

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD JUNE 7, 2021

The regular meeting of the Devils Lake City Commission was held on Monday, June 7, 2021 at 5:30 P.M. with the following members present: President Dick Johnson, Commissioners Shane Hamre, Dale Robbins, Rob Hach and Jacob Volk. None were absent.

Commissioner Volk moved to approve the minutes of the regular City Commission meeting held May 17, 2021 and the special City Commission meeting held May 20, 2021. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

**5:30 P.M.** – This was the time set for a public hearing for a conditional use permit to replace an above ground fuel tank at 803 College Dr N. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Volk moved to approve a conditional use permit to replace an above ground fuel tank at 803 College Dr (Schwan Oil) as recommended by the Devils Lake Planning Commission. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Rob Johnson appeared before the City Commission to discuss the Region III Homeless Coalition and to encourage attendance at the monthly meetings which are held the first Thursday of each month at 9:00 a.m.

**Commissioner Hamre** – The City Engineer stated the 4<sup>th</sup> St watermain has been finished. City employees replaced lead service lines in that area.

The City Engineer received a request from Greg Konzak to rent a gator pump. According to the rates and fees, City Commission approval is needed for rental of the gator pump. Discussion was held on the cost of the pumps and the purpose of renting it. Previously, the pumps have only been rented out to other political subdivisions and not to individuals.

Commissioner Volk moved to deny allowing Greg Konzak to rent a gator pump from the City. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Consensus of the City Commission was to change the gator pump rental in the rates and fees at the next meeting.

**Commissioner Hach** – The Sanitation Department along with the Fire Department will do a control burn at the tree pile.

The City Assessor reported the Police Department has given the Assessing Department a vehicle to replace the one Dustin currently uses.

**Commissioner Volk** – The City Engineer said Public Ways cleaned up for Devils Run and prepared the cemetery for Memorial Day. They are currently cleaning curb lines.

**Commissioner Robbins** – The City Engineer reported paving would begin this week on the north end. Preconstruction meetings will be held for 16<sup>th</sup> St NW and for the 17<sup>th</sup> St lift station.

Discussion followed on where the millings from the street work were being placed. Millings from city only work go to the cemetery and public works yard. Some millings were given to Lake Region State College for the new ag building and to the Devils Lake Park Board for the golf course. Millings from Federal work sites need to go to an environmentally cleared site.

The new dock at the golf course will be placed today or tomorrow.

The Police Chief indicated the Street Department assisted with barricades for the parade, and everything went well for the parade.

The Police Chief reported an employee resigned, but they were able to hire from the last group of applicants. He requested to start the new employee at a 10B since he has over a year of experience. He is currently a deputy in Benson County.

Commissioner Robbins moved to approve hiring Kendal Johnson at a 10B due to his experience as recommended by the Police Chief. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

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

The City Administrator reported the joint meeting with Ramsey County for the Law Enforcement Center will be held June 17<sup>th</sup> at 8:30 a.m. in the basement of the courthouse.

The City Administrator stated dates for the budget meetings need to be scheduled. The salary study will be reviewed at the first meeting. Consensus of the City Commission was to meet at noon on July 28<sup>th</sup> and July 29<sup>th</sup>.

The Fire Chief indicated the dry conditions could impact whether fireworks will be allowed in the City this year.

The Fire Chief report \$9,332.42 was raised during Devils Run for muscular dystrophy.

The Fire Department is currently advertising for the position which will be opened on July 1<sup>st</sup>.

The City Attorney stated everything was fine.

Discussion was held on the discrepancy of the proposals for Shade Tree trimming. Shade Tree would like to reject both proposals and request new proposals.

Commissioner Volk moved to reject both proposals for Shade Tree Trimming and request new proposals with the proposals being opened at the June 21<sup>st</sup> meeting. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

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

1. Authorizing the City Auditor to cancel Check No 12068 dated May 18, 2021 in the amount of \$360.00 to North Dakota Post Board (General-Police Department-Membership/Dues)– the check was issued to the incorrect vendor and will be reissued;
2. Permit for a carnival submitted by The Mighty Thomas Carnival for June 30, 2021 through July 4, 2021 at City Plaza;
3. Gaming site authorization submitted by Lake Region Snowmobile Club for July 1, 2021 through June 30, 2022 at Nellies Bar & Lounge – 301 4<sup>th</sup> Ave NE;
4. Gaming site authorization submitted by Rotary Club of Devils Lake for June 5, 2022 at Roosevelt Park;
5. Permit to sell alcoholic beverages at a special event submitted by Thirstys Bar for the CHI St Alexius 2021 Signature Event Country BBQ on June 17, 2021 at Roosevelt Park;
6. Permit to sell alcoholic beverages at a special event submitted by Thirstys Bar for the Becker wedding on June 19, 2021 at the Memorial Building; and
7. Permit to sell alcoholic beverages at a special event submitted by Thirstys Bar for the corn hole tournament on July 24, 2021 at 4<sup>th</sup> St and 4<sup>th</sup> Ave NE .

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

Commissioner Robbins moved to approve payment of Estimate No. 7 to Kemper Construction for Watermain Improvement District 25-20 -8<sup>th</sup> St NE in the amount of \$132,075.86 as recommended by the City Engineer. The motion was seconded by Commissioner Volk. On roll call all Commissioners voted aye, and the motion carried.

Ye Olde Tavern has requested to extend the hours of alcohol sales and for the street dance on July 24<sup>th</sup> to 1:00 A.M.

Commissioner Robbins moved to approve the permit to sell alcoholic beverages at a special event and a public dance permit submitted by Ye Olde Tavern for ribfest on July 24, 2021 at 4<sup>th</sup> St and 4<sup>th</sup> Ave NE with hours being extended until 1:00 A.M. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The City Assessor reviewed an application for a 5-year tax exemption.

Commissioner Volk moved to approve a five-year tax exemption for improvements to a residential building at 613 5<sup>th</sup> Ave NE and submitted by Gavin Brown. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Volk moved to approve a Resolution to Set the Limit of Liability on the Commercial Blanket Bond of the City of Devils Lake in the amount of \$2,000,000 as recommended by the City Auditor. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The City Engineer reviewed the agreement to purchase real estate from Mary Haugland for the embankment project. The City will receive LEERD credit and will update the abstracts.

Commissioner Volk moved to approve the agreement to purchase real estate from Mary Haugland in the amount of \$15,000.00 and to update the abstracts as recommended by the City Engineer. The motion was seconded by Commissioner Hamre. On roll call all Commissioners voted aye, and the motion carried.

The City Assessor reviewed the request to move special use hearings from the Board of Adjustment to the Devils Lake Planning Commission. The Planning Commission has a more structured process which involves public hearings. The City Commission requested the City Attorney modify the ordinances to make this change.

Commissioner Volk 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 6:38 P.M.

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

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