



**Monday, May 5, 2025**  
**5:30PM CST**

**City Commission Meeting Agenda**  
**Devils Lake City Hall Commission Chambers**  
**423 6<sup>th</sup> St NE, Devils Lake, 58301**

**Meeting Items**

- 1) Call to Order
- 2) Approval of Minutes – April 21, 2025

**Awards and Proclamations**

- 1) Arbor Day Proclamation

**Public Hearings – 5:30 PM**

- 1) Change in Zoning – Pine Meadows → TABLE
- 2) Change in Zoning – Sublot A of Outlot 44-0045

**Bid Openings – 5:30 PM**

- 1) 2025 Curb, Gutter, and Sidewalk
- 2) 2025 Street Repair
- 3) Automated Refuse Truck

**Visitors or Delegations**

*\*Limited to five minutes per guest, unless extended by presiding officer*

- 1) Devils Lake Rodeo Club – Brandon Padilla

**Commission Portfolios**

- 1) Engineering: Recommend Award of Bid – Project 250101
- 2) Engineering: Recommend Award of Bid – Project 250102
- 3) Engineering: Recommend Award of Bid – Project 250103
- 4) Engineering: Recommend Award of Bid – Project 250104
- 5) City Administrator: Special Election Tentative Timelines

**Old Business**

**Consent Agenda**

**New Business**

- 1) Reappointments to Board of Adjustments
- 2) Reappointments to Shade Tree Committee
- 3) Agreement with Lake Region Corporation – Recycling Service
- 4) Ordinance 1012: Section 8.08.010 - Definitions
- 5) Ordinance 1013: Section 8.08.050 – Maintenance of Blighted Structures Unlawful

- 6) Ordinance 1014: Section 8.08.070 – Removal by Police Department or Another City Entity, Agent, or Designee
- 7) Ordinance 1015: Section 8.012.020 – Sanitation Requirements
- 8) Ordinance 1016: Chapter 8.32 – Blighted or Substandard Buildings or Structures
- 9) Ordinance 1017: Section 8.32.011 – Definition of Blighted Structures
- 10) Ordinance 1018: Section 8.32.012 – Maintenance of Blighted Structure Unlawful

## **Citizen Comment**

## **Informational Items**

### **Motion to approve payment of the list of bills as submitted.**

*The City of Devils Lake may convene in an executive session as provided by NDCC 44-04-19.2 to consider and discuss closed or confidential records and information, negotiating strategy or negotiating instructions as provided by NDCC 44-04-19.1, 44-04-19.2, 44-04-18.4.*

**MEETING MINUTES OF THE CITY COMMISSION  
OF THE CITY OF DEVILS LAKE, ND  
April 21, 2025**

The regular meeting of the Devils Lake City Commission was held on April 21, 2025 with the following members present: President Moe and Commissioners Hach, Knowski, Pierce and Uhlenkamp.

**MEETING ITEMS**

- 1) Call to Order
- 2) Approval of Minutes – April 07, 2025

Commissioner Knowski made a motion to approve the minutes from the April 07, 2025 City Commission meeting. Commissioner Hach seconded the motion, and the motion was approved unanimously.

**AWARDS AND PROCLAMATIONS**

**PUBLIC HEARINGS – 5:30 PM**

**BID OPENINGS – 5:30 PM**

- 1) Devils Lake City Project 250102

The City Administrator opened bids for City Project 250102. The Bids were as follows:

- Strata Corporation – \$1,021,098.10
- Central Specialties, Inc. - \$1,226,998.25

Commissioner Pierce made a motion to refer the bids for review to the City Engineer. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously.

- 2) Devils Lake City Project 250103

The City Administrator opened bids for City Project 250103. The Bids were as follows:

- Asphalt Preservation Company, Inc. - \$406,910.26
- Morris Sealcoat and Trucking, Inc. – \$444,946.67
- Aztec Corporation - \$422,547.67

Commissioner Pierce made a motion to refer the bids for review to the City Engineer. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously.

- 3) Devils Lake City Project 250104

The City Administrator opened bids for City Project 250104. The Bids were as follows:

- Strata Corporation - \$292,050.35
- Tri-State Paving and Concrete, Inc. – \$428,986.15

Commissioner Pierce made a motion to refer the bids for review to the City Engineer. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously.

### **VISITORS OR DELEGATIONS**

*\*Limited to five minutes per guest, unless extended by presiding officer*

### **COMMISSION PORTFOLIOS**

Commissioner Pierce - The Fire Chief requested to have out-of-state travel approved for trainings in Wisconsin. Commissioner Pierce made a motion to approve the out of state travel. The motion was seconded by Commissioner Hach, and the motion was approved unanimously. The Fire Chief said they have submitted for the grant reimbursements for the SORN radios that were purchased earlier in the year. Commissioner Pierce provided an update on business in front of the Law Enforcement Center Board. He asked about cleaning up graffiti on both the east and west underpasses, especially in advance of Devils Run weekend.

Commissioner Uhlenkamp – The City Engineer said they are continuing to do some crack sealing and alley work.

Commissioner Hach – The Sanitation Director said Spring Cleanup operations are upcoming. He said they are continuing to monitor the state of the alleys to project when garbage cans can go back into the alley. The City Engineer said everything was going well in the Engineering Department.

The City Assessor said there is a Planning Commission meeting for two public hearings on Thursday morning.

The Airport Director said everything was going well at the airport.

Commissioner Knowski – the City Engineer there are two open positions in the utilities department.

President Moe – The Police Chief said everything was going well in their department. He said they

The City Administrator provided an overview of how nuisance enforcement operations will proceed between departments moving forward. He said the department head team feels they can adequately do what they need to from an enforcement point of view with the ordinances already in place. He said the Sanitation Department will assist with the removal of trash, garbage,

and junk that can reasonably be removed with manual labor. Anything that requires heavy machinery will be the responsibility of the property owner. They will have a defined timeline to remove the junk or would proceed down the criminal procedure process with an infraction or misdemeanor. The City Administrator said the Nuisance Officer will be responsible for identifying what items need to be removed if there is a subjective decision to be made. If it is known there may be a likelihood of a property owner dispute with City staff, the Police Department will be on site to monitor the situation for the safety of City staff members.

Mayor Moe said he would be attending the grand opening of Runnings. The Mayor said Altru and CHI St. Alexis are still waiting on the Vatican to approve the agreement transitioning ownership of the hospital.

## **OLD BUSINESS**

## **CONSENT AGENDA**

### **NEW BUSINESS**

#### 1) Curbside Recycling Service

The City Administrator gave a presentation on the City's partnership with Lake Region Corporation (LRC) for the curbside recycling service. He said that with the current LRC supervisor of the program planning to retire in the summer, the absent market for the selling of recyclable materials, and future capital expenses that would need to be made by LRC to procure a new recycling truck, that City staff and LRC intend to put forwarded an amended agreement to the City Commission at the next meeting which would terminate the curbside recycling program. The City Administrator said the agreement would be modified to where LRC would still be responsible for the baling of recyclable materials at the recycling center but no longer provide the curbside pick-up service. He added that the residents would still collect recyclable materials at the recycling center drop-off site.

The City Administrator said this amended agreement would continue the collaborative partnership going between the two organizations, and that it seems to be something in the mutual interest of both organizations. He added that it was a good program and partnership for the last 30 years.

Rodney Ivesdal with Lake Region Corporation expressed his appreciation to the City Commission for the partnership throughout the last 30 years. Mayor Moe thanked Rodney for his many years of service to the community through his management of the curbside recycling program.

Alyssa Tofsrud with Lake Region Corporation reasserted their desire to keep the partnership going with the baling of recyclables which would continue to provide jobs for their clients. He said they will continue to work on the agreement in advance of the next City Commission

meeting. She said with all the training and certifications that need to be completed to supervise the curbside recycling program, it would be very difficult to replace the current supervisor, as well as the need for a new truck and the high cost associated with that.

2) Resolution Calling for a Special Election to Empower City Commission to Approve an Additional .50% Sales Tax

The City Administrator reviewed the resolution before the Commission which would call for a special election to approve an additional .50% sales tax. Commissioner Pierce stressed the need to communicate to the public all the parts of the sales tax, not just the facility piece of it. Commissioner Knowski said he likes the plan and thinks City residents have a lot to gain from its approval. Commissioner Knowski made a motion to approve the resolution calling for a special election. Commissioner Hach seconded the motion, and the motion was approved unanimously.

