summarized the reports and came to the following conclusion on the specific noted options:

Western Equipment Finance and Lease Building

While the most strategic and efficient in terms of a price-per-square-foot basis, given the size of the building and the cost (to include transaction and renovation), it would not make sense for the City to purchase the property for the purpose of a Police Department unless other community partners were supportive of collaborating for use of all of the space. These public safety partners would include the Ramsey County Sheriff's Office, 911/Dispatch, BCI, and Highway Patrol.

BCI and the Highway Patrol have limited administrative space needs in our area. The group assessed and reviewed the circumstances surrounding previous conversations with Ramsey County on the potential of partnering at the Western Equipment Finance and Lease Building. It was the group's assessment that the City has received adequate feedback over the past calendar year to determine that Ramsey County, to include the Sheriff's Office, is not interested in such a partnership.

Given the limited prospects for future public safety partnerships, the group agreed that the purchase price and renovation cost of the Western Equipment Finance and Lease Building was excessive for the City's needs.

Traynor Building and Building New on City Downtown Parking Lot

Purchase and renovation of the existing Traynor Law Building downtown has been reviewed. Depending on the scope selected, the project could cost anywhere between \$2.6 – \$3.6 million, including acquisition estimates. Lower end costs would entail only the renovation and fix up of the main floor, with limited work done in the basement. Higher

end costs in the range include the renovation of the basement and installation of an elevator.

Building a new Police Department downtown would cost, depending on the scope of the project, anywhere between \$3.5 – \$5.0 million.

It was the groups assessment that, given the costs (to include acquisition), if a full renovation of both floors of the Traynor Building was desired, it would make more sense to build new on the City owned parking lot downtown.

To: President Moe and City Commissioners
From: Michael Grafsgaard, City Engineer/Public Works Director *(MEG)*
Date: December 9, 2025
Re: Police Department Location Option Review

Last spring, the City Office remodel working group evaluated several options for relocating the City Police Department (DLPD), including remodeling the city offices building and renovating a separate downtown building to accommodate City Office staff and the DLPD, separately.

Recently, the group expanded on this effort and reviewed additional options for the DLPD to be relocated to the former Traynor Law building downtown (509 5th St NE) and the former Western Finance building (503 Hwy 2 W). City Staff worked with two different architectural firms to develop options and cost estimates for remodeling these two existing buildings to accommodate DLPD. The architects also evaluated the cost to construct a new building in an existing downtown parking lot or another open City owned location, to be used as the new DLPD.

As part of the estimated remodel cost reports provided by the architectural firms (complete reports attached), the following cost ranges were provided for the various DLPD options. To compare total cost for the three alternatives, a budgetary acquisition price was assumed for each building and is noted for each (Note: negotiations with property owners will be required if a specific alternative is selected).

Option 1 – Traynor Law Building (509 5th St NE)

Costs	Low End	High End
Remodel	\$1,600,000	\$3,100,000
Acquisition		\$500,000
Total	\$2,100,000	\$3,600,000

Remodel of the Traynor building included various estimates based on the degree of remodel envisioned. Lower priced remodel estimates of \$1.6 million to \$1.8 million included work to only remodel the main floor of the building. After internal review with DLPD staff, it was determined that remodeling options that included remodel of the entire building and construction of a garage were required for the Traynor Building to meet the needs of the DLPD. Estimates for this more substantial work are \$2.5 million - \$3.1 million.

Expected improvements include: complete renovation of the main floor, elevator installation, significant basement level upgrades and construction of a garage that would be connected to the main building through a corridor.

Option 2 – Western Finance Building (503 Hwy 2 W)

Costs	Low End	High End
Remodel	\$2,400,000	\$3,400,000
Acquisition		\$1,500,000
Total	\$3,900,000	\$4,900,000

The footprint of the Western Finance building (14,000+ SF) is much larger than that required for the DLPD. Both architects envisioned the north portion of the building could be remodeled for use by the DLPD with a new garage built that would be connected to the building through a corridor. The center of the building could be used as a reception area and the south side of the building used for other purposes, including potential use by other emergency service organizations. These estimates do not include any remodel of the south half of the building, since there are no organizations currently planned to utilize the space.

Option 3 – New Construction, Downtown Location

Costs	Low End	High End
Total	\$3,500,000	\$5,000,000

These estimated costs include the construction of a new 6,000 SF – 7,500 SF DLPD building and large garage on an existing City-owned downtown parking lot. The cost report submitted by Dumont & Associates shows a 7,500 SF building, however, the estimate was adjusted to show a 6,000 SF building with the new cost range.

Summary:

It is important to note that the costs presented represent order of magnitude costs and should be used to evaluate options identified. If the City Commission decides to proceed with a specific option, landowner negotiations and an RFQ to select an architectural firm to begin design work would be required to proceed.

City of Devils Lake

Devils Lake Police Department

Order of Magnitude Cost Analysis Relocation of Devils Lake Police Department



Dumont and Associates, Architects
Devils Lake, North Dakota

December 3, 2025

Project Understanding

The City of Devils Lake continues to assess the best scenario for improvements/relocation of the City of Devils Lake Offices and a potential new location for the Devils Lake Police Department offices.

On September 11, 2025 John Dumont and Chris Dumont met with Mike Grafsgaard and Devin Gathman with the City of Devils Lake Engineering Department to discuss the possible relocation of the Devils Lake Police Department offices.

The Devils Lake Police Department is currently located in the Lake Region Law Enforcement Center (LEC) building facility. This facility is shared with Lake Region 911, Lake Region Correctional Facility, Lake Region Reentry Center, Ramsey County Sheriff Department and Devils Lake City Court Facilities.

Recently, the City of Devils Lake is exploring the possibility of the Devils Lake Police Department moving from the LEC facility into their own building. Many variables will go into the decision of moving the Devils Lake Police Department and what location the police department will move to.

Following our September 11 meeting with Mike Grafsgaard and Devin Gathman, four (4) potential options for a new location of the Devils Lake Police Department were identified. These options include the purchase/renovation of one of two existing buildings and also the construction of a new building. The new building has two potential locations. We have been asked to complete a high-level assessment of the two existing buildings and also to provide an Order of Magnitude Cost Analysis for each option.

At this time, the City of Devils Lake is considering the renovation of the following existing buildings and also the following two potential building sites of a new building:

1. Existing Traynor Law Firm office building – 509 5th ST NE
2. Existing Western Finance office building (old Western Equipment Finance location) – 503 HWY 2 West
3. New building location – Existing asphalt parking lot east of the Memorial Building – 419 5th St NE
4. New building location – Existing green field empty lot north of Lake Region Ambulance Service – 803 5th St SE

As part of this project, major work items for each option were identified. The work items identified are only preliminary in nature and should not be considered a detailed scope of work for each option. These work items are identified only to understand the level of work involved with each option. Each option below includes a short description of the option, preliminary work items for the option and a budget level cost analysis for the option.



Lake Region Law Enforcement Center (LEC)

Option #1 – Renovate Existing Traynor Law Firm Building for the Devils Lake Police Department

- The existing Traynor Law Firm building was constructed in 1972. The building footprint is approximately 3,650 SF. The building consists of a basement and a main level for a total of approximately 7,300 SF. The main floor structure and roof structure is precast concrete quad tee. The main level exterior walls are brick/block and also precast concrete quad tee construction.
- The main level clear ceiling height under the quad tee structure ranges from 8'-0" to 8'-6". The basement level clear ceiling height under the quad tee structure is 8'-6".
- This option will not be a complete remodel but a partial remodel. In general, the work is to relocate / build a number of walls, partial interior remodel and upgrade systems in order to utilize this building for the next 20-30 years.
- The remodel could include the following work items:



Traynor Law Firm Building

Main Level:

- Move west wall in front entry to increase the size of the vestibule for handicapped accessibility. See drawing. Remove and replace side walk on south side of building for handicapped accessibility.
- Remodel and expand main level toilet facilities to meet handicapped code requirements. New toilet facilities to remain single use separate men's and women's. New toilet facilities to be at least 8'x8'.
- Remove and replace interior doors, frames and hardware. Replace with hollow metal frames and solid wood doors. Exterior doors to receive handicapped hardware.
- Add wall and door to back of reception area to prevent public access to the remaining of the building.
- Remove and replace existing electrical fixtures and outlets. Existing wiring to remain.
- Remove and replace flooring. Paint all walls.
- Remove and replace the existing acoustical ceiling system with new system. The acoustical ceiling covers approximately 75% of the ceiling. The remaining ceiling is open to the roof structure.
- New exterior windows. Replace with commercial level aluminum framed windows.

Basement Level:

- Substantial remodel of basement level. New layout as shown below. Update bathrooms. New interior doors. New lighting and outlets. New HVAC ducting. New exercise/training room with mens/womens locker room with shower and toilet. New fresh air HVAC unit. Review existing sump drain system, upgrade as needed.

