

The regular Beulah City Council meeting of November 16, 2015 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

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

Absent: Travis Frey, Kirby Morgenstern

Also Present: City Attorney Scott Solem, City Engineer Loren Daede, City Coordinator Russell Duppong, Economic Development Director John Phillips, Water/Wastewater Foreman Gary Neuberger, Police Chief Frank Senn, Public Works Foreman Kenny Yeager, Kate Johnson, Kelsey Timmer, Dustin Pekas

Pledge of Allegiance

Gazur made a motion seconded by Keller to dispense with the reading of the minutes of the last regular meeting on November 2 and the special meeting on November 12 and approve as furnished to the Council by email. Roll call vote found Kelsch, Keller, Gazur, Lenzen, Kok and Schulz in favor.

Bjerke commented on the National League of Cities meeting he attended in Nashville. Vice President Biden spoke at the conference and it was one of the better ones he's attended. He commented he attended a budgeting toolbox meeting and a mobile workshop concerning city strengths and workforce needed. Other topics covered were social media to keep the public informed, golden aging for senior friendly communities, municipal bonds and fiscal health. He tried to consider how these issues would apply to Beulah. Bjerke stated he will attend a meeting with the Governor's staff tomorrow afternoon regarding the water plant funding.

Kelsch commented on the hiring of an entity to help with writing grants for bike paths. She stated she was approached by KLJ with materials. If we were to proceed with KLJ to write the grants, we would use Interstate Engineering as the engineer for the project. The application for the first grant is due December 31 and another one would be due January 31. Kelsch made a motion seconded by Gazur to enter into a contract with KLJ to go through the grant writing process. Kelsch stated the estimated cost is \$4,000 per grant. Kok stated this would be moving forward in the right direction. Roll call vote found Kelsch, Keller, Gazur, Kok and Schulz in favor. Lenzen abstained, he was absent during the motion. Motion passed.

Kelsch read from the letter Solem provided regarding the legal process of a lien on the property of Lots 11 & 12, Block 11, Original Townsite. Kelsch made a motion seconded by Kok to move forward with foreclosure on the properties presented knowing that the owner would have the opportunity to pay the amount up until the time of foreclosure. Solem stated the deficiency amount can be moved to any other property owned by the owner within the City of Beulah. Keller questioned the time frame. Solem stated it would take several months, maybe longer if contested. Gazur questioned if the Council could wait until the tax deadline, stating it would not be time sensitive as long as it's done within the three years. Solem stated yes, it is up to the Council. Solem explained Century Code regarding foreclosure. It allows the City to certify costs incurred in a demolition and a City may pursue a foreclosure to collect the costs in a more timely manner. It also states that if there is a deficiency following the foreclosure process the City can assess against other properties of that owner. Lenzen questioned if the Stewart property would go through foreclosure also. Solem stated not at this time and that the Stewart family does not own any other

property in the City. He stated the City can be selective in choosing which properties to go through foreclosure on. Keller commented it would make sense to wait until February. Roll call vote found Kelsch, Kok and Schulz in favor. Keller and Gazur opposed. Lenzen was excused from voting due to a conflict of interest. Motion passed. Solem clarified the motion tonight was whether to pursue the foreclosure.

Kelsch commented on the area where the water salesman is located and trucks parking there for more than two weeks. The intent was for convenience, not truck storage. Gazur stated he remembers that area was intended to be used for parking to get trucks off residential streets, but it is now being abused. Kelsch stated there is a fuel leak coming from one of the trucks. Senn stated a restricted time at night would be the easiest to police. Kelsch stated there have been complaints of trucks running overnight. Phillips stated it might be a real restriction not letting them stay overnight. Bjerke stated Senn, Keller, Kok, Phillips and Duppong should study this issue and come up with a recommendation. Kok stated the issue is the noise and it's difficult to find a solution. Gazur stated the signage could be used to tell people where truck parking is allowed. Discussion followed.

Lenzen commented the street light project is complete except for a little cleanup. He stated Barton Estates has housing developing. Duppong stated five houses are permitted. Lenzen presented a change order for SID #24. Daede stated the contract for Street Improvement District #24 has been received and the change order is to remove sidewalks. Schulz questioned the sidewalk decision. He stated the developer wanted family friendly lots with sidewalks and Schulz commented it should be reconsidered. Duppong stated the homeowner in the area knew the trees would need to be moved and Daede stated the trees have been moved already. Lenzen made a motion seconded by Gazur to table approval of the change order. Roll call vote found Kelsch, Keller, Gazur, Lenzen, Kok and Schulz in favor.

Lenzen commented on emergency snow routes. He questioned if we should let the public know which are primary and secondary. Yeager stated he will list those routes. Lenzen stated the EPA meeting last week was an eye opener. It could make a big impact in our budget. Bjerke stated the count was around 700 people and that this issue is very important to Beulah. He commented the whole country needs to be educated. Global warming is what people hear, but we don't know what is causing the environment to change over time. The solution is not to do away with coal fired power plants. He stated he believes that there is technology available in our universities and that it is feasible to find a solution to burn coal in an environmentally safe way. We need to push for at least two more years to work on this and it is absolutely our life blood. He stated at the meeting it was mentioned that if we shut everything down, it would cut down on carbon dioxide emissions by only 1/8th of 1% across the world. Lenzen thanked the elected officials on their outstanding job in representing Coal Country. He also thanked the Beulah Chamber.

Kok made a motion seconded by Schulz to accept the October Municipal Court Report. Roll call vote found Kelsch, Keller, Gazur, Lenzen, Kok and Schulz in favor.

Keller questioned Solem if they heard back from Moore Engineering. Solem stated Moore is fine with the changes to the agreement. Keller made a motion seconded by Gazur to approve the contract with Moore Engineering which includes the changes discussed at the special meeting. Roll call vote found Kelsch, Keller, Gazur, Lenzen, Kok and Schulz in favor.

Gazur commented on SRF Task 4, Chapter 5. Gazur made a motion seconded by Schulz to accept Task 4, Chapter 5 as presented to Council with the caveat that there will be future changes. Lenzen stated he believes we should wait until the changes are made before approval. Keller questioned if it is final after it is accepted. Gazur stated up until final acceptance it is a fluid document, at final acceptance any final changes would be incorporated into the final document. Once it is classified as an ordinance, it would take another ordinance to change it. Duppong stated by accepting the document, you are accepting what you read not formally approving it. Roll call vote found Kelsch, Gazur, Lenzen, Kok and Schulz opposed. Keller in favor. Motion defeated.

Gazur questioned the status of the Liebelt building. Duppong stated the last communication he had with them was that there were problems with the contractor. He stated they have not been able to finish the front because the building is evidence in a legal issue. Kelsch stated they could take photos for evidence and that they should be held accountable to what they said they were going to do. Duppong stated he will contact them and will have a status report for the next meeting.

Gazur commented on the logo for city vehicles. He stated the intent of the original design was to include the phone number so the department could be contacted as it's noticed on a vehicle.

Schulz stated there was a Pool Board meeting tonight and the Fit Club will also have a meeting this week. He gave a West River Transit update.

Five minute recess taken.

Solem presented a joint powers agreement between the City of Golden Valley and the City of Beulah to allow Golden Valley to provide funding for the Mercer County Historical Society Museum. Gazur made a motion seconded by Schulz to approve the agreement as presented. Roll call vote found Kelsch, Keller, Gazur, Lenzen, Kok and Schulz in favor.

Yeager stated they winterized the sweeper, changed oil in generators and dump trucks, bladed gravel roads, hauled furniture, took the blade to Golden Valley to get the snowgate put on, took a load of recycle to Minot, took a dump truck to Bismarck for repairs, and went to Hatton to pick up the new pickup. In the next two weeks they will put up the Christmas decorations and banners, put the Christmas tree up next Monday, haul the grass pile out, pick up the dump truck, and they will have two garbage routes on November 25.

Duppong commented P&Z will have a meeting this Thursday at 5:00 pm. He stated he is working on information for a City Hall vehicle. He commented on a dilapidated building list that will be presented to P&Z. Duppong stated he is setting up a meeting regarding hard surfacing of Keller Drive. Gazur commented the Land Use Plan has turned out to be an integral part of the current planning and zoning code. Kok questioned the status of Challenger. Gazur stated he received notice that Challenger has been acquired by another company.

Ferebee presented a special event permit for the Main Bar on December 12, 2015 at the Beulah Civic Center to serve alcohol at the Westmoreland Christmas party. Lenzen made a motion seconded by Gazur to approve the special event permit as presented. Roll call vote found Kelsch, Keller, Gazur, Lenzen, Kok and Schulz in favor.

Senn had no report.

Phillips commented on the Department of Health hearing last week. The Chamber served 600 people and attendance was at 750 people. He stated Minnesota's view on fossil fuel is the most difficult issue. He commented on the Affordable Housing unit stating West River Telephone has pledged \$500,000 in tax credits that will be available in 2016, so the project is extended into next year. Phillips stated Beulah has been chosen as one of nine cities by Vision West for a Main Street success program. JDA will be heading this project up with the assistance of others.

Discussion followed on the EPA hearing held last week.

Meeting adjourned at 9:15 pm

Darrell Bjerke, Mayor

Heather Ferebee, Auditor