3) Reappointments to Shade Tree Committee

Commissioner Hach made a motion to reappoint Terry Wallace and Sara Laite as members of the Shade Tree Committee as well as appoint Jessica Kuntz. Commissioner Knowski seconded the motion, and the motion was approved unanimously.

4) Transient Merchant Permit – Jenay Boucher (Mobile Coffee Trailer)

The City Administrator requested the Commission's input on approval of the transient merchant permit for a portable coffee trailer. He said the City permit requires the applicant get a State Transient Merchant Permit. He said that the state does not require a permit if the vendor is selling what they define as "agricultural products", which is essentially food and food trucks, of which coffee would fall under. He said some permits have been approved without the state permit but that he would like to get the Commission's clarity on if they still want them to get a state permit, which the state will still issue even though it's not required by them.

The applicant, Jenay Boucher, did address the commission. She said she has done all the local permitting and has the necessary insurance. Commissioner Knowski said he recognizes that some of the established businesses in town that pay property taxes aren't super supportive of the transient merchants. He asked what her hours were intending to be and she said it would be her full time job. The City Administrator said the permit is \$50 per day or \$500 for the whole year.

Commissioner Pierce made a motion to approve the transient merchant permit and to remove the requirement to have a state issued transient merchant permit for the sale of agricultural products consistent with the State of North Dakota's definition. Commissioner Hach seconded the motion. Commissioner Knowski said they should require proof of insurance as well. The City

Administrator said they will make sure to have that documentation on file. The motion carried unanimously..

5) Second Reading of Ordinance 1006 – Planning & Zoning Commission – Camp Grafton

Commissioner Knowski made a motion to approve Ordinance 1006. Commissioner Pierce seconded the motion, and the motion was approved unanimously.

6) Second Reading of Ordinance 1007 – City Code 8.04.015 : Nuisances – Purpose

Commissioner Pierce made a motion to approve Ordinance 1007. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously.

7) Second Reading of Ordinance 1008 - City Code 8.04.030 : Nuisances - Abatement Notice

Commissioner Pierce made a motion to approve Ordinance 1008. Commissioner Hach seconded the motion, and the motion was approved unanimously.

8) Second Reding of Ordinance 1009- City Code 8.04.050 : Nuisances – Exemptions

Commissioner Knowski made a motion to approve Ordinance 1009. Commissioner Pierce seconded the motion, and the motion was approved unanimously.

9) Second Reading of Ordinance 1010 – City Code 8.04.060 : Nuisances – Maintaining Public Nuisance – Penalty

Commissioner Pierce made a motion to approve Ordinance 1010. Commissioner Uhlenkamp seconded the motion, and the motion was approved unanimously.

10) Second Reading of Ordinance 1011 - City Code 8.08.080 : Nuisances – Penalty

Commissioner Uhlenkamp made a motion to approve Ordinance 1006. Commissioner Knowski seconded the motion, and the motion was approved unanimously.

### **Citizen Comment**

### **Informational Items**

- 1) February 2025 Finances

### **LIST OF BILLS**

Commissioner Pierce made a motion to approve the list of bills as submitted. Commissioner Hach seconded the motion, and the motion was approved unanimously on a roll call vote.

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**SPENCER HALVORSON**  
**CITY ADMINISTRATOR/AUDITOR**

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**JIM MOE**  
**PRESIDENT OF CITY COMMISSION**



## ARBOR DAY PROCLAMATION

WHEREAS, In 1872, J. Sterling Morton proposed to the Nebraska Board of Agriculture that a special day be set aside for the planting of trees; and

WHEREAS, This holiday, called Arbor Day, was first observed with the planting of more than a million trees in Nebraska, and Arbor Day is now observed throughout the nation and the world; and

WHEREAS, Trees reduce the erosion of our precious topsoil by wind and water, cut heating and cooling costs, moderate the temperature, clean the air, produce life-giving oxygen and provide habitat for wildlife; and

WHEREAS, Trees are a renewable resource giving us paper, wood for our homes, fuel for our fires and beautify our community and

WHEREAS, Trees in our city increase property values, enhance the economic vitality of business areas, and beautify our community; and

WHEREAS, Trees, wherever they are planted, are a source of joy and spiritual renewal; and

WHEREAS, Devils Lake has been recognized as a Tree City USA by the National Arbor Day Foundation and desires to continue its tree-planting practices.

NOW, THEREFORE, I, Jim Moe, Mayor of the City of Devils Lake, do hereby proclaim May 16, 2025, as:

### ***"ARBOR DAY"***

in the City of Devils Lake, and I urge all citizens to celebrate Arbor Day and to support efforts to protect our trees and woodlands; and

FURTHER, I urge all citizens to plant trees to gladden the heart and promote the well-being of this and future generations.

Dated this 5th day of May, 2025.

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Jim Moe, Mayor  
City of Devils Lake

### Notice of Public Hearing

The Devils Lake Planning Commission will hold a public hearing on March 27, 2025, 7:00 am, City Office, 423 6<sup>th</sup> St NE, Devils Lake, ND, to review a request for a change in zoning from Single Family to Residential-Low Density for Lots 6-8, Block 2 and Lots 1-4, Block 3, and Lots 10-12, Block 3 of Pine Meadows Subdivision (located west of the DL Airport). If special accommodations are needed, please contact city office.

Documents relating to the request are on file in the office of the City Engineer and may be viewed during regular working hours.

for legals: 3-20-25

### Notice of Public Hearing

The Devils Lake City Commission will hold a public hearing on April 7, 2025, 5:30 pm, City Office, 423 6<sup>th</sup> St NE, Devils Lake, ND, to review a request for a change in zoning from Single Family to Residential-Low Density for Lots 6-8, Block 2 and Lots 1-4, Block 3, and Lots 10-12, Block 3 of Pine Meadows Subdivision (located west of the DL Airport). If special accommodations are needed, please contact city office.

Documents relating to the request are on file in the office of the City Engineer and may be viewed during regular working hours.

for legals: 3-20-25, 3-27-25

# devils lake

Planning Commission

Date: April 24, 2025

To: President Moe and City Commissioners

From: Devils Lake Planning Commission *hc*

Re: Change in zoning for Pine Meadows

The Devils Lake Planning Commission reviewed at their March 27, 2025 meeting a request for a change in zoning from Single Family to Residential-Low Density for Lots 6-8, Block 2 and Lots 1-4, Block 3, and Lots 10-12, Block 3 of Pine Meadows Subdivision (located west of the DL Airport). The application and map are attached.

Action on the request was tabled until the Applicant could be present. The public hearing was reconvened on April 24, 2025. Discussion was held and action on the request died for a lack of a motion.

On Friday, April 25, 2025, Applicant Nels Nelson withdrew his request for the zoning change.



### Application for Planning Commission Hearing

Name of Applicant Nels Nelson

Applicant Address 1001 3rd St NE

Phone # 701-230-1179 Applicant Email \_\_\_\_\_

Name of Property Owner (if needed) \_\_\_\_\_

Property Address Pine Meadows Subdivision

Legal Description \_\_\_\_\_

Project Description (attach sketch) change zoning to LD for lot 1-4 + 10-12 Blk 3, lot 4-8 Blk 2

Type of Action Requested  Conditional Use Permit  Subdivision Approval  
 Zoning Change  Right-of-Way Vacation  
 Annexation  Other \_\_\_\_\_

Explanation for Necessity of Request allow townhouses + duplexes

I certify that the above information is, to the best of my knowledge, accurate and complete. I understand that any false or inaccurate statements may constitute grounds for revocation of any action taken on the basis of this information.

Applicant's Signature Nels Nelson Date 3-3-25

Owner's Signature (if needed) \_\_\_\_\_ Date \_\_\_\_\_

◇  
(for office use only)

Date of Hearing 3-27-25 Fee Paid 50<sup>00</sup>

Request  Approved  Denied  Tabled  Withdrawn  Other

Comments \_\_\_\_\_

Pine Meadow Subdivision lots outlined in blue requested to be changed to Low Density



### Notice of Public Hearing

The Devils Lake Planning Commission will hold a public hearing on April 24, 2025, 7:00 am, City Office, 423 6<sup>th</sup> St NE, Devils Lake, ND, to review a request for a change in zoning from agricultural to residential rural suburban for Sublot A of Outlot 44-0045 to allow construction of a single family home (located NE1/4SE1/4 Section 19, on 50<sup>th</sup> St NE). If special accommodations are needed, please contact city office.

