

The regular Beulah City Council meeting of March 7, 2016 was called to order at 7:00 pm at Beulah City Hall by Council President Clyde Schulz.

Present: Brant Keller, Kathy Kelsch, Roger Gazur, Ben Lenzen, Travis Frey

Absent: Alan Kok, Kirby Morgenstern, Darrell Bjerke

Also Present: City Attorney Scott Solem, City Engineer Loren Daede, City Coordinator Russell Duppong, Economic Development Director John Phillips, Public Works Foreman Kenny Yeager, Police Chief Frank Senn, City Assessor Soojin Lee, Kate Johnson, Rick Mitzel, James Knutson, Sarah Tunge

#### Pledge of Allegiance

Gazur made a motion seconded by Keller to dispense with the reading of the minutes of the last regular meeting on February 15 and approve as furnished to the Council by email. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor.

Lenzen had no report.

Kelsch commented on the 2016 spraying agreement for city properties. Meaner Greener Lawn Care has moved. Joe Green Lawn Care and two other businesses approached the City regarding spraying. Joey Nelson was the only one to submit a bid. The bid price and areas are the same as last year. Nelson is hoping to order the chemicals before March 15. Total bid was \$31,112.50. Kelsch made a motion seconded by Gazur to approve the bid for Joe Green Lawn Care. Schulz questioned the additional add on items that were quoted which included the pool. Kelsch stated those items are additional things that may come up throughout the summer but are not included in the total bid price. Schulz stated the pool will be hiring someone to maintain their lot. Kelsch stated she will let Nelson know he is not to do the pool lot. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor.

Keller commented the State Water Commission made changes in February to the way they are funding projects so hopefully the City will get more funding than expected. He will be attending the State Water Commission meeting on Wednesday and will learn more about funding for the Water Treatment Plant.

Keller stated the City has been contacted by a couple different parties about septic dumping into our system. An agreement will need to be put together and signed by everyone. Duppong is looking into a type of system so we are not dumping on the ice which is a problem in the spring. Duppong commented we will need spec and hazard material sheets to see what kind of products they will be dumping. Too much disinfection type chemicals can kill the bugs in the lagoon. We need to understand what they are dumping and how it will react with the lagoon system. We would like to put in a facility so we can monitor and screen what is being dumped.

Gazur commented on the 2016 Summer Wage Schedule for summer temporary employees. Gazur made a motion seconded by Keller to adopt the wage schedule as presented. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor.

Gazur commented on the status of the SRF District Code. We are getting close to the final version of the rewrite with respect to content and context. The last major activity that is going to be necessary is the legal review and modifications that would come from that review. As soon as Solem gets through with his comments and SRF incorporates those it will be before the Council. The thought is to have a full month of review by the Council and in that time Solem will have an enabling ordinance to codify it.

Frey gave an update on the Building Committee's meeting regarding replacing the building that was lost in the July fire. They are looking at two options: whether to stay at the current location or purchase land. At this time they are looking into a couple possible locations and getting prices. Also, information is being collected from Public Works, the Water Plant and other departments with city equipment on how much space they will need for storage if a single campus location was decided on. They are looking into prices from an architect or professional service to draw up a site plan so they know what kind of square footage and acreage would be needed.

Frey commented on the new garbage truck. Frey is optimistically hoping the truck will be ready the end of the month with the possibility of going into April. The City will send a couple people to Fargo for training. Training will also be provided in Beulah when the truck arrives making sure we are being as efficient as possible.

Frey commented on the new equipment purchases. The new 2015 Bobcat has been delivered. The Park Board made a motion at their last meeting to purchase the old Bobcat. The tractor mowers that were approved at the last meeting have also arrived. The slope mower is on order and expected to be in the end of April or mid-May. Duppong and Yeager put together a bid spec for a loader. Frey will send information to Council on the results of the oil and fluid samples from the loader that Caterpillar took. Based on the trade-in value of our oldest loader and the amount in the equipment fund, we could purchase a new loader out right. Frey will compile more information and bring it back to Council.

