

MINUTES OF THE BOARD OF CITY COMMISSIONERS  
HELD APRIL 19, 2021

The regular meeting of the Devils Lake City Commission was held on Monday, April 19, 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 April 5, 2021 and the Board of Equalization meeting held April 14, 2021. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Hamre moved to sign a proclamation proclaiming May 20, 2021 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.

Suzie Kenner, Executive Director of Convention & Visitors Bureau, presented the 2020 Tourism Report. Information on funding, advertising, events and internet presence was discussed.

Bethany Hart, Airport Manager, reported on airport activities. Boardings for 2020 and 2021, funding from DOT for EAS routes, marketing, CARES grant and development projects were discussed.

**Commissioner Hamre** – The City Engineer indicated there was a water break on 2<sup>nd</sup> St. The Public Utilities Department is working on curb stops and then will start with fire hydrants.

**Commissioner Hach** – The City Engineer stated the Sanitation Department will start the special pickup next week.

The City Assessor said everything was fine.

**Commissioner Robbins** – The City Engineer said he has heard nothing from the Corps of Engineers regarding the 17<sup>th</sup> St project.

The Police Chief had a request from Shane Diseth for allowing sales until 1 A.M. instead of 12 A.M. for the Fort Totten Little Theatre show on July 23<sup>rd</sup>. This item will be discussed when the permit is reviewed.

The City Administrator stated the Fort Totten Little Theatre will not be having outside food vendors. They might do their own concessions.

The Police Chief said they would be receiving a \$4,000.00 DOT grant for an in-car video.

**Commissioner Volk** – The City Engineer said a new employee started today in Public Ways.

Public Ways will be crack sealing and using the durapatch if the weather is good.

Commissioner Volk inquired about how many employment applications had been received for Shade Tree. With only one applicant, Commissioner Volk asked about hiring a contractor to do the work.

Commissioner Volk moved to approve to call for bids for a contractor for Shade Tree with the bids to be opened on Monday, May 3, 2021 at 5:30 P.M. during the City Commission meeting. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

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

The City Administrator had a request for turkey bow hunting within city limits. It was noted that it is illegal to even practice bow hunting within the city. After extensive discussion, no motion was made to allow turkey bow hunting within city limits.

The Fire Chief requested to solicit funds for MDA on June 4<sup>th</sup> and 5<sup>th</sup> during Devils Run.

Commissioner Hamre moved to approve granting a waiver to Section 10.30.130 of the City of Devils Lake Ordinance for the firefighters and volunteers to solicit funds for MDA during Devils Run. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The Fire Chief indicated two firemen are now certified for structural collapse.

The City Attorney stated everything was fine.

The City Engineer recommended awarding the 2021 Curb, Gutter & Sidewalk bid to Elshaug Concrete Construction.

Commissioner Volk moved to award the 2021 Curb, Gutter & Sidewalk bid to Elshaug Concrete Construction LLC of Devils Lake, ND in the amount of \$60,153.00 as recommended by the City Engineer. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

The City Engineer recommended awarding Street Improvement #77-21 bid to Strata Corporation.

Commissioner Hamre moved to award Street Improvement #77-21 bid to Strata Corporation of Grand Forks, ND in the amount of \$446,048.88 as recommended by the City Engineer. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The City Engineer recommended awarding the water tower repair project bid to Viking Painting LLC.

Commissioner Hamre moved to award the water tower repair project bid to Viking Painting LLC of Omaha, NE in the amount of \$291,000.00 as recommended by the City Engineer. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

The 2021 funding request from Midstate Volunteer Program was reviewed. Discussion followed on having them request funds quarterly and to update the Commission on activities.

Commissioner Volk moved to have the Midstate Volunteer Program request funds quarterly and to approve the 2021 funding for the first quarter the amount of \$1,425.00 to be paid from general fund (1000-000-55160). The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

Commissioner Volk moved to approve moving item #5 on the consent agenda - permit to sell alcoholic beverages at a special event submitted by Ye Olde Tavern- to #1 under new business. The motion was seconded by Commissioner Hamre, and the motion carried unanimously.

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

1. Authorizing the City Auditor to call for bids for the 2021 asphalt and concrete street repair with bids to be opened on Monday, May 3, 2021 at 5:30 P.M. during the City Commission meeting as recommended by the City Engineer;
2. Fireworks permit submitted by Memory Fireworks;
3. Fireworks permit submitted by Troy & Geralyn Lang;
4. Gaming site authorization submitted by Prairie Grit Adaptive Sports from July 1, 2021 to June 30, 2022 at Applebee's – 509 Hwy 2 E;
5. Moved to new business #1; and
6. Transient merchant permit submitted by Two Rivers Outfitters, Ben Murphy dba Oof-da Tacos for food concessions to be held June 2, 3, 4, and 5, 2021 at County Liquors, 807 Hwy 20 South.

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

Commissioner Robbins moved to approve the permit to sell alcoholic beverages at a special event submitted by Ye Olde Tavern for the Fort Totten Little Theatre on July 7-July 10, July 14-July18, July 21-July24 and July28-July 31, 2021 at Roosevelt Park and to extend the serving time to 1 A.M. on July 23. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Lisa Crosby, Director of the Lake Region Heritage Center, updated the Commission on activities at the Center, the Arts Festival and building issues.

Commissioner Volk moved to approve funding for the second quarter of 2021 for the Lake Region Heritage Center in the amount of \$7,161.75 to be paid from general fund (1000-000-55170). The motion was seconded by Commissioner Hach, and the motion carried unanimously.

Bill Fahey reviewed the bond sale held today. The City will save around \$168,000.00.

Commissioner Hamre moved to approve the certificate of minutes relating to the \$1,720,000 Improvement Warrants and resolution creating the funds of improvement districts providing for and appropriating special assessments for the support and maintenance of the funds, and authorizing the issuance of improvement warrants thereon as recommended by Bill Fahey. The motion was seconded by Commissioner Volk, and the motion carried unanimously.

Commissioner Robbins moved to approve the certificate of minutes relating to Refunding Improvement Bonds, Series 2021A and resolution authorizing the issuance and establishing the terms and conditions of \$3,420,000 Refunding Improvement Bonds, Series 2021A as recommended by Bill Fahey. The motion was seconded by Commissioner Hach, and the motion carried unanimously.

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 report:  
Municipal Court monthly report.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 7:01 P.M.

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

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