Documents relating to the request are on file in the office of the City Engineer and may be viewed during regular working hours.

for legals: 4-17-25

### Notice of Public Hearing

The Devils Lake City Commission will hold a public hearing on May 5, 2025, 5:30 pm, City Office, 423 6<sup>th</sup> St NE, Devils Lake, ND, to review a request for a change in zoning from agricultural to residential rural suburban for Sublot A of Outlot 44-0045 to allow construction of a single family home (located NE1/4SE1/4 Section 19, on 50<sup>th</sup> St NE). If special accommodations are needed, please contact city office.

Documents relating to the request are on file in the office of the City Engineer and may be viewed during regular working hours.

for legals: 4-17-25, 4-24-25



Date: April 24, 2025

To: President Moe and City Commissioners

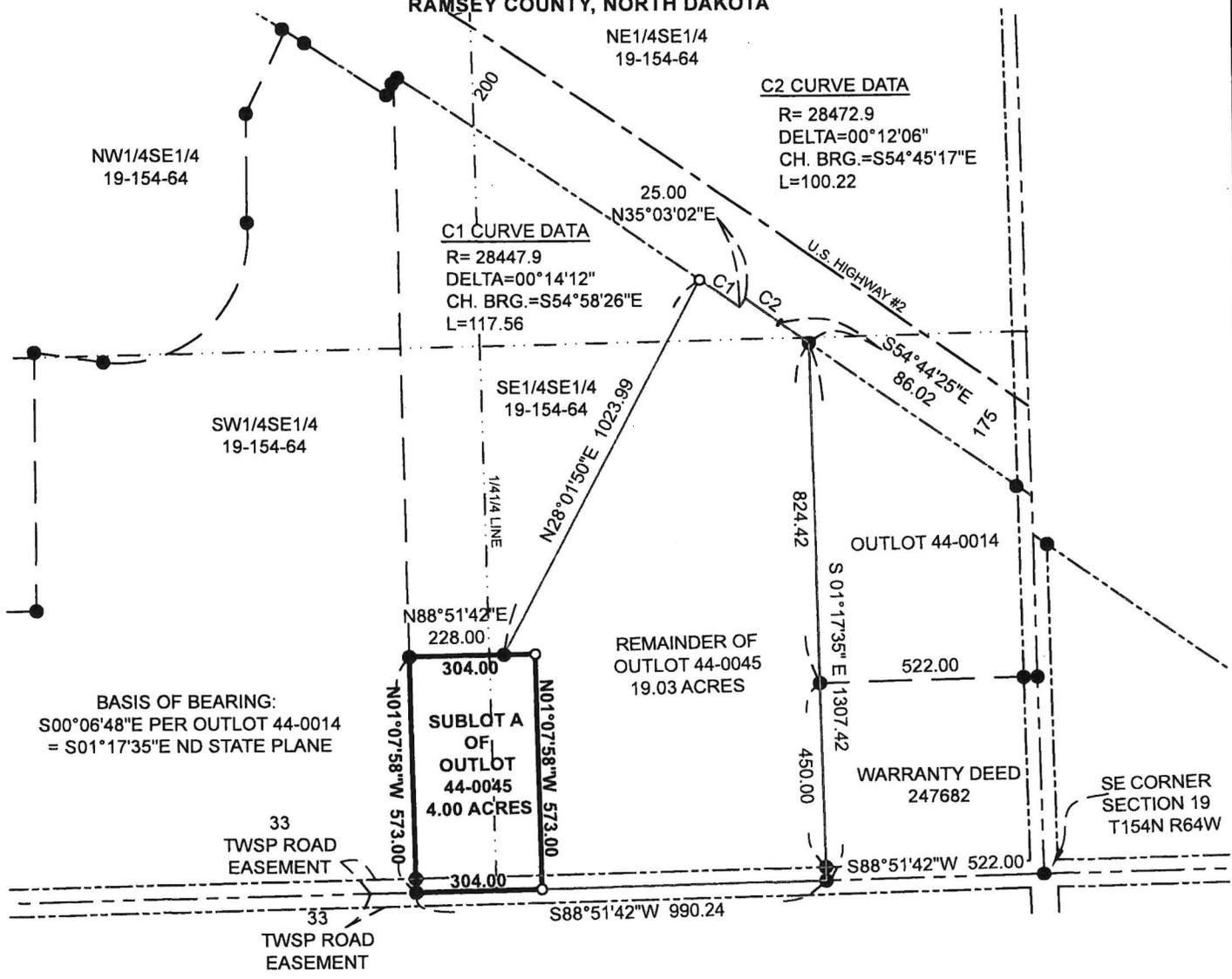
From: Devils Lake Planning Commission *dlc*

Re: Change in zoning for Sublot A of Outlot 44-0045

The Devils Lake Planning Commission took action at their April 24, 2025 meeting to recommend approval of a request to change the zoning from agricultural to residential rural suburban for Sublot A of Outlot 44-0045, located on 50<sup>th</sup> St NE and shown on the attached map.



**CERTIFICATE OF SURVEY  
 SUBLOT A OF OUTLOT 44-0045  
 PART OF THE SOUTHEAST QUARTER,  
 SECTION 19, TOWNSHIP 154 NORTH, RANGE 64 WEST  
 RAMSEY COUNTY, NORTH DAKOTA**



BASIS OF BEARING:  
 S00°06'48"E PER OUTLOT 44-0014  
 = S01°17'35"E ND STATE PLANE



- FOUND IRON PIN
- SET #5 REBAR
- BOUNDARY LINE
- - - SECTION LINE
- · - · - 1/4 1/4 LINE
- - - DEED LINE
- · - · - ROAD R.O.W. LINE
- - - OUTLOT 44-0045 LINE

**DESCRIPTION OF SUBLot A:**  
 The South 573.00 feet of the West 304.00 feet of Outlot 44-0045, Southeast Quarter (SE1/4), Section 19, Township 154 North, Range 64 West of the 5th P.M., Ramsey County, North Dakota. Contains 4.00 acres, more or less.  
 Subject to A 33 feet township road easement along the South boundary line and all other valid easements, restrictions and reservations.

I, David K. Hovendick, a duly Registered Land Surveyor in the State of North Dakota, do hereby certify that a field survey was conducted by me, or under my direct supervision, that monuments were placed in the ground as shown, and that all bearings and distances are correct to the best of my knowledge.

3/18/2025  
 David K. Hovendick      Date  
 ND Registration #3612



OUTLOT A

HWY 2 WEST NORTHLANE

HWY 2 WEST SOUTHLANE

79TH AVE NE

50TH ST NE

LOCATION FOR PROPOSED HOME CONSTRUCTION  
4 ACRE LOT

## CALL FOR BIDS

Sealed bids will be received by the Board of City Commissioners until 5: 00 pm, May 5<sup>th</sup>, 2025, for "2025 Curb, Gutter and Sidewalk". Bids will be opened and publicly read at City Office, 423 6<sup>th</sup> St NE, Devils Lake, ND at 5: 30 pm, May 5<sup>th</sup>, 2025.

Copies of the plans and specifications are available in the office of the City Engineer, City Offices, 423 6th St NE, PO Box 1048, Devils Lake, ND, 58301.

City of Devils Lake reserves the right to reject any or all bids, to waive technicalities, to award each section of the project individually, to award the bid to multiple contractors or in any combination thereof, that is deemed in the best interest of the City.

Each bid must be labeled on the outside of the envelope with the following:

1. Name of the person/firm submitting bid.
2. Must be marked "2025 Curb, Gutter and Sidewalk Bid".
3. Bidder must include a two percent (2%) bid bond or certified check and copy of current contractor's license with the proposal for consideration.

For legals: 4-10-25,4-17-25, 4-24-25

## CALL FOR BIDS

Sealed bids will be received by the Board of City Commissioners until 5:00 pm, May 5, 2025, for "2025 Asphalt and Concrete Street Repair". Bids will be opened and publicly read at City Office, 423 6<sup>th</sup> St NE, Devils Lake, ND at 5:30 pm, May 5, 2025.

