

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD JUNE 15, 2020

The regular meeting of the Devils Lake City Commission was held Monday, June 15, 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.

Pledge of allegiance was recited.

Commissioner Volk moved to approve the minutes of the regular City Commission meeting held June 1, 2020. 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 tree trimming. The following bid was opened and read.

Locken Outdoor Services - Devils Lake, ND	Bid	Area 1	\$11,500.00
		Area 2	\$11,280.00
		Area 3	\$ 4,800.00
		Total	\$27,580.00

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

5:30 P.M. – This was the set for the bid opening for Water Main Replacement District No 25-20. The following bids were opened and read.

1. Kemper Construction Company - Minot, ND	Bid	\$745,827.89	pipe bursting
		no bid	open cut
Contractor License No. 278 Class A		5% bid bond	
2. Spruce Valley Corporation – Middle River, MN	Bid	\$1,047,990.00	pipe bursting
		no bid	open cut
Contractor License No. 25427 Class A		5% bid bond	

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 public hearing on special assessments for Sidewalk Snow and Ice Removal. Hearing and receiving no comments, President Johnson closed the hearing.

Commissioner Hamre moved to confirm the 2020 Sidewalk Snow and Ice Removal assessments. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Liz Bonney, Lake Region District Health, asked the City Commission to consider raising the age for tobacco use to 21 years old. Discussion followed on potential benefits, taking a way a right, federal law, and what cities in North Dakota have raised the age.

Commissioner Robbins moved to direct the City Attorney to draft an ordinance for changing the age for tobacco use to 21 years old. The motion was seconded by Commissioner Hach. On roll call, Commissioners Robbins and Hach voted aye. Commissioners Volk, Hamre and President Johnson opposed. The motion failed.

Sean Roed, Lake Region Ambulance, reported the ambulance service is looking to convert their old building into a public safety training center and provide training for the police department, fire department, rural fire department and search and rescue. The service is applying for grants to help with the cost.

Sean Roed also discussed the possibility of the ambulance service purchasing land adjacent to their current building from the City. Discussion followed on the expansion of the service, the addition of employees and the need for more parking. The ambulance service asked if the City would be willing to split the adjacent lot. The City has sold the lots for \$1/foot. The ambulance service cannot currently afford the whole lot due to costs of adding coverage for Lakota and the vet van. The service is a nonprofit.

President Johnson recommended the City donate the whole lot to the ambulance service because of the valuable service provided.

Commissioner Hamre moved to donate outlot 05-0066 to Lake Region Ambulance. The motion was seconded by Commissioner Volk. The City Engineer stated land in the area is valuable and the necessity to look at other future needs. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Robbins - The Police Chief reported he will be looking to hire in July. The Police Lieutenant intends to retire September 15th.

The City Engineer reviewed the following projects:

1. Downtown - Contractor is completing the striping;
2. West via duct and Highway 2 – According to DOT, items should be done by July 5th; and
3. Watermain Improvement District 25-20 – A recommendation on the bids will be given at the next meeting.

Discussion followed on the trees downtown and the unhealthy ones being replaced within the next 30 days and on the waddles for erosion control at the west via duct needing to be removed by the contractor.

Commissioner Hach – The City Assessor said everything was fine.

It was noted everything was fine in the Sanitation Department.

Commissioner Hamre – The City Engineer indicated the Water Department is selling at capacity to Northeast Regional Water District, and Greater Ramsey Water District is also using water. The department is still flushing hydrants.

Commissioner Volk - The Public Ways Supervisor stated he is working on a patching list for Tri-State Paving. The department is durapatching. Striping will be done after the chip seal is completed. There are 5 mosquito traps out, and aerial spraying will be done July 1st or 2nd.

Discussion followed on mowing Hwy 2, temporary employees, and the open full-time position.

The Fire Chief recommended awarding all of the areas for tree trimming to Locken Outdoor Services. The bid was under the budgeted amount.

Commissioner Volk moved to award all areas of tree trimming to Locken Outdoor Services of Devils Lake in the amount of \$27,580.00 as recommended by the Fire Chief. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

President Johnson - The City Auditor stated gaming site authorizations were received from two entities after the agenda was done.