Other Building Updates:

- New platform vertical lift for handicapped access to basement.
- New IT system, new security/camera system, new fire alarm detection system throughout the building.
- Three new furnaces. New HVAC ductwork as needed.
- Center stairway needs to be upgraded to 1-hour fire rating corridor. Need two (2) additional layers of sheetrock and fire doors.
- New exterior signage. New exterior upgrades for design and building function.
- Building Structural Upgrades – A building's structural risk category is determined by the occupancy of the building. This building was most likely designed with a structural risk category of II for a business occupancy. The new occupancy will be a police station. This will increase the structural risk category to an IV. The increase from a risk category of II to IV will increase the required design loads for the roof, walls, foundation, etc. We are not able to determine the exact existing load capacity of the structure

without an in-depth review of the building, especially the existing precast roof structure. After an in-depth review, it may be determined that the existing roof structure meets the increased required load capacity. Although, with the information we currently have, it is likely that the existing roof structure would need to be reinforced to increase the structural capacity. Another concern is the 4" masonry exterior end walls. These most likely do not meet the increased wind load capacity. A possible solution is to add an interior steel stud wall that would increase the wind load capacity. We have included a nominal amount in the cost analysis for these structural upgrades. The final amount needed for the structural upgrades (if any) can only be determined with an in-depth study of the structural components of the building.

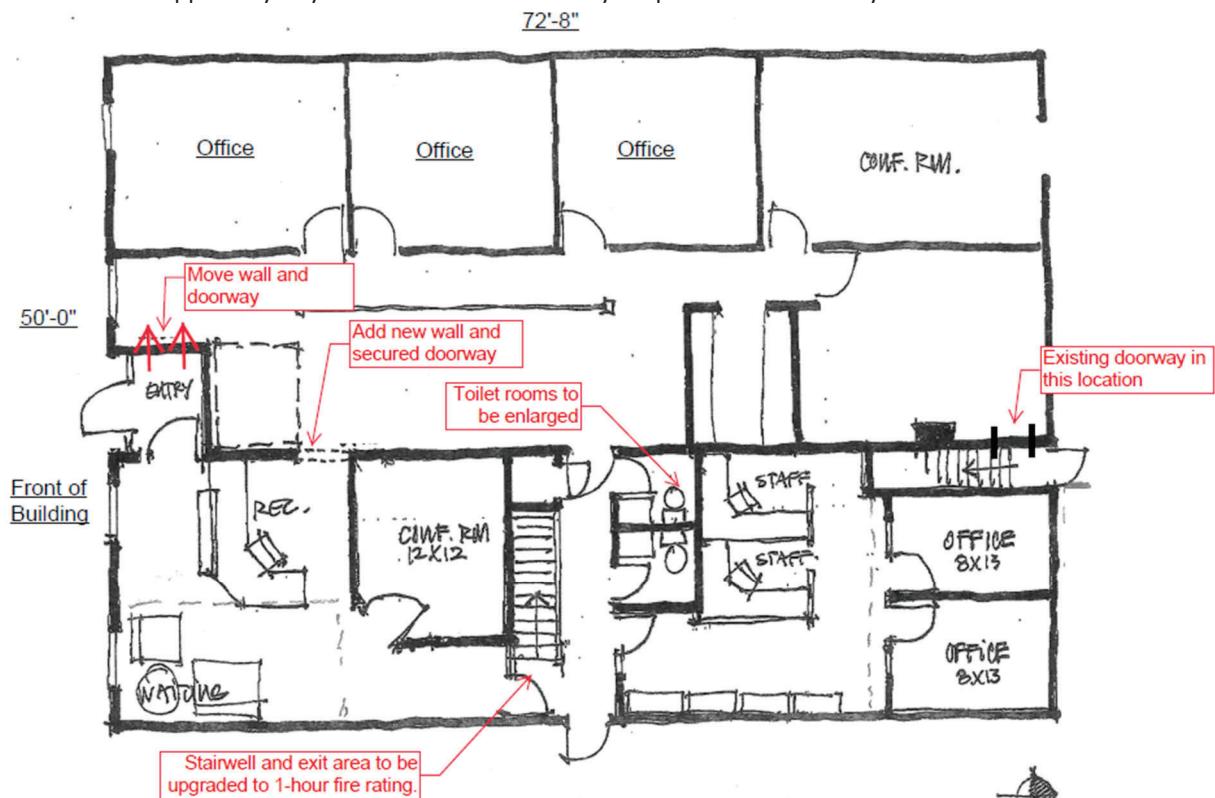
- Construct 60'x30' garage with 10'x15' corridor that is attached to the existing building.
 - o Full-depth frost proof foundation
 - o Cold formed steel metal stud walls. Wall height will be 10'-0" tall.
 - o Water proof gypsum exterior sheathing. Steel horizontal siding.
 - o Wood trusses.
 - o Interior sheetrock on walls and ceiling
 - o Heated with ceiling hung gas fired furnaces and electric floor heat
 - o Corridor roof will be a flat roof with wood trusses. The roof will be a built-up roof.
 - o Corridor heated with electric wall heaters
 - o Five garage doors. Each door will be 10' wide x 8' tall. New garage will be five stall garage (no drive-thru).
 - o Need three personnel doors.

Budget Level Cost Analysis = \$2,500,000 - \$3,000,000

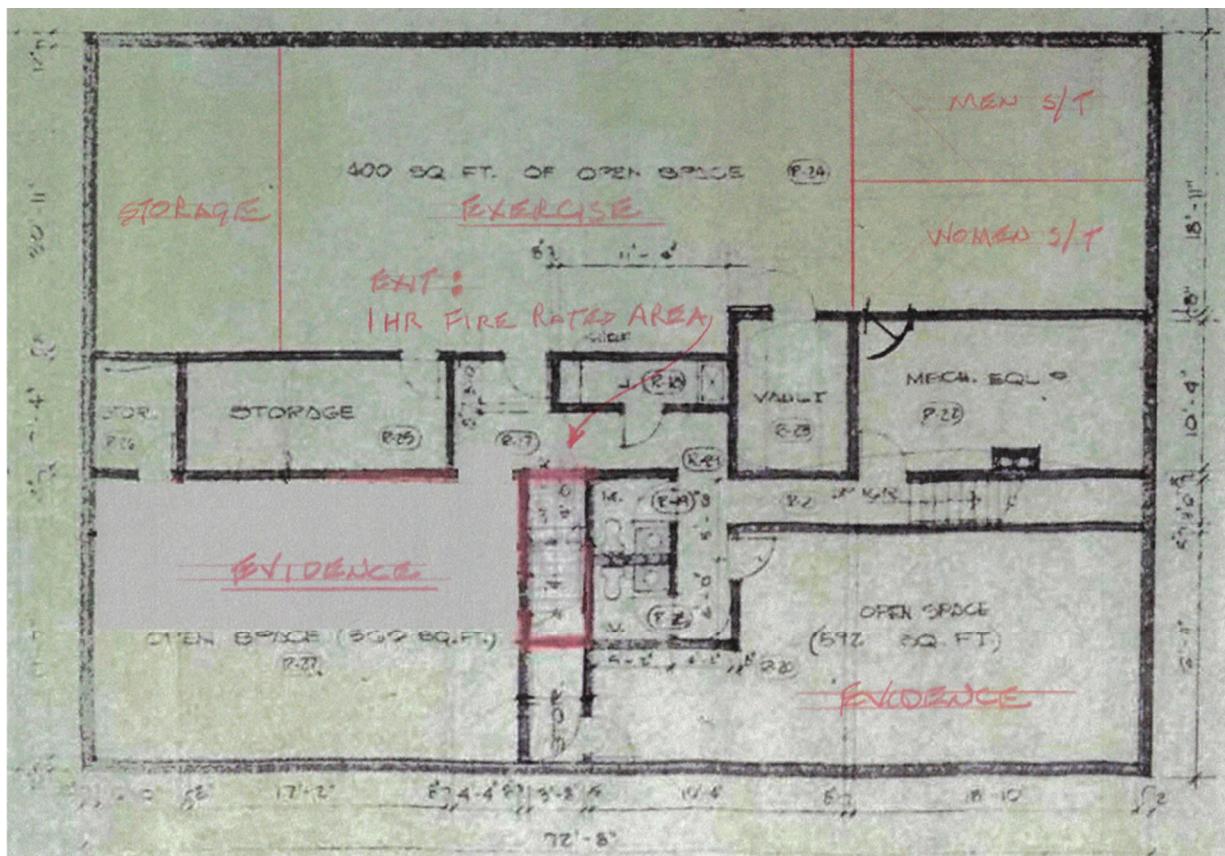
Note 1: The cost analysis includes an estimated budget for Construction Costs, Architectural/Engineering Services, Contract Administration and a 10% Contingency. The cost to purchase the building and the cost for furniture, fixtures, equipment (FFE) is not included in this cost analysis.