Copies of the plans and specifications are available in the office of the City Engineer, City Offices, 423 6th St NE, PO Box 1048, Devils Lake, ND, 58301.

The Board of City Commissioners reserve the right to reject any or all bids, to waive technicalities, or to award each section of the project individually, or in any combination thereof, that is deemed in the best interest of the City.

Each bid must be labeled on the outside of the envelope with the following:

1. Name of the person/firm submitting bid.
2. Must be marked "2025 Asphalt and Concrete Street Repair".
3. Bidder must include a two percent (2%) bid bond or certified check, and copy of current contractor's license with the proposal for consideration.

For legals: 4-10-25, 4-17-25, 4-24-25

## CALL FOR PROPOSALS

Proposals will be received by the Board of City Commissioners until 5:00 pm, May 5, 2025 for “Proposal for New Dual Auto Side Load Refuse Truck”. Proposals will be opened and publicly read in the City Commissioner’s room in the City Offices, 423 6<sup>th</sup> St NE, Devils Lake, ND, at 5:30 pm, May 5, 2025.

Proposal information may be obtained from the office of the City Engineer, 423 6<sup>th</sup> St NE, Devils Lake, ND. 701-662-7600, ext 2. The Board of City Commissioners reserve the right to reject any or all proposals, to waive technicalities, or to award the proposal that is deemed in the best interest of the City.

Each proposal must be labeled on the outside of the envelope with the following:

1. Name of the person/firm submitting proposal.
2. Must be marked “Proposal for New Dual Auto Side Load Refuse Truck”.

Dated at my office April 7, 2025.

Spencer Halvorson  
City Administrator/Auditor

For legals: 4-10-25, 4-17-25, 4-24-25

Mike Grafsgaard – City Engineer  
Devin Gathman – Assistant City Engineer  
Helen Carlson – Engineering Admin

**To:** President Moe and City Commissioners  
**From:** Michael Grafsgaard, City Engineer   
**Date:** April 25, 2025  
**Re:** City Project 250101 – Recommendation of Award

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Bids were opened by the ND Department of Transportation (NDDOT) for City Project 250101 – HOT MIX, RESHAPE AGGREGATE BASE, SALVAGE BASE COURSE for 14<sup>th</sup> St NE and 14<sup>th</sup> Ave NE. The low bid was submitted by Central Specialties of Alexandria, MN in the amount of \$548,867.99. Attached is a copy of the abstract of bids.

I recommend award of the contract to Central Specialties in the amount of \$548,867.99. Federal funding will cover 80% of the construction cost. Total local cost for the project, including engineering and project administration, is estimated to be \$215,000.

NORTH  
**Dakota** | Transportation  
Be Legendary.™

April 25, 2025

Mike Grafsgaard  
City Engineer  
PO Box 1048  
Devils Lake, ND 58302

**PROJECT: SU-3-982(042); PCN 24297 - RAMSEY CO; 14TH ST NE, NEAR JCT 5TH AVE NE TO 14TH AVE NE; 14TH AVE NE, NEAR JCT 10TH ST NE TO 14TH ST NE - DEVILS LAKE**

Dear Mr. Grafsgaard;

Bids for the construction on the above noted project were taken at our bid opening of April 25, 2025. A copy of the Contract Detail Estimate and Abstract of Bids are enclosed.

The low bid for HOT MIX ASPHALT, RESHAPE AGGREGATE BASE, SALVAGED BASE COURSE was submitted by Central Specialties Inc of Alexandria, MN in the amount of \$548,867.99. According to the agreement with the City of Devils Lake, the City's share for **SU-3-982(042)** is estimated to be \$115,136.04. Federal Funds obligated for this project shall not exceed 80.93 percent of the total eligible project cost up to a maximum of \$705,600.00. The balance of the project cost is the obligation of the City.

The Department will review the low bidder's proposal to assure that the Disadvantaged Business Enterprise Program requirements have been met. Upon review of the contractor's Disadvantaged Business Enterprise Program, the Department will advise you via email whether this project may be awarded. The City must award the contract before the Department will concur in the award; therefore, the City must notify the Department in writing as soon as possible after the award is made. Contracts cannot be executed prior to the date of the Department's concurrence.

Questions should be addressed to the Construction Services Division at 701-328-2566.

Sincerely,



Phillip Murdoff, PE  
Construction Services Engineer

80/pm/jmm  
Enclosure

North Dakota **FEDERAL AID**

Bid Opening Date: **4/25/2025**

Project Number: **SU-3-982(042)**

PCN: **24297**

Job Number: **24297**

English/Metric: **ENGLISH**

Contract with **CENTRAL SPECIALTIES INC ALEXANDRIA, MN**

Signed Date:

County(s): **RAMSEY**

Location: **14TH ST NE, NEAR JCT 5TH AVE NE TO 14TH AVE NE; 14TH AVE NE, NEAR JCT 10TH ST NE TO 14TH ST NE - DEVILS LAKE**

Roadway: **URBAN**

**14TH ST NE L438\_071M FR 0.3898 TO 1.0177  
 14TH AVE NE, L458\_071M FR 1.2021 TO 1.4888**

Type: **HOT MIX ASPHALT, RESHAPE AGGREGATE BASE, SALVAGED BASE COURSE**

Participating: **Y**

Spec Code	Item Description	Quantity	Unit	Unit Price	Amount
103 0100	CONTRACT BOND	1.000	L SUM	\$1,229.00	\$1,229.00
202 0132	REMOVAL OF BITUMINOUS SURFACING	40.000	SY	\$38.00	\$1,520.00
203 0119	TOPSOIL-IMPORTED	835.000	CY	\$37.00	\$30,895.00
251 0200	SEEDING CLASS II	0.173	ACRE	\$17,341.01	\$2,999.99
253 0201	HYDRAULIC MULCH	0.173	ACRE	\$23,121.39	\$4,000.00
302 0100	SALVAGED BASE COURSE	1,472.000	TON	\$45.00	\$66,240.00
302 0407	RESHAPE AGGREGATE BASE COURSE	47.000	STA	\$178.00	\$8,366.00
430 0043	SUPERPAVE FAA 43	3,812.000	TON	\$67.00	\$255,404.00
430 1000	CORED SAMPLE	24.000	EA	\$35.00	\$840.00
430 5803	PG 58S-28 ASPHALT CEMENT	229.000	TON	\$476.00	\$109,004.00
702 0100	MOBILIZATION	1.000	L SUM	\$41,000.00	\$41,000.00
704 0100	FLAGGING	100.000	MHR	\$40.00	\$4,000.00
704 1000	TRAFFIC CONTROL SIGNS	790.000	UNIT	\$3.00	\$2,370.00
704 1185	PILOT CAR	50.000	HR	\$60.00	\$3,000.00
706 0550	BITUMINOUS LABORATORY	1.000	EA	\$10,000.00	\$10,000.00
706 0600	CONTRACTOR'S LABORATORY	1.000	EA	\$8,000.00	\$8,000.00
Subtotal					<b>\$548,867.99</b>
Eng and Contg					<b>\$54,886.80</b>
Total					<b>\$603,754.79</b>

Length **0.9390 Miles**

Estimated Cost		Construction
		<b>\$603,754.79</b>
<b>SU FEDERAL FUNDS</b>	<b>80.93%</b>	<b>\$488,618.75</b>
<b>SU DEVILS LAKE FUNDS</b>	<b>19.07%</b>	<b>\$115,136.04</b>

North Dakota **FEDERAL AID**

Bid Opening Date: **4/25/2025**

Project Number: **SU-3-982(042)**

PCN: **24297**

Job Number: **24297**

English/Metric: **ENGLISH**

Summary for Project

Length      **0.9390 Miles**                      **RAMSEY**                      **0.9390 Miles**

Estimated Total Construction Cost: **\$548,867.99**

Estimated Total Eng and Contg: **\$54,886.80**

	<u>Construction</u>	<u>Total</u>
Estimated Cost	<b>\$603,754.79</b>	<b>\$603,754.79</b>
<b>SU FEDERAL FUNDS</b>	<b>\$488,618.75</b>	<b>\$488,618.75</b>
<b>SU DEVILS LAKE FUNDS</b>	<b>\$115,136.04</b>	<b>\$115,136.04</b>