Frey pulled the motion from the February 1 meeting to purchase a new vehicle for City Hall staff from the table. Original motion: Frey made a motion seconded by Keller to proceed with the purchase a Ford Edge for the City Hall vehicle. The motion was tabled because of the concern whether we should buy a new vehicle or look at a program vehicle. Duppong stated he looked into program car options. He commented on the specs and costs of the used Ford Edge and Fusion. Duppong stated we should also keep what we have in service because Lee has been needing a vehicle almost every other day. Discussion followed on the estimated annual mileage for the vehicle. Schulz stated he has a hard time spending \$30,000 for a 5,000 mile a year car. Schulz questioned why buy a new vehicle when you can buy a program car for a lower price with low miles from a local dealer and it would be closer for service. They could do the research and find what we want. Duppong commented on the need for AWD or 4 wheel drive. Gazur stated 4 wheel drive and AWD are highly overrated. Roll call vote found Gazur, Kelsch, Keller, Lenzen opposed. Frey in favor. Motion failed. Frey made a motion seconded by Kelsch to authorize the purchase of a used vehicle up to \$20,000, no more than 30,000 miles, received by the end of July with authorization for Duppong to make the purchase when that vehicle comes available. Gazur commented he feels much more comfortable if we tell the dealer what we are looking for and have them establish a price range and then proceed. Lenzen stated it is wise utilizing a local dealership. Gazur amended the motion seconded by Frey to set a mileage and dollar figure after consultation with an established dealer in automobiles. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor of the amendment.

Frey stated the original motion as amended is to proceed with looking into the purchase of a used vehicle with consultation of a dealer, and once we get those figures we will come back to Council. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor. Amended motion approved.

Schulz commented on the 2015 West River Transit annual report. Schulz's goal is to contact more people in the community and follow up with donations. Craig Kohl, West River Transit Bus Driver, placed 4<sup>th</sup> in the DTA Bus Rodeo.

Schulz commented the Pool Board is reviewing their bylaws, advertising for pool managers and life guards, and preparing for the upcoming season. The Pool Board consists of 5 people of which 2 positions will be open this year.

Schulz commented the Park Board is working with the school for the girls' softball league through the school system. A new playground complex is being installed at Riverside Park and some upgrades will be done at other parks. The walking bridge going to the park has a water system attached to it that supplies water to the park. The Department of Transportation will not allow that line to remain on the new bridge. The only way to get a water line to the park is to bore under the river. The Southwest Water line runs under the river and goes to the golf course and park shop. Water to the bathroom facilities is provided by the City. The cost is roughly \$30,000 to bore under Hwy 49 and the river and come out by the football field. The Park Board is trying to work a 3 way cost share with the Park, City and School but it hasn't been finalized. They would like to complete this before construction starts so there is water there for the summer season. Several compliments were received on the Beulah Park website.

Schulz commented on the Wellness Center. The architects are reviewing plans and the finance committee will be meeting. The Wellness Center is getting closer to a reality.

Schulz commented the Quality of Life Survey Beulah response time closed last week. Tunge stated they received 225 – 227 responses. It is in the final stages with a meeting coming up the end of the month.

Daede commented on the approval of the bike path agreement with the Department of Transportation. Gazur made a motion seconded by Frey to approve the DOT bike path agreement as amended. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor.

