

Minutes of the Devils Lake City Commission  
September 5, 2023

The regular meeting of the Devils Lake City Commission was held on September 5, 2023 with the following members present: President Moe, Rob Hach, Jason Pierce, Shane Hamre, and Dale Robbins.

Commissioner Pierce moved to approve the minutes of the regular Commission meeting held on August 21, 2023. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

President Moe thanked Brandon Padilla for his 5 years of service with the City of Devils Lake.

Public Hearing – Vacation of Street – The Devils Lake Planning Commission took action at their August 24, 2023 meeting to recommend approval of a request to vacate an unnamed street lying southerly and adjacent to Lots 1-11, of which lots 3-9 have been previously vacated, Block E, First Addition to Riggin Acres (located on 14<sup>th</sup> St NW). Commissioner Robbins made a motion to approve the recommendation. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Public Hearing – Conditional Use Permit for Campground – The Devils Lake Planning Commission took action at their August 24, 2023 meeting to recommend approval of a request for a conditional use permit to expand the existing campground at 1319 Walleye Dr. Commissioner Pierce made a motion to approve the recommendation. Commissioner Hamre seconded the motion, and the motion carried unanimously.

Commissioner Hach – The City Engineer communicated that there is not an update for the Sanitation Department. The City Assessor communicated that tax statements went out.

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

Commissioner Robbins – The City Engineer communicated that Wade Sharbono was selected for the new public way supervisor. He also communicated that the watermain replacement on 2<sup>nd</sup> street is being worked on.

Commissioner Pierce - The Assistant Fire Chief communicated that there is not an update for the Fire Department or Shade Tree.

The Police Chief communicated that they have paved some of the shooting range.

The City Administrator communicated that there was not an update for the auditing department.

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

President Moe communicated that this past week they had a meeting regarding the new hospital. He communicated that Senator Hoeven did a great job and that the ultimate goal is to build a building that meets the needs of the community. They do plan to have another meeting hopefully in the first half of October.

Commissioner Hach made a motion to move back to item 2A on the agenda. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Commissioner Pierce made a motion to move back to 1A on the agenda. Commissioner Robbins seconded the motion, and the motion carried unanimously.

Appointment of Members – Devils Lake Parking Authority – The Devils Lake Parking Authority took action at their August 24, 2023 meeting to recommend appointment of Mark Kraft to the Parking Authority, with his term expiring 6-30-2025. Jeb Oehlke has agreed to serve another term on the Parking Authority with his term expiring 06-30-2026. Commissioner Robbins made a motion to approve the recommendation. Commissioner Hamre seconded the motion, and the motion carried unanimously.

Summers Manufacturing Loan Guarantee – Western State Bank – The City Administrator communicated that the terms of the guaranty are \$343,026.57 over 5 years at a 4.875% interest rate. Discussion continued on the Summers Manufacturing Loan Guarantee. Commissioner Hamre would like to see this get paid off in full. Commissioner Pierce was in agreement. The City Administrator requested that this gets tabled to the next meeting. There will have to be some internal transfers and a budget amendment being done. Commissioner Hamre made a motion to table it. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Budget Amendment #23-04 Shade Tree Payment to Contractors – The City Commissioner communicated that the Commissioner recently approved a budget amendment extending that to \$43,500 after a desire to further trim back the rest of the alleys. This additional budget amendment would be for another

area that was noted. This is a comfortable recommendation as the mosquito prevention and control have come in significantly under budget. Commissioner Hamre made a motion to approve budget amendment 23-04. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Budget Amendment #23-05 Police Department Salaries to ARPA – The City Administrator communicated that we want to allocate quarter 4 police department funds to 1000-311-41100. City's are permitted to report a revenue loss of up to \$10 million dollars – of which then the funds received them the American Rescue Plan Act can be used for the provision of General Government Services. Commissioner Robbins made a motion to approve this budget amendment. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

Agreement with Blue Cross Blue Shield 2024 Enrollment – The City Administrator communicated that there will be no change to the employee health, vision, or dental insurance for 2024. He also communicated that it is planned to change to the Your Blue plan. Commissioner Pierce made a motion to approve the agreement with Blue Cross Blue Shield 2024 Enrollment. Commissioner Hach seconded the motion. The motion carried 4-1 on a roll call vote.

LEC Joint Powers Agreement – The City Attorney communicated that there have been changes drafted by the County, but the LEC attorney did not like all of them. He was not going to recommend approval as it sat. They are waiting on approval from the LEC.

Pay Estimate #1 – 2023 Curb, Gutter, & Sidewalk – The City Engineer communicated that this pay estimate is for \$66,985.29 to Elshaug Concrete. Commissioner Robbins made a motion to approve Pay Estimate #1 – 2023 Curb, Gutter, & Sidewalk. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Pay Estimate #2 – City Project 230301 Stromquist Strom Sewer – The City Engineer communicated that this pay estimate is for \$58,387.28 to DL Barkie. Commissioner Pierce made a motion to approve Pay Estimate #2 – City Project 230301 Stromquist Strom Sewer. The motion carried unanimously on a roll call vote.

Recommendation to Approve Engineering Design Contract for Project SU-3 982 (040), PCN 23179, City Project #240101 16<sup>th</sup> St SE, 17<sup>th</sup> St SE – The City Engineer communicated that they have completed request for proposals to retain an engineering firm to help the City with the environmental documentation design and other paperwork necessary to utilize federal funds to help offset the construction cost for paving 17<sup>th</sup> St SE, 10<sup>th</sup> Ave SE, and 8<sup>th</sup> Ave SE. KLJ was the

only firm that responded to the RFP. The contract is an hourly to maximum contract that identifies the work items needed to meet federal requirements to utilize federal funding for the aforementioned roadways. \$249,331.40 is the maximum dollar amount for the contract to complete the necessary work items. Commissioner Hamre made a motion to approve the recommendation. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

Recommendation of Award for Truck Chassis – The City Engineer communicated that the proposal for the Truck Chassis is \$153,827 less the trade in of \$5,000 for a total chassis purchase price of \$148,827. In addition to the cost of the chassis, an additional approximately \$31,500 will be needed to switch the compactor to the new truck and install a tag axle to reduce axle weights, reduce pavement damage, and prevent overweight issues on state highways. Commissioner Pierce made a motion to approve the recommendation. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

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

**SPENCER HALVORSON**  
**CITY ADMINISTRATOR/AUDITOR**

**JIM MOE**  
**PRESIDENT OF CITY COMMISSION**