Minutes of the Devils Lake City Commission

November 7, 2022

The regular meeting of the Devils Lake City Commission was held on November 7, 2022 with the following members present: President Moe, Rob Hach, Dale Robbins, and Jason Pierce.

Employee Recognition – President Moe recognized the following employees for their years of service with the City of Devils Lake:

- Devin Gathman – Assistant Engineer 5 years
- Brandon Exner – Senior Captain 20 years
- Eugene Lamotte – Sanitation Operator II 25 years

Zoning Change – The Planning Commission recommended approval to change a zoning from highway commercial to light industrial for Lot 9 Block 2, Railroad Sub Replan, and Lot 3-4 Block 2, Railroad Sub. Commissioner motioned to approve the recommendation. Commissioner Robbins motioned to approve the recommendation. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Fuel Tank – The Planning Commission recommended approval of a conditional use permit to allow relocation of an above ground fuel tank to 211 National Guard St. Commissioner Pierce motioned to approve the recommendation. Commissioner Hach seconded the motion, and the motion carried unanimously.

Commissioner Pierce – The Fire Chief communicated that they finished up school tours.

Commissioner Robbins – The City Engineer communicated that there is no update for the Engineering Department. The Street Department is working on getting snow removal equipment ready and they are working on finishing up a few projects this fall. Commissioner Robbins communicated that there should be a better plan of action if loan guarantees come up again.

Commissioner Hach – The City Engineer communicated that the Sanitation Department spring/fall pickup has been the same as it has been in the past. He mentioned that around 8,000 truckloads are hauled out of the City. They plan on putting numbers together to see what it is costing the City to do these special pickups. The City Assessor communicated that he is continuing to work on his education.

The City Engineer communicated that the Utilities Department has had a dry fall, so they are working on drains. They are prepping the storm lift stations for the winter months

The Police Chief communicated that they finalized the CAD system with the county. They will be assigned a project manager and they will move forward.

The City Administrator requested the Commission to reissue a check to Kemper Construction for $301,400.36. Kemper Construction contacted the City to let us know

that they have not yet received the check that was issued. Commissioner Pierce motioned to approve the reissue of the check to Kemper Construction for $301,400.36. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

The City Administrator requested the Commission to approve the transfer of grant proceeds to the Lake Region Ambulance Service. The City is the fiscal agent, so this is just a pass through. $90,856.51 is the amount that needs to be transferred. Commissioner Robbins motioned to approve the transfer of funds. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

The City Administrator requested the Commission to approve a name change on a liquor license. The business is going from Charra's to Anna's. It is the same owner and in the same building – the only thing that will be changing is the name. Commissioner Pierce motioned to approve the transfer of the liquor license. Commission Hach seconded the motion, and the motion carried unanimously.

The City Administrator gave an update on the Prairie Dog Funds, and we will be getting another 1.1 million by the end of the year, based on documents from the League of Cities. He also communicated that in the list of the bills there are a few from Bergstrom Electric. There is no way to recoup those costs through insurance, so the City will have to pay for it. It will be roughly $30,000.

Certification of Pledged Securities – Bremer Bank – The City Administrator communicated that this is required from State Century Code. Commissioner Robbins motioned to approve the certification of pledged securities. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

State Bond Blanket Resolution – The City Administrator communicated that the application was filled out and returned at the end of June. This blanket is for $2,000,000. Commissioner Hach motioned to approve the state bond blanket resolution. Commissioner Hach seconded the motion, and the motion carried unanimously.

Internal Transfers – Infrastructure Projects (4000 Accounts) - The City Administrator communicated that quite a few of these transfers were not done in 2021, so we are looking to do the transfers for 2021 and 2022 to reduce the negative balances in these funds. Commissioner Hach motioned to approve the internal transfers for infrastructure projects. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Flex Pace Loan – Schoepp Chiropractic Clinic – Brad Barth with Forward Devils Lake communicated that Debra is buying the building that has been for sale. She will be bringing in 5 more employees. The Forward Devils Lake board recommended that she can participate in the Bank of North Dakota interest buy down loan. The interest buy down will be roughly $50,000 total for this business. This loan will often cut the payment in half, which will help the business grow. Commissioner Robbins motioned to approve

the Flex Pace Loan. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Approval of Agreement – 14th St NE & 14th Ave NE – The City Engineer communicated that the city is able to secure a one-time allocation through the department of transportation. These can be utilized on the federal aid system. There is not a match required for it and the funds to be used is $237,800. They are looking at using these funds on 14th St NE and 14th Ave NE. The water from Ruger Park goes into the ditches and that is affecting the roads. Discussion continued on the agreement. Commissioner Pierce motioned to approve the approval of agreement for 14th St NE and 14th Ave NE. Commissioner Hach seconded the motion, and the motion carried unanimously.

Authorize Call for Bids – Sidewalk Snow Removal – The City Engineer communicated that this would be used for people who do not keep their sidewalks clear of snow and ice. They go through a process of notifying the property owner and then if nothing is done, they will contact the person it is contracted to. They only do this if they are getting complaints. Commissioner Robbins motioned to approve the call for bids for sidewalk snow removal. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Change Order 1 – City Project 220201 Watermain Replacement – The City Engineer communicated that this change order is for $141,157.50 deduct. Commissioner Pierce motioned to approve change order 1 – city project 220201 watermain replacement. Commissioner Hach seconded the motion, and the motion carried unanimously.

Pay Estimate 3 – City Project 220201 Watermain Replacement – The City Engineer communicated that this pay estimate is for $70,472.16 to Kemper Construction. Commissioner Robbins motioned to approve pay estimate 3 – City Project 220201 Watermain Replacement. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Commissioner Robbins motioned to approve the list of bills as submitted. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

SPENCER HALVORSON
CITY ADMINISTRATOR/AUDITOR

JIM MOE
PRESIDENT OF CITY COMMISSION