

Minutes of the Devils Lake City Commission
August 7, 2023

The regular meeting of the Devils Lake City Commission was held on August 7, 2023 with the following members present: President Moe, Rob Hach, Jason Pierce, and Dale Robbins.

Commissioner Pierce moved to approve the minutes of the regular Commission meeting held on July 17, 2023. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Hach moved to approve the minutes of the special Commission meeting held August 2, 2023. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Hach – The City Engineer communicated that there was not an update for the Sanitation Department. The City Assessor communicated that there was not an update for the Assessing Department.

President Moe thanked Matthew Klebe for his 10 years of service with the City of Devils Lake in the Sanitation Department.

The Devils Lake Planning Commission took action at their July 20, 2023 meeting to recommend approval of a change in zoning from highway commercial to planned unit development for the City Plaza. They plan to expand their current use with apartments on the 2nd floor of the Plaza, storage garages and an outdoor structure for sales and events. Commissioner Hach made a motion to approve the recommendation. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Commissioner Hach – The City Engineer communicated that there is not an update for the Sanitation Department other than they are advertising for a new truck chassis.

The City Engineer communicated that there is not an update for the Utility Department.

Commissioner Robbins – The City Engineer communicated that there is not an update for the Street Department. The engineering department will be continuing the water main replacement projects on 2nd street. They are also working on the storm sewer project in Stromquist.

Commissioner Pierce - The Fire Chief communicated that they have their new software up and running and that it is working great. They also have an area that will work good with the building department.

There was not an update for the Police Department.

The City Administrator communicated that we are starting the special assessment process and that it needs to be completed by November 1, 2023.

The City Attorney communicated that he does not have an update.

Temporary Construction Easement – Stromquist Sewer Project – The City Engineer communicated that they are completing a storm sewer project in the Stromquist area that will improve and help facilitate the roadway improvement project planned for the area next year. There is an existing 20' drainage easement identified on the plat for this area that will be utilized for the permanent storm sewer easement. In order for the contractor to have enough room to install the new pipe, an additional 20' temporary construction easement was requested from adjacent property owners. Property owners will be reimbursed \$1,000 to offset any costs associated with restoring landscaping on the temporary easement following construction. Commissioner Pierce made a motion to approve the recommendation. Commissioner Hach seconded the motion, and the motion carried unanimously.

Reappointment of Members – Board of Adjustments – The Devils Lake Board of Adjustments made a recommendation to reappoint Doug Mohr and Dave Steffan with their terms expiring June 30, 2026. They also reappointed Rick Jorgenson as an alternate member for the board, with his term expiring June 30, 2024. Commissioner Robbins made a motion to approve the recommendation. Commissioner Hach seconded the motion, and the motion carried unanimously.

Pay Estimate #9 – City Project 220201 Watermain Replacement 27-22 – The City Engineer communicated that this pay estimate was for \$43,446.24 and will be paid to Kemper Construction. Commissioner Pierce made a motion to approve Pay Estimate #9. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

RFP for Design Engineering Project 240101 17th St SE – The City Engineer communicated that curb, gutter, and pavement would be put in over in the Stromquist addition. They would use federal funds to help with construction costs. They are looking for engineering firms that could help with this project. They will be accepting proposals until August 24, 2023 at 4:00pm. Commissioner Robbins made a motion to approve requests for approvals. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Embankment Flood Plain Agreement – The City Engineer communicated that there is an area in the flood plain that is approaching on a property adjacent to City owned property. The City has estimated 550 CY of fill material would be required to elevate that portion of the property. The agreement states what their elevation has to go to. The landowner is agreeable to filling the property below elevation 1443.4 for a payment from the City of \$14,700. The agreement has been reviewed by the City Attorney along with the Core of Engineers. Commissioner Robbins made a motion to approve the embankment flood plain agreement. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

FY 2024 Preliminary Budget and Salary Plan – The City Administrator communicated that the salary plan is a 3% cost of living along with a one-time \$1,000 bonus. Health insurance rates are budgeted for 5%, but those rates are still pending. The 2024 Mill Levy will go down 1 mill from 93.11 to 92.11. The Lake Region UAS team will receive \$7,500 and SAAF will receive \$2,500. The following rates and fees will increase for 2024:

- Water Department
 - Adjust the water rate per 1,000 gallons from \$3.40 to \$3.50
- Sewer Department
 - Adjust sewer base charge from \$13.90 for 3,740 gallons to \$14.90 for 3,500 gallons
 - Adjust sewer rate per 1,000 additional gallons from \$3.95 to \$4.25 (sprinkling months as well)
- Sanitation Department
 - Adjust can service from \$8/can to \$9/can
 - Residential and Commercial Dumpster base charge from \$12 to \$12/day that the dumpster is picked up
 - 5% increase to dumpster/compactor rental fee per month
 - Construction roll-off tip fee from \$80 to \$85 and \$11.00 to \$11.50 per cubic yard
 - Adjust special garbage pickup base charge from \$20 to \$22 per month and \$11.50 per cubic yard
 - Inert waste from \$7 to \$8 per cubic yard
 - Municipal solid waste compacted from \$27.50 to \$30.00 per cubic yard

He communicated that we would set a public hearing notice for final approval would be on Monday, September 18 2023 at 5:30 pm in the City Commission Chambers. Commissioner Robbins made a motion to approve the preliminary budget and set a public hearing date for September 18, 2023. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

Budget Amendment 23-02 – Shade Tree Payment to Contractors – The City Administrator communicated that there is \$38,000 budgeted for payment to contractors under Shade Tree. A budget amendment would be from \$38,000 to \$43,500 to complete all the work as needed. Commissioner Robbins made a motion to approve budget amendment 23-02. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

EXECUTIVE SESSION: The Devils Lake City Commission convened in Executive Session this meeting on August 7, 2023 to discuss the Settlement Agreement between Western State Bank and Summer Manufacturing of which Forward Devils Lake/City of Devils Lake is a party to as permitted by; NDCC 44-04-19.1, 44-04-18.4

Summers Manufacturing/Western State Bank Settlement Agreement – Commissioner Robbins made a motion to table this item. Commissioner Pierce seconded the motion, and the motion carried unanimously.

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

SPENCER HALVORSON
CITY ADMINISTRATOR/AUDITOR

JIM MOE
PRESIDENT OF CITY COMMISSION