Preliminary Main Level Floor Plan Concept

Floor Plan Supplied by City of Devils Lake. Preliminary Proposed work notes by Dumont and Associates.



Approximate Current Floor Plan with Remodel Notes (Main Level)



Option #2 - Renovate Existing Western Finance Building for
 the Devils Lake Police Department (Old Western Equipment Finance Location)

- The existing Western Finance building (old Western Equipment Finance location) was constructed in 1993. This building is wood stick frame single level construction. The existing floor is concrete slab. This building was remodeled and a small addition was added in 2007.
- Existing exterior walls are 10'-0" tall. There is an acoustical ceiling though-out the building. The acoustical ceiling is at 8'-4" from the floor.
- Total building area is approximately 16,000 SF. Our plan is for the Devils Lake Police Department to occupy the north half of the building. The center portion of the building will remain open to the public.



Western Finance Building

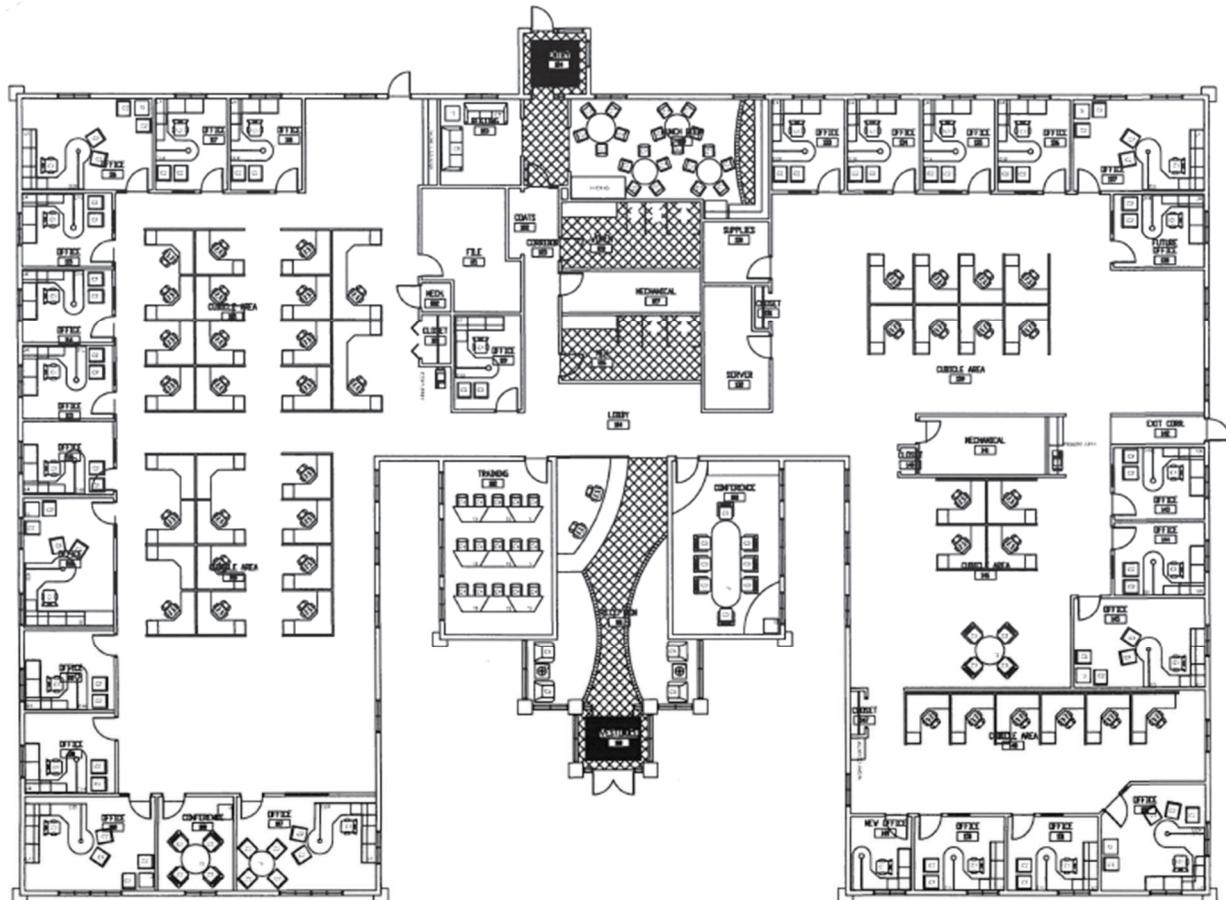
- This option will not be a complete remodel but a partial remodel. In general, the work is to relocate / build a number of walls, partial interior remodel and upgrade systems in order to utilize this building for the next 20-30 years.
- The remodel could include the following work items:
 - o Add wall and security door on the north side of the lobby area to enclose and secure new PD area.
 - o Complete remodel of the **east half** of the **north wing**. No improvements to the south half of the building or the center area of the building.
 - Remove all existing interior walls. West half of north wing walls to remain.
 - Remove existing carpet. West half of north wing carpet to be replaced as well.
 - Remove existing acoustical ceiling and grid, grid lights and grid vents. West half to remain as is.
 - Construct new spaces as shown on the drawing. New areas will receive new acoustical ceiling/grid, new flooring, new grid lights, new grid vents.
 - Add mens/womens locker room near the exercise room. Planning for new shower and toilet in the locker rooms. For now, we are assuming there is plumbing in the hallway outside of the mens/womens bathroom in the center of the building. Chop concrete and bring the sewer for the locker rooms back to that location.
 - Existing exterior windows to remain and remain in the existing locations.
 - Repaint all existing walls in the north wing.
 - o Upgrade existing security and camera system on north half of building.
 - o HVAC to remain as is other than new grid vents in remodel area.
 - o Building Structural Upgrades - A building's structural risk category is determined by the occupancy of the building. This building was most likely designed with a structural risk category of II for a business occupancy. The new occupancy will be a police station. This will increase the structural risk category to an IV. The increase from a risk category of II to IV will increase the required design loads for the roof, walls, foundation, etc. We are most certain the existing walls, wall components and foundation will be able to meet or exceed the upgraded structural capacity. We have not been able to discover information regarding the structural design of the original building roof trusses. The City Engineering department supplied the contractor's structural design information for the roof trusses that were used for the 2007 addition. It can be assumed that the original building roof truss structural design is similar to this information. Our structural engineering team has determined the roof structure will need structural upgrades. There are several options to complete the upgrade. These options can be reviewed and the pros/cons for each option will need to be studied. For this report, we included an estimated price to add additional roof trusses to the building. This will include removing the existing asphalt shingles and roof sheathing, adding the additional roof trusses and then replacing the roof sheathing and asphalt shingle. The addition of the roof trusses will upgrade the roof to the necessary structural capacity of the buildings upgraded structural risk category. We recommend a more in-depth structural analysis of the building to be completed prior to making a final decision of which structural upgrade option is used.
 - Demo existing roof and sheathing (entire roof).
 - Cost to remove existing blown in insulation
 - Material cost to add an additional roof truss at each existing roof truss location (Assumed every 2 ft on center)
 - Labor to sister a new truss to each existing truss
 - Cost to re-blow the roof full of insulation (R49 value)
 - Cost to add in new sheathing and roof system (entire roof)

- Construct 60'x30' garage with 10'x15' corridor that is attached to the existing building.
 - Full depth frost proof foundation
 - Cold formed steel metal stud walls. Wall height will be 10'-0" tall.
 - Water proof gypsum exterior sheathing
 - Steel horizontal siding
 - Wood trusses. Hip roof to match existing building
 - Interior sheetrock on walls and ceiling
 - Heated with ceiling hung gas fired furnaces and electric floor heat
 - Corridor roof is gable wood trusses
 - Corridor heated with electric wall heaters
 - Need fire wall where corridor meets the building. This will be a block wall.
 - Five garage doors. Each door will be 10' wide x 8' tall. New garage will be five stall garage (no drive-thru)
 - Need three (3) personnel doors.

