

The regular Beulah City Council meeting of September 17, 2018 was called to order at 7:00 pm at Beulah City Hall by Mayor Travis Frey.

Present: Eric Hoffer, Kathy Kelsch, Gary Miller, David Ripplinger, Clyde Schulz, Kelsey Timmer

Absent: Loren Daede, David Czywczynski

Also Present: City Attorney Scott Solem, City Engineer Charles Hankins, City Coordinator Russell Duppong, Public Works Foreman Kenny Yeager, Police Chief Frank Senn, Kate Johnson

Pledge of Allegiance

Schulz made a motion seconded by Kelsch to dispense with the reading of the minutes of the last regular meeting on September 4 and the special meeting on September 10 and approve as furnished to the Council by email. Schulz made one change. Roll call vote found Ripplinger, Schulz, Timmer, Kelsch, Hoffer and Miller in favor.

Frey commented on the NDLC Annual Conference, stating it was a good conference and it's a good idea for each member to try to make it to at least one conference.

Kelsch commented on the bids that came in for the multi-use path. She stated unfortunately the lowest bid was \$698,580. It is not a feasible project knowing our budget situation. Kelsch made a motion seconded by Timmer to notify the NDDOT that we will not be able to move forward with the project at this time. Roll call vote found Ripplinger, Schulz, Timmer, Kelsch, Hoffer and Miller in favor. Kelsch stated the Employee Relations Committee will meet soon.

Schulz commented the NDLC Conference had a lot of good information. The Pool Board now has three openings coming up for three-year terms.

Miller commented there is one vacancy on the P&Z Board.

The Library Board met and would like to recommend Scott Solem for the Library Board vacancy. Frey appointed Scott Solem to the Library Board. Timmer made a motion seconded by Miller to accept the appointment of Scott Solem to the Library Board. Roll call vote found Ripplinger, Schulz, Timmer, Kelsch, Hoffer and Miller in favor. Timmer commented on the NDLC Conference stating we should keep up on some of the new technology discussed. The bike path discussion was very good. Kelsch commented it would be nice to leave the dollar figure for bike paths in our budget. Frey questioned if we can add a fund. Ferebee stated she will check into it.

Hoffer commented the new loader should be in Bismarck this week and in Beulah next week.

Hankins presented the progressive estimate for the manhole infiltration repair project of \$41,805 to CIP Construction Technologies, Inc. Frey questioned if there is retainage on this project. Hankins commented this amount is roughly half of the project total. Schulz made a motion seconded by Kelsch to approve the payment as presented of \$41,805 to CIP Construction Technologies, Inc. Roll call vote found Ripplinger, Schulz, Timmer, Kelsch, Hoffer and Miller in favor. Hankins commented the Water Tank project is moving along. They have sandblasted the

inside and have found extensive pitting and the rivets are eroding. Schulz made a motion seconded by Hoffer to approve up to \$25,000 for a change order to repair the pitting and rivets in the water tank. Roll call vote found Ripplinger, Schulz, Timmer, Kelsch, Hoffer and Miller in favor. Hankins stated the foundation of the legs of the tank are fine now but we should consider fixing them in the next two to five years.

Solem commented on a letter from Hicks regarding the Animal and Fowl Ordinance #429. Schulz stated he would like to go through the points. Frey commented we could have the first reading with the changes incorporated. Schulz presented the following points and recommendations:

