

The regular Beulah City Council meeting of January 15, 2018 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

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

Absent: Ben Lenzen

Also Present: Assistant City Attorney Allyson Hicks, City Coordinator Russell Duppong, Public Works Foreman Kenny Yeager, Economic Development Director John Phillips, Police Chief Frank Senn, Joe Barbot, Owen Voigt, Jayme Renner, Autumn Kus, Janessa Mullikin, Kirby Morgenstern, Kate Johnson

#### Pledge of Allegiance

Frey made a motion seconded by Keller to dispense with the reading of the minutes of the last regular meeting on January 2 and approve as furnished to the Council by email. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Phillips commented on the Civic Center and upgrades for improved acoustics, bathrooms, air conditioning and other amenities. The need for a larger meeting or gathering area in Beulah has been identified. He mentioned many events that were not able to come to Beulah due to a lack of an event center. He stated we need to improve upon bringing people to our area. The City has the Civic Center building that could be renovated to accommodate more people. Phillips commented that this could be accomplished by hiring a design professional that would work with the objectives for the project. Kelsch made a motion seconded by Timmer to proceed with hiring Roers West to provide design plans at a cost of \$12,000. Morgenstern commented on the events that Beulah has lost in the last few years due to the closing of the Grandview. The hotels, restaurants and bottle shops have lost business. Mullikin commented their hotel has a meeting room, but it's not nearly big enough for larger events. Kelsch stated we need to take this first step in order to find out the total cost of the project. Kus questioned the lodging tax funds for the CVB. She questioned for what type of events the Civic Center will be used. Phillips commented the City owns this building, and it would be beneficial if it could be used for larger events. The building is owned without debt and there is currently parking. Hoffer commented to Kus that there are still funds left for requests from the lodging tax funds. Bjerke stated the Advisory Committee needed to be set up in order to follow ND Century Code and to determine where funds were to go. He stated we needed to follow the rules in order not to lose the tax. Kelsch commented there has been a reduction in the amount the CVB is receiving this year compared to last year and that is a direct reflection on collection in the Hospitality and Lodging taxes. That is the reason something needs to be done. We need to invest some money for more money to come in on the Hospitality and Lodging taxes and the general Sales tax. Retail businesses are missing out by not having more traffic in the community from these activities. Keller commented we have lost wedding dances in Beulah and the Civic Center should be more appealing. Hoffer questioned if they will be able to choose from more than one plan. Phillips commented they will have a plan with options and they will be meeting to discuss. Schulz questioned if there will be a presentation for the Council. Hicks questioned if legal could review the contract before it's entered into. Kelsch made a motion seconded by Timmer to amend to proceed with the agreement with the exception of article 3.4. Keller questioned if it could wait two weeks. Schulz stated legal counsel should review it and a special meeting could be called. Schulz made a motion seconded by Hoffer to amend the motion to move forward with the agreement subject to legal review of the agreement. Discussion followed. Roll call vote on the second amendment for a

legal review found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor. Amendment passed. Roll call vote on the first amendment found Morgan in favor. Kelsch, Hoffer, Keller, Schulz, Frey and Timmer opposed. Amendment defeated. Roll call vote on the main motion found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor. Motion passed.

Owen Voigt, representing Perazim LLC, commented on Barton Estates and Prairie Hills Additions. He stated they developed 48 lots in total between the two projects. Voigt commented they need to figure out how to get from now to the future when sales increase again. Barton Estates Subdivision has had seven homes built and six sold. There is one home built in the Prairie Hills Subdivision on 3<sup>rd</sup> Avenue, but it is not yet sold. He understands the bonds need to be paid, but wants to find out what was actually spent. He requested two Council members to meet with him to discuss the costs. He commented it is difficult for the developers to figure out how to deal with the specials and would like a way for the developers to maintain the responsibility to pay the specials. Bjerke commented it would be good for them to sit down to discuss the costs. He commented the City put an ad in the paper to try to promote the lots. Kelsch questioned if it is the price that is the deterrent on the lots or just no interest. Voigt stated they have had interest but haven't had an offer. Lots in Bismarck are going up so they may get more interest. Bjerke commented the City has done some research to see if anything could be done, but the money was borrowed through bonds and that cannot be changed. Voigt stated they are not looking for money from the City. Jayme Renner commented the lack of communication is the issue. It doesn't do any good to look back at the estimates. They are not able to maintain the specials under the current circumstances. He stated it is their responsibility, but they need some information to help them. Bjerke explained that the lights in Barton Estates did cost more than the amount included in the specials. Bjerke stated he will meet with Council and contact Voigt.