Budget Level Cost Analysis = \$2,400,000 - \$2,900,000

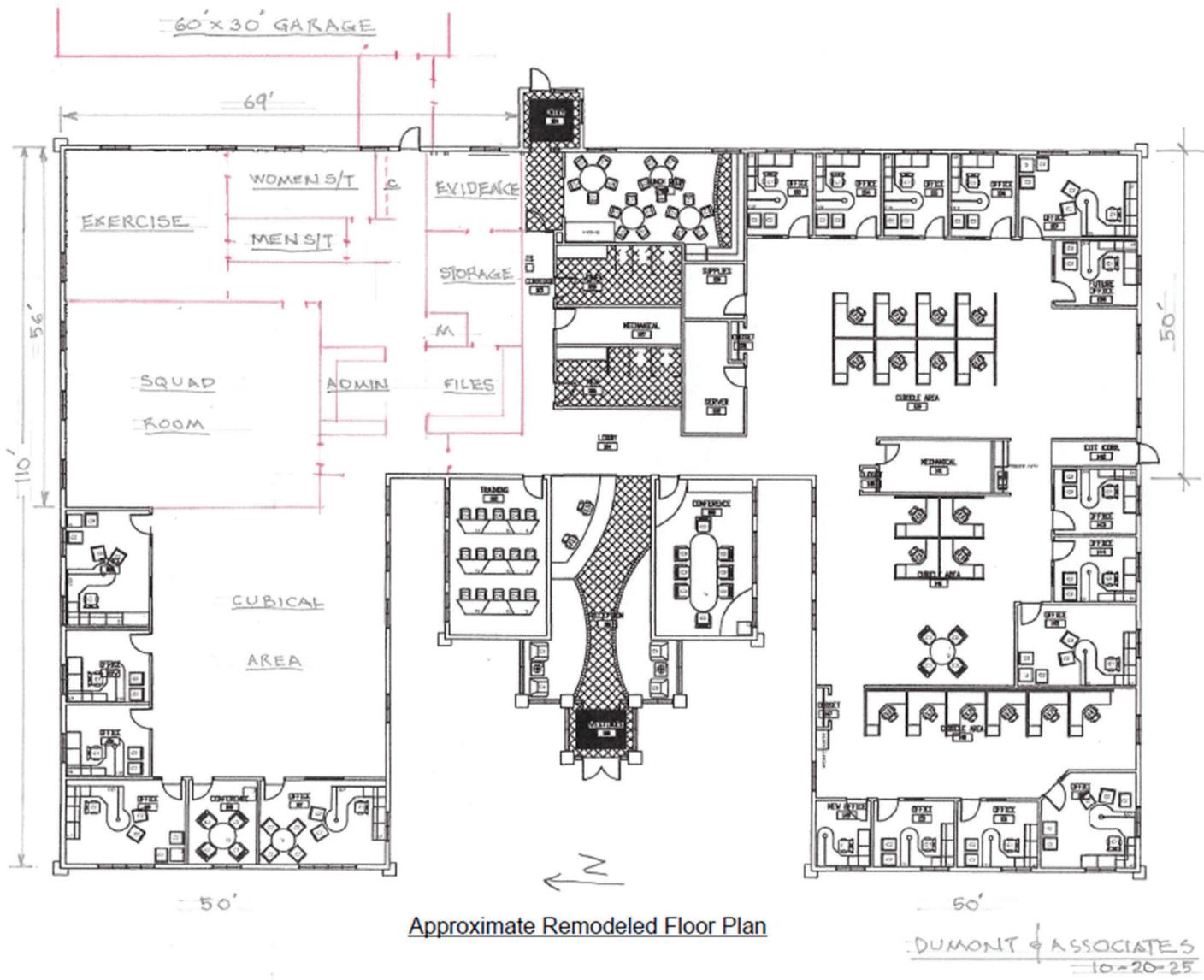
Note 1: The cost analysis includes an estimated budget for Construction Costs, Architectural/Engineering Services, Contract Administration and a 10% Contingency. The cost to purchase the building and the cost for furniture, fixtures, equipment (FFE) is not included in this cost analysis.

Existing Building Floor Plan
Floor Plan Supplied by City of Devils Lake



EXISTING BUILDING FLOOR PLAN

Preliminary Proposed Floor Plan Concept
 Floor Plan Supplied by City of Devils Lake. Preliminary Proposed work notes by Dumont and Associates.



Options #3 and #4 - Construct a new building for the Devils Lake Police Department. Location to be in City owned downtown parking lot or green field empty lot near the Lake Region Ambulance Building.

- The City of Devils Lake owns multiple asphalt parking lots in downtown Devils Lake. The idea is to construct a new building in one of these parking lots. The City of Devils Lake also owns an empty lot (green space) within Devils Lake near the Lake Region Ambulance Building. The other option is to construct a new building in the empty lot.
- Here are the general parameters we are using for the building at this time.
 - o Approximate square foot of the building is 7,500 SF.
 - o One level construction.

- Construction to be post and beam steel structure. Structure to be mostly 14' tall. May have areas that are taller (entrance).
- 6" steel stud walls
- Mostly brick veneer and 1.5" rigid insulation. May have other exterior finishes as well such as sandstone or other stone products.
- 6" blanket insulation with 5/8" fire rated gyp board on the walls
- Steel joist roof with steel deck. R50 insulation package and EPDM roof membrane.
- Interior finish to be better than average. Nice flooring, nice ceiling, nice windows, etc.
- All utilities should be close by but may need to remove and replace sidewalks/street pavement to access the utilities.
- An exterior landscaped entrance / sitting area. Nice landscaping at the entrance and an area that small groups (5-10 people) can use to congregate.
- Construct 60'x30' garage with 10'x15' corridor that is attached to the new building.
 - Full depth frost proof foundation
 - Cold formed steel metal stud walls. Wall height will be 10'-0" tall.
 - Water proof gypsum exterior sheathing
 - Steel horizontal siding
 - Steel joist roof with steel deck. R50 insulation package and EPDM roof membrane.
 - Interior sheetrock on walls and ceiling
 - Heated with ceiling hung gas fired furnaces and electric floor heat
 - Corridor roof will be steel joist roof with steel deck. R50 insulation package and EPDM roof membrane.
 - Corridor heated with electric wall heaters
 - Five garage doors. Each door will be 10' wide x 8' tall. New garage will be five stall garage (no drive-thru).
 - Need three personnel doors.

Budget Level Cost Analysis = \$4,000,000 – \$4,500,000

Note 1: The cost analysis includes an estimated budget for Construction Costs, Architectural/Engineering Services, Contract Administration and a 10% Contingency. The cost for furniture, fixtures, equipment (FFE) is not included in this cost analysis

Note 2: There may be a nominal amount of cost savings to construct the new building within an existing parking lot. There would be additional expense to construct a new parking lot in a green field empty lot.

Examples of a potential new office building with similar exterior finishes. The below images are idea generators only.

Dumont and Associates did not develop these buildings or images.



Conclusion

This report is an unbiased overview of the current four (4) options for a new location for the Devils Lake Police Department. The intention is to give the readers and decision makers a high-level assessment and order of magnitude cost analysis of these options.

Both of the existing building options are current office buildings. As stated above, these buildings were most likely originally designed for a structural risk category of II and designed to meet the current building codes at the time of construction. Moving an essential service, such as a police station, into these buildings increases the structural risk category to IV. This increases the required design loads for the roof, walls, foundation, etc. It is likely that both of the existing structures would need some work to meet a structural risk category of IV. Only an in-depth analysis of both structures would tell us exactly how much.

We want to note that the suggested structural upgrades to the existing buildings is to meet a new intended usage and safety level for those buildings. This does not say the existing structures are insufficient in any way. These buildings were most likely designed to meet existing codes at the time of construction for office buildings. If these buildings remained as their designed intention, they would be grandfathered-in with the changes of the building codes.

Below is an order of magnitude cost summary for the current four (4) options to relocate the City of Devils Lake Police Department to a new location.

Option #1 – Renovate the Existing Traynor Law Firm Building	\$2,500,000 - \$3,000,000
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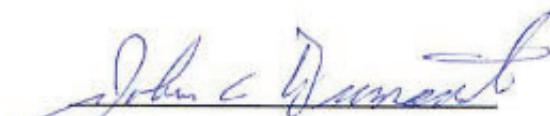
Option #2 – Renovate the Existing Western Finance Building	\$2,400,000 - \$2,900,000
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Options #3 & #4 – Construct a new building. Location to be downtown or near the Lake Region Ambulance Building	\$4,000,000 – \$4,500,000
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Note: Options 3 and 4 will be close in cost. There may be a nominal amount of cost savings to construct the new building within an existing parking lot. There would be additional expense to construct a new parking lot in a green field empty lot.

Please let us know if there are any questions or additional comments on the information provided above. As the project progresses, a more refined scope of work and an estimated cost for the selected options can be put together.

Thank you for the opportunity to work with you on this project. The options discussed above will be a great improvement for the City of Devils Lake and will allow the Police Department to operate in a safe and effective manner for years to come.


John Dumont, Architect
Dumont and Associates
Chris Dumont, PE
Dumont and Associates



Devils Lake Police Department Report

Prepared for:

City of Devils Lake
Michael Grafsgaard, City Engineer
423 6th Street NE
Devils Lake, ND 58301

DATE	November 11, 2025 (Revised) 12.02.2005 Rev
NUMBER	20251681

Report Narrative

Introduction

EAPC, Architects/Engineers was commissioned by the City of Devils Lake to provide order of magnitude, workability, and a probable cost model of two existing buildings for a remodel/conversion into the Police Department (PD) and consider the costs for a new PD on the open downtown parking lot site that is owned by the City.

This is a new commission that follows up on a similar commission and subsequent report dated March 14, 2025.

