

Minutes of the Devils Lake City Commission
December 4, 2023

The regular meeting of the Devils Lake City Commission was held on December 4, 2023 with the following members present: President Moe, Rob Hach, Jason Pierce, and Dale Robbins.

Commissioner Robbins moved to approve the minutes of the regular Commission meeting held on November 20, 2023. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Devils Lake Airport Authority – Dennis Olson with the Airport Authority gave an update on how the airport is going. He communicated that the flights have been really well. He mentioned that if they get 672 passengers this month they will reach the next threshold, which will put them at \$650,000/year. He communicated that the National Guard is staying steady with flights as Devils Lake is taking on more training. He also communicated that our next outlay reimbursement will be for around \$3.3 million.

Commissioner Hach – The City Engineer communicated that the Sanitation Department is using their new truck chassis. The City Assessor communicated that Gate City Bank reached out to us to partner up with the city on a revitalization program that they have. This would offer low interest rate loans to individual homeowners within the City. The City would get to decide what qualifications and projects would be eligible. He communicated that he believes this will be coming to the Commission for approval in January.

Commissioner Hamre - 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 or the Engineering Department.

Commissioner Pierce – The Fire Chief communicated that the Fire Department is working on the fishing derby. He communicated that everything is on track for that as of right now.

The Police Chief communicated that there they have a 2016 Ford Expedition that needs to be declared surplus due to the transmission going out. Commissioner Hach made a motion to approve the recommendation. Commissioner Pierce seconded the motion, and the motion carried unanimously.

The City Administrator communicated that he is working on equipment replacement schedules with the department heads for the Commission to consider and approve. He also gave a briefing on the JDA Development Authority and went through what the recommendation would be.

The City Attorney communicated that he has reviewed everything regarding the LEC property, and everything looks good. He did communicate that the States Attorney had a few questions on that, and he believes that will be brought up at the next LEC meeting. Discussion continued about how the LEC charges the City/County for inmates. He also mentioned that nuisance letters are going out for junk and abandoned vehicles.

Pay Estimate #3 – 2023 Curb, Gutter, and Sidewalk – The City Engineer communicated that this pay estimate is for \$2,304.47 and will be paid to Elshaug Construction. Commissioner Robbins made a motion to approve pay estimate #3 for 2023 Curb, Gutter and Sidewalk. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Pay Estimate #4 – City Project 230201 Watermain Replacement 28-23 & 29-23 – The City Engineer communicated that this pay estimate is for \$52,056 and will be paid to Kemper Construction. Commissioner Hach made a motion to approve pay estimate #4 for City Project 230201 Watermain Replacement 28-23 & 29-23. Commissioner Robbins seconded the motion. The motion carried unanimously on a roll call vote.

Preliminary Engineering Report for St Imp District #79-24

Resolution Preparing Preliminary Report and Directing Preparation of Plans and Specification for St Imp #79-24 – 17th St SE, 16th St SE, 8th Ave SE, 10th Ave SE – The City Engineer communicated that this street improvement district includes base preparation, grading, paving, and installation of curb and gutter within portions of the above roadways. He communicated that the preliminary cost for this project is approximately \$3.5 million. Commissioner Pierce made a motion to approve the preliminary report. Commissioner Robbins seconded the motion, and the motion carried unanimously.

Resolution for Creating St Imp District #80-24 – West Side – The City Engineer communicated that this street improvement is for the area west of college drive and south of 14th St NW. Commissioner Robbins made a motion to approve the resolution creating St Imp District #80-24. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Approve Contract for College Dr & Highway 19 Project – The City Engineer communicated that there are two different contracts within the packet. One

contract is for Hwy 19 and the other is for College Dr and Hwy 20. Commissioner Robbins made a motion to approve contracts for College Dr and Highway 19 projects. Commissioner Hach seconded the motion, and the motion carried unanimously.

Letter of Credit – Devils Lake Regional Airport – The City Administrator communicated that the airport is undergoing a large expansion to their terminal as well as construction of their apron/taxiway. Associated with these projects are high dollar contractor and consultant payments requiring upfront payment with reimbursement from the federal government. The recommendation is for the Commission to approve and extend the line of credit net of financial resources incorporated with the City to \$5 million so the City can remit payment to Strata Corp. If the repayment of \$3.3 million from the federal government will be further delayed into January, it will be brought before the Commission to consider enacting interest and fees associated with this line of credit. Commissioner Robbins made a motion to approve the letter of credit for the Devils Lake Regional Airport. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

PFAS Settlement – The City Attorney communicated that the PFAS litigation is a multi-district litigation against the 3M Company and several different DuPont entities involving contaminated water supplies of cities and municipalities. There were 18 chemicals tested for and the City tested negative for all of them. He mentioned that we have two options: (1) stay in the settlements; or (2) request exclusion from one or both of the settlements. His recommendation is to stay in the settlement litigation and participate in the claims process. Commissioner Pierce made a motion to stay in the PFAS Settlement. Commissioner Hach seconded the motion, and the motion carried unanimously on a roll call vote.

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

SPENCER HALVORSON
CITY ADMINISTRATOR/AUDITOR

JIM MOE
PRESIDENT OF CITY COMMISSION