

The regular Beulah City Council meeting of December 18, 2017 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

Present: Brant Keller, Eric Hoffer, Kathy Kelsch, Joel Morgan, Kelsey Timmer, Clyde Schulz, Travis Frey, Ben Lenzen

Also Present: Assistant City Attorney Allyson Hicks, City Engineer Charles Hankins, City Coordinator Russell Duppong, Public Works Foreman Kenny Yeager, Water/Wastewater Foreman Gary Neuberger, Economic Development Director John Phillips, Vern Muscha, Aaron McGrath, Kate Johnson

Pledge of Allegiance

Frey made a motion seconded by Kelsch to dispense with the reading of the minutes of the last regular meeting on December 4 and approve as furnished to the Council by email. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Phillips introduced Aaron McGrath of Hot Shot Plumbing and Heating, LLC. McGrath presented information on his new business in Beulah and his plumbing experience. He will provide basic plumbing services along with a jetter to open lines, and camera services for pipes. He should be able to break through any line. McGrath will also provide heating and cooling services. He stated he would like to move downtown in the future and have a storefront. Bjerke welcomed him to Beulah.

Vern Muscha commented St. Joseph Church is waiting for approval from the diocese regarding the Cemetery Ordinance. Hoffer stated since the first reading took place quite a while ago, they may have the first reading again and look for approval of the maintenance agreements. Hoffer clarified the details of the maintenance agreement and for what the City would be responsible. If the church were to take over maintenance, it would need to be up to the City's standards. Hicks stated the maintenance agreement is just general landscaping maintenance, not repair. Hoffer commented the church would be responsible for repairs, dirt fill, etc. and they could work with the City and pay separately for it.

Hoffer made a motion seconded by Schulz to have the first reading of Cemetery Ordinance #427. Frey stated there was a first reading in July and it would not follow Robert's Rules of Order. Hoffer withdrew his motion and Schulz withdrew the second. Bjerke questioned if there is discussion. Hoffer stated the ordinance has been rewritten. Hicks commented the ordinance now includes the guidelines and items for the Baptist and Catholic churches that still have their own areas in the cemetery. Hoffer commented on items he would like addressed. He stated it includes the requirement of an excavation permit and he would like to reword that. Duppong stated he would prefer the ordinance not require a permit, but rather make sure the contractor is licensed and bonded. Keller questioned who hires the contractor and Hicks stated the funeral home. Hoffer would like it changed to licensed and insured. Schulz questioned how the time limit of placing a monument would be enforced. Hicks stated the City can enforce it through the penalty clause if they choose. Hoffer commented on the requirement of vaults for urns. Hicks stated Father Phillips didn't want the added financial cost for the vault for the urn and the lowering requirements of the vault in the Catholic section. Schulz stated vaults were not required before, but he strongly feels they should be. Discussion followed. Hoffer stated the Catholic Church could be excluded from that requirement.

Hoffer commented on the maintenance agreement and the options for price. Hoffer made a motion seconded by Timmer to move forward with the square footage method for maintenance charges since that's how it's maintained. Hicks stated it would be based on the five-year average expenses and it would be automatically renewed. Hoffer made a motion seconded by Timmer to amend the motion to approve \$4,500 for the Baptist Church and \$3,500 for St. Joseph Catholic Church. Muscha questioned an hourly rate. Hoffer stated having a set dollar amount is easier for the church and city budgets. Roll call vote on the amendment found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor. Hoffer questioned road maintenance. Hicks commented it's not the City's sole responsibility to update the roadways. Hoffer commented it should just state the City is not responsible instead of defining who is. Hicks will remove that item as discussed. Roll call vote on the motion found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Bjerke commented on the Mayor's Summit in Bismarck and items discussed. He commented on the new tax notices coming out next year. The Department of Transportation has the intersection at Hwy. 200 and Hwy. 49 listed as dangerous and they plan to do something about it. Open records requests are only for items we have, we do not need to create something new. The City can charge up front. Zoning restrictions are needed to be in place for medical marijuana centers. In preparing for the 2020 Census, there are many cities and counties that are not signed up yet.