Scope of services Include:

- Consideration of costs for renovation of the existing Traynor Office Building – Changing the occupancy/use to the City PD – located at 509 5th St NE
- Consideration of costs for renovation of the existing Western Office Building – Changing the occupancy/use to the City PD – located at 503 Hwy 2 W
- Consideration of a new City PD on the open downtown parking site currently owned by the City

Renovation of the existing Traynor Building

This portion of the Study considers the renovation of the existing Traynor Building. This building was built as a B Occupancy (Its last use was as the offices for the Traynor Law Firm). The building is a one story with full basement and includes street as well as alley access.

The adjacent parking lot is not part of this property. In an earlier iteration of this report (11.12.2025), this parking lot was assumed to be part of the property. That iteration included a Squad Garage similar to the configuration that was laid out at the existing City Hall Concept. That Squad Garage was for a 3500 SF footprint. This iteration of the Squad Garage is for a wood framed 1950 SF, 5 stall garage with connecting link to the Traynor Building to respond to less site area than originally considered.

The structure of the Traynor Building utilizes precast concrete quad "T's for the roof, floor and exterior bearing walls (east & west) - the precast wall "T's extend down to the footings thus acting as the below grade foundation wall. The infill walls (non-bearing, north and south) are masonry infill (brick and concrete block).

The occupancy classification (B) will not change due to the new use as the PD. However, the risk category does change from a Risk Category II to a Risk Category IV due to its new usage as an "essential service" for the Community.

See the attached exhibit, prepared by AE2S (structural consultant), to address the issues associated with the increase of the Risk Category. The exhibit addresses the narrative of these changes and probable costs associated to resolve them.

Other items are being addressed topically (no specific plans/details have been prepared) to update finishes, increase comfort through mechanical upgrades (also consider better energy consumption), and upgrades to the electrical systems, including lighting, power, low voltage systems, within emphasis on technology upgrades. Also included is a basic clean-up/fix-up of the existing conditions.

Attached are three basic SF/Systems Estimates for the Traynor Building that address renovation of the existing (approx.) 7,200 square feet of the facility (3,600 SF on each level **with** a two-stop elevator), and option that addresses renovation of 6,000 SF (following the office space program provided by the City – adding a 25% factor for circulation and mech/elect/service space, **with** a two-stop elevator), and finally a 3633 SF renovation of just the main level, **without** provisions for an elevator. All three estimates include a new squad garage addition of approximately 1950 SF for parking of the police fleet (in lieu of the 3,500 SF in an earlier concept). It is also anticipated that a series (4 are priced but NOT included in the cost model) “light wells” be introduced to bring natural light into the lower level to accommodate a comfortable work setting. The light wells would be an ADD alternate.

Cost components include General Construction, HVAC/Plumbing, and Electrical Systems. Also included are the associated costs for the General Conditions for Construction, contingency (in the amount of 10%), and soft costs which include only design fees.

Further, these estimates (due to the nature of being a large scope of magnitude approach) have a low range and high range of costs.

We have amended our SF pricing for General, Mechanical and Electrical renovation costs. These SF costs are based upon a couple of very recent “build out” bids that we received in our Fargo Office. The scope of work on those buildouts is very similar to the concerns for the Traynor Building. The bid data received included elevator equipment costs.

The anticipated range of costs for the renovation of the existing Traynor Building are approx. **\$1.6 million** (low range for the 3633 SF of renovation, without an elevator) **to \$3.1 million** (high range for the 7200 SF of renovation, with a two stop “hole-less” elevator). Associated SF costs of \$288 to \$343 per square foot are anticipated.

This work would position the existing Traynor Building to serve the City’s needs for the next 25 to 30 years. The intent would be to address and consider all repairs, and updates for comfort and function as well as accessibility and known code upgrades as necessary.

Renovation of the existing Western Office Building

This portion of the Study considers the renovation of the existing Western Office Building. This building was also built as a B Occupancy (Its last use was also an office function). The building is a one story, slab on grade structure. It includes front and back street access with parking at both front (8 stalls) and back (65 stalls). The structure of this building is wood framed walls and wood framed roof trusses.

Again, the occupancy classification (B) will not change due to the use a PD. However, the risk category also changes from a Risk Category II to a Risk Category IV due to its new usage as an “essential service” for the Community.

See the attached exhibit, prepared by AE2S (structural consultant), to address the issues associated with the increase of the Risk Category. The exhibit addresses the narrative of these changes and probable costs associated to resolve.

Note that this facility is much newer than the Traynor Building and has not expended all of the expected life of the building systems (HVAC/lighting etc.) Exterior materials and the nature of a wood framed structure provide a life expectancy of a lesser degree than the brick/block and precast materials of the Traynor building, however, the Traynor Building is of need of some limited repairs to the precast due to its age.

As before, other items are being addressed topically (no specific plans/details have been prepared) to update finishes, increase comfort through mechanical upgrades (also consider better energy consumption), and upgrades to the electrical systems, including lighting, power, low voltage systems, within emphasis on technology upgrades.

The footprint of 14,450 SF is well beyond the requirements of the Police Department alone. This facility lends itself a possible greater/broader use as a potential home for Sheriff, BCI, and Highway Patrol, thus creating a multijurisdictional LEC facility. Knowing that these considerations are very high level and would require significant follow-up and multijurisdictional collaboration, it makes sense to consider a phased approach to the fit-up and renovations.

Attached is a basic SF/Systems Estimate that addresses the renovation of approximately 6,000 existing square feet of the facility, and a new squad garage addition, of approximately 3,500 SF for parking of the police fleet

Cost components include General Construction, minor HVAC/Plumbing, and minor Electrical Systems. A strategy for the separation (or inclusion) of utility usage costs is anticipated in the cost model. Also included are the associated costs for the General Conditions for Construction, contingency (in the amount of 10%), and soft costs which would only include design fees.

Further, these estimates (due to the nature of being a large scope of magnitude approach) have a low range and high range of costs.

Again, we have amended our SF pricing for General, Mechanical and Electrical renovation costs. These SF costs are based upon a couple of very recent “build out” bids that we received in our Fargo Office. The scope of work on those buildouts is very similar to the concerns for the Western Building.

The anticipated range of costs for the renovation of 6,000 SF of the existing Western Building is approx. **\$2.9 million to \$3.4 million**, with associated SF costs of \$309 to \$355 per square foot.

This work would position the existing Western Office Building to serve the City’s needs for the next 25 to 30 years, with the added value of having the SF to have increased/additional utilization for other law enforcement agencies or tenants. The intent would be to address all repairs, upgrades, and updates for comfort and function as well as accessibility and known code upgrades as necessary.

New Police Station in an Open Downtown Site (Parking Lot)

This portion of the Study considers the cost of construction to provide a new PD in an open downtown site (parking lot). The facility is envisioned as a one story 6,000 square foot building, following the basic programmatic calculations of the spatial program provided by the City plus and efficiency factor of 25%. A 3,500 SF squad car garage is also anticipated for this location – likely to be contiguous with the new construction of the station itself. Building materials considered, while not extravagant, nor super expensive, are being considered which reflect a sense of civic pride and sustainability.

The anticipated range of costs for the construction of a new Police Station are approx. **\$4.2 million to \$4.9 million**, with associated SF costs of \$447 to \$524 per square foot.

The square foot costs here do include provisions for anticipated metal/steel and aluminum increases due to the recent tariffs.

Miscellaneous

Please note the following:

These cost figures are at **today's** construction costs. A construction escalator of 3 – 4% should be include for every year anticipated to get to a bid date.

There is **no** cost provision for the removal of hazardous materials in any of the remodeling cost models (I.E. asbestos, etc.)



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Architecture	Engineering	Interior Design	Industrial Services
112 N Roberts Street, Suite 300, Fargo, ND 58102			TELE 701.461.7222

Devils Lake Police Department/LEC
Traynor Building
Renovation of 6000 SF - w/ Two Stop Elevator

12.02.2025 Revision 2

11.12.2025 Revised

	Unit	Price/sf	Low Range	Price/sf	High Range
A. GENERAL CONDITIONS			\$ 215,188		\$ 245,178
B. SITEWORK	6,000 1,950	\$ 3.33 \$ 10.00	\$ 39,480 \$ 19,980 \$ 19,500	\$ 3.75 \$ 12.00	\$ 45,900 \$ 22,500 \$ 23,400
C. GENERAL CONSTRUCTION	6,000 1,950	\$ 129.00 \$ 150.00	\$ 1,091,500 \$ 774,000 \$ 292,500	\$ 139.00 \$ 160.00	\$ 1,176,000 \$ 834,000 \$ 312,000
D. HVAC/PLUMBING	6,000 1,950	\$ 52.00 \$ 45.00	\$ 399,750 \$ 312,000 \$ 87,750	\$ 62.00 \$ 55.00	\$ 479,250 \$ 372,000 \$ 107,250
E. ELECTRICAL	6,000 1,950	\$ 34.00 \$ 30.00	\$ 262,500 \$ 204,000 \$ 58,500	\$ 44.00 \$ 40.00	\$ 342,000 \$ 264,000 \$ 78,000
F. LIGHT WELLS (Allowance - Not in Sub total)	4	\$ 20,000.00	\$ 80,000 \$ 80,000	\$ 22,000.00	\$ 88,000 \$ 88,000
G. REWINDOW	205	\$ 75.00	\$ 15,375 \$ 15,375	\$ 80.00	\$ 16,400 \$ 16,400
H. RISK FACTOR UPGRADES (ALLOWANCE) & STRUCTURAL REPAIRS	1	\$ 23,000.00	\$ 23,000 \$ 23,000	\$ 35,000.00	\$ 35,000 \$ 35,000
CONSTRUCTION SUBTOTAL			\$ 2,103,793		\$ 2,339,728
CONTINGENCY 10%			\$ 210,379		\$ 233,973
SOFT COSTS (A/E Fees Only)			\$ 185,134		\$ 205,896
Project Total			\$ 2,499,306 \$ 314	Cost/sf	\$ 2,779,597 \$ 350



