

The regular Beulah City Council meeting of June 6, 2016 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

Present: Alan Kok, Kathy Kelsch, Ben Lenzen, Travis Frey, Clyde Schulz, Brant Keller, Roger Gazur

Absent: Kirby Morgenstern

Also Present: City Attorney Scott Solem, City Engineer Loren Daede, City Coordinator Russell Duppong, Water/Wastewater Foreman Gary Neuberger, Economic Development Director John Phillips, Kate Johnson, Wayne Schlecht, Bridgette Martens

Gazur made a motion seconded by Keller to open the hearing on the Schlecht Annexation. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor. Duppong commented on the P&Z hearing on May 19. He explained the area and stated it would remain zoned as Ag Residential. Gazur made a motion seconded by Kok to approve the annexation as presented. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor. Gazur made a motion seconded by Frey to close the hearing on the annexation. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Pledge of Allegiance

Gazur made a motion seconded by Schulz to dispense with the reading of the minutes of the last regular meeting on May 16 and approve as furnished to the Council by email. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Bridgette Martens requested the annual appropriation of \$12,000 for Park District wage and utility assistance. She stated she has been in contact with Kelsch regarding a dog park to be located northeast of the softball complex and she explained the details. The cost of the fence would be \$7,500 without labor. Duppong stated the owner of the property is listed as the Park District. She presented information and pictures on the proposed playground at Riverside Park. Schulz made a motion seconded by Kelsch to approve the payment of \$12,000 to the Park District. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Bjerke recommended the following individuals to serve on the Lodging and Hospitality Tax Advisory Committee: Mike Hammerschmidt of CVB, Jerry Isaak of the Chamber, Ben Lenzen of the City of Beulah, John Phillips of JDA, and Don Pierce as an At Large member. Discussion followed. Gazur made a motion seconded by Kok to approve the appointments recommended by the Mayor. Gazur suggested the names be drawn to determine the initial staggering terms. Schulz stated there may be members who would like a lower term limit. Lenzen stated he would like the initial two year term. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Bjerke commented on the Chamber requesting funds to remodel the building they occupy. He explained the discussions involving the building and the agreement made to move forward with an appraisal with the cost being split. Gazur questioned the property in the appraisal. Duppong stated it is the total site on the parcel including the back parking lot. Gazur stated he personally would like the option given to the Chamber to buy the building and parking lot if they wish. Kelsch

stated the Chamber has established a building committee to look at possible alternative locations or explore their options. She commented she could contact the appraisal company to separate out the building and the rest of the property.

Lenzen commented on Cypress Drive and the drainage situation. He stated he spoke with Daede and they are looking at an overlay on 10th Street to help with water. He stated the east end of 10th Street has a culvert that is silted in which causes water to come down Parkway. Gazur stated he would struggle with any recommendation that isn't a solution.

Lenzen made a motion seconded by Keller to approve the payment of \$12,118.90 to Brandoz Concrete for 2016 Concrete Repairs. Lenzen stated there is some dirt work that needs to be completed and Daede stated Brandoz will be back to get that done. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Lenzen made a motion seconded by Schulz to approve the payment of \$49,146.58 to Bituminous Paving, Inc. for SID #23. Gazur questioned if approval of this would affect the ongoing situation with the subcontractor. Daede stated no. Keller questioned if we are paying more than the bid and Daede stated no and explained the costs. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Lenzen made a motion seconded by Schulz to approve the payment of \$213,863.95 to Bituminous Paving, Inc. for SID #24. Lenzen commented on the bonds that need to be sold. Phillips stated the sidewalks were recently approved and the street light cost needs to be determined. The bonds will be sold soon. Phillips stated it will be a revenue bond secured by the developer or owner of the lots. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Kelsch commented on the bike path grant applications submitted. She presented a map showing the phases. The grant for Phase 1 was awarded and the grant for Phase 2 was not awarded. She explained the options of accepting the grant for Phase 1 or going forward on our own with Phase 1 & 2 with a narrower path. Kelsch made a motion seconded by Gazur to notify the TAP grant that the City will not be able to proceed with that project because we were not fully funded and to move forward with the six foot path using the \$200,000 budgeted for 2016. Gazur questioned how valid the old numbers are. Kelsch stated they are from 2014 and Daede stated there shouldn't be much change. Gazur commented on other items that might be more deserving. Kelsch stated she appreciates his opinion and that it would be a shame to stop at an illogical point. There may be other expenses that are a higher priority, but if there is money available it would be great to continue on to the next stopping point. Lenzen stated six foot paths are not that wide when you are walking and meet someone. Frey made a motion seconded by Schulz to table this motion until the next meeting and have a list prepared so we can address the various options. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Kok commented training is going well for Senn. Unit 10 had a bent rocker arm and it was repaired. He stated he and Senn put together a K-9 agreement for Council to review. They would like to implement this July 1, 2016. Kok made a motion seconded by Schulz to accept the municipal court report as submitted to Council. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor. Kok thanked Public Works for making the cemetery look so good. Gazur stated the agreement should be between the City of Beulah and the dog's owner for the dog's services, instead of using the PD as an independent body of the City.

Keller stated we are going to lose power to the 16th Street siren. He stated there is money in the Emergency fund budget that could be used. Duppong stated he spoke with Joe Hammerschmidt and explained where the power could tie in. Keller stated updating the siren is one issue and the other issue is getting power to it. Duppong stated the siren we have is a three phase siren. Gazur questioned if there is a one phase siren. Discussion followed. Keller stated they will meet with Moore Engineering on Thursday. Keller made a motion seconded by Gazur to approve the payment of \$215,397.19 to Moore Engineering. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor. Keller commented on Keller Drive lots the City owns and whether to add water and sewer now before the street is put in. Discussion followed. Schulz questioned the cost and Keller stated it was estimated at \$6,000 for two lots. Keller made a motion seconded by Schulz to move forward with the Spheroid Water Tower refurbishing. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Keller commented on the remote water meter information sent out by Knutson. He stated we could narrow the three companies down to two and have them present to Council. Kelsch questioned the benefits to the City other than keeping track of unmetered water usage. Keller commented on issues regarding water meter readings that are very time consuming. Gazur commented on the meter replacements needed due to inaccuracy and replacing meters would be about a four year payback to recover costs. He commented on the labor issue stating these duties are part of the deputy auditor position. Gazur commented he is in favor of meter replacement but the rest of the system will take more convincing. Schulz questioned what the bottom line would be for meter replacement per household. Keller commented it would be around \$400 per household. Gazur commented Knutson and Keller have done an excellent job putting together information. He stated he is looking for more justification of the cost effectiveness of the automated portion. Keller stated he will bring it to the next meeting.

Gazur commented he attended the Mercer County Board of Equalization meeting and presented the City's case. He stressed the approach the City uses. He stated the question was brought up as to whether we have the policy formalized. The Board accepted the two revisions the City approved. Gazur stated there is an Employee Relations meeting tomorrow night.

Frey commented there is no update on the garbage truck. He stated the tipping fees will increase at the landfill again in January.

Schulz commented the pool is filled with water. West River Transit is starting a shuttle service from the Elementary and Middle Schools to the Heritage Park Market. There will be a Wellness Center meeting with the architect. Schulz commented on a semi-truck that is parked in town. He commented on the Tandberg property and the approval of closing off the alley. He stated he spoke with Duppong and the gate did go through P&Z. The P&Z minutes state the gates are to be by City specifications and the City stated the gate should be decorative. Schulz made a motion seconded by Gazur to direct Duppong on behalf of P&Z to send Tandberg's a letter requiring the gates to be installed according to the City's specifications. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

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

Daede commented there will be paving on 3rd Ave. next week.

Duppong commented the DOT will start putting in the bypass on Hwy. 49 for the bridge in about three weeks. He commented on the fiber optic progress of West River. He stated he attended the LEPC meeting last week. The dilapidated building project is moving along. He commented on his meeting with FEMA personnel who came to Beulah and the requirements they have for the flood plain. Duppong stated tall grass letters are being sent out.

Ferebee presented a raffle permit for cow chip bingo for Mercer County 4-H Council at the Mercer County Fair on July 8, 2016 and a raffle permit for SMC Hospice at the Beulah Civic Center on October 8, 2016. Lenzen made a motion seconded by Schulz to approve the raffle permits as presented. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Ferebee presented a Special Event permit for Sportsman's Bottle Shop for the Mercer County Fair beer garden July 7 – 10, 2016. Schulz made a motion seconded by Keller to approve the special event permit as presented. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Ferebee presented the Nite Owl Beulah Liquor License Application by the new owner David Whipps. He will own the bar as of July 9. Schulz made a motion seconded by Kok to approve the application as submitted contingent upon state approval. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Phillips commented on the 24 unit apartment complex ground breaking that was held today. He commented on the new bakery and another potential business on Main Street. The childcare facility is still moving forward.

Schulz made a motion seconded by Keller to have the first reading of Ordinance 418. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor. Solem commented on the Joint Powers agreement with Zap to allow Zap to contribute to the hospital. Gazur made a motion seconded by Schulz to approve the Joint Powers Agreement with Zap as presented. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Schulz made a motion seconded by Frey to move into Executive Session at 9:49 pm for legal counsel. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Keller made a motion seconded by Gazur to close Executive Session. Roll call vote found Keller, Kok, Kelsch, Gazur, Lenzen, Frey and Schulz in favor.

Schulz made a motion seconded Frey to accept the counter offer from RS Giulio of \$33,120 for full and complete satisfaction of settlement of this dispute contingent on receiving all necessary releases from RS Giulio and Bituminous covering City of Beulah and it's agents, employees and officers and Interstate Engineering. Roll call vote found Keller, Kok, Kelsch, Gazur, Frey and Schulz in favor. Lenzen opposed. Motion passed.

Bjerke stated Election Day is June 14. Soojin's last day was Friday. He commented on the possibility of the library requesting a mill levy increase. Lenzen commented Channel 10 has been updated and looks good. Lenzen commented on the street light cost in Barton Estates and maybe

we need some extra room in bond issues for these types of shortages. Bjerke commented that is usually built into the bond issue.

Meeting adjourned at 10:15 pm.

Darrell Bjerke, Mayor

Heather Ferebee, Auditor

Check Range: 33938 to 34041

Payroll Check Range: -81455 to -81383

Employees	75,282.98
FIT	14,736.88
New York Life 457b	1,575.00
SDU	527.08
MN Child Support	575.62
FIT	12,175.12
SDU	527.08
MN Child Support	575.62
NDPERS	27,888.96
ALFAC	1,188.09
HAWKINS INC	757.71
MDU	14030.78
SRF Consulting Group, Inc.	2244.73
BHG, Inc.	2027.76
Interstate Engineering, Inc.	23917.96
Stein's Inc.	236.98
Brady, Martz & Associates, PC	10000.00
Ethanol Products LLC	1058.45
Rough Rider Industries	13180.00
West Dakota Utility Services	1650.66
Haag Signs Inc.	80.88
Electronic Communications Inc.	135.00
Southwest Business Machines	50.00
Quill Corporation	162.45
WatchGuard	200.00
Dakota Screen Arts, Inc.	67.00
Swanston Equipment Corp	13.42
Lonny Buchmann	650.00
Mainstay Funds	1733.21
West River Telephone	97.34
USA Blue Book	425.91
Downtown Gas & Auto	3553.30
AmeriPride Linen & Apparel Serv	430.77

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Roughrider Electric Coop Inc.	3679.76
North Dakota Dept. of Health	64.00
West River Telephone	1560.53
Verizon Wireless	471.83
Information Technology Dept.	197.80
Dakota Supply Group	678.28
Mercer County Treasurer	5565.39
New York Life	1825.41
Mainstay Funds	5906.10
Four Seasons Trophies	455.30
Darrell R Bjerke	98.31
Russell Duppong	100.90
North Dakota One Call Inc.	45.00
Bronson's Marketplace	59.96
J & M Hardware Inc.	330.03
Lignite Tire	684.34
Solem Law Office	5573.16
Beulah Airport Authority	3113.40
Farmers Union Oil Company	1144.87
SPEE-DEE Delivery Service	24.64
NAPA Auto Parts	526.45
Beulah Lumber Company	609.28
Lonny Buchmann	350.00
Matthew Bender	62.18
Demco, Inc.	125.69
Bronson's Marketplace	17.04
Southwest Business Machines	3.10
CDS Administrative Services LLC	100.00
MARC	215.28
Southwest Business Machines	53.95
Shopko Stores Operating Co.	10.98
Clarence Brunmeier	134.62
Soojin Lee	28.25
Environmental Toxicity Control Inc.	725.00
Loren Wiest	280.00
Joe Proulx	50.00
Betty Kuhn	5.00
Edwin Kittler	15.00
Sharon Geigle	50.00
Eric Pressnall	50.00
Michele Mason	50.00
John McKenna	50.00

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Hedahls Headquarters	176.50
Sanford Health Occupational Med	90.00
Mercer County Sheriff's Dept.	50.00
Colonial Research Chem Corp	155.69
GALLS, LLC	334.11
Brandoz Concrete	436.70
Municipal Government Academy	160.00
Clyde Schulz	95.83
Red River Valley Lodge #1	198.00
HAWKINS INC	2064.18
Hiway Express Hazen	362.34
Coal Country CHC	78.00
US Bank	3940.77
Dakota Sanitation Inc.	848.00
Petty Cash	15.00
AT&T Mobility	133.28
Beulah Park District	31677.74
Uniform Center	407.98
EDND	150.00
Swanston Equipment Corp.	3500.00
Ingram Library Services	675.43
NAEIR	59.00
Midwest Tape	39.99
Cengage Learning	41.70
High Plains Concepts	2005.00
Stein's Inc.	185.98
USA Blue Book	502.71
Alva plastic printing	548.00
BHG, Inc.	438.00
Cardmember Service	1024.72
Postmaster	360.18