Daede stated the plans and specs for paving Keller Drive in Sun Valley Builders Addition with three bid alternatives are ready. A couple alignment and grade changes on the north end have been made to make sure we didn't affect the flood plain and to get the road back on the planned easement. Material will need to be removed to make room for the new paving section. The excess material will be moved to make a future road that is platted east of the cemetery. Lenzen commented the road is a great idea and really forward thinking. There will not be any extra cost to the assessment district. Gazur questioned if a formal written agreement has been received from the person who gave his verbal. Mitzel stated the individual wants to stay neutral at this time. Gazur recalled that the verbal vote gave the majority. Gazur stated he doesn't want to have a challenge after we have bids and people waiting to do things. Solem stated with a protest in a special assessment street district it is always a possibility. Gazur commented Century Code states if not a majority, it's not a viable project since it was initiated by the property owners. We need a signatory from the verbal to get a majority. Lenzen stated there was a clause to reject the project based on numbers. Mitzel stated he would still

like to get the prices then go back and reevaluate it. Kelsch questioned advertising to move forward. Lenzen made a motion seconded by Gazur to continue to advertise for bids for Street District #25 and Water District #25. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor. Schulz stated once we have the numbers in and contact all the owners, a majority will be needed to move forward. Solem stated they should work on getting that last signature on the petition to move forward sooner. Mitzel stated after the numbers are received he will get everyone together and see where they are at. He will let them know they need a majority of 14 to move forward.

Solem commented on Ordinance 417 to update the language of the current city restaurant/lodging tax to meet state statute and clarify the committee which makes recommendations for the use of those tax dollars. Gazur made a motion seconded by Keller to have the 1<sup>st</sup> reading of Ordinance 417. Gazur stated the 2% is specifically allocated to the city visitors' promotion fund. It is for actual promotional activities that do not involve capital improvement. Gazur questioned what the 1% capital construction fund would be used for. Solem stated maintenance of the CVB & Chamber office space which is used for tourism. Kelsch stated it is generally used for tourism or capital improvement and building expenses. Gazur stated in the Century Code there is a distinction between promotion of tourism and maintenance of capital improvements and they cannot be mixed. Solem stated the ordinance is to clarify how those funds are to be utilized and to be compliant with state law. Lenzen stated that is why we have a committee and they are to work within the guidelines. Schulz stated it could be used for utilities, upkeep, updates and maintenance of facilities. Tunge commented CVB has donated to Beulah Bay and the Park District for projects in the past and there are other capital improvements that are in the works. Phillips commented there have been capital improvements at Beulah Bay with shower houses and the cleaning station. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor.

Keller questioned if Solem and Daede could research septic dumping agreements throughout the state.

Yeager stated they finished hauling the concrete from the burned building, hauled the dirt away from below the cemetery, trimmed some trees around town, finished the barricade signs, replaced lights at the Civic Center, took the basketball hoops down inside the Civic Center, put signs in Blackstone Loop, picked up the garbage truck from Bismarck, put new license plates on all the vehicles, and took the 4500 John Deere tractor to Hazen for inspection. The next two weeks they will get the lawn mowers for the Transfer Station and Cemetery ready, get the sweeper ready and start sweeping, patch pot holes, get the old garbage truck from Bismarck, and replace some signs.

Duppong commented the March 3 Planning & Zoning meeting was cancelled due to not enough members and the March 17 meeting was rescheduled to March 24 at 5 pm. The architect for the Wellness Center has emailed preliminary plans. Duppong commented on dilapidated buildings. A new business will be attending the March 24 P&Z meeting for future zoning plans. Duppong is working with P&Z to finish up the district codes in April and start the land use plan. Gazur questioned the status of the dilapidated building on the end of Main Street. Duppong comment he has been in contact with their representative. The roof has been fixed, the front glass has been replaced, the asbestos has been removed from the outside of the building, and it is in safe condition. A contractor is lined up to finish the building when the weather breaks. The process has been delayed due to some circumstance out of their realm. The owner has been very cooperative. Gazur stated they may all be legitimate excuses from someone else's view point but would hate to see something like this in the future be a get out a jail free card. This is setting a dangerous precedent

by allowing this to continue. It is good to hear that they are going to at least fix the exterior so we have a curb appeal but it has been a long time since it has been in that condition.