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Architecture	Engineering	Interior Design	Industrial Services
112 N Roberts Street, Suite 300, Fargo, ND 58102			TELE 701.461.7222

Devils Lake Police Department/LEC
Traynor Building
Renovation of 7200 SF (Main Floor & Lower Level - Complete) - w/ Two Stop Elevator

12.02.2025

	Unit	Price/sf	Low Range	Price/sf	High Range
A. GENERAL CONDITIONS			\$ 246,126		\$ 277,222
B. SITEWORK	7,200 1,950	\$ 2.75 \$ 10.00	\$ 39,300 \$ 19,800 \$ 19,500	\$ 3.13 \$ 12.00	\$ 45,936 \$ 22,536 \$ 23,400
C. GENERAL CONSTRUCTION	7,200 1,950	\$ 129.00 \$ 150.00	\$ 1,246,300 \$ 928,800 \$ 292,500	\$ 139.00 \$ 160.00	\$ 1,315,800 \$ 1,000,800 \$ 312,000
D. HVAC/PLUMBING	7,200 1,950	\$ 52.00 \$ 45.00	\$ 462,150 \$ 374,400 \$ 87,750	\$ 62.00 \$ 55.00	\$ 553,650 \$ 446,400 \$ 107,250
E. ELECTRICAL	7,200 1,950	\$ 34.00 \$ 30.00	\$ 303,300 \$ 244,800 \$ 58,500	\$ 44.00 \$ 40.00	\$ 394,800 \$ 316,800 \$ 78,000
F. LIGHT WELLS (Allowance - Not in Sub total)	4	\$ 20,000.00	\$ 80,000 \$ 80,000	\$ 22,000.00	\$ 88,000 \$ 88,000
G. REWINDOW	205	\$ 75.00	\$ 15,375 \$ 15,375	\$ 80.00	\$ 16,400 \$ 16,400
H. RISK FACTOR UPGRADES (ALLOWANCE) & STRUCTURAL REPAIRS	1	\$ 23,000.00	\$ 23,000 \$ 23,000	\$ 35,000.00	\$ 35,000 \$ 35,000
CONSTRUCTION SUBTOTAL			\$ 2,392,551		\$ 2,638,808
CONTINGENCY 10%			\$ 239,255		\$ 263,881
SOFT COSTS (A/E Fees Only)			\$ 210,544		\$ 232,215
Project Total			\$ 2,842,351 \$ 311	Cost/sf	\$ 3,134,904 \$ 343



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Architecture	Engineering	Interior Design	Industrial Services
112 N Roberts Street, Suite 300, Fargo, ND 58102			TELE 701.461.7222

Devils Lake Police Department/LEC
Traynor Building
Renovation of 3633 SF (1st Floor Only) w/o Elevator

12.02.2025

	Unit	Price/sf	Low Range	Price/sf	High Range
A. GENERAL CONDITIONS			\$ 134,919		\$ 154,591
B. SITEWORK	3,633 1,950	\$ 5.50 \$ 10.00	\$ 39,482 \$ 19,982 \$ 19,500	\$ 6.20 \$ 12.00	\$ 45,925 \$ 22,525 \$ 23,400
C. GENERAL CONSTRUCTION	3,633 1,950	\$ 129.00 \$ 150.00	\$ 626,157 \$ 468,657 \$ 292,500	\$ 139.00 \$ 160.00	\$ 671,987 \$ 504,987 \$ 312,000
D. HVAC/PLUMBING	3,633 1,950	\$ 52.00 \$ 45.00	\$ 276,666 \$ 188,916 \$ 87,750	\$ 62.00 \$ 55.00	\$ 332,496 \$ 225,246 \$ 107,250
E. ELECTRICAL	3,633 1,950	\$ 34.00 \$ 30.00	\$ 182,022 \$ 123,522 \$ 58,500	\$ 44.00 \$ 40.00	\$ 237,852 \$ 159,852 \$ 78,000
F. LIGHT WELLS (Allowance - Not in Sub total)	4	\$ 20,000.00	\$ 80,000 \$ 80,000	\$ 22,000.00	\$ 88,000 \$ 88,000
G. REWINDOW	205	\$ 75.00	\$ 15,375 \$ 15,375	\$ 80.00	\$ 16,400 \$ 16,400
H. RISK FACTOR UPGRADES (ALLOWANCE) & STRUCTURAL REPAIRS	1	\$ 23,000.00	\$ 23,000 \$ 23,000	\$ 35,000.00	\$ 35,000 \$ 35,000
CONSTRUCTION SUBTOTAL			\$ 1,354,621		\$ 1,494,251
CONTINGENCY 10%			\$ 135,462		\$ 149,425
SOFT COSTS (A/E Fees Only)			\$ 119,207		\$ 131,494
Project Total			\$ 1,609,289	Cost/sf	\$ 1,775,170
			\$ 288		\$ 318



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Architecture | Engineering | Interior Design | Industrial Services

112 N Roberts Street, Suite 300, Fargo, ND 58102 | TELE 701.461.7222

Devils Lake Police Department/LEC
Western Building12.02.2025 Revision 2
11.12.2025 Revised

	Unit	Price/sf	Low Range	Price/sf	High Range
A. GENERAL CONDITIONS			\$ 257,700		\$ 294,840
B. SITEWORK	6,000	\$ -	\$ 35,000	\$ -	\$ 42,000
	3,500	\$ 10.00	\$ 35,000	\$ 12.00	\$ 42,000
C. GENERAL CONSTRUCTION	6,000	\$ 129.00	\$ 1,299,000	\$ 139.00	\$ 1,394,000
	3,500	\$ 150.00	\$ 525,000	\$ 160.00	\$ 560,000
D. HVAC/PLUMBING	6,000	\$ 52.00	\$ 469,500	\$ 62.00	\$ 564,500
	3,500	\$ 45.00	\$ 312,000	\$ 55.00	\$ 372,000
E. ELECTRICAL	6,000	\$ 34.00	\$ 344,000	\$ 44.00	\$ 456,500
	3,500	\$ 40.00	\$ 204,000	\$ 55.00	\$ 264,000
F. Not Used			\$ 140,000		\$ 192,500
G. RISK FACTOR UPGRADES (ALLOWANCE)	1	\$ 68,000.00	\$ 68,000	\$ 84,000.00	\$ 84,000
CONSTRUCTION SUBTOTAL			\$ 2,473,200		\$ 2,835,840
CONTINGENCY 10%			\$ 247,320		\$ 283,584
SOFT COSTS (A/E Fees Only)			\$ 217,642		\$ 249,554
Project Total			\$ 2,938,162	Cost/sf	\$ 3,368,978
			\$ 309		\$ 355



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112 N Roberts Street, Suite 300, Fargo, ND 58102 | TELE 701.461.7222

Devils Lake Police Department/LEC
On Existing Downtown Open Parking Site

11.12.2025

	Unit	Price/sf	Low Range	Price/sf	High Range
A. GENERAL CONDITIONS			\$ 376,500		\$ 441,540
B. SITEWORK			\$ 95,000		\$ 132,000
	6,000	\$ 10.00	\$ 60,000	\$ 15.00	\$ 90,000
	3,500	\$ 10.00	\$ 35,000	\$ 12.00	\$ 42,000
C. GENERAL CONSTRUCTION			\$ 2,020,000		\$ 2,240,000
	6,000	\$ 220.00	\$ 1,320,000	\$ 245.00	\$ 1,470,000
	3,500	\$ 200.00	\$ 700,000	\$ 220.00	\$ 770,000
D. HVAC/PLUMBING			\$ 612,500		\$ 785,000
	6,000	\$ 70.00	\$ 420,000	\$ 90.00	\$ 540,000
	3,500	\$ 55.00	\$ 192,500	\$ 70.00	\$ 245,000
E. ELECTRICAL			\$ 410,000		\$ 522,500
	6,000	\$ 45.00	\$ 270,000	\$ 55.00	\$ 330,000
	3,500	\$ 40.00	\$ 140,000	\$ 55.00	\$ 192,500
CONSTRUCTION SUBTOTAL			\$ 3,514,000		\$ 4,121,040
CONTINGENCY 5%			\$ 175,700		\$ 206,052
SOFT COSTS*			\$ 553,455		\$ 649,064
Project Total			\$ 4,243,155	Cost/sf	\$ 4,976,156
			\$ 447		\$ 524



12 November 2025

EAPC
Alan Dostert, AIA
President, CEO
112 N Roberts St, Ste 300
Fargo, ND 58102

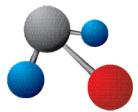
**Re: Devils Lake City Hall Study – Structural review
AE2S P00163-2025-005**

Dear Mr. Dostert:

AE2S has reviewed two existing structures that are being contemplated as a new location for the City of Devils Lake Police Department:

I. Traynor Building, 509 5th St NE





II. Western Equipment Finance, 508 West Hwy 2



GENERAL OBSERVATIONS

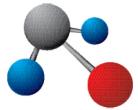
The study of each structure is based on the following general observations.

