

MINUTES OF THE BOARD OF CITY COMMISSIONERS
HELD SEPTEMBER 18, 2017

The regular meeting of the Devils Lake City Commission was held Monday, September 18, 2017 at 5:30 P.M. with the following members present: President Johnson, Commissioners Ben Sander (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 September 5, 2017. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

5:30 P.M. – This was the time set for a public hearing for the transfer of a Class IX wine only license held by Cyndy Sitar dba Rue 54 LLC from 215 Hwy 2 W, Suite 2 to 405 4th St NE. Hearing and receiving no comments, President Johnson closed the public hearing.

Commissioner Stromme moved to approve transferring a Class IX wine only license held by Cyndy Sitar dba Rue 54 LLC from 215 Hwy 2 W, Suite 2 to 405 4th St NE as recommended by the Police Chief. The motion was seconded by Commissioner Sander, and the motion carried unanimously.

Commissioner Stromme - The Sanitation Supervisor stated fall cleanup starts next week.

The Police Chief said everything was fine.

Commissioner Robbins – The Public Ways Supervisor stated everything was fine.

The Public Utilities Supervisor said everything was fine in the Water Department.

Commissioner Sander – The Public Utilities Supervisor stated everything was fine in the Sewer Department.

The City Assessor stated the Commission had approved spending up to \$5,000.00 to update the air handling system at the daycare building. The proposal received for the work totals \$5,510.00. The update needs to be done so the City Assessor is asking for approval to accept the proposal.

Commissioner Sander moved to approve the proposal from Johnson Controls for the air handling system at the daycare building in the amount of \$5,510.00 as recommended by the City Assessor. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

The City Assessor informed the City Commission that the roof on the building at the Industrial Park was patched two or three weeks ago. It seems the repairs are working, and no leaking occurred in the building from the rain over the weekend. He will hire someone to cleanup the inside from the earlier water damage. It was also noted the two chimneys need to be taken down, but it is hard to find someone to do the work since there is a gas line on one side, and an electrical transformer on the other side.

President Johnson – The Public Utilities Supervisor said everything was fine in the Water Department.

The City Administrator stated the City Engineer would like to offer the GIS Coordinator/Engineering Tech/CAD Draftsperson position to an applicant with the pay starting at a Grade 13 Step E. The applicant is currently working for an engineering firm.

Commissioner Robbins moved to approve offering the GIS Coordinator/Engineering Tech/CAD Draftsperson position to Devon Gathman at a Grade 13 Step E as recommended by the City Engineer. The motion was seconded by Commissioner Stromme, and the motion carried unanimously.

The City Auditor stated everything was fine.

The City Administrator said everything was fine

The Fire Chief stated the week of October 9th through the 14th is Fire Prevention Week. An open house will be held on October 11th, and flu shots will be available.

The City Attorney said the eviction notice was sent to Bio Fiber. The lawyer in the agreement has changed law firms; therefore, the letter was sent to the lawyer, to his old law firm and to Bio Fiber.

First reading of Ordinance No. 947 – disruptive intoxication was held. The City Attorney researched the three cities in Minnesota that have a similar ordinance. This ordinance follows the Minnesota ordinance except for the section titled Assistance which comes from ND State Law. The City Attorney stated the Municipal Judge had a question on the alcohol test. The test used only shows impairment and does not have a pass/fail. The wording in the ordinance will be modified to address this.

Second reading of Ordinance No. 946- residential uses in nonresidential districts was held.

Commissioner Robbins moved to approve the second and final reading of Ordinance No. 946 – residential uses in nonresidential districts – An ordinance, which upon adoption, shall enact and codify the following as Section 17.76.010(F) of the Municipal Code of the City of Devils Lake: F. Residential Uses in Nonresidential Districts: The other provisions of this section notwithstanding, any structure that is devoted to a nonconforming residential use may be sold, remodeled, extended, expanded, enlarged or rebuilt, provided that after the remodeling, extension, expansion, enlargement, or rebuilding, the structure may not be used to accommodate a greater number of dwelling units than the structure accommodated prior to the improvement. The motion was seconded by Commissioner Sander. Commissioner Morse arrived at 5:46 P.M. The motion carried unanimously.

Commissioner Stromme moved to approve funding for the fourth quarter of 2017 for the Lake Region Heritage Center in the amount of \$5,500.00 to be paid from general fund (1000-000-55170). The motion was seconded by Commissioner Morse. On roll call all Commissioners voted aye, and the motion carried.

Commissioner Morse moved to approve payment of 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 reports:

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

The Police Chief requested out-of-state travel for a police officer to attend training in South Dakota next week.

Commissioner Stromme moved to approve out-of-state travel for a police officer to travel to South Dakota the week of September 25th for training as recommended by the Police Chief. The motion was seconded by Commissioner Robbins, and the motion carried unanimously.

There being no further business to come before the Commission, President Johnson adjourned the meeting at 5:49 P.M.

LINDA LYBECK
CITY AUDITOR

RICHARD S. JOHNSON
PRESIDENT