

**MEETING MINUTES OF THE CITY COMMISSION
OF THE CITY OF DEVILS LAKE, ND
NOVEMBER 04, 2024**

The regular meeting of the Devils Lake City Commission was held on November 04, 2024 with the following members present: President Moe and Commissioners Knowski, Pierce. Commissioners Uhlenkamp and Hach were absent.

MEETING ITEMS

- 1) Call to Order
- 2) Pledge of Allegiance
- 3) Approval of Minutes – October 21, 2024

Commissioner Pierce made a motion to approve the meeting minutes from the October 21, 2024, regular meeting. Commissioner Knowski seconded the motion, and the motion was carried unanimously.

AWARDS AND PROCLAMATIONS

PUBLIC HEARINGS – 5:30 PM

- 1) Recommendation from Planning Commission – Conditional Use Permit for Prairie View Elementary

Commissioner Knowski made a motion to approve the Conditional Use Permit for Prairie View Elementary School. Commissioner Pierce seconded the motion, and the motion was carried unanimously.

BID OPENINGS

VISITORS OR DELEGATIONS

COMMISSION PORTFOLIOS

- Engineering – Call for Bids – Sidewalk Snow Removal

Commissioner Knowski made a motion to authorize the City Engineer to call for bids for sidewalk snow removal. Commissioner Pierce seconded the motion, and the motion was carried unanimously.

- Auditing - Release of Budgeted Funds – Forward Devils Lake – \$50,000

Commissioner Pierce made a motion to release the funds to Forward Devils Lake. Commissioner Knowski seconded the motion, and the motion was carried unanimously on a roll call vote.

- Auditing – Release of Budgeted Funds – Devils Lake Chamber - \$25,000

Commissioner Pierce made a motion to release the funds to the Devils Lake Chamber of Commerce. Commissioner Knowski seconded the motion, and the motion was carried unanimously on a roll call vote.

- Administration - City Office Hours for Friday 11/29/2024

The City Administrator asked the Commission to make a judgement on whether to keep City Offices open or closed on the Friday after Thanksgiving. He said the Commission has closed City Offices on that day in the past and that employees are putting in their leave requests. He requested that the Commission make a determination on what to do for that day so supervisors can ensure the appropriate level of staffing is maintained for that day.

Commissioner Pierce said he did not have an issue given it has been done in the past.

Commissioner Knowski said he had been a government employee for many years and had not typically gotten that Friday off until the last couple years. He said while it is nice, the City does allocate vacation time and closing City Offices does complicate operations across the City since services like garbage collection and public safety are still in action. He mentioned overtime funding and extra costs as well.

President Moe said he was of a similar mind and has been for some time. He said he likes to be generous to the employees when they can but to strike a good balance.

Commissioner Pierce said he sees really two times where people can really go and be with family for extended periods of time. He said he thinks it shows the appropriate level of appreciation for City employees to give them that time to be with their families.

Commissioner Pierce made a motion to close City Offices for Friday November 29. The motion failed for lack of a second motion.

The City Administrator said that after conversations with President Moe, he is going to request that the City Commission approve the 2025 Calendar at the next meeting and that it is attached as an informational item. He said the City will often discuss the calendar and consider closing City Offices for additional days beyond what is on the calendar depending on when the holidays fall in the weeks, or consider action if the County closes offices for additional days. The City Administrator requested that the Commission discuss the 2025 Calendar at the next meeting one time so that all employees know what days City Offices will be open and can plan accordingly throughout the year.

Commissioner Pierce – The Fire Chief said they are working on the Fishing Derby and have another interview with an applicant tomorrow. Commissioner Pierce said they have an LEC Building Committee meeting later in the week.

Commissioner Knowski – The Assistant City Engineer said everything was good in the Utilities Department.

The Police Chief said they had their quarter SRO meeting with the School District. He said they have supervisor meetings later in the week and are working on enhancing the department's training policy. Commissioner Pierce asked about stray cats in the alley near their property and the City's policy on stray cats.

The City Administrator and City Attorney said everything was going well in their offices.

Commissioner Pierce asked about conversations with Waste Management about recycling services in the City. The City Administrator asserted there were no current in detail conversations with Waste Management.

OLD BUSINESS

CONSENT AGENDA

NEW BUSINESS

- 1) Transfer of Liquor License from Lake Region Hotel Group, LLC (Cobblestone) to DLC Hospitality Group

Commissioner Knowski made a motion to transfer the liquor license from Lake Region Hotel Group, LLC to DLC Hospitality Group. Commissioner Pierce seconded the motion, and the motion was carried unanimously.

- 2) Pay Estimate #2 (Final) – Elshaug Construction - Curb, Gutter, and Sidewalk

Commissioner Pierce made a motion to release the funds to Forward Devils Lake. Commissioner Knowski seconded the motion, and the motion was carried unanimously on a roll call vote.

- 3) Pay Estimate #4 – Mayo Construction – West Side Mill and Overlay

Commissioner Knowski made a motion to release the funds to Forward Devils Lake. Commissioner Pierce seconded the motion, and the motion was carried unanimously on a roll call vote.

- 4) Pay Estimate #11 – Kemper Construction – Watermain 28-23 & 29-23

Commissioner Pierce made a motion to release the funds to Forward Devils Lake. Commissioner Knowski seconded the motion, and the motion was carried unanimously on a roll call vote.

- 5) First Reading of Ordinance #1003 - City Municipal Code 10.16.442 – Secondary Enforcement

The City Attorney said this ordinance pertains to seat belt violations and puts the City in alignment with state law.

- 6) First Reading of Ordinance #1004 - City Municipal Code 10.16.441 – Use of Safety Belts Required in Certain Motor Vehicles

The City Attorney said this ordinance further updates City Code to align with Ordinance #1004

- 7) First Reading of Ordinance # 1005 - City Municipal Code 10.46.030 - Driving Under Influence of Intoxicating Liquor or Drugs Prohibited

The City Attorney said this is an additional update to City Code to align with state law.

CITIZEN COMMENT

EXECUTIVE SESSION

Pursuant to NDCC §§ 44-04-19.1 and 44-04-19.2 the Devils Lake City Commission convened in executive session to discuss the pending litigation of Fuller v. City of Devils Lake, et. al., United States District Court for the District of North Dakota Case Number 3:24-cv-130.

Participants in the executive session were - President Moe, Commissioners Hach (remotely), Knowski, and Pierce, City Administrator Spencer Halvorson, City Attorney Jason Saylor, Police Chief Jason Toso, Note/Minute Taker Saraye Forsberg, and North Dakota Insurance Reserve Attorney Dan Gaustad.

INFORMATIONAL ITEMS

- 1) Proposed 2025 City Calendar

LIST OF BILLS

Commissioner Pierce made a motion to approve the List of Bills. Commissioner Knowski seconded the motion, and the motion was carried unanimously on a roll call vote.

SPENCER HALVORSON
CITY ADMINISTRATOR/AUDITOR

JIM MOE
PRESIDENT OF CITY COMMISSION