- ASCE 7-16 "Minimum Design Loads for Buildings and Other Structures" as referenced by the IBC 2021 as the basis for new snow loads resulting from a change in occupancy.
- Buildings are heated with insulated roof (Traynor Building) or attic (Western Equipment Finance)
- Building occupancy will be a police station for some or all of the floor area, which classifies as an essential facility assigned to a Risk Category IV for purposes of determining snow loads.
- Current ground snow load is 50 psf.

1. Other factors to determine snow load based on current IBC 2021 requirements:
 - Ce 0.9, Exposure Category
 - Ct 1.0, thermal factor
 - Is 1.25, snow load importance factor based on Risk category IV facility.

The general requirements yield a 40 psf design roof snow load for new construction, or in this case for a change in occupancy from the original use of Risk Category I or II facility to a Risk Category IV facility.

Floor live loads are unchanged from initial uses as offices.



I. TRAYNOR BUILDING OBSERVATIONS

The entire building would be renovated into a police station.

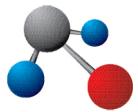
A. CIVIL

1. The front entry does not really have a stoop.
2. The cross-slope perpendicular to the walking path of the front entry is variable. It is 1% cross slope directly in front of the door, but is almost 5% just beyond the door and side lite; threshold for acceptance is 2.0%.
3. The slope parallel to the walk path within the width of the door opening measured as 5.2%.
4. A proper stoop with an ADA compliant cross slope of 2% or less across the entire width of the front entry is recommended.
5. The front driveway will need to be re-graded, approx. 2,800 SF with 50% concrete, 50% asphalt; suggest concrete as the replacement.
6. Additional parking nearby is not readily available, except for the public parking along municipal streets.
7. The existing parking lot will need to be striped and delineated, including ADA parking, 2 rows of angled parking aisles appear feasible.
8. Site lighting in the parking areas will be needed.
9. Existing asphalt parking surface is acceptable for initial redevelopment. Significant repairs are not needed.

Estimated cost of the civil site improvements is \$60,000 to \$80,000.

B. STRUCTURAL

1. The roof tees are archaic 8'-0" wide 9 1/2" deep 3-tee members with stems at 2'-0" on-center and aligned to each roof quad tee wall stem. Load tables or properties are not yet available BUT efforts to locate them continue.
2. The east and west exterior walls are archaic 8'-0" wide 9 1/2" deep quad tee members with stems at 2'-0" on-center and aligned to each roof quad tee stem. The walls appear to extend to the footings.
3. The capacity of the walls will be acceptable.
4. The wall that forms the west side of the stair opening is an interior bearing wall.
5. Assuming there is an interior bearing grid, the roof panels likely can support the change in occupancy snow load; however, some non-destructive testing to measure the location and diameter of the pre-stressing strand is required to make any definitive statements about load carrying capacity.



6. Given the uncertainty about the load capacity of the roof panels, any changes to roof load, especially roofing, has to reduce the applied roof load.
7. Footings, exterior bearing walls, and interior bearing walls are not a concern.
8. There are two exterior wall stems on the east elevation that need to be repaired, excavation and concrete restoration work is required.

The initial costs to repair the damaged wall stems and field verify the strand geometry of the roof tees is \$15,000-\$25,000 assuming the stems are repaired at the same time as the front ADA stoop is added.

The cost to add a true stoop is \$8,000-\$10,000.

Total initial costs for structural work is \$23,000 to \$35,000.

II. WESTERN EQUIPMENT FINANCE OBSERVATIONS

Approximately 7,000 sf of the facility is proposed for renovation into the police department, and only that area is subject to the increased snow load requirement.

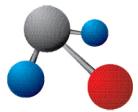
A. CIVIL

1. The site is "move-in" ready with only minor changes needed to add additional ADA parking.
2. If parking is needed, there is nearby shared parking opportunities.

No initial site improvement costs are anticipated.

B. STRUCTURAL

1. Roof framing is metal plate connected roof trusses supported by 2x6 wood stud walls.
2. Truss design reports were available for the addition, but not for the original construction; therefore observations made based on the addition truss design will be extrapolated to the original construction.
3. Addition trusses spaced 2'-0" on-center, original trusses almost certainly the same spacing as this is a nearly universal truss spacing for roof truss framing.
4. The addition trusses were designed for a 50 PSF total load;
 - o 30 psf top chord snow load; which was very typical for commercial construction prior to the early 2000's.
 - o 10 psf top chord dead load.
 - o 10psf bottom chord dead load.
 - o Non-concurrent 10psf live load, this does not affect the truss snow load capacity
5. Calculated current snow load is 40 psf as discussed in the General.

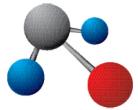


6. A more detailed estimate of dead loads is 5-6 psf bottom chord dead load and 10-12 psf top chord dead load, total dead load of 18-19 psf.
7. Total truss loads at current requirements are 55-58 psf, for a ratio of 1.10 to 1.16 higher, exceeding the threshold of 1.05 of stress increase above which structural improvements are required
 - o The inverse of these ratios would be 0.87 to 0.90
8. The truss design prints of the addition list the stress ratio, which is the ratio of demand:strength of a member. If a member has a stress ratio of 0.90 or above it will be overstressed at current loading requirements.
9. These truss members in the addition have a stress ratio 0.90 or greater and need to be reinforced:
 - o Single ply step down truss T03 bottom chord 2x6, with structural exterior rated plywood on each side or a 2x6 SPF No.2 or better on one side.
 - o Single ply step down truss T04 bottom chord 2x6, with structural exterior rated plywood on each side or a 2x6 SPF No.2 or better on one side.
 - o Single ply step down truss T06 bottom chord 2x6, with structural exterior rated plywood on each side or a 2x6 SPF No.2 or better on one side.
 - o Single ply step down truss T07 compression web member W4, by adding a 2x4 member brace near the midpoint of the member.
10. Typical trusses and multi-ply girder trusses in the addition are acceptable; therefore it is extrapolated that the types of trusses in the original will be acceptable.
11. The trusses in the original construction likely have similar concerns (typical gable trusses acceptable, step down trusses suspect) but cannot be quantified without field measurements and analysis effort.
12. Footings and bearing walls are not a concern.

The estimated cost to improve each truss is \$500. In order to access and improve the trusses, the entire horizontal fire barrier layer of "SheetRock" will need to be removed and replaced, at an estimated cost of \$7/SF. For the proposed 7,000 SF police station occupancy, this is a total cost of \$50,000 exclusive of lighting and HVAC renovations.

It is estimated that 25% to 30% of the trusses will need to be improved in place. Each "wing" of the facility is approximately 50' wide, so approximately 70 trusses will be within the renovation area. Based on several assumptions, anywhere from 18 to 25 trusses will need to be improved in place, at a cost of \$500 for each truss. Estimated cost for structural improvements is \$9,000 to \$12,000. This is much less cost than building a new facility.

Replacing the entire roof structure with new trusses would cost \$38/sf (inclusive of roofing), for the entire 7,000 sf police area this cost is \$260,000 to \$320,000. This cost is still less than building a new structure.



It may be possible to add interior bearing lines to reduce the span of the trusses, however, structural improvements may still be needed to improve members that undergo stress reversal by adding support locations.

Detailed and disproportionately time-consuming engineering analysis to determine the specific truss geometry, truss capacity, and truss improvements is needed, unless the roof is entirely replaced.

These results and observations are preliminary for use in initial planning.

Please contact AE2S with any questions.

Sincerely,

AE2S



Jay Kleven, PE (ND PE-4685)

Senior Project Manager

LETTER OF INTENT EXTENSION AGREEMENT

THIS AGREEMENT is made and entered into this _____ day of _____, _____, by and between the **City of Devils Lake**, North Dakota, (hereinafter, "the City") and **Stride Development, PBC** (hereinafter, "the Developer").