- The removal of dead animals on the street should be clarified. It was discussed that residents should have time to claim an animal and that should be added.
- Keep the Country Club Estates animal regulations the same. Solem mentioned adding an approval by City Council for an educational organization to be allowed to have certain animals on a case by case basis.
- Change the five violations to three violations of \$100, \$300 and \$500 minimum.
- Pet license fees were brought up for discussion. Hoffer made a motion seconded by Ripplinger to remove the licensing requirement for pets with the requirement to have a rabies vaccination tag and an identification tag. Hoffer commented it is redundant and undue stress on the staff. Senn commented on the duties he is required to do when a dog bites an individual and the need for the license tag. Hoffer commented the program isn't working now and Solem stated the program needs to be looked at. Senn stated the PD could be more proactive in obtaining licenses. Timmer questioned if we do the dog day at the vet, could the registration be waived. The dog at large fee and kennel fee should cover expenses. Senn stated he has the fear people will not retrieve their dogs if the fee was increased at the pound. He views the tag as an insurance policy so the dog can be taken back to the owner. Kelsch stated there is a benefit but we need to make it as inexpensive and easy to do as possible. Miller questioned if people are notified when the registration is due. He would like them to be notified and have a three-year registration for a discount. Timmer commented on sending out an update form for those with a three-year license. Schulz commented on people from other cities he spoke to regarding this issue. Roll call vote found Miller, Kelsch Timmer, Schulz opposed. Hoffer and Ripplinger in favor. Motion defeated. Schulz recommended keeping the \$10 fee and the licensing program process. Timmer requested it be in the ordinance that a letter be sent out each year for renewal. Kelsch stated that the first initial licensing could be free as a promotion. Miller questioned why the renewals are only in January. Hoffer commented if the first initial registration is free then it can be renewed in January. Miller questioned if the vet could also assist if a dog comes in without a tag. Ripplinger stated the expiration date could be based on the rabies shot due date. Kelsch questioned if January is the best month. Senn commented January is not as busy as summer months for them.
- Add email as a way of contact.
- Shock collars were brought up for discussion. Hoffer stated he is in favor of shock collars within 50 yards. Ripplinger stated he would still like to see shock collars kept in. Schulz stated it depends on how well a dog is trained. He believes the dog should still have a leash. Kelsch questioned when the dog is far away. Hoffer commented he will only let his dog run in certain areas when no one is around. Solem stated the ordinances are not written for those who are in control of their dogs.

- Fees for the pound are \$50 per day and lowering it to \$35 for the first day and \$20 for each day after is being considered. Ripplinger questioned if the \$50 per day is too expensive for those who have picked up their dogs. Senn stated it hasn't been too much, but the second day fee should be lower. He agrees on \$35 for the first day and \$20 for each day after. Hoffer questioned if the PD is able to check microchips and Senn stated they are not. Schulz stated it is something to look into. Frey stated it would be a good investment.
- The number of dogs allowed per household was discussed. Hoffer commented he doesn't have a problem with it staying at two but doesn't see a reason for a limit. Kelsch stated you could have a person own one dog who isn't a good owner and someone who has three or four and is a great owner. If there are dogs in the pound looking for a temporary home, the most likely person to take one is someone who is a dog owner. Are we creating the potential of not rehoming a dog by limiting the number? Schulz stated that would be a temporary circumstance. Miller stated that two is too restrictive.
- Schulz commented on limiting cats. Hoffer stated we should limit cats to two. Timmer commented if we increase the limit on dogs, cats should have the same limit. Discussion was to have a limit of three dogs and three cats. Solem questioned cats running at large and leashing them. Kelsch stated if an owner can be identified there should be something to deter them from running all over. Senn stated they would fall under the nuisance ordinance and they do have live traps. Schulz questioned why the cats can't be licensed. Discussion was to require cats to be licensed.
- Schulz stated the licensing process still needs to be defined. Hoffer commented Senn could bring back the process that would work for them to the next meeting.
- Ripplinger clarified the licensing fee is \$10 across the board for dogs or cats regardless of whether they are spayed.

Schulz made a motion seconded by Hoffer to have the first reading of Ordinance #429 with the changes discussed. Roll call vote found Ripplinger, Schulz, Timmer, Kelsch, Hoffer and Miller in favor.

Duppong commented he will be at the ND Building Officials meeting this week. There will not be a P&Z meeting. He stated medical marijuana is becoming a reality and P&Z will wait to see how the County will address it.

Yeager stated it is the City Wide Cleanup week.

Senn stated he is working on setting up a silent auction for impounded vehicles.

Schulz commented the Prairie Dog bill is being presented and cities would benefit by receiving funding.

Meeting adjourned at 8:55 pm.

Travis Frey, Mayor

Heather Ferebee, City Auditor