

The regular Beulah City Council meeting of May 21, 2018 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

Present: Kathy Kelsch, Ben Lenzen, Eric Hoffer, Clyde Schulz, Brant Keller, Travis Frey

Absent: Kelsey Timmer, Joel Morgan

Also Present: City Attorney Scott Solem, City Engineer Charlie Hankins, Public Works Foreman Kenny Yeager, Police Chief Frank Senn, Economic Development Director John Phillips, Water/Wastewater Foreman Gary Neuberger, City Coordinator Russell Duppong, Kent Ritterman, Darrold Bertsch, 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 May 7 and approve as furnished to the Council by email. Roll call vote found Kelsch, Lenzen, Schulz, Keller, and Frey in favor.

Bertsch commented on the Sakakawea Medical Center and Coal Country Community Health Center updates. The \$7.5 million CCCHC project is going well, with hopes to be completed by Thanksgiving. The two story addition will be doubling the size of the clinic and increasing the number of exam rooms which will provide additional rooms for visiting specialists. Behavioral health services will be moving into the lower level of the building, the rehabilitation area will be expanded with both occupational and physical therapy, and meeting rooms will be added. Half of the project will be funded through operations and the other half with debt finance. They are continuing to finalize things at SMC including the pharmacy and landscaping. The Capital Campaign went very well raising over \$4 million for the SMC construction project. Bertsch stated SMC and CCCHC are working together with collaborative leadership and integrated board members which has allowed them to provide more services. The Board of Energy Capital Child Care Cooperative did a survey of some of the major employers in the Beulah community to determine the need for daycare services. The survey shows there is still a need in Beulah. They are looking for a location to establish a site in Beulah.

Hoffer arrived.

Ritterman commented on the Lime Sludge Disposal bids. Two bids were received with only one bid being opened since the other bid didn't have a contractor's license included. The recommendation from Moore Engineering is LS Enterprises LLC dba Pace as it was the only bid opened. We had two alternate bids: alternate one is a land application disposal for \$249,500 and alternate two is landfill disposal for \$238,100. We have verbally secured with the Department of Health and Mercer County Landfill a one-time permit to move the lime sludge to their facility. The alternate we are looking to award is #2. Keller made a motion seconded by Frey to accept the bid contingent on the North Dakota Department of Health accepting the disposal in the Mercer County Landfill. Ritterman stated they will be wet dredging the project with hopes to finish in September. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor.

Bjerke stated Joel Morgan resigned from the Council effective May 18. The Council can proceed in one of two ways: wait 15 days and appoint someone for the unexpired term or call a special election.

Frey made a motion seconded by Schulz to accept Morgan's resignation as of May 18. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor.

Kelsch stated she is working with the Civic Center Committee putting together numbers and options for the Civic Center remodel and will report at the next meeting.

Keller commented on Scott Buchmann's request for a reduction in the water and sewer connection fees to tie into the City services since he was annexed into the City in 1983. The fees have been increased since the property was annexed into the City. Keller made a motion seconded by Lenzen to allow a reduction in the connection fees to \$500 for water and \$500 for sewer due to the circumstances. Schulz stated the installation is Buchmann's expense; this is only the hook up fee to the City. This is a unique situation but it is not setting a precedent. Hoffer questioned if the well and septic will be discontinued. Duppong stated he will have to follow Health Department rules. Hoffer made a motion seconded by Frey to amend the motion to require the disabling and rendering useless of the septic system to meet all the Health Department requirements, and not being able to hook the well to any City water source. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor of the amendment. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor of the main motion. Motion passed as amended.

Schulz stated the new police vehicle is in service. Mercer County is still interested in pursuing a K-9 with the services of the City of Beulah. Senn commented Sheriff Danzeisen approached him, asking if any of his officers were interested in handling the dog and Officer Zazeski expressed interest. The Sheriff's Department would own the dog and pay for the training and well-being of the dog. The City's responsibilities would be to provide the vehicle, which we already have set up as a K-9 unit, and compensation for the officer. Having a trained specialized K-9 unit has been deemed by the Supreme Court as being enough probable cause to initiate a search; therefore, the introduction of a K-9 would reduce the level of burden to establish enough probably cause to search a vehicle or resident. Off duty assignments would be paid by the County if they need a search in the County. Solem Law and the States Attorney's Office are working together to form the best contract for both departments. Lenzen questioned future costs. Senn stated the Sheriff's Department already has an agreement with the instructor; therefore, the City would have to pay for the flight and training every third year. The reason for three years is that Dunn County, Mercer County, and the City of Beulah would split continuing training costs. Hoffer questioned the length of the contract. Senn stated the term of the contract is five years since that is the typical working life of a K-9. This dog would be a big asset to this area and to our community to keep our streets drug free. Schulz made a motion seconded by Frey to allow Officer Senn to keep moving forward with the process and to submit a final contract to be agreed upon. Frey stated this has been discussed by the Employee Relations Committee in the past. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor.

Hoffer stated city clean-up went well. Letters were sent to Sun Valley Storage Lot users to update our records and urge everyone to clean up their lots.

Hankins stated no bids were received for the concrete repairs during the bid process so he consulted with a couple contractors. Two quotes were received with the lowest bid from JMAC. Lenzen made a motion seconded by Keller to accept the bid for \$27,924 from JMAC for concrete work. Lenzen commented the City could take advantage of the good prices and clean up some areas and stay within budget. We could also reach out to others and share the cost that we have obtained. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor.

Hankins stated Interstate Engineering is seeking Council approval to move forward and finalize the Comprehensive Land Use Plan. Frey made a motion seconded by Schulz to accept the Comprehensive Land Use Plan, as presented at the last meeting, for adoption. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor.

Solem stated he is working on the K-9 contract with the Police Department and States Attorney's Office. The contract will be back to Council for approval.

Yeager commented the first round of sweeping is almost complete. They started mowing, Derrick is working at the cemetery, the garbage truck had the hydraulic pump replaced, the slope mower is in Minot for service, Waste Not Want Not picked up the tires at the Transfer Station, clean-up week was busy, and two summer employees were hired.

Duppong presented a variance request from Adam Bornemann, located at the corner 12th St NW and Central Ave N, for a 12 ft. variance on the East side of his property to allow for a fence to sit 13 ft. from the property line and the house. Planning & Zoning recommended the approval of the 12 ft. variance. Frey made a motion seconded by Hoffer to approve the recommendation by Planning & Zoning to approve the variance. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor. Duppong stated Neuberger is working with the Health Department on the lagoon.

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

Schulz made a motion seconded by Keller to approve the special event permit for Sportsman's Bottle Shop to serve alcohol at the Mercer County Fair beer gardens July 12 – 15, 2018. Roll call vote found Kelsch, Lenzen, Hoffer, Schulz, Keller, and Frey in favor.

Senn stated the 2007 Ford Expedition was sold and the other Expedition is going out for closed bid. A new door has been installed in the Police Department. Senn will be attending active shooting training and working with the school system to develop a safety plan so we can effectively respond. Cops and Kids is June 2 at Harmony Lake.

Meeting adjourned at 8:27 pm.

Darrell Bjerke, Mayor

Darla Knutson, Deputy Auditor