WITNESSETH:

WHEREAS, on or about September 2, 2025, the City and the Developer did enter into a Letter of Intent Regarding Potential Development of Downtown Parking Lot Located at 3rd St NE and 5th Ave NE (hereinafter, the "LOI");

WHEREAS, the LOI does provide that both parties agree to negotiate exclusively with each other regarding the development of the subject property for a period of 120 days from the date of the LOI;

WHEREAS, the parties wish to extend the period of time of exclusivity beyond the 120 day period set forth in the LOI;

NOW, THEREFORE, based on the mutual covenants and conditions set forth herein, and the consideration which each party does acknowledge is sufficient, it is hereby agreed by and between the parties as follows:

1. The LOI period of exclusivity, in which both parties agree to negotiate exclusively with each other, shall be extended to March 31, 2026.

IN WITNESS WHEREOF, the parties have set their hands and seals the day and year written below.

City of Devils Lake, ND

By: _____
Jim Moe
Its: Mayor

Date: _____

Stride Development, PBC

By: _____
Tyrone Grandstrand
Its: Founder and CEO

Date: _____

LETTER OF INTENT
Regarding Potential Development of Downtown Parking Lot
Located at 3rd St NE and 5th Avenue NE
Date: September 2, 2025

This Letter of Intent ("LOI") sets forth the preliminary understanding between the City of Devils Lake, North Dakota ("the City") and Stride Development, PBC ("the Developer") regarding the potential development of a parking lot located in downtown Devils Lake owned by the City.

1. Purpose

The purpose of this LOI is to outline the mutual interest of both parties in exploring the feasibility and terms of a potential development project involving the subject property. This LOI is intended to serve as a basis for further discussions and is not legally binding.

2. Project Overview

Stride Development proposes to work with the City to evaluate and potentially develop the site into a public/private/mixed-use facility that supports downtown Devils Lake's economic vibrancy and aligns with the City's strategic planning and infrastructure goals.

3. Responsibilities

The City of Devils Lake agrees to:

- Provide access to relevant site information, including zoning, land use, environmental assessments, development incentives, and infrastructure data.
- Engage in good faith discussions regarding potential incentives, permitting, and public-private partnership opportunities.
- Indicate the capacity of existing water, sewer, stormwater, and utility infrastructure to accommodate the proposed development. Broadly provide the location of existing utility connections if able.
- Provide any relevant overlays or planned development districts impacting the site.
- Provide site information needed for development, such as alta survey, and environmental assessments.
- Articulate the city's specific housing goals, and desired housing types to guide the developer's project alignment.
- Clearly outline the steps, timelines, and required documentation for the development review and approval process, including any expedited review procedures for the project.
- Inform Stride about local, state, and federal funding programs, grants, and subsidies available for affordable housing projects and highlight any property tax abatements or other financial incentives offered to housing and mixed-use developers.

Stride Development agrees to:

- Conduct preliminary feasibility studies, including design concepts, cost estimates, and financing options.
- Present a conceptual preliminary site plan to the City detailing potential building configurations and how units might be arranged at the site.
- Planned number of housing units and the proposed mix of unit types and affordability levels
- Information on how the project will address accessibility requirements and ensure access to key proximate infrastructure.
- An estimated schedule for the various phases of the project, from planning and approvals to construction and occupancy based on current information available.

4. Exclusivity

Both parties agree to negotiate exclusively with each other regarding the development of the subject property for a period of 120 days from the date of this LOI. Neither party will solicit, entertain or discuss the sale, development, or transfer of subject property during this 120-day period without the explicit consent of the other party. If a definitive agreement is not reached within the 120-day period, the exclusivity ends and either party will be free to engage with other interested parties.

5. Non-Binding Nature

This LOI is not intended to create any binding legal obligations with regard to the development of subject property. Any binding agreement will be set forth in a future formal contract, subject to approval by the Devils Lake City Commission and Stride Development.

6. Governing Law

This LOI shall be governed by the laws of the State of North Dakota.

Signed:

Jim Moe
Mayor
City of Devils Lake, ND
Date: _____



Tyrone Grandstrand
Founder & CEO
Stride Development, PBC
Date: 8.26.2025

LIST OF BILLS FOR THE CITY OF DEVILS LAKE
15-Dec-25

VENDOR	AMOUNT DUE
---------------	-------------------

AIRPORT

Dennis Olson	\$250.00
Double Z Broadcasting	\$500.00
Lee Smith	\$25.00
Leever	\$69.38
Mead & Hunt	\$31,845.00
MDU	\$829.34
Nodak Electric	\$3,081.89
NDTC	\$320.78
PS Garage Doors	\$259.66
Sara Plemel	\$50.00
Sparklight Advertising	\$2,215.00
Steve Herrick	\$50.00
Wade Halvorson	\$50.00

CITY

Advanced Business Methods	\$1,979.67
Amazon	\$1,327.29
Bergstrom Electric	\$9,751.90
Bormann, Myerchin, Espeseth, & Edison, LLP	\$1,200.00
Butler	\$3,595.49
Bessette Motors	\$43,827.00
Capital One-Walmart	\$259.44
Caselle	\$1,740.00
Christon Dallas	\$157.00
Close Construction	\$6,750.00
CNH Industrial Retail Accounts-Titan Machinery	\$3,628.50
Cowboy's Towing Service	\$405.00
Creative Impressions	\$515.00

LIST OF BILLS FOR THE CITY OF DEVILS LAKE
15-Dec-25

VENDOR	AMOUNT DUE
Dakota Implement	\$2,155.61
David Rader	\$652.45
Devils Lake Cars	\$1,111.65
Devils Lake Journal	\$634.90
Dominic Ebertz	\$68.00
Ecolab	\$225.98
Enviromental Systems Research	\$1,840.00
Exhaust Pros	\$79.00
Farmers Union Oil-Tolna	\$1,348.00
Farmer's Union Oil-Devils Lake	\$14,725.76
Ferguson Waterworks	\$1,918.95
Gessner Iron Works	\$209.45
Gowan Construction	\$2,831.68
Grainger	\$790.70
Grand Forks Utility Billing	\$22,374.77
HE Everson	\$25.34
Harrison Sprinkler Services	\$640.00
Information Technology	\$326.85
Ingram Library Services	\$245.51
Interstate Billing Service-Ironhide Equipment	\$728.98
Interstate Power Systems	\$2,381.61
James Moe	\$75.00
Jason Toso	\$300.00
JB Vending	\$86.76
Joe & Bros Mow for Dough	\$150.00
John Deere Financial	\$9.26
Jordan Brown	\$80.42
Just Get It Done	\$171.00
Keller's Briteway	\$22.00
KLJ Engineering	\$11,250.00
Lake Region Corporation	\$4,166.67

LIST OF BILLS FOR THE CITY OF DEVILS LAKE
15-Dec-25

VENDOR	AMOUNT DUE
Lake Region Electric	\$16.58
Lake Region Law Enforcement Center	\$9,499.22
Lakeview Construction	\$1,565.41
Leevers	\$156.88
Mac's Hardware	\$1,636.92
Michael Grafsgaard	\$450.00
Mid-Land Excavating	\$1,735.00
Middle Branch Properties	\$42.80
Minnie H Express Car Wash	\$225.00
MDU	\$1,970.80
Motorola Solutions	\$390.00
Nathan Bennett	\$450.00
ND Dept of Environmental Quality	\$105.00
ND Dept of Transportation	\$5,163.85
North Dakota One Call	\$46.20
North Dakota Fire Chiefs Association	\$100.00
NDTC	\$1,962.68
Nutrien Ag Solutions	\$1,994.27
O'Reilly's Automotive	\$218.55
Old National Credit Card	\$2,647.46
Ottertail Power Co	\$20,931.04
Pace Labs	\$396.00
Paul Poitra	\$68.00
Pomp's Tire Service	\$26.77
Powerplan-RDO Equipment	\$16,128.96
Prairie Truck & Tractor Repair	\$2,081.57
Proz	\$87.00
PS Doors	\$159.63
Quadient Leasing	\$333.39
Robert Johnson	\$75.00
Running Supply	944.02

LIST OF BILLS FOR THE CITY OF DEVILS LAKE
15-Dec-25

VENDOR	AMOUNT DUE
Sanitation Products	\$272.45
Service Tire	\$2,575.61
Spencer Halvorson	\$525.00
Stone's Mobile Radio	\$2,634.80
The Needle's Eye	\$200.00
The Ramsey County Abstract Co	\$373.00
Toshiba Business Solutions	\$17.70
Traynor Law Firm	\$9,166.67
Uline	\$690.58
United States Postmaster	\$198.00
USA Blue Book	\$642.00
Vanguard Appraisals	\$962.50
Wang's Welding & Machining	\$3,311.65
Xpress Bill Pay	\$1,373.93
TOTAL LIST OF BILLS	\$280,860.53