Lee handed out the sales ratio report that Lenzen requested at the last meeting. Lee stated the State came back with a different proposed percentage than anticipated with an overall County total of 86%, meaning that we might not have to increase the values as high as we thought. The County will be looking over the sales ratios with Vanguard on March 10. Schulz stated we will not have the final numbers until after that meeting. Lee commented on the sales ratio report. Gazur repeated the request from last meeting to get a copy of the report in digital format. Lee stated the County doesn't have one available so she had to create one. Gazur requested Lee send a copy of what she has. Lee stated she will send the report. Lee stated she will not run the subdivision report until she is done running the final report and printing it. As for commercial values, the County looks at the values every year but Beulah doesn't have enough commercial sales to justify an increase. Lee stated she will update the Council at the March 21 meeting so they have a general idea of what to expect at the Equalization Meeting. Schulz questioned the meeting time for the Board of Equalization meeting. Kelsch suggested the meeting be moved to 6:00 pm. Phillips stated it is critical we do an assessment of areas within the community because we are seeing some real differential in sale prices. There are no commercial sales to support commercial values.

Knutson had no report.

Phillips commented on bond sales for the 24 unit apartment complex. The bond sales pass through the City. The City is not responsible for any of the debt and it does not count against any City's bond indebtedness. Phillips is working with the Wellness Center finance committee. They will be looking at bond sale opportunities. The bakery project is back on track with a goal to be in operation before the end of summer. Phillips gave an update on the legislative interim process going on.

Senn stated he is looking at options for load bearing exterior vests since some of the officers are starting to experience some back issues. The vest would take some of the weight off their hips and distribute it across their shoulders and back. Three officers attended the funeral and participated in the procession for Officer Moszer in Fargo. Senn thanked the Council for their support.

Gazur made a motion seconded by Kelsch to approve the bills as presented. Roll call vote found Keller, Kelsch, Gazur, Lenzen, Frey in favor.

Meeting adjourned at 8:57 pm

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Clyde Schulz, Council President

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Darla Knutson, Deputy Auditor

Check Range: 33605 to 33724

Payroll Check Range: -81691 to -81624

|                    |           |
|--------------------|-----------|
| Employees          | 71,439.71 |
| FIT                | 12,051.23 |
| New York Life 457b | 1575.00   |
| SDU                | 527.08    |
| MN Child Support   | 568.98    |

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|                                |           |
|--------------------------------|-----------|
| FIT                            | 12,981.22 |
| SDU                            | 527.08    |
| MN Child Support               | 568.98    |
| WSI                            | 24,175.83 |
| NDPERS                         | 27,888.96 |
| ALFAC                          | 792.06    |
| Mercer County Treasurer        | 3835.71   |
| Bronson's Marketplace          | 118.48    |
| Downtown Gas & Auto            | 3556.07   |
| Lignite Tire                   | 1025.43   |
| NAPA Auto Parts                | 392.27    |
| Beulah Lumber Company          | 347.96    |
| BHG, Inc.                      | 2889.75   |
| Solem Law Office               | 3778.95   |
| North Dakota Dept of Health    | 64.00     |
| West River Telephone           | 1426.19   |
| Farmers Union Oil Company      | 4149.42   |
| MDU                            | 14092.38  |
| Interstate Engineering, Inc    | 7186.73   |
| SRF Consulting Group, Inc.     | 25.71     |
| Information Technology Dept    | 197.80    |
| Mercer County Treasurer        | 11905.66  |
| Mainstay Funds                 | 5579.27   |
| New York Life                  | 1743.63   |
| Beulah Chamber of Commerce     | 55.00     |
| New York Life                  | 40.00     |
| Mainstay Funds                 | 280.87    |
| Hedahls Headquarters           | 334.95    |
| J-S Sanitation                 | 180.00    |
| Extreme Sales Inc.             | 198.00    |
| Mercer County Sheriff's Dept   | 14000.00  |
| North Dakota Clerk's Assoc     | 60.00     |
| Electronic Commun. Inc         | 3290.00   |
| Kim Schock                     | 1000.00   |
| Applied Concepts Stalker Radar | 2450.00   |
| Universal, Inc.                | 654.22    |
| Bobcat of Mandan, Inc          | 1526.13   |
| Flexible Pipe Tool Company     | 72.00     |
| Soojin Lee                     | 28.25     |
| Bank of North Dakota           | 6056.34   |
| MFOA                           | 30.00     |
| Trucks of Bismarck Inc         | 2693.04   |
| Industrial Fabworx             | 505.00    |

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|------------------------------|----------|
| West River Telephone         | 95.89    |
| HAWKINS INC                  | 1360.00  |
| AmeriPride Linen & App Serv  | 366.66   |
| Roughrider Electric Coop Inc | 3394.45  |
| Verizon Wireless             | 682.42   |
| Mercer County Recorder       | 16.00    |
| NDBOA                        | 230.00   |
| Mercer County Recorder       | 16.00    |
| Dakota Promotions & Printing | 236.27   |
| SHRM                         | 175.00   |
| Brian Scherer                | 15.00    |
| Gerald Bachmeier             | 50.00    |
| Peter Aho                    | 50.00    |
| Shopko Stores Operating Co.  | 220.98   |
| Midwest Tape                 | 39.99    |
| Ingram Library Services      | 350.10   |
| Gumdrop Books                | 415.81   |
| Kadrmass, Lee & Jackson, Inc | 4440.00  |
| ND Chiefs of Police Assoc    | 50.00    |
| WARC                         | 5000.00  |
| First Security Bank West     | 61413.99 |
| US SiteWork, LLC             | 28845.87 |
| Swanston Equipment Corp      | 35724.00 |
| US Bank                      | 6701.92  |
| North Dakota One Call Inc    | 8.10     |
| USA Blue Book                | 151.61   |
| Dakota Sanitation Inc        | 212.00   |
| J & M Hardware Inc           | 511.78   |
| Petty Cash                   | 14.50    |
| AT&T Mobility                | 122.44   |
| Beulah Airport Authority     | 9834.69  |
| Beulah Park District         | 35949.14 |
| Loren Wiest                  | 140.00   |
| Cardmember Service           | 514.18   |
| Russell Duppong              | 90.40    |
| Darrell R Bjerke             | 90.40    |
| Kyle's Katering              | 1917.86  |
| CDS Administrative Serv      | 1269.00  |
| Gary Neuberger               | 50.00    |
| John Phillips                | 90.40    |
| Demco, Inc                   | 65.45    |
| Gale/CENGAGE Learning        | 20.05    |

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|-------------------------------|---------|
| Taste of Home                 | 63.96   |
| Dickinson Press & Advertizer  | 167.00  |
| Lonny Buchmann                | 410.00  |
| Kirby Morgenstern             | 170.29  |
| Matthew Bender & Co Inc       | 26.82   |
| Stein's Inc                   | 213.02  |
| ND League of Cities           | 25.00   |
| AED Everywhere                | 333.30  |
| Ramkota                       | 87.71   |
| Quill Corporation             | 74.91   |
| Clay's Plumbing & Heating Inc | 7031.00 |
| Ecolab Pest Elim Div          | 150.88  |
| Industrial Fabworx            | 740.00  |
| Colonial Research Chem Corp   | 143.68  |
| Southwest Business Machines   | 76.92   |
| Solem Law Office              | 250.00  |
| J.T. Fire LLC                 | 70.00   |
| Beulah Electric               | 356.50  |
| Christopher Bailey            | 35.00   |
| Frank Senn                    | 107.51  |
| Rita Baranick                 | 90.40   |
| Red River Children's Advoc    | 60.00   |
| Darla Knutson                 | 25.52   |
| John Zimbro                   | 50.00   |
| NDWPCC                        | 20.00   |
| Red River Children's Advoc    | 60.00   |
| Russell Duppong               | 17.50   |
| Loren Wiest                   | 140.00  |
| Mercer County Recorder        | 40.00   |
| Gale/CENGAGE Learning         | 30.58   |
| Postmaster                    | 369.02  |