

The regular Beulah City Council meeting of January 18, 2016 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

Present: Kathy Kelsch, Roger Gazur, Ben Lenzen, Travis Frey, Clyde Schulz, Kirby Morgenstern

Absent: Alan Kok, Brant Keller

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

#### Pledge of Allegiance

Gazur made a motion seconded by Schulz to dispense with the reading of the minutes of the last regular meeting on January 4 and approve as furnished to the Council by email. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz in favor. Morgenstern abstained. Motion passed.

Lenzen had no report.

Kelsch presented Resolution 2016-01 for the RTP Grant Application for shared use paths. This grant would be for a project that would take place in 2017. The City would need to make sure the project is open for public use and the City would be required to cover 20% of the expense of the project if awarded the grant. Kelsch made a motion seconded by Gazur to adopt Resolution 2016-01 as presented. Bjerke commented the shared use paths have been discussed for at least fifteen years. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor.

Bjerke commented on the State Water Commission meeting that he attended with Keller, Duppong and Kent Ritterman of Moore Engineering last week. He stated the water plant project will most likely receive close to \$1 million in grant revenue.

Gazur commented on the sidewalk decision on 3<sup>rd</sup> Avenue. Bjerke stated the developers would like the sidewalk included. Gazur reminded Council there was a motion to eliminate the sidewalk from the project. Gazur made a motion seconded by Schulz to reconsider the previous motion as stated: "Kelsch made a motion seconded by Frey to remove the sidewalk from the 3<sup>rd</sup> Ave. Project". Discussion followed. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor of bringing the motion back. Motion is back on the floor for discussion. Gazur stated sidewalks are a burden on the homeowner because of snow removal and that there are no sidewalks north of 7<sup>th</sup> Street. He stated in his own personal observation that there were numerous instances where sidewalks were available but the public chose not to use them. Kelsch commented the sidewalks would connect to the shared use path that the City is hoping to accomplish. Lenzen commented it is an extra cost to those homeowners and it may not connect to another path right away. Schulz commented not having sidewalks north of 7<sup>th</sup> Street is one of the biggest mistakes the City made and this is the first step to changing that. He commented there should be sidewalks around the school so kids don't need to walk in the street. Bjerke stated the previous motion was to remove sidewalks from the project, a vote of no would keep sidewalks in and a vote of yes would remove them. Roll call vote to remove sidewalks from the project found

Lenzen and Gazur in favor. Kelsch, Frey, Schulz and Morgenstern opposed. Motion defeated. Sidewalks will be included in the project.

Gazur commented on insurance considerations for non-city owned equipment. He stated that we need to check for insurance coverage on rented equipment and personal vehicles. He commented on the SRF status stating the final combined version of the Code was received and it is in the process of being reviewed and evaluated. In the next few weeks Council will see the final version. He commented on items the Council may want to present to our legislators before the session starts such as taxing of industrial entities and changes at the Transfer Station.

Frey commented he is planning an equipment meeting for Wednesday, January 27 to review purchases for 2016.

Schulz commented there was a West River Transit meeting this week. There will be a Wellness Center meeting in February. JDA also meets this week.

Morgenstern made a motion seconded by Schulz to approve the payment of \$45,890 to Skeels Electric for electrical improvements at Sun Valley RV Park. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor. Morgenstern commented on decreasing rates from \$600/month in the winter to \$500/month plus the 3.5% credit card charge, and the weekly rate changed to \$175 plus the credit card charge. Morgenstern made a motion seconded by Gazur to approve the rate changes to Sun Valley RV Park. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor. Bjerke commented on a request he received to reserve a large block of campsites.

Daede commented on the revised agreement with DOT. He stated it was modified some from the original agreement. The City would be responsible for costs for damages caused by the City. Gazur commented if the City thinks something should be in there, it should be in the original contract. Schulz commented this is a template for cities across the State and questioned if it's a problem for anyone else. Daede stated he agrees it should be written in there, but they won't let it happen. Gazur made a motion seconded by Frey to direct the City Engineer to draft a letter requesting the inclusion of what the City requests before the agreement will be signed. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor.

Gazur made a motion seconded by Frey to have the first reading of Ordinance 416. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor.

Yeager commented they painted the flower pot brackets, fixed picnic tables from SV, took down Christmas decorations, replaced the electric cord on the Bobcat, took the old garbage truck to Bismarck, did maintenance on both garbage trucks, hauled furniture to the landfill, replaced some stop signs, shoveled sidewalks and the bike path, sanded streets, put tipper cans together, went through flags, and helped with a water break. In the next two weeks they will haul ashes to the landfill, clean along the curbs, finish picnic tables, trim trees around town and put brackets up.

Duppong presented an application for variance from Challenger Industries, Inc. on Lot 5, Block 1, Industrial Park Addition. There are two variances to address before the sale of the company. Gazur made a motion seconded by Kelsch to approve the variance request for the building encroachment from .1 to .3 feet into Public Right of Way. Roll call vote found Kelsch, Gazur, Lenzen, Frey,

Schulz and Morgenstern in favor. Gazur made a motion seconded by Kelsch to approve the variance request for fence encroachment into Public Right of Way. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor. Duppong commented the dilapidated building project is moving forward. Some inspections are being completed on these properties. He stated West River Telephone needs to have an easement on the north side of their building in Beulah. It will be reviewed to find out if the City is the owner. Duppong commented his FEMA meeting is on January 26; he stated the wrong date at the last meeting.

Ferebee presented a Site Authorization for Beulah CVB at the Beulah Civic Center on March 12 - 13, 2016 for the Roughrider poker tournament. Lenzen made a motion seconded by Frey to approve the site authorization as presented. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor.

Ferebee presented the 2015 Budget Amendments and Transfers. Gazur made a motion seconded by Schulz to approve the amendments as presented. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor. Gazur made a motion seconded by Frey to approve the transfers as presented. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor. Amendment and transfer details are filed with the minutes.

Ferebee stated according to the municipal calendar, Council is to approve the designation of depositories of public funds which meet the pledge of security deposits. We have pledges at First Security Bank – West and Union Bank. Schulz made a motion seconded by Gazur to approve the designation of depositories as presented. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor.

Ferebee commented on the budgeted \$20,000 contribution to Sakakawea Medical Center Foundation to assist with construction of a new hospital. Kelsch made a motion seconded by Gazur to approve issuing the contribution. Roll call vote found Kelsch, Gazur, Lenzen, Frey, Schulz and Morgenstern in favor. Lenzen commented they are progressing greatly and some of the framework is up.

Phillips commented the coal industry will have an impact on mining operations. He stated the 24-unit apartment complex construction is postponed until spring due to weather conditions.

Bjerke commented on a handout from Senn on Police Department calls. Bjerke thanked Ferebee and City Hall employees for putting together the Employee Appreciation Dinner. He thanked those who worked on the water break and had to miss the event. Bjerke commented on the City not closing for Martin Luther King Day. He stated the day after Thanksgiving would be a good option for another holiday for employees. Bjerke commented on the Century Code, Ordinance and Resolution covering the hospitality and lodging tax that was distributed to the Council. The rules to be followed are specific and include a five person advisory board and budget approved by Council on an annual basis. Expenditures from the hospitality and lodging tax need to be authorized.

Meeting adjourned at 8:15 pm.

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Darrell Bjerke, Mayor

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Heather Ferebee, Auditor

1/18/2016

