

The regular Beulah City Council meeting of August 6, 2018 was called to order at 7:00 pm at Beulah City Hall by Mayor Travis Frey.

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

Also Present: City Attorney Allyson Hicks, Public Works Foreman Kenny Yeager, Police Chief Frank Senn, Kent Ritterman, Monica Johner, Gloria Olheiser, David Whipps, Kurtis Kruger, Vern Muscha, Kate Johnson

Pledge of Allegiance

Kelsch made a motion seconded by Schulz to dispense with the reading of the minutes of the last regular meeting on July 16 and approve as furnished to the Council by email. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Johner commented on the dog-at-large and aggressive-dog-at-large problem in Beulah. Dogs are running wild on the south side of town and the owners are not being held accountable for the havoc the dogs are causing. If the owners were held more accountable it would eliminate a lot of the problems. Within the last month and a half, Johner called in three times for a dog-at-large on her property and two times for dogs running loose on the City streets. Someone's child is going to get mauled if something isn't done. Schulz stated legal counsel was contacted a month ago about strengthening fines. We will be reviewing and taking steps to take care of some of the situations.

Olheiser presented a Hospitality and Lodging Tax funding request for Heritage Park Market Fall Festival on August 11, 2018. The committee recommended approval of \$1,200. Czywczynski made a motion seconded by Hoffer to approve the request of \$1,200 for Heritage Park Market. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Whipps gave an update on the upcoming street dance. The band has been booked and two chuck wagons have been contacted. Whipps stated they would like a variance to block off between 1st Avenue to Central Avenue to allow for families to enjoy food and music as well as allowing adults to walk around with an adult beverage. Senn commented on two options: option one would be to allow for open airway alcohol on Main St. similar to the Centennial which would require a resolution. The City would provide some security and the bars would need to hire two additional certified police officers. Option two would be to partition off a beer garden which is more labor intensive for law enforcement. Whipps stated all mixed drinks would be dispensed from within the establishments while beer could be distributed from outside. Whipps stated they are trying to do something to get people in the community out. The vision is to have a chuck wagon set up on each end, both bars having a small tent to sell beer, and anyone 21 and over would be wrist banded. No glass would be allowed on the street. The Main Bar is taking care of the hard gating. Miller questioned who would provide cleanup after the event. Whipps stated the two bars would take care of that and questioned if the City could provide extra containers for garbage. Kelsch commented it is great that both establishments are working so hard to put this together. It would be nice if we could make this resolution to encourage this event to be as much of a success as we can and having an open area would help do that. If we segregate, we may have some young families that otherwise would have attended but now choose not to. Hoffer made a motion seconded by Miller to approve providing a variance to allow for open air liquor sales with a gated off area; beer to be served out of tents outside; hard liquor served inside; any age allowed in but wristbands for ages 21 and older;

approve the special event permits on August 25 for both the Nite Owl and Main Bar to serve alcohol; the City provide extra containers for garbage; and work with Senn on security. Whipps stated this event will be relatively basic this year but can be built on in the future. Hicks will research what was done at the Centennial. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor. Whipps questioned if there was any funding available to help with the cost of extra security. Frey recommended they apply with the Hospitality and Lodging Tax Committee. West River Transit has been contacted about offering rides that evening. Whipps will attend the next meeting to clarify any details before the event.

Ritterman commented on the Water Plant project and current budget. Sweeney Controls will be switching over the lift stations and wells to the new computer system this week. Daede made a motion seconded by Schulz to approve pay estimate #19 for \$111,405.34 to Northern Plains. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Ritterman commented on change order #8. The clarifier basin will be removed from the change order since it can't be completed until after peak season which gives us extra time to figure out the best plan for it. Removing that item will bring the change order total to \$632.60. Daede made a motion seconded by Timmer to approve change order #8 in the amount of \$632.60. Daede stated we will review what to do with the checkered plate. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Ritterman presented the Moore Engineering invoice in the amount of \$22,427.19 which represents construction services and technical support. Daede made a motion seconded by Kelsch to approve the Moore Engineering invoice of \$22,427.19 for engineering. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Ritterman presented the SRF request for payment #1 in the amount of \$38,216 for the lagoon project. Daede made a motion seconded by Timmer to approve SRF payment request #1. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor. Ritterman stated the contractor will want to go to the substantial completion date in the next month at which time the liquidated damages clause goes from \$2,000 to \$1,000 per day. Ritterman will meet with the committee to discuss liquidated damages.

