

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD MAY 18, 2020

The Devils Lake City Commission held a web hosted meeting on Monday, May 18, 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 Volk moved to approve the minutes of the regular City Commission meeting held May 4, 2020. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk moved to sign a proclamation proclaiming May 22, 2020 as "Arbor Day" and urging all citizens to celebrate and to support efforts to protect trees and woodlands and to plant trees to gladden the heart and to promote the well-being of this and future generations. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Hach – The City Assessor/Building Official stated everything was fine.

The City Engineer reported Sanitation started the last area for special pickup.

Commissioner Hamre - The Public Utilities Department will start hydrant flushing this week.

Commissioner Volk – The Public Ways Supervisor discussed crack sealing, pothole patching, larvicide, painting, flowers, and frost boils.

Commissioner Robbins - The Police Chief stated the Police Department helped with traffic control and preplanning for the coronavirus testing. He also reported one officer was exposed to a person with the virus.

The City Engineer said the seal coat project for 6th St & 6th Ave should be finished on Wednesday. Discussion continued on Hwy 2 work, getting the contractor here for the west via duct and pigeon control.

President Johnson - The City Auditor presented a request from the Visitors Committee to appoint two city members to the Committee.

Commissioner Hamre moved to approve appointing Ryan Nelson and Tia Hietala to the Visitors Committee for terms expiring September 2021. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Auditor indicated she had been contacted by a liquor license holder about the City reducing the liquor license fees for the renewals in July due to the downturn of business related to the coronavirus. Discussion was held on where to start and where to end reducing fees; how to judge it, and that it would be tough to be fair and equitable. Consensus of the City Commission was to leave the fees at the current rates.

The City Administrator stated the bond issue will be discussed at the June 15th meeting. Bill Fahey plans to attend. Since rates are compressed right now, the City will not need a rating call by Moody's which will save about \$10,000.00. Refunding the bond issue will save the City approximately \$120,000.00.

The City Administrator reported the Rotarians donated gift certificates to be disbursed to essential workers.

Discussion followed on tax equalization meetings. Ramsey County had property reviewed by Vanguard, and Vanguard reported the commercial ratings were low. There was some discussion that the County was not going to make the changes, and the burden would be passed on to city residents. The equalization procedures were reviewed, and it was noted the State will make an adjustment if the values do not fall within the sale comparison ratios.

The Bridgestone Park was discussed. An extension has been granted through end of June.

The Fire Chief reported the trimming of trees is being advertised with bids due the 2nd meeting of June.

It was noted tree vouchers will be ready soon.

The City Attorney said everything was fine.

The City Engineer reviewed the creation and grant of covenants. During the embankment project, 6 acres of wetlands had to be mitigated; therefore, an area adjacent to landfill is being used.

Commissioner Robbins moved to approve the creation and grant of covenants pertaining to wetland mitigation for the embankment. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Engineer recommended awarding the 2020 asphalt and street repair bid to Tri-State Paving for all items except for the hot mixed asphalt. Site mobilization fees included in the bid will impact the sites being repaired. Hot mix will be purchased from either Tri-State Paving or Strata since the amount needed is small.

Commissioner Volk moved to award the 2020 asphalt and street repair to Tri-State Paving of Grand Forks, ND for paver patch at \$150/ton, asphalt street repair (5") at \$90/square yard, asphalt street repair (7") at \$110/square yard, asphalt street opening (5") at \$90/square yard and asphalt street opening (7") at \$110/square yard and a \$750 mobilization fee per site as recommended by the City Engineer. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer recommended awarding the 2020 Curb, Gutter & Sidewalk bid to Elshaug Concrete Construction.

Commissioner Hamre moved to award the 2020 Curb, Gutter & Sidewalk bid to Elshaug Concrete Construction LLC of Devils Lake, ND in the amount of 39,428.50 as recommended by the City Engineer. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

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

1. Call for bids for custodial service at City Hall with bids to be opened June 1, 2020; and
2. Reappointment of Doug Mohr and Dave Steffen with terms expiring on June 30, 2023 and reappointment of Rick Jorgenson as alternate with term expiring on June 30, 2021 as members of the Devils Lake Board of Adjustment.

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

The City Attorney reviewed the offer from Steve Spensley - BioFiber to settle the ND judgement. It was noted the City has no way to enforce or collect the judgement in Wisconsin and would need to hire an attorney there.

Commissioner Volk moved to approve accepting the offer of \$5,000.00 from Steve Spensley to settle the City's judgement. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Engineer reviewed the bid opening held by ND Department of Transportation for the milling, hot mix asphalt, and chip seal project to be completed on 5th Ave NE and 14th St NE, Walnut St E, 5th Ave SE, 10th Ave SE and 15th St SE. The City needs to concur to award the project to the low bidder.

Commissioner Volk moved to approve awarding the milling, hot mix asphalt, and chip seal project to be completed on 5th Ave NE and 14th St NE, Walnut St E, 5th Ave SE, 10th Ave SE and 15th St SE to the low bidder, Asphalt Surface Technologies Corporation of St. Cloud, MN in the amount of \$489,190.41 as recommended by the ND Department of Transportation. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Engineer reviewed the resolution for the water main improvement district. There are some concerns with the bidding environment, so the plans allow for either pipe busting or open cut replacement.

Commissioner Robbins moved to approve the resolution approving plans and specifications and directing advertisement for bids for Water Main Improvement District No 25-20 - 8th St NE between 5th Ave and 10th Ave, 6th Ave NE between 10th St and alley south of 8th St, 8th Ave NE between 8th St and alley south of 8th 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 Robbins. 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.

The Fire Chief reported issues with people dumping items at the entrance of the haul site south of town. If unauthorized dumping continues the site will be changed for City use only.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:42 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT