

The Special Meeting on November 12, 2015 was called to order at 4:30 pm at Beulah City Hall by Mayor Darrell Bjerke.

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

Absent: Kirby Morgenstern

Also Present: City Attorney Scott Solem, City Engineer Loren Daede,  
Water/Wastewater Foreman Gary Neuberger, Kate Johnson, Julie Lenzen

Topics:

1. Street Improvement District #23 – Certification Approval
2. Assessment of expense for the building demolition at Original Townsite, Block 11, Lots 11 & 12
3. Street Improvement District #24 estimate payment
4. Moore Engineering Agreement approval

Solem addressed SID #23 for Barton Estates. Solem stated the authorizations are now signed by the lot owners. Bjerke stated with the necessary documentation we need to approve the spread of assessments. Schulz made a motion seconded by Lenzen to approve the resolution for special assessments to the lots of Barton Estates as presented. Roll call vote found Schulz, Frey, Lenzen, Gazur, Kelsch, Kok and Keller in favor. Solem stated lot owners are allowed ten days from today to pay off the assessments without interest.

Bjerke commented on the assessment of expense of demolition for the building on property owned by J & B Enterprises at 108 East Main Street, Original Townsite, Block 11, Lots 11 & 12. The letter presented by Solem Law recommends the City assess the \$70,701.79 against both lots 11 and 12. Each lot would be assessed the full amount individually, but the City may not collect more than the \$70,701.79 total from both lots. Gazur made a motion seconded by Schulz to proceed as per the letter from Solem Law on the property presented. Roll call vote found Schulz, Frey, Gazur, Kelsch, Kok and Keller in favor. Lenzen recused himself. Motion passed.

Bjerke addressed the payment that needs approval for SID #24. He recommended advancing the amount for the payment from the Sales Tax fund or the Surge fund. That amount would be paid back after the bond is sold next year. Gazur made a motion seconded by Keller to approve the payment of \$73,695.96 to Bituminous Paving, Inc. for SID #24 as an advance from the Sales Tax fund to be reimbursed when the bond is sold to cover the obligation. Solem commented on an available loan program option. Gazur stated the Sales Tax fund is available and we can satisfy the obligation. The other option can be looked at in the future. Roll call vote found Schulz, Frey, Lenzen, Gazur, Kelsch, Kok and Keller in favor.

Bjerke presented the Moore Engineering Agreement. Bjerke questioned if this version of the agreement just includes plans and specs prior to bidding. Solem stated this agreement stops at bidding. Bjerke stated we need to be shovel ready by spring. He stated the contract payment would come out of Sales Tax as an advance. Funds would come from the State Water Commission as a grant for part of the cost or the State Revolving Fund as a loan for the whole project. The Sales Tax fund would be reimbursed once the funding is in place. Keller made a motion seconded by Frey to approve the Moore Engineering contract for plans and specs for the Beulah Water Treatment Plant. Gazur commented on some items in the contract that should be discussed. He commented on the item regarding drawings and specifications being the property of the company providing them. He stated the documentation of the project should become the property of Beulah to handle as they see fit. Another item is the definition of consultant. It should be broadened to not only include entities having contracts with the engineer, but entities having contracts with the owner. Gazur questioned the time frame of 14 days to review a document as stated in the agreement. He commented on the item under the design phase documents, that the owner needs to submit comments within 7 days. Daede stated it may take a little longer so 14 days would be more reasonable. Kok stated all the revised reviews are also 7 days. Schulz commented all of those time frames should be changed to 14 days. Solem stated he didn't think it would be an issue. Discussion followed. Gazur commented on the item stating that engineers would make copies of records to the owner at cost, and Gazur stated he didn't think that was prudent and we should be provided information at no cost. Keller made a motion seconded by Gazur to table the approval of the Moore Engineering Agreement until the November 16 Council meeting. Roll call vote found Schulz, Frey, Lenzen, Gazur, Kelsch, Kok and Keller in favor of the motion to table the agreement.

Meeting adjourned at 5:20 pm.

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Darrell R. Bjerke, Mayor

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Heather Ferebee, Auditor