Kelsch commented on the Civic Center. ICON and Consolidated Construction reworked the plan and numbers but unfortunately the project cost is still over \$1 million. The primary reason for that is the HVAC needs to be brought up to a point where it can take care of the building. The committee will work on another plan. Frey commented there are some entities, like the Mercer County Fair, interested in what we are doing with the Civic Center. Frey questioned if the committee has talked about any funding sources or to any other entities that would possibly do a cost share. Muscha commented since this is a community type event it would be nice to have different entities in the community on board so that everyone knows what is going on and we can work together for what is best for the community. Frey commented if we get to a point of where we are going to present a proposal we should provide notice one meeting in advance so the general public can hear what is going on. Kelsch stated we are quite a ways away from that. Kelsch stated the bike path is in the final stage of gathering information so we can meet with the last individual on the easement. We should have a direction in which we are going to present at the next meeting.

Czywczynski stated crews are working on the streets and curbs. He commented on a letter from Hankins regarding an infrastructure funding package that will be brought up at the next legislative session.

Daede commented on Lift Station #3. The pumps are having a hard time keeping up with the extra backwash water from the Water Plant, plus the fact that one of the pumps went down. Dakota Pump and Control is reconditioning the pump. We are looking at possibly upsizing the pumps because we are getting some inflows that we weren't expecting. Hankins is working on getting prices from Dakota Pump and Control for upsizing the pumps. The manhole has been put in at 1st St NW and 2nd Ave NW just southwest of the School House Apartments. The cleanout was broke and there were lots of roots which caused the plugs. The line was checked with a camera for additional damages. There is a small crack in one area but not affecting the structure of it.

Schulz stated West River Transit had their quarterly meeting and are moving forward with the possibility of a new bus for Beulah. The Pool Water Carnival is August 10 and it will be closing on August 15. Schulz made a motion seconded by Kelsch to accept the municipal court report as presented. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor. Schulz commented on the National League of Cities Small City Council Summer Conference and sessions he attended: Using Social Media, Weapon Mounted Cameras, City Workforce Replacement, House Seller Tax, Age 65 Property Tax Stall, and Community Gardens.

Miller stated Planning & Zoning recommended the appointment of Dalton Zeiszler to the P&Z Board. Miller made a motion seconded by Schulz to accept the appointment of Zeiszler to Planning and Zoning for the unexpired term of Gary Miller. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor. One position is still open, but Bauer has agreed to stay on until a replacement is found.

Miller commented on an amendment to the zoning ordinance on fences on the property line. Planning & Zoning recommended to allow property owners to build a fence up to the property line and it would be the responsibility of the land owner to determine where that line is. Hoffer stated requiring a foot off the property to get automatic approval is a good idea and we have the variance process there for that reason. The ordinance does not say you can't do it; you have to go through the variance process to do it which was discussed when the ordinance was being developed. Hicks stated the property owner still needs to care for their foot of lawn on the other side of the fence. Frey stated if there were any other updates to the ordinance they should be addressed at the next P&Z meeting. Hoffer commented we should have a direction on the ordinance before we get legal involved as legal is very expensive. Daede stated one of the reasons for the one-foot offset was to protect the survey corners. When a fence is put on the property line, the property pins may be wiped out. Hoffer stated with the variance it shows that both parties agree on that property line. Hicks stated the 6" variance was originally added because putting a fence straight on the property line becomes a legal issue. It was widened so the strip of lawn can be maintained. It would be more beneficial and cost effective if P&Z provided specific recommendations and any other revisions to the fencing ordinance. Frey stated P&Z should discuss it and any other changes at the next P&Z meeting, so the Council has a clear direction to approach the recommendation.

Frey commented on the 2017 City audit. Schulz made a motion seconded by Hoffer to accept the 2017 City, JDA and Airport audits. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch,

Miller, Ripplinger, Schulz, and Timmer in favor. Frey commented on the NDDOT meeting regarding a roundabout at the intersection of Highway 49 & 200. Hoffer questioned if the City was funding part of the project. Frey stated the project will be funded by the State.

Hicks stated the dog ordinance is complete but it wasn't put on the agenda yet. Beulah has one of the more updated ordinances in the State. The ordinance was opened to increase the fines for dogs at large to encourage people to keep their dogs on a leash. Council should address some of the other provisions while it is open.

Knutson presented a special event permit for Sportsman's Bottle Shop to serve alcohol at the Demolition Derby on August 18, 2018. Schulz made a motion seconded by Hoffer to approve the special event permit as presented. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Knutson presented a special event permit for Sportsman's Bottle Shop to serve alcohol at the Chamber Steak Fry at Riverside Park on August 9, 2018. Schulz made a motion seconded by Miller to approve the special event permit as presented. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Schulz made a motion seconded by Daede to approve payment of the bills as presented. Roll call vote found Czywczynski, Daede, Hoffer, Kelsch, Miller, Ripplinger, Schulz, and Timmer in favor.