**NDDOT TO MAKE CONTRACTOR PAYMENTS. SU FEDERAL FUNDS FOR THIS PROJECT IS LIMITED TO \$ 705,600. ANY COSTS OVER THIS LIMITED AMOUNT WILL BE CITY RESPONSIBILITY.**

ND DEPARTMENT OF TRANSPORTATION

SHEET NO 1 OF 2

ABSTRACT OF BIDS RECEIVED

PROJECT NO. SU-3-982(042)		NO. 24297		BIDDER ENGINEERS ESTIMATE		BIDDER CENTRAL SPECIALTIES INC		BIDDER STRATA CORPORATION	
COUNTY & DATE RAMSEY (071) APR 25, 2025 09:30AM						ALEXANDRIA, MN		GRAND FORKS, ND	
LENGTH & TYPE 0.939						c.c. BOND RANK 01		c.c. BOND RANK 02	
COMPLETION TIME 09/20/25 HOT MIX ASPHALT, RESHAPE AGGREGATE BAS				c.c. CHECK RANK 00					
SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT
103	CONTRACT BOND	L SUM	1.000	4000000	4000000	1229000	1229000	3385000	3385000
202	REMOVAL OF BITUMINOUS SURFACING	SY	40000	50000	2000000	38000	152000	55000	220000
203	TOPSOIL-IMPORTED	CY	835000	30000	2505000	37000	3089500	38000	3173000
251	SEEDING CLASS II	ACRE	1.73	1000000	173000	17341010	299999	19075000	329998
253	HYDRAULIC MULCH	ACRE	1.73	1000000	173000	23121590	400000	25433000	439991
302	SALVAGED BASE COURSE	TON	1472000	35000	5152000	45000	6624000	30000	4416000
302	RESHAPE AGGREGATE BASE COURSE	STA	47000	750000	3525000	178000	8368000	670000	3149000
430	SUPERPAVE FAA 43	TON	3812000	100000	38120000	67000	25540400	93000	35451600
430	CORED SAMPLE	EA	24000	60000	1440000	35000	84000	100000	240000
430	PG 58S-28 ASPHALT CEMENT	TON	229000	800000	18320000	476000	10900400	610000	13969000
702	MOBILIZATION	L SUM	1.000	106623000	106623000	41000000	41000000	89000000	89000000
704	FLAGGING	MHR	100000	75000	7500000	40000	4000000	85000	850000
704	TRAFFIC CONTROL SIGNS	UNIT	790000	5000	3950000	3000	237000	3500	276500
704	PILOT CAR	HR	50000	125000	6250000	60000	3000000	100000	500000
706	BITUMINOUS LABORATORY	EA	1.000	5000000	5000000	10000000	10000000	3000000	3000000
706	CONTRACTOR'S LABORATORY	EA	1.000	5000000	5000000	8000000	8000000	3000000	3000000
TOTAL					82144300		54886799		72853589
						NO LIMIT		NO LIMIT	

ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION  
Deputy Director For Engineering:

AWARD TO: CENTRAL SPECIALTIES INC

WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.

19

DATE OF AWARD

DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering

ND DEPARTMENT OF TRANSPORTATION

SHEET NO 2 OF 2

ABSTRACT OF BIDS RECEIVED

PROJECT NO. SU-3-982(042)		NO. 24297		BIDDER KELLER PAVING & LAND SCAPING INC		BIDDER		BIDDER	
COUNTY & DATE RAMSEY (071) APR 25, 2025 09:30AM				MINOT, ND					
LENGTH & TYPE 0.939				C.C. BOND RANK 03		C.C.		C.C.	
COMPLETION TIME 09/20/25 HOT MIX ASPHALT, RESHAPE AGGREGATE BAS									
SPEC. NO.	ITEM DESCRIPTION	UNIT	QUANTITY	BID PRICE	AMOUNT	BID PRICE	AMOUNT	BID PRICE	AMOUNT
103	CONTRACT BOND	L SUM	1.000	5000000	5000000				
202	REMOVAL OF BITUMINOUS SURFACING	SY	400000	38000	152000				
203	TOPSOIL-IMPORTED	CY	835000	62500	5218750				
251	SEEDING CLASS II	ACRE	1.73	20000000	346000				
253	HYDRAULIC MULCH	ACRE	1.73	20000000	346000				
302	SALVAGED BASE COURSE	TON	1472000	63000	9273600				
302	RESHAPE AGGREGATE BASE COURSE	STA	47000	1750000	8225000				
430	SUPERPAVE FAA 43	TON	3812000	193000	73571600				
430	CORED SAMPLE	EA	24000	396000	950400				
430	PG 58S-28 ASPHALT CEMENT	TON	229000	816000	18686400				
702	MOBILIZATION	L SUM	1.000	5000000	5000000				
704	FLAGGING	MHR	100000	74000	740000				
704	TRAFFIC CONTROL SIGNS	UNIT	790000	3500	276500				
704	PILOT CAR	HR	500000	80000	400000				
706	BITUMINOUS LABORATORY	EA	1.000	20000000	2000000				
706	CONTRACTOR'S LABORATORY	EA	1.000	20000000	2000000				
TOTAL						127686250			
				NO LIMIT					
ACTION TAKEN BY DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering:		AWARD TO: CENTRAL SPECIALTIES INC		WHEN PRELIMINARY ARRANGEMENTS ARE COMPLETED.					
20		DATE OF AWARD		DEPARTMENT OF TRANSPORTATION Deputy Director For Engineering					



Date: April 22, 2025

To: President Moe and City Commissioners

From: Mike Grafsgaard, City Engineer/Public Works Director

Handwritten initials "MEB" in blue ink, enclosed within a blue circle.

Re: Recommendation of Award – City Project 250102

Bids for the City's Mill and Overlay project for several different areas in the City were opened at the City Commission meeting on April 21, 2025. Two bids were received and are shown on the attached Bid Tab.

Following review of the submitted bids, I recommend the City Commission award the project to Strata Corporation in the amount of \$1,021,098.10.

Michael Grafsgaard, City Engineer/Public Works Director  
Devin Gathman, Assistant City Engineer  
Helen Carlson, Engineering Admin Tech

## BID TAB

**Project Number:** 250102

**Project Location:** Janna PI NE, Lynn PI NE, Cherry PI NE  
 2nd Ave NE, 3rd Ave NE, 4th Ave NE, 6th Ave NE,  
 7th Ave NE, 9th Ave NE, 2nd St NE, 3rd St NE  
 13th Ave NE, 6th St NE



**Work Description:** Mill & Overlay, Full Depth Repair

**Assesment District:** SI 82-25, SI 83-25 & SI 84-25

SPEC	CODE	ITEM DESCRIPTION	UNIT	TOTAL	ENGINEER'S ESTIMATE		CENTRAL SPECIALTIES		STRATA CORPORATION	
					UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
103	0100	CONTRACT BOND	L SUM	1	\$ 6,300.00	\$ 6,300.00	\$ 2,500.00	\$ 2,500.00	\$ 6,100.00	\$ 6,100.00
203	0113	COMMON EXCAVATION - WASTE	CY	2,069	\$ 20.00	\$ 41,380.00	\$ 32.00	\$ 66,208.00	\$ 18.00	\$ 37,242.00
302	0120	AGGREGATE BASE COURSE CL 5	TON	3,879	\$ 30.00	\$ 116,370.00	\$ 28.00	\$ 108,612.00	\$ 27.50	\$ 106,672.50
401	0050	TACK COAT	GAL	2,463	\$ 3.50	\$ 8,620.50	\$ 2.95	\$ 7,265.85	\$ 4.00	\$ 9,852.00
411	0105	MILLING PAVEMENT SURFACE	SY	36,844	\$ 3.00	\$ 110,532.00	\$ 3.65	\$ 134,480.60	\$ 1.90	\$ 70,003.60
411	0118	MILLING PAVEMENT SURFACE - 4 INCH	SY	6,206	\$ 7.50	\$ 46,545.00	\$ 19.80	\$ 122,878.80	\$ 4.50	\$ 27,927.00
430	0043	SUPERPAVE FAA 43	TON	5,817	\$ 75.00	\$ 436,275.00	\$ 76.00	\$ 442,092.00	\$ 78.50	\$ 456,634.50
430	5803	PG 58S-28 ASPHALT CEMENT	TON	349	\$ 800.00	\$ 279,200.00	\$ 510.00	\$ 177,990.00	\$ 550.00	\$ 191,950.00
702	0100	MOBILIZATION	L SUM	1	\$ 114,000.00	\$ 114,000.00	\$ 87,500.00	\$ 87,500.00	\$ 58,500.00	\$ 58,500.00
704	0001	TRAFFIC CONTROL	L SUM	1	\$ 25,000.00	\$ 25,000.00	\$ 6,900.00	\$ 6,900.00	\$ 15,000.00	\$ 15,000.00
706	0600	CONTRACTOR'S LABORATORY	EA	1	\$ 4,500.00	\$ 4,500.00	\$ 8,000.00	\$ 8,000.00	\$ 3,500.00	\$ 3,500.00
708	1540	INLET PROTECTION-SPECIAL	EA	22	\$ 300.00	\$ 6,600.00	\$ 225.00	\$ 4,950.00	\$ 200.00	\$ 4,400.00
709	0100	GEOSYNTHETIC MATERIAL TYPE G	SY	6,206	\$ 7.50	\$ 46,545.00	\$ 3.50	\$ 21,721.00	\$ 2.75	\$ 17,066.50
722	6140	ADJUST GATE VALVE BOX	EA	23	\$ 400.00	\$ 9,200.00	\$ 750.00	\$ 17,250.00	\$ 375.00	\$ 8,625.00
722	6200	ADJUST MANHOLE	EA	17	\$ 700.00	\$ 11,900.00	\$ 950.00	\$ 16,150.00	\$ 425.00	\$ 7,225.00
722	6240	ADJUST UTILITY APPURTENANCE	EA	1	\$ 500.00	\$ 500.00	\$ 2,500.00	\$ 2,500.00	\$ 400.00	\$ 400.00
					<b>TOTAL</b>	<b>\$ 1,263,467.50</b>		<b>\$ 1,226,998.25</b>		<b>\$ 1,021,098.10</b>



Date: April 22, 2025

To: President Moe and City Commissioners

From: Mike Grafsgaard, City Engineer/Public Works Director 

Re: Recommendation of Award – City Project 250103

Bids for the City's Bituminous Seal Coat project that includes several different areas across the City were opened at the City Commission meeting on April 21, 2025. Three bids were received and are shown on the attached Bid Tab.

Following review of the submitted bids, I recommend the City Commission award the project to Asphalt Preservation Company, Inc, from Duluth, MN, in the amount of \$406,910.26.

Michael Grafsgaard, City Engineer/Public Works Director  
Devin Gathman, Assistant City Engineer  
Helen Carlson, Engineering Admin Tech

## BID TAB

**Project Number:** 250103  
**Project Location:** Citywide - Various Locations  
**Work Description:** Bituminous Seal Coat  
**Assesment District:** N/A



SPEC	CODE	ITEM DESCRIPTION	UNIT	TOTAL	ENGINEER'S ESTIMATE		ASPHALT SURFACE TECH		MORRIS SEALCOAT		ASPHALT PRESERVATION	
					UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
103	0100	CONTRACT BOND	L SUM	1	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,500.00	\$ 2,220.00	\$ 2,220.00	\$ 2,500.00	\$ 2,500.00
107	0103	RAILWAY PROTECTION INSURANCE	EA	1	\$ 5,000.00	\$ 5,000.00	\$ 2,500.00	\$ 2,500.00	\$ 1,500.00	\$ 1,500.00	\$ 2,000.00	\$ 2,000.00
420	0111	CRS2P EMULSIFIED ASPHALT	GAL	79,171	\$ 3.25	\$ 257,305.75	\$ 2.77	\$ 219,303.67	\$ 3.17	\$ 250,972.07	\$ 3.70	\$ 292,932.70
420	0125	COVER COAT MATERIAL CL 41	TON	2,474	\$ 50.00	\$ 123,700.00	\$ 46.00	\$ 113,804.00	\$ 28.14	\$ 69,618.36	\$ 27.94	\$ 69,123.56
420	0160	BLOTTER MATERIAL CL 44	TON	124	\$ 50.00	\$ 6,200.00	\$ 10.00	\$ 1,240.00	\$ 0.01	\$ 1.24	\$ 1.00	\$ 124.00
702	0100	MOBILIZATION	L SUM	1	\$ 85,000.00	\$ 85,000.00	\$ 50,000.00	\$ 50,000.00	\$ 110,400.00	\$ 110,400.00	\$ 35,000.00	\$ 35,000.00
704	0001	TRAFFIC CONTROL	L SUM	1	\$ 10,000.00	\$ 10,000.00	\$ 15,000.00	\$ 15,000.00	\$ 2,500.00	\$ 2,500.00	\$ 3,410.00	\$ 3,410.00
708	1540	INLET PROTECTION - SPECIAL	EA	91	\$ 250.00	\$ 22,750.00	\$ 200.00	\$ 18,200.00	\$ 85.00	\$ 7,735.00	\$ 20.00	\$ 1,820.00
<b>TOTAL</b>					<b>\$</b>	<b>512,455.75</b>	<b>\$</b>	<b>422,547.67</b>	<b>\$</b>	<b>444,946.67</b>	<b>\$</b>	<b>406,910.26</b>



Date: April 22, 2025

To: President Moe and City Commissioners

From: Mike Grafsgaard, City Engineer/Public Works Director

Handwritten initials "MEG" in blue ink, enclosed within a blue circular scribble.

Re: Recommendation of Award – City Project 250104

Bids for the City's Mill and Overlay project for several downtown area alleys and parking lots were opened at the City Commission meeting on April 21, 2025. Two bids were received and are shown on the attached Bid Tab.

Following review of the submitted bids, I recommend the City Commission award the project to Strata Corporation in the amount of \$292,050.35.

Michael Grafsgaard, City Engineer/Public Works Director  
Devin Gathman, Assistant City Engineer  
Helen Carlson, Engineering Admin Tech

## BID TAB

**Project Number:** 250104

**Project Location:** Downtown District Alleys and Parking Lots

**Work Description:** Mill & Overlay, Full Depth Repair

**Assesment District:** SI 85-25



SPEC	CODE	ITEM DESCRIPTION	UNIT	TOTAL	ENGINEER'S ESTIMATE		TRI-STATE PAVING		STRATA CORPORATION	
					UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE	UNIT PRICE	EXTENDED PRICE
103	0100	CONTRACT BOND	L SUM	1	\$ 1,800.00	\$ 1,800.00	\$ 20,427.91	\$ 20,427.91	\$ 1,725.00	\$ 1,725.00
401	0050	TACK COAT	GAL	571	\$ 3.00	\$ 1,713.00	\$ 6.00	\$ 3,426.00	\$ 4.25	\$ 2,426.75
411	0105	MILLING PAVEMENT SURFACE	SY	10,244	\$ 5.00	\$ 51,220.00	\$ 5.96	\$ 61,054.24	\$ 5.65	\$ 57,878.60
430	0043	SUPERPAVE FAA 43	TON	1,270	\$ 125.00	\$ 158,750.00	\$ 215.00	\$ 273,050.00	\$ 116.00	\$ 147,320.00
430	5803	PG 58S-28 ASPHALT CEMENT	TON	76	\$ 800.00	\$ 60,800.00	\$ 678.00	\$ 51,528.00	\$ 550.00	\$ 41,800.00
702	0100	MOBILIZATION	L SUM	1	\$ 59,000.00	\$ 59,000.00	\$ 12,000.00	\$ 12,000.00	\$ 29,500.00	\$ 29,500.00
704	0001	TRAFFIC CONTROL	L SUM	1	\$ 20,000.00	\$ 20,000.00	\$ 5,000.00	\$ 5,000.00	\$ 8,500.00	\$ 8,500.00
722	6200	ADJUST MANHOLE	EA	4	\$ 400.00	\$ 1,600.00	\$ 500.00	\$ 2,000.00	\$ 600.00	\$ 2,400.00
722	6240	ADJUST UTILITY APPURTENANCE	EA	1	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00	\$ 500.00
					<b>TOTAL</b>	<b>\$ 355,383.00</b>		<b>\$ 428,986.15</b>		<b>\$ 292,050.35</b>

**Agenda Item:** 2025 Special Election Tentative Timeline

**Submitted By:** Spencer Halvorson, City Administrator/Auditor

**Staff Recommended Action:** Review and provide input on the timeline communicated in the below staff report

## BACKGROUND

A proposed tentative timeline for required special election-related actions is listed below:

DAYS TO ELECTION	DATE	
92	4/21/2025	Special Election Procedures - must call election not less than 65 days from intended election date NDCC 40-21-16
64	5/19/2025	Ballot shall be prepared 64 days prior to the election NDCC 40-21-08
64	5/19/2025	Designate Polling Location at Memorial Building
50	6/2/2025	Absentee voting: ballots must be available at least 46 days prior to the election NDCC 16.1-07-04
30	6/23/2025	Residence for voting - must live there for at least 30 days and may claim only 1 residence NDCC 16.1-01-05
15	7/7/2025	Council shall appoint 1 inspector, 2 judges and 2 clerks for each polling place not less than 10 days prior to election NDCC 40-21-02(4)
14	7/8/2025	Publication of proposed ordinance not more than 20 days nor less than 5 days prior to the election NDCC 40-12-11
14	7/8/2025	Publication of notice of election 10 days prior NDCC 40-01-09 & 40-21-02(2)
50	7/22/2025	Special Election - 1 polling place at Memorial Building, polls open 7 AM to 7 PM
-13	8/4/2025	Votes cast at special election must be canvassed 13 days following the date of the special election

Regarding public engagement, City staff intends to release educational materials regarding the special election on the internet and newspaper the week of June 9<sup>th</sup> to June 13<sup>th</sup>.

It is proposed that two open houses occur on July 8<sup>th</sup> and July 10<sup>th</sup>, from 11am – 1pm and 4pm – 6:30pm on both days.



Date: April 21, 2025

To: President Moe and City Commissioners

From: Board of Adjustment

Re: Reappointment of members

The Devils Lake Board of Adjustment took action at their April 10, 2025 meeting to recommend the reappointment of Chris Wahl as a member of the Board, with his term expiring June 30, 2028, and Rick Jorgenson as an alternate member, with his term expiring June 30, 2026.



Date: April 11, 2025

To: President Moe and City Commissioners

From: Jessica Kuntz, Recording Secretary

Re: Shade Tree Committee Members

The Devils Lake Shade Tree Committee took action at their October 10, 2024 meeting to recommend the appointment of Dick Olson and Toren Mohs as members of the Shade Tree Committee. Their terms will expire June 30, 2027.

## AGREEMENT

**THIS AGREEMENT** is made and entered into this 5th day of May, 2025, by and between the **City of Devils Lake**, a municipal corporation, having an address of 423 - 6th St., P.O. Box 1048, Devils Lake, ND 58301, party of the first part, referred to herein as "City," and **Lake Region Corporation**, a North Dakota nonprofit corporation, having an address of 224- 3rd St. S.W., P.O. Box 108, Devils Lake, ND 58301, referred to herein as "LRC."

### **WITNESSETH:**

**WHEREAS**, the City is engaged in a recycling program for the City and needs personnel to sort and bale recyclable items; and

**WHEREAS**, LRC is a North Dakota nonprofit corporation which does exist to train, develop, house, and employ persons who are developmentally disabled; and

**WHEREAS**, LRC has people who would be able to provide the personnel necessary to sort and properly bale recyclable items for the City; and

**WHEREAS**, the City is agreeable to hiring LRC to provide the services and personnel necessary to sort and bale the recyclable items, and LRC is agreeable to providing those personnel and services, and the parties wish to reduce to writing the terms and provisions of the understanding they have between them.

**NOW, THEREFORE**, based upon the mutual terms and agreements, and the consideration which each party is extending to the other, it is hereby agreed by and between the parties as follows:

#### **I.**

LRC agrees to provide to the City all the necessary labor to sort and bale recyclable items. To provide these services, LRC agrees to employ enough individuals to efficiently accomplish the mission of sorting and baling recycled items.

#### **II.**

The City agrees to pay to LRC the sum of \$50,000 each year for the labor which LRC will provide in the sorting and baling the recyclable materials and items. The \$50,000 will be paid on a pro-rated monthly basis. The first payment will be on the first day of August 2025, and the following payments shall be made on the first day of each month thereafter.

#### **III.**

The terms of this agreement will take effect July 1, 2025 and expire on December 31, 2025. Upon the effective date, this agreement shall replace the existing agreement for curbside recycling service, which includes current sorting, processing, and baling of recyclable materials. Unless either party notifies the other, in writing, however, prior to November 1, 2025, the contract will automatically renew for a period of one year commencing January 1, 2026, and terminating on

the following December 31, 2026. The amount the City will compensate LRC will increase 3% on January 1 of each year. This contract will continue to be renewed on an annual basis upon the same terms and provisions unless any changes or modifications are made to the contract prior to November 1 of each year. Further, in the subsequent years, cancellation of the contract is to be made prior to November 1, preceding the year when the new contract would then become effective. Any changes or modifications to the contract shall be in writing and signed by both parties.

**IV.**

LRC agrees that it will be responsible for providing insurance on its crew, and the City has no obligation to provide any insurance or coverage of any kind for any injuries which may be sustained by LRC's crew. This includes not only Workers' Compensation, but any other claims which LRC may have. Further, LRC agrees to hold the City harmless for any and all injuries or claims which may result from sorting, processing, and baling the recyclable materials and items. LRC agrees to provide the City with a copy of its personal injury liability or commercial general liability insurance policy, which insurance policy shall cover the events, circumstances, people, and/or property as referred to in this agreement.

**V.**

LRC, its crew, agents, or employees are not considered employees of the City, nor are LRC, its crew, agents, or employees entitled to any of the benefits offered by the City.

**VI.**

This agreement constitutes all of the terms and provisions of the contract entered into between these parties, and if any term or provision is not included in this written agreement, it shall not be considered as a part of what has been agreed to between these parties.

Dated this day and year first written above written.

**CITY OF DEVILS LAKE, Party of the First Part**

By: \_\_\_\_\_  
Jim Moe, President  
Devils Lake City Commission

ATTESTED TO:

By \_\_\_\_\_  
Spencer Halvorson, City Administrator/Auditor

**LAKE REGION CORPORATION, Party of the Second Part**

By: \_\_\_\_\_  
Chief Executive Officer

ORDINANCE NO. 1012

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS SECTION 8.08.010 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Section 8.08.010 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

8.08.050 - Definitions.

The following words or terms when used in this chapter shall be deemed to have the meaning set forth in this section:

“Abandoned vehicle” includes, without limitation, any vehicle which has remained on private property for a period of forty-eight continuous hours or more without the consent of the owner or occupant of the property, or for a period of forty-eight continuous hours or more after the consent of the owner or occupant has been revoked.

“Antique motor vehicle” means a motor vehicle that is at least forty years old and licensed pursuant to N.D.C.C. § 39-04-10.4.

“Building materials” includes, without limitation, lumber, bricks, concrete or cinder blocks, plumbing materials, electric wiring or equipment, heating ducts or equipment, shingles, mortar, concrete or cement, nails, screws or any other materials used in constructing any structure.

“Collector” means the owner of one or more special interest vehicles that collects, purchases, acquires, trades, or disposes of special interest vehicles or parts of special interest vehicles for the person's own use in order to restore, preserve, and maintain a special interest vehicle or antique vehicle.

“Junk” includes, without limitation, parts of machinery or motor vehicle, unused furniture, stoves, refrigerators or other appliances, remnants of wood, metal or any other castoff material of any kind whether or not the same could be put to any reasonable use.

“Junk automobiles” includes, without limitation, any motor vehicle which is not licensed or used upon the highways of the state for a period in excess of sixty days, and also includes, whether licensed or not, any motor vehicle which is inoperative for any reason for a period in excess of sixty days; provided that there is excepted from this definition unlicensed but operative vehicles which are kept as the stock in trade of a regularly licensed and established new or used automobile dealer.

“Parts car” means a motor vehicle generally in non-operable condition which is owned by a collector to furnish parts to restore, preserve, and maintain a special interest vehicle or antique vehicle.

“Person” includes all natural persons, firms, copartnerships, corporations and all associations of natural persons, incorporated or unincorporated, whether acting by themselves, or by a servant, agent or employee. All persons who violate any of the provisions of this chapter, whether as owner, occupant, lessee, agent, servant or employee, shall, except as otherwise provided in this chapter, be equally liable as principals.

“Small engine machine” means any vehicle, equipment, or tool powered by a low-power internal combustion or electric engine including, but not limited to, power tools, chainsaws, string trimmers, leaf blowers, snow blowers, lawn mowers, woodchippers, tillers, chainsaws, go-karts, snowmobiles, off-highway vehicles, scooters.

“Special interest vehicle” means a motor vehicle that is at least twenty years old and has not been altered or modified from original manufacturer's specifications and, because of its historic interest, is being preserved by hobbyists.

“Trash or rubbish” includes any and all forms of debris not otherwise classified in this chapter.

“Vital component parts” are those parts of a motor vehicle that are essential to the mechanical functioning of the vehicle, including, but not limited to, the motor, drive train, and wheels.

ORDINANCE NO. 1013

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS SECTION 8.08.050 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Section 8.08.050 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

8.08.050 - Maintenance of blighted structure unlawful.

Repealed.

ORDINANCE NO. 1014

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS SECTION 8.08.070 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Section 8.08.070 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

8.08.070 - Removal by police department or another city entity, agent, or designee.

The police department, another city entity, agent, or designee may remove or cause to be removed any trash, rubbish, junk, building materials, junk automobiles, abandoned vehicles or parts of junk or abandoned vehicles, from any private property after having notified in writing the owner or occupant of such property of its intention to do so at least forty-eight hours prior to the removal. The notice will be served personally upon the owner or occupant of the property if occupied or may be posted in a conspicuous place upon vacant or unoccupied property. The removal may not be fewer than two days from the date on which the service or posting of the notice occurred. Any trash, rubbish, junk, building materials, junk automobiles, abandoned vehicles or parts of junk or abandoned vehicles will be removed and disposed of in accordance with the law. The removal by the police department, another city entity, agent, or designee does not excuse or relieve any person of the obligations imposed by this chapter, nor from the penalties for violation thereof.

ORDINANCE NO. 1015

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS SECTION 8.12.020 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Section 8.12.020 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

8.12.020 - Sanitation requirements.

- A. All garbage, refuse and rubbish collected by the service shall be deposited at a landfill disposal site approved by the North Dakota Department of Health and the city. Any disposal on the site by any other person, organization or means other than by the aforesaid service shall be at a cost as set by resolution of the city commission.
- B. It is the duty of the city to maintain in a sanitary condition the road or highway leading to the grounds maintained by the municipality for the disposal of garbage, refuse and rubbish. The road shall be kept free from garbage, refuse and rubbish resulting from the transportation of the same by the municipality maintaining the grounds. Therefore, all vehicles traveling to and using the site described in subsection A of this section shall be covered and properly enclosed so that no debris or litter can be lost or escape from the vehicle.
- C. The charges to the service for the use of the city landfill shall be negotiated between the service and the city.
- D. All other charges for dumping by vehicles other than the service at the city sanitary landfill shall be set by resolution of the city commission.
- E. All collection of garbage, refuse and rubbish within the city shall be made solely by the service and all family units, dwellings, commercial establishments and other units shall be billed for the service by the city; that the billing and collection shall be mandatory for every family unit, dwelling, commercial establishment or other unit to maintain and preserve the health, welfare, cleanliness and good appearance of the community served by the sanitary collection and disposal facility owned and operated by the city.
- F. All garbage and rubbish shall, by the person upon whose premises the same shall have been produced or accumulated, be placed in watertight containers to be not more than thirty-two-gallon net capacity, and weighing not more than seventy-five pounds when filled, which container shall be kept clean and continuously closed by a tight fitting cover and shall be protected against the access of flies and rodents. If bags are placed alone or outside a can or dumpster, the bag must be one with the special city logo provided by the city. If a sticker is posted, a bag (not to exceed thirty gallon) may be substituted in lieu of a can. The thirty-gallon bags may not weigh more than fifty

pounds when filled and the fifteen-gallon bags may not weigh more than twenty-five pounds when filled. All perishable items must be enclosed in an airtight plastic bag before they are containerized as described above.

- G. No person shall place, deposit or dump in any city recycling or compost receptacle or dumpster any material, thing, item or object other than that which is indicated as allowable on the receptacle or dumpster, or on an official sign posted on or in the vicinity of any such receptacles or dumpsters. Any person convicted of violating this section is guilty of an infraction unless the provisions of NDCC 12.1-32-01(7) apply.

ORDINANCE NO. 1016

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS CHAPTER 8.32 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Chapter 8.32 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

Chapter 8.32 - BLIGHTED OR SUBSTANDARD BUILDINGS OR STRUCTURES

ORDINANCE NO. 1017

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS CHAPTER 8.32 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Chapter 8.32 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

8.32.011 - Definition of blighted structure.

“Blighted structure” includes, without limitation, any dwelling, garage or outbuilding, or any factory, shop, warehouse or any other store, structure which, because of fire, wind or other natural disaster or physical deterioration, is no longer habitable as a dwelling nor useful for the purpose for which it may have been intended.

ORDINANCE NO. 1018

AN ORDINANCE WHICH UPON ADOPTION SHALL AMEND, MODIFY, AND ADD TO WHAT HAS BEEN CODIFIED AS CHAPTER 8.32 OF THE DEVILS LAKE MUNICIPAL CODE, AND IN ITS PLACE INCLUDE THE FOLLOWING:

BE IT ORDAINED by the Board of Commissioners for the City of Devils Lake, North Dakota, pursuant to the Home Rule Charter that Chapter 8.32 of the Devils Lake Municipal Code shall be amended, modified, added to as follows:

8.32.012 - Maintenance of blighted structure unlawful.

It is unlawful for any person to keep or maintain any blighted or vacant structure, dwelling, garage, outbuilding, factory, shop, store or warehouse unless it is kept securely locked, the windows kept glazed or neatly boarded up, and otherwise protected to prevent entrance thereto by unauthorized persons or unless the structure is in the course of construction in accordance with a valid building permit issued by the city and unless the construction is completed within a reasonable time as directed by the city building inspector.

**LIST OF BILLS FOR THE CITY OF DEVILS LAKE**  
**5-May-25**

<b>VENDOR</b>	<b>AMOUNT DUE</b>
<b>AIRPORT</b>	
Capital One-Walmart	\$329.25
Dakota Implement	\$81.99
Dominic Eritano	\$663.97
Interstate Billing-Ironhide Equipment	\$6,500.00
Midco	\$53.60
<b>CITY</b>	
Arbor Day Foundation	\$25.00
AT & T	\$1,692.74
Brandon Exner	\$507.00
Capital One-Walmart	\$209.19
CDW Government	\$14.40
Christon Dallas	\$23.00
Corporate Warehouse Supply	\$1,739.60
Cross Country Freight	\$147.06
Dakota Implement	\$2,066.34
Devils Lake Journal-Subscriptions	\$116.00
Devils Lake Park Board	\$31,442.41
Devin Gray Water	\$158.00
DL Chamber of Commerce/Tourism	\$26,846.38
HACH	\$1,320.94
Hawkins	\$8,639.04
Homewood Suites	\$481.50
John Deere Financial	\$256.42
Lake Region Heritage Center	\$1,200.00
Lake Region Law Enforcement Center	\$6,800.50
Midstates Wireless	\$31,656.40
National Fire Protection Association	\$225.00

**LIST OF BILLS FOR THE CITY OF DEVILS LAKE**  
**5-May-25**

<b>VENDOR</b>	<b>AMOUNT DUE</b>
Newby's Ace Hardware	\$1,125.42
Nodak Electric	\$11,344.92
North Dakota One Call	\$158.11
Northern Improvement	\$1,094.16
Ottertail Power	\$23,821.08
Pomp's Tire Service	\$66.00
Prairie Truck & Tractor	\$15.51
Proz	\$102.66
PS Doors	\$1,200.10
Razor Tracking	\$75.00
Reslock Printing	\$45.00
Sam Hanson	\$23.00
Service Tire	\$2,450.09
Tanya Weiler	\$1,250.00
Tractor Supply	\$827.13
Usable Life	\$513.74
Veritiv Operating Company	\$14,394.88
Vestis/Aramark	\$882.23
William E. Young Company	\$5,080.00
<b>TOTAL LIST OF BILLS</b>	<b>\$187,664.76</b>