

Minutes of the Devils Lake City Commission  
February 5, 2024

The regular meeting of the Devils Lake City Commission was held on February 5, 2024 with the following members present: President Moe, Jason Pierce, Dale Robbins, Shane Hamre and Rob Hach.

Commissioner Hach moved to approve the minutes of the regular Commission meeting held on January 16, 2024. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Public Hearing – Petition to Suspend Liquor License – Nellies Bar and Lounge, Inc – The City Attorney communicated that there is a petition to suspend the liquor license for Nellies Bar, which falls under municipal code section 05.24.130. There are two separate violations – one occurring November 3<sup>rd</sup>, 2023 and the other occurring December 22, 2023. The petition requests a suspension of the liquor license for the time to be determined by the City Commission. The petition for the suspension of the liquor license has been properly served. President Moe swore in officer Darin Rixen and the City Attorney questioned him regarding the liquor license violation. Officer Rixen explained what happened and why he issued reports to the Chief of Police. President Moe swore in Peter Owlboy Jr, who was the bartender to each incident. He communicated that he was not trying to keep the individuals in the bar, but he will do a better job at getting them out of the bar at the proper time.

The City Attorney communicated that there are other incidents that are involved at Nellies Bar, but they are not subject to the suspension of their liquor license. Chief Knowski communicated that he thinks doing a one-day suspension, such as a Monday, would be his recommendation for suspension. Commissioner Hamre communicated that he would prefer a Tuesday, as Monday night is pool night and Wednesday/Thursday are dart nights. Commissioner Hamre made a motion to suspend Nellies Liquor License on a Tuesday. Commissioner Robbins seconded the motion, and the motion carried unanimously.

Bid Opening – 2024 Pickup – The City Administrator communicated that he received four (4) different bids. Devils Lake Ford came in at \$43,810. Devils Lake GM Auto Center came in at \$43,700. Devils Lake Chrysler, Dodge, Jeep & Ram came in at \$44,034. Bessette Motors came in at \$44,600. The referred the bids to the City Engineer for review. Commissioner Robbins made a motion to refer the bids the Engineering department for review and consideration. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Devils Lake Chamber/Tourism – Christmas Tree – Allyson Smitten, the Event Coordinator at the Chamber, communicated that this last year they let go of the Let It Glow competition, as they have had to beg people to participate. She communicated that the Christmas Tree would be in Bridgestone Park, in which the Mayor would light. During the day, they would have a hot cocoa crawl with mugs and business open houses. They would have the potential to have Santa there and partnering with the Library to do a reading with Santa. They are looking at a 22-foot Christmas tree. This tree is \$22,480 before tax, currently on sale which would bring it to \$15,258.75. The lifetime of the tree is a decade or more. They are looking for the City Commission to help with the purchase of the park, set up the tree, store the tree, use Bridgestone Park, have surveillance cameras around the area, and for the mayor to be available to light the tree. She mentioned that they are looking for around \$5,000. Commissioner Pierce made a motion to approve the use of Bridgestone Park and closing the parking lot the day of and giving \$7,000 to them. Commissioner Hamre seconded the motion. The motion carried unanimously on a roll call vote.

Commissioner Hach – The Assistant City Engineer communicated that there is not an update sanitation Department. The City Assessor communicated that he has had 175 applications and 71 of them are first time applications for the Homestead Tax Credit for 2023. He mentioned that he has also received quite a few so far for 2024. He communicated that if someone is applying for the disabled tax credit, they are also eligible for the homestead tax credit to take care of anything that may be left over.

Commissioner Hamre - The Assistant City Engineer communicated that there is not an update for the Utility Department.

Commissioner Robbins – The Assistant City Engineer communicated that there is not an update for the Street Department. The Assistant Engineer recommended the 2024 Pickup bid to Devils Lake GM Auto Center. Commissioner Robbins made a motion to approve the recommendation in the amount of \$43,700. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Commissioner Pierce – The Fire Chief communicated that they had a successful fishing derby. They had about 4,021 people out ice fishing. He thanked the City and County entities that helped with the derby.

The Police Chief communicated that there is not an update for the Police Department.

The City Administrator communicated that there is not an update for the Auditing department.

The City Attorney communicated that he did not have an update.

Police Chief Amended Resignation & Appointment of Interim Police Chief – The Police Chief, Joe Knowski, has advanced the timeline of his intended resignation from May 1, 2024 for February 23, 2024. Commissioner Hach made a motion to accept his resignation. Commissioner Pierce seconded the motion, and the motion carried unanimously. The City Administrator communicated that the recommendation is to appoint Captain Toso as interim Chief Police for the time period, with an additional \$1,250 per month to his salary. Commissioner Hach made a motion to approve the recommendation. Commissioner Pierce seconded the motion. The motion carried unanimously on a roll call vote.

Designation of Polling Location for June 2024 Election – Memorial Building – The City Administrator communicated that we do this in partners with the County. Commissioner Robbins made a motion to approve polling location. Commissioner Pierce seconded the motion, and the motion carried unanimously.

Airport Apron/Taxiway Project – City of Devils Lake Contribution – The City Administrator communicated that the City had used some of their prairie dog money to help offset the costs for airport projects. The airport had requested the City to pay our part at the time (50%), in which they received \$922,369.02 from the Aeronautics Commission. This will not exceed the amount that was already committed to the airport. Commissioner Pierce made a motion to approve the payment of \$922,369.02. Commissioner Hach seconded the motion. Commissioner Hamre abstained himself. The motion carried unanimously on a roll call vote.

2024 Residence Revitalization Program with Gate City Bank – The City Assessor communicated what he has been working on with Gate City Bank since December. Gate City Bank has obligated \$1,000,000 for reduced interest rate loans for qualifying projects in 2024. Loans will be available for projects ranging from \$10,000 to \$100,000. The recommendation is that the Commission formally acknowledge Gate City Bank's offer to provide low interest rate financing for home improvement projects and authorize the building and assessing department to roll out the 2024 Devils Lake Residence Revitalization program. Commissioner Pierce made a motion to approve the 2024 residence revitalization program with Gate City Bank. Commissioner Hamre seconded the motion, and the motion carried unanimously.

Resolution Determining Insufficient Protests were Filed in St Imp District #79-24 – The Assistant City Engineer communicated that we received no protest for this project.

Pay Estimate #11 – City Project 220201 Water Main Replacement 27-22 - The Assistant City Engineer communicated that this pay estimate is for \$44,875.08 and will be paid to Kemper Construction. Commissioner Robbins made a motion to pay this pay estimate. Commissioner Hach seconded the motion. The motion carried unanimously on a roll call vote.

Commissioner Hamre moved to approve the list of bills as submitted. The motion was seconded by Commissioner Pierce. The motion carried unanimously on a roll call vote.

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

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