Bjerke commented he would like to appoint Lenzen, Schulz and Phillips to a committee to look into ND Streets grant funding for cities with highways running through them. Keller questioned if the state has been contacted regarding the ice on the bridge. Duppong stated they have been contacted but he will contact them again.

Keller commented that the water plant had a delay. There will be a meeting Wednesday to discuss a timeline and there will be training the week of January 8. Keller commented the estimated cost is \$345,000 for removal of sludge in the south lagoon. Frey commented it was approved at the last meeting for Moore to move forward. We can decide not to accept the bid if it's too high. Keller made a motion seconded by Schulz to approve Amendment No. 3 to the owner-engineer agreement with Moore Engineering to remove sludge from the lagoon. Bjerke clarified this would cover the planning, design, survey and bidding. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Frey made a motion seconded by Hoffer to add the Assessor Technician position and post the position opening. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor. Frey commented on the Comprehensive Land Use Plan. He stated there were five applicants and three were interviewed. The one recommended was interviewed a second time. He stated the proposed contract from Interstate Engineering was forwarded out. Frey made a motion seconded by Keller to approve going forward with a Comprehensive Land Use Plan using Interstate Engineering, Inc. Frey commented on the necessity of a Land Use Plan. Kelsch commented she understands having a guided plan, but is concerned about unfinished zoning issues. Duppong commented they are hoping to correct those zoning issues through this plan. Lenzen questioned if the cost would be enough for a comprehensive plan. Bjerke commented it would be a living document and a work in progress. Frey stated it would be completed before the Council changes in July. Schulz questioned if the zoning would be changed by July. Duppong stated it may take a little longer because hearings will be needed. Roll call vote found Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor. Timmer abstained. Motion passed. Frey commented it is the landowners' choice on whether or not to change the zoning.

Morgan commented we received \$16,150 from insurance for the totaled police vehicle. Schulz stated the only problem is the 2010 vehicle that will also need to be replaced soon. The equipment committee will meet to bring a recommendation to Council.

Schulz commented West River Transit has had good numbers. The pool is looking for employees early this year. He commented on the Greater ND Chamber meeting at DGC. Issues discussed were getting youth involved in the community and to work together to achieve community goals. They also discussed working with P&Z for a business community.

Bjerke appointed Kyle Humpherys to the Assessment Board. Timmer made a motion seconded by Schulz approve the Mayor's appointment of Kyle Humpherys to the Assessment Board. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Yeager commented they have been trimming trees and hauled furniture. They sanded, plowed, and cleaned bike paths after the last snowfall. Revenue from the Transfer station was around \$300.

Duppong stated P&Z will have their last meeting of the year on Thursday. He commented on zoning for medical marijuana. The clinic is planning to begin construction in the spring and the drainage will need to be repaired. Duppong commented on work progress inside the Wellness Center.

Schulz made a motion seconded by Frey to approve the November Financial Reports. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Kelsch made a motion seconded by Keller to approve the 2018 Election Agreement with Mercer County. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Lenzen made a motion seconded by Hoffer to approve the Special Event permit for Bronson's Marketplace to serve alcohol at the Beulah Civic Center for the Red, White & Wellness Wine Tasting Fundraiser on January 20, 2018. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Hoffer made a motion seconded by Keller to approve the raffle permit for Roughrider Motorcycle Club at Riverside Park on June 16, 2018. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Timmer made a motion seconded by Lenzen to approve the bingo permit for Community Health Coalition at the Beulah High School for girls' basketball from December 19, 2017 to February 16, 2018. Roll call vote found Timmer, Schulz, Frey, Lenzen, Kelsch, Morgan, Hoffer and Keller in favor.

Phillips commented on the Buxton Group and the benefits of the information they collect to determine where money is spent in the community. They will give a presentation to Beulah JDA and the Chamber has been invited.

Meeting adjourned at 9:00 pm.

Darrell R. Bjerke, Mayor

Heather Ferebee, Auditor

12/18/2017