

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD MAY 17, 2021

The regular meeting of the Devils Lake City Commission was held on Monday, May 17, 2021 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Shane Hamre, Dale Robbins and Rob Hach. Commissioner Jacob Volk was absent.

Commissioner Hamre moved to approve the minutes of the regular City Commission meeting held May 3, 2021. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set to open proposals for tree trimming for Shade Tree. The following proposals were opened and read:

1. Angry Beaver Tree Service – Devils Lake, ND Bid \$ 4,475.00
2. Locken Outdoor Services – Devils Lake, ND Bid \$41,500.00

Commissioner Hamre moved to accept the proposals as read and refer them to the Assistant Fire Chief for further review and recommendation. The motion was seconded by Commissioner Hach. Discussion was held on the large difference in the bid amounts and the scope of the work. The motion carried unanimously.

Commissioner Robbins – The City Engineer said the preconstruction meeting will be held on Thursday.

The Police Chief reported on the bomb threat investigation earlier in the day.

Commissioner Hamre – The City Engineer stated Public Utilities will be flushing hydrants and working on gate valves.

Commissioner Hach – The City Engineer indicated Sanitation started the last week of the special pick.

The City Assessor reported building permits are steady.

President Johnson – The City Engineer said Public Ways should finish crack sealing tonight. They will then start durapatching and painting.

The City Engineer invited the Commissioners to help serve lunch to Public Works in recognition of Public Works Week. Consensus was to serve on Friday from 11:00 a.m. to 1:00 p.m.

The City Auditor stated the accounts payable/payroll position has been filled.

The City Administrator inquired about totally opening city hall. Only the main entrance will be unlocked, but the public will be allowed past the front lobby starting tomorrow.

The Assistant Fire Chief has received three applications for Shade Tree. However, the budget will only allow hiring part-time employees for trimming the alleys or for hiring a contractor for the proposals.

Arbor Day will be held on Thursday at 1 p.m. at Sweetwater School.

The City Attorney stated everything was fine.

The 2nd reading of Ordinance No 971 – Liquor License Class X was held.

Commissioner Hamre moved to approve Ordinance No 971 – Liquor License Class X, An ordinance which upon adoption, shall amend those ordinances which conflict with this ordinance, including ordinance No 970. This ordinance shall be codified as section 5.24.050(F)(10) of the Devils Lake Municipal Code and amend those ordinances that are in conflict with this ordinance. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The 2nd reading of Ordinance No 972 – Liquor License Class XI was held.

Commissioner Robbins moved to approve Ordinance No 972 – Liquor License Class XI, An ordinance which upon adoption, shall amend, modify, and add to those ordinances which have been codified including ordinance No 970 as section 5.24.050 of the Devils Lake Municipal Code. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The City Engineer recommended awarding the 2021 asphalt and street repair bid to Tri-State.

Commissioner Robbins moved to award the 2021 asphalt and street repair to Tri-State Paving of Grand Forks, ND in the amount of \$65,750.00 with actual amounts being based on installed quantities as recommended by the City Engineer. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Hach moved to defer acting on the joint powers agreement for the establishment and operation of the Lake Region Law Enforcement Center since the full commission was not in attendance. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing to issue a Class XI on-site wine and beer only liquor license to Coyote Pizzeria. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Hach moved to approve a Class XI on-site wine and beer only liquor license to Coyote Pizzeria. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

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

1. Permit to sell alcoholic beverages at a special event submitted by Proz Inc for a wedding reception and dance for Blake Prozinski and Margy Green on June 12, 2021 at the Memorial Building;
2. Permit to sell alcoholic beverages at a special event submitted by Ye Olde Tavern for a wedding dance for Cary Erickson's daughter on June 5, 2021 at the Memorial Building;
3. Reappointing Randi Anfinson as a member of the Special Assessment Commission for a six-year term ending April 30, 2027;
4. Three gaming site authorizations submitted by Devils Lake Blue Line Club Inc for July 1, 2021 through June 30, 2022 at Devils Lake Elks 1216 – 425 Highway 2 W, Old Main Street Café – 416 4th St NE and Razor's Edge – 711 Highway 19 W; and
5. Use of city property permit and training site permission letter agreement submitted by USDA-NRCS for May 27th, June 1st through the 4th and/or the week of June 28th, 2021 for an area east of fire training tower.

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

The City Assessor requested to extend the assessing consultant contract to Gary Martinson. The contract ends on May 31, 2021. Discussion followed on how many excess hours have been paid, which months the excess hours were incurred, changing the contract to \$1,500.00/month with no overage, and on assistance needed for parcel acquisition and floodplain easements for the dike system.

Commissioner Hamre moved to extend the assessing consultant contract for Gary Martinson with the amount being \$1,500.00/month and no overage charges and the contract starting June 1, 2021. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Hach moved to approve the lease agreement with Dennis Riggan individually and as dba Coyotee Flats Golf Center for City property to be used as a golf driving range. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer requested the release of liability for individuals to enter the tree pile to get firewood and to allow the Sanitation Supervisor to approve the release of all claims.

Commissioner Hamre moved to approve the release of claims for removal of firewood and allowing the Sanitation Supervisor to grant approval to individuals. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Terry Wallace, Superintendent of Parks and Recreation, appeared before the City Commission to give an update on projects at the public golf course, to request engineering assistance and to request waiver of the engineering fees. Discussion followed on why the assistance is needed and the feasibility of the Devils Lake Park Board being able to afford the engineering fees. The City Engineer stated it would be for construction engineering and recommended charging 4% for having an engineer in the field. Discussion continued on the City charging engineering fees on its own projects.

Commissioner Robbins moved to approve providing engineering services to the Devils Lake Park Board for the cart path resurfacing project at the golf course, waiving the engineering fee and having the Devils Lake Park Board maintain the Bridgestone Park. The motion was seconded by Commissioner Hach. On roll call, Commissioners Robbins, Hach and President Johnson voted aye. Commissioner Hamre vote nay. The motion carried.

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

President Johnson acknowledged the following reports:

1. City Auditor monthly report, and
2. Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:25 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT