

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD MAY 4, 2020

The Devils Lake City Commission held a web hosted meeting on Monday, May 4, 2020 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Dale Robbins, Shane Hamre, Rob Hach and Jacob Volk. None were absent.

Commissioner Hamre moved to approve the minutes of the regular City Commission meeting held April 20, 2020. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

**5:30 P.M.** - This was the time set for the bid opening for 2020 Asphalt and Street Repair. The following bids were opened and read:

1. Strata Corporation - Grand Forks, ND  
Contractor License No. 693 Class A 2% bid bond

Item	Quantity	Unit Price	Extended Price
HMA	30 TN	\$ 90.00	\$ 2,700.00
Paver Patch	100 TN	\$165.00	\$ 16,500.00
Asphalt Street Repair (5")	300 SY	\$110.00	\$ 33,000.00
Asphalt Street Repair (7")	50 SY	\$140.00	\$ 7,000.00
Concrete Street Repair	10 SY	\$220.00	\$ 2,200.00
Asphalt Street Opening (5")	250 SY	\$120.00	\$ 30,000.00
Asphalt Street Opening (7")	50 SY	\$140.00	\$ 7,000.00
Concrete Street Opening	10 SY	\$220.00	\$ 2,200.00
		Total Bid	\$100,600.00
Deduct for City base preparation	50 SY	\$ 15.00	\$ (750.00)

Total bid price does not include mobilization of \$1,800.00 per site.

2. Tri-State Paving & Concrete, Inc. - Grand Forks, ND  
ND Contractor License No. 39411 Class A Cashier's Check \$1,510.00

Item	Quantity	Unit Price	Extended Price
HMA	30 TN	\$no bid	
Paver Patch	100 TN	\$150.00	\$15,000.00
Asphalt Street Repair (5")	300 SY	\$ 90.00	\$27,000.00
Asphalt Street Repair (7")	50 SY	\$110.00	\$ 5,500.00
Concrete Street Repair	10 SY	no bid	
Asphalt Street Opening (5")	250 SY	\$ 90.00	\$22,500.00
Asphalt Street Opening (7")	50 SY	\$110.00	\$ 5,500.00
Concrete Street Opening	10 SY	no bid	
		Total Bid	\$75,500.00
Deduct for City base preparation	50 SY	\$ 15.00	\$ (750.00)

Total bid price does not include mobilization of \$750.00 per site.

Commissioner Robbins moved to accept the bids as read, and refer them to the City Engineer for further review and recommendation. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

**5:30 P.M.** - This was the time set for the bid opening for the 2020 Curb, Gutter, and Sidewalk. The following bid was opened and read:

Elshaug Concrete Construction LLC – Devils Lake, ND Bid \$39,422.50  
License No 47700 B Cashier's Check \$985.56 018199737-1

Commissioner Volk moved to accept the bid as read, and refer it to the City Engineer for further review and recommendation. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

**5:30 P.M.** - This was the time set for the bid opening for the 2020 Sand, Gravel, and Rip Rap. It was recommended by the City Engineer to reject the bid without opening and return it to the bidder.

Commissioner Volk moved to approve rejecting the bid without opening and return it to the bidder as recommended by the City Engineer. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

**Commissioner Hach** –The City Assessor said everything was fine.

The Sanitation Department is continuing with the special pickup this week. It was noted the trespassers at the landfill have been caught.

Commissioner Hach reported on the Airport Manager's request for a leave of absence. She would be off totally for the first month, and then work 40 hours per month for the second and third months. Scott Cruse and Dennis Olson will be handling duties during her absence. Discussion followed on the CARES funding to be received for the airport.

Commissioner Volk moved to approve a leave of absence for the Airport Manager with no work for the first month and then 40 hours per month for the second and third months as recommended by the Airport Authority. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Hach reported the Airport voted to trade in the toolcat through the Ironhide municipality yearly trade program for a new toolcat with Bobcat of Devils Lake.

Commissioner Volk moved to approve the Devils Lake Regional Airport participating in the Ironhide municipality yearly trade program, and to trade in the current toolcat for a new toolcat with Bobcat of Devils Lake as a sole source provider as recommended by the Airport Authority. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

**Commissioner Hamre** – The Public Utilities Department is pigging the transmission line and will be flushing hydrants later this week. There was a plugged sewer at 2<sup>nd</sup> Ave, and the City Engineer reminded residents not to flush items other than toilet paper.

Commissioner Hamre will be checking on the status of the fireworks.

**Commissioner Volk** - The Street Department is crack sealing parking lots, and then will patch potholes, work on frost boils, and paint. Alleys will be done after the special pickup.

**Commissioner Robbins** – The Police Chief reported Corey Gilbertson was promoted to sergeant.

The City Engineer discussed the following:

1. Bid opening for the seal coat project and asphalt work on 5<sup>th</sup> Ave and the east underpass;
2. Downtown work and contractor's punch list; and
3. School putting up banners downtown for high school seniors.

It was noted the Street Department opening is being advertised.

**President Johnson** - The City Auditor stated everything was fine.

The City Administrator is following the money for cities due to the coronavirus. The State received \$1.25 billion.

Commissioner Volk moved to rescind the resolution establishing a moratorium on alcohol delivery sales with food orders from entities that have a city on sale license as recommended by the City Attorney. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The Fire Chief reported they would be providing three tents for the coronavirus testing on Thursday.

The Fire Chief requested to call for bids for tree trimming. Shade Tree will have no employees this year, and the Fire Chief and Assistant Fire Chief will monitor the contractor.

Commissioner Volk moved to approve calling for bids for tree trimming as recommended by the Fire Chief. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Attorney said everything was fine.

Commissioner Robbins moved to approve the consent agenda which included the following:

1. Authorizing the City Auditor to cancel Check No 118444 dated April 7, 2020 in the amount of \$20.00 to ND Department of Environmental Quality (Water – Water Treatment Plant - Education & Training): the check was issued to the wrong vendor and will be reissued;
2. Designating Bank of North Dakota, Bremer Bank and Ramsey National Bank and Trust Co as financial institutions for depositories of City funds as required by the North Dakota Century Code;
3. Designating the *Devils Lake Journal* as the official newspaper for the City of Devils Lake;
4. Fireworks permit submitted by Memory Fireworks; and
5. Fireworks permit submitted by Troy & Geralyn Lang dba Generous Jerry's Fireworks.

The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Administrator reviewed the IT proposal from Corporate Technologies. The three-year contract with Marco is ending. The City would save a \$1000.00/month with this proposal, and Corporate Technologies would provide 12.5 hours of onsite assistance per month. It was questioned if NDTC provides this type of service.

Commissioner Hamre motion to approve the managed IT agreement with Corporate Technologies contingent upon NDTC not providing that type of service as recommended by the City Administrator. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Assessor/Building Officer stated Dennis Gleason had purchased a lot in Roundhouse, but has not built on it in the allotted time. Other people have shown interest in this lot. The City Assessor is requesting to repurchase this lot as the City has done in the pass for other lots in Roundhouse. Discussion followed on whether the money should be returned to the purchaser.

Commissioner Robbins moved to approve purchasing back Lot 1, Block 9, Roundhouse Subdivision from Northland Star Properties LLC for \$2,000.00 less recording fees as recommended by the City Assessor/Building Official. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Assessor/Building Official reviewed the request from Peggy Burckhard to purchase a parcel of land in the area by Lake Region Ambulance Service.

Commissioner Volk moved to approve the purchase of a tract of city owned property by Peggy Burckhard in the amount of \$1.00 per square foot as recommended by the City Assessor with the contingency that if a substantial commercial building is not constructed on the property within two years from the date of their deed, the title to the property will revert back to the City and any amounts paid by Peggy Burckhard will be forfeited, and the property and any improvements will belong to the City. The parcel is approximately 15,000 square feet with the parcel id of 39-2702-00039-054. The motion was seconded by Commissioner Hach, and the motion carried unanimously

City Engineer presented the preliminary report for Water Main Replacement District No. 25-20. It is estimated to cost \$650,000.00 with the City paying 75% and assessing 25% to the property owners.

Commissioner Robbins moved to approve the preliminary report for Water Main Replacement District No. 25-20. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Hamre moved to approve the resolution approving the preliminary report and directing preparation of plans and specifications for Water Main Replacement District No 25-20 - 8<sup>th</sup> St NE between 5<sup>th</sup> Ave and 10<sup>th</sup> Ave, 6<sup>th</sup> Ave NE between 10<sup>th</sup> St and alley south of 8<sup>th</sup> St, 8<sup>th</sup> Ave NE between 8<sup>th</sup> St and alley south of 8<sup>th</sup> St as recommended by the City Engineer. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Volk moved to approve the list of bills as submitted. The motion was seconded by Commissioner Hach. On roll call all Commissioners voted aye, and the motion carried.

President Johnson acknowledged the following report:  
Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:40 P.M.

**LINDA LYBECK**  
**CITY AUDITOR**

**RICHARD S. JOHNSON**  
**PRESIDENT**