Commissioner Volk moved to table the gaming site authorization submitted by Lake Region Snowmobile Club and the three gaming site authorizations submitted by Devils Lake Blue Line Club until the special meeting on Tuesday, June 23rd. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

The City Administrator stated Bill Fahey will be at the July 6th meeting regarding the refunding of bonds. An email will be sent out regarding dates for budget meetings.

The City Administrator recommended awarding the contract for custodial services at city hall to David Rader.

Commissioner Volk moved to award the contract for custodial services for the city office to David Rader of Devils Lake in the amount of \$615.00/month as recommended by the City Administrator. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The Fire Chief reported on the loss of a volunteer and on planning a recognition program.

The City Attorney said everything was fine.

Commissioner Volk moved to approve the following consent agenda:

1. 2020-2021 permit/license applicants effective July 1, 2020 through June 30, 2021;
2. Gaming site authorization submitted American Legion Tim Running Post 24 for July 1, 2020 through June 30, 2021 at Cobblestone Inn Motel & Suites – 1801 Highway 2 E;
3. Parade permit submitted by Stan Orness for July 11, 2020 starting at 2:00 P.M.;
4. Permit to sell alcoholic beverages at a special event submitted by Proz Inc for the wedding reception and dance for Jacklyn Knowski and Taylor Aasmundstad on August 1, 2020 at the Memorial Building;
5. Three gaming site authorizations submitted by Devils Lake Youth Activities for July 1, 2020 through June 30, 2021 at the following locations: Columbus Club and Building Association – 522 4th St NE; Proz End of the Line – 101 6th St NE; and Thirsty's LLC – 318 4th St NE;
6. Transient merchant permit submitted by The Good Stuffed, LLC for food concessions to be held intermittently from June 16, 2020 through September 14, 2020 at Home of Economy, 1205 Highway 2 E; and
7. Two gaming site authorizations submitted by Devils Lake Rural Fire Department for July 1, 2020 through June 30, 2021 at the following locations: Pop's Package Store LLC – 924 Highway 2 E and Ye Olde Tavern – 410 4th Ave NE.

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

The City Engineer reviewed the agreement for a floating dock.

Commissioner Robbins moved to approve the agreement for installation, operation and maintenance of a floating dock and access gangway system along Creel Bay near the Devils Lake Flood Protection Embankment Golf Course Station as recommended by the City Engineer. The motion was seconded by Commissioner Hamre. Terry Wallace from the Devils Lake Park Board stated the project will cost approximately \$100,000. The motion carried unanimously.

The City Administrator reviewed the refunding improvement bonds.

Commissioner Volk moved to approve the certificate of minutes relating to Refunding Improvement Bonds, Series 2020A and resolution providing for the issuance and sale of Refunding Improvement Bonds, Series 2020A as recommended by the City Administrator. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The special event permit for serving alcohol at the Fort Totten Little Theatre performances in the park was discussed along with the reduction of the daily permit fee of \$75. Discussion was held on fees for nonprofits.

Commissioner Volk moved to deny the permit to sell alcoholic beverages at a special event with the reduced fee request submitted by Proz Inc. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Commissioner Volk moved to approve the resolution concerning handicapped access and resolution of sponsorship for Veterans of Foreign Wars Accessibility Improvements for a CDBG grant. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Volk moved to approve the resolution creating Street Improvement District No 74-20 – 8th St NE between 5th Ave and 10th Ave, 9th St NE between 5th Ave and 8th Ave, 6th Ave NE between 7th St and 10th St, 7th Ave NE between 7th St and 10th St and ordering the preparation of a preliminary report. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The process for handling consent agenda permits was reviewed.

Commissioner Hach moved to approve the resolution giving the City Administrator or City Auditor authority to approve transient merchant permits, gaming site authorizations, permits for the sale of alcoholic beverages at a special event, permits for carnivals, cruises, and street shows, contractor's licenses, going out of business sales permits, taxi cab

licenses, pawn brokers licenses and fireworks permit. The motion was seconded by Commissioner Robbins, 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 report:
Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:10 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT