

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD FEBRUARY 16, 2016

The regular meeting of the Devils Lake City Commission was held Tuesday, February 16, 2016 at 5:30 P.M. with the following members present: President Johnson, Commissioners Tim Heisler (via telephone), Craig Stromme and Dale Robbins. Commissioner Rick Morse was absent.

Pledge of allegiance was recited.

Commissioner Stromme moved to approve the minutes of the regular City Commission meeting held February 1, 2016. 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 a copier lease for city hall. The following bid was opened and read:

Central Business Systems Inc – Jamestown, ND \$340.79/month

Commissioner Robbins moved to award the copier lease bid to Central Business Systems Inc of Jamestown, ND for \$340.79/month with a term of 36 months as recommended by the City Administrator. The motion was seconded by Commissioner Stromme. Discussion followed on leasing versus purchasing. The motion carried unanimously.

Commissioner Robbins – The Public Ways Supervisor requested June 30th as the date for the annual aerial mosquito spraying.

Commissioner Robbins moved to approve the aerial mosquito spraying contract with Airborne Custom Spraying for June 30, 2016 as recommended by the Public Ways Supervisor. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

Commissioner Heisler – The City Engineer distributed a map of a temporary construction easement from the ND Department of Transportation for the construction of the west underpass. Payment would be \$.20/sq ft for 17,470 sq ft.

Commissioner Heisler moved to approve the temporary construction easement for ND Department of Transportation for the construction of the west underpass at \$.20/sq ft for 17, 470 sq ft contingent upon the City Attorney reviewing and approving the documents as recommended by the City Engineer. The motion was seconded by Commissioner Stromme. The duration of the easement is for the construction period or five years whichever comes first. The motion carried unanimously.

Commissioner Stromme - The Sanitation Supervisor stated the roof was done on the sanitation building, but the final inspection has not been completed.

The Police Chief said everything was fine.

President Johnson – The Public Ways Supervisor said everything was fine.

The City Administrator updated the City Commission on the Governor's and Office of Management's budget revisions. The state sales tax is expected to be down 26% for the rest of the biennium; therefore, state aid to the City will be reduced by amount \$300,000 of which \$200,000 is for the City and \$100,000 for the Park Board. Discussion followed on the impact to the general fund.

The Fire Chief stated everything was fine.

The City Attorney said depositions have been going on all day. Tomorrow will be more depositions for a different case. Both are related to the embankment.

The second reading of Ordinance No. 932 – Hotel Liquor License was held.

Commissioner Stromme moved to approve the second and final reading of Ordinance No. 932 – Hotel Liquor License – An ordinance, which upon adoption, shall amend that part of Ordinance Nos. 787, 775, 744 and 896, which have been codified as Section 5.24.050(F)(8) of the Municipal Code, and to be effective immediately. One comment was received against the ordinance. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

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

Taxicab license application and taxi driver license submitted by Kathleen Linjatie. Approval is contingent upon proof of insurance being received by City Office.

The motion was seconded by Commissioner Heisler. Discussion followed on inspections for the cabs and drug testing of drivers/owners. The Police Chief will work on drafting an ordinance for this. The motion carried unanimously.

The items in Ordinances No. 933, 934, 936 and 937 have gone through Planning Commission meetings and City Commission meetings prior to the ordinances being drafted.

The 1st reading of Ordinance No. 933 – definitions was held.

The 1st reading of Ordinance No. 934 – highway commercial was held. The City Engineer stated the language needs some work. He would like the Planning Commission to review it and tweak the language for the 250 feet of right-of-ways and the minimum front line for stored items. If the items are not resolved at the next meeting, then the second reading can be tabled.

The 1st reading of Ordinance No. 935 – server training was held.

The 1st reading of Ordinance No. 936 – special provisions was held.

The 1st reading of Ordinance No. 937 – suburban single family residential district was held.

Commissioner Stromme moved to approve the 2016 Budget Amendment #02-16 – Canine as recommended by the City Auditor. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

Commissioner Robbins moved to approve a five-year tax exemption for the improvements on the building at 509 5th St NE owned by Traynor Properties LLC as recommended by the City Assessor. The motion was seconded by Commissioner Stromme. The exemption is for the additional improvements only. The motion carried unanimously.

The City Administrator reviewed the beautification committee guidelines. Discussion followed on changing the amount of expenditures needed for Commission approval from \$7,500.00 to \$5,000.00.

Commissioner Robbins moved to approve the beautification committee guidelines with the change of any expenditure over \$5,000.00 needing City Commission approval as recommended by the City Administrator. The motion was seconded by Commissioner Heisler, and the motion carried unanimously.

Commissioner Stromme moved to approve the contract agreement with the North Dakota Department of Health – Laboratory Services Division – Division of Microbiology for the period of January 1, 2016 through December 31, 2016. The motion was seconded by Commissioner Robbins. Discussion followed on what the testing was for and on the cost of the testing. The motion carried unanimously.

Commissioner Stromme moved to approve payment of the list of bills as submitted. The motion was seconded by Commissioner Heisler. On roll call all Commissioners voted aye, and the motion carried.

President Johnson acknowledged the following reports:

1. City Auditor monthly report;
2. Municipal Court monthly report; and
3. Police Department monthly report.

The Fire Chief stated all the LED lights have been received to finish 6th St and 6th Ave all the way to Highway 2.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 6:10 P.M.

**LINDA LYBECK
CITY AUDITOR**

**RICHARD S. JOHNSON
PRESIDENT**