Meeting adjourned at 8:18 pm.

Travis Frey, Mayor

Darla Knutson, Deputy Auditor

The following bills were approved and paid in July:

Check Range: 36799 to 36908, -99855, -99854

Payroll Check Range: -79152 to -79028

Employees	97,613.72
FIT	16,352.10
SIT	3,046.23
Unemployment	927.51
FIT	14,047.26
New York Life 457b	3,821.12
ND Child Support	190.99
MN Child Support	347.01
NDPERS	27,504.16
ALFAC	508.02
ND Child Support	190.99
MN Child Support	347.01
City of Beulah	49.41
North Dakota Tax Commissioner	82.86

8/6/2018

HAWKINS INC	5619.26
North Dakota Dept of Health	89.00
Mercer County Treasurer	5697.18
BHG, Inc.	1491.75
Beulah JDA	908.65
MDU	16687.40
MailFinance	441.87
Northern Plains Contracting, Inc.	220996.38
West River Telephone	1485.59
Beulah Airport Authority	937.35
NDACo Resources Group, Inc.	408.88
Convention & Visitors Bureau	8097.62
Moore Engineering, Inc.	11674.58
Farmers Union Oil Company	4583.25
Verizon Wireless	533.97
Hot Shot Plumbing & Heating LLC	1784.50
Cameron Brown	900.00
Amanda Mohl	20.00
Nikki Leidholm	30.00
Kameron Plienis	133.74
Backyard Escapes	238.58
Serena Schmit	50.00
The Bismarck Tribune	296.35
WatchGuard Video	214.00
Dakota Supply Group	69.40
Recreation Supply Co	3304.89
Associated Supply Co Inc	450.60
J & M Hardware Inc	1207.91
Beulah Lumber Company	10.96
North Dakota Insurance Department	8533.72
Solem Law Office	3000.00
NAPA Auto Parts	106.81
First Security Bank West	61413.99
Downtown Gas & Auto	5749.55
Lignite Tire	1645.01
Russell Duppong	1000.00
North Dakota One Call Inc	43.20
Information Technology Dept	249.25
Waste Management of WI-MN	436.00
Solem Law Office	5651.37
Interstate Engineering, Inc	7765.94
Coca Cola Bottling Co. High Country	687.50
Bryan Tomchuk	200.00

8/6/2018

Shopko Stores Operating Co.	15.76
Southwest Business Machines	30.27
Ver-Tech, Inc	282.09
Bronson's Marketplace	1250.73
Swanston Equipment Corp.	1688.00
Pro Forms	603.39
Arntson Stewart Wegner PC	3624.28
Industrial Fabworx	85.00
Municipal Government Academy	30.00
Quill Corporation	360.47
Custer Health	100.00
DirectMED	234.82
The Hub Convenience Stores	8.99
Stein's Inc	701.23
Auto Value Beulah	63.09
New York Life	1523.60
Mainstay Funds	5954.69
New York Life Insurance	334.50
Mainstay Funds	295.53
New York Life	41.71
Roughrider Electric Cooperative Inc	6674.05
Beulah Airport Authority	4464.35
Beulah Senior Center	3188.82
Beulah Park District	18957.94
AmeriPride Linen & Apparel Services	307.40
Beulah Park District	16581.87
Midco	119.28
Chemistry Lab	1527.74
USA Blue Book	206.27
Ben Newman	125.01
Kameron Plienis	76.32
MainStay Suites	282.00
Christi Beauchamp	30.00
Morgan Tomchuk	103.45
Roughrider Center	300.00
Coal Country CHC	78.00
Sanford Health Occupational Med Bis	70.00
Travis Frey	153.10
North Dakota Insurance Department	1690.40
Electronic Communications Inc	4728.89
NDSWRA	75.00
Total Control Inc	6000.00
Pekas Precision Lawn Care	600.00

8/6/2018

Postmaster	375.52
US Bank	7422.64
Rebekah Kjos	321.36
Knife River Veterinary Clinic	75.99
Elaine Yeager	5.00
Tom Kritzberger	25.00
Chris Siemiemiewski	50.00
Jordan Langness	50.00
Bradley Lebrun	50.00
Josh Knoll	50.00
Lonny Buchmann	90.00
BHG, Inc.	450.00
Voice of Youth Advocates	62.00
Demco, Inc	252.23
Marlene Norris	25.00
NDBOA	215.00
Scott Roth	50.00