Bjerke appointed Nathan Richter to the Hospitality and Lodging Tax Advisory Committee as a representative from the Beulah Chamber. Schulz made a motion seconded by Frey to ratify the appointment. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Hoffer made a motion seconded by Keller to have the 2<sup>nd</sup> Reading of Ordinance #427 for the cemetery. Hoffer commented the name of the funeral director has never been in the ordinance before. Schulz commented it would help with research in the future. Barbot stated those records do not need to be kept for cremations. Hoffer made a motion seconded by Keller to amend the motion to remove the requirement that the name of the funeral director be included. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor. Schulz commented the Catholic Church does not want to be included in the ordinance. Hoffer stated the main reason we revised the ordinance was to increase the price of lots and create some unity. The Catholic Church portion is their property and the additions to the ordinance are to protect the City's liability, but we don't have any liability on their property. Schulz stated we should be renegotiating with the Catholic Church so they are included. Discussion followed. Hoffer commented the Baptist section is included and it was not before. Timmer questioned if permits are needed in the cemetery for fences or flag poles. Duppong stated no. Discussion followed. Barbot commented on changes he recommends to limit the city's liability. Schulz also commented on some items that he has concerns with. Hoffer listed changes to the ordinance: change language regarding damage that may be caused when opening a grave, remove the last paragraph of Section 5, and add "marker or foundation" to Section 6, B, 7. Hoffer made a motion seconded by Keller to amend the motion to have the second reading of Ordinance #427 with the corrections as presented. Roll call vote on the amendment found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor. Roll call vote on the main motion found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Kelsch made a motion seconded by Schulz to accept the stipulation to abate the property at 424 East Main Street in Beulah. Kelsch stated the owner has agreed to address the items found in the Findings of Fact to bring it up to code. He has until August 30, 2018. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Keller stated the reverse osmosis system is now running at the water plant.

Morgan commented they have two loader estimates that are about \$176,000 and the snow plow and gate equipment would be around \$20,000. The Equipment Committee will review the estimates and make a recommendation.

Schulz commented the Beulah Water Park will need another board member. Sonja Dutchuk has accepted the Park District Director position. Schulz made a motion seconded by Frey to accept the resignation of Christopher Bailey in the Police Department. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor. Schulz commented the new Ford Utility Interceptor has been ordered for \$29,334.55. \$16,150 was received from insurance and they would like to pay the balance of \$13,184 from the Equipment fund. The Equipment Committee will make a decision.

Timmer commented the Library Board is still looking for one member.

Yeager commented they have been snow plowing, sanding, and cleaning bike paths. The dump trucks didn't start when it was cold because of a breaker. They took recycle to Minot, hauled furniture to the landfill, and did maintenance on the garbage trucks and dump trucks.

Duppong stated P&Z will have a meeting on Thursday at 5:00 pm.

Keller made a motion seconded by Hoffer to approve the Special Event Permit for Bronson's Market Place to provide alcohol to the Lion's Club event at the Beulah Civic Center on March 24, 2018. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Kelsch made a motion seconded by Schulz to approve the payment to Sakakawea Medical Center Foundation of \$20,000 for the hospital. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Keller made a motion seconded by Hoffer to approve the raffle permit for Beulah Post Prom at Beulah City Hall on February 23, 2018. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Schulz made a motion seconded by Frey to designate First Security Bank West as the depository of public funds which meet the pledge of security requirements. Roll call vote found Timmer, Schulz, Frey, Morgan, Kelsch, Hoffer and Keller in favor.

Meeting adjourned at 9:00 pm.

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Darrell R. Bjerke, Mayor

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Heather Ferebee, Auditor

1/15/2018