

The regular Beulah City Council meeting of December 21, 2015 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

Present: Clyde Schulz, Kirby Morgenstern, Brant Keller, Roger Gazur, Ben Lenzen, Al Kok

Absent: Kathy Kelsch, Travis Frey

Also Present: City Attorney Scott Solem, City Engineer Loren Daede, City Coordinator Russell Duppong, Public Works Foreman Kenny Yeager, Kelsey Timmer, Bo Klindworth, Garner Sailer, States Attorney Jessica J. Binder, Kate Johnson

Pledge of Allegiance

Gazur made a motion seconded by Schulz to dispense with the reading of the minutes of the last regular meeting on December 7 and approve as furnished to the Council by email. Roll call vote found Schulz, Morgenstern, Keller, Gazur in favor. Lenzen and Kok abstained. Motion passed.

Solem stated ND Century Code 44-04-19.1 subsection 2 allows for City Council to go into executive session for attorney consultation and the City Council will be exercising that ability and right at this time. Gazur made a motion seconded by Kok to move into executive session. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor. Bjerke recessed the Council meeting at 7:06 pm to move into executive session. The executive session was attended by Bjerke, Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok, Solem, Binder, and Knutson

Bjerke called the regular City Council meeting back to order at 7:28 pm.

Bo Klindworth, Beulah Airport Authority representative, commented on the funding request for the 2015 allocation. He stated most of the money that is received from the City goes for preventative maintenance and repairs of the runway. This past year the runway and taxiway were crack sealed at approximately \$9,000. It is required annually. In 2016 they will need to sealcoat the runway, which is required every 5–6 years. The last estimate to sealcoat the runway was about \$35,000 and \$10,000 to repaint the lines after the sealcoat. The Airport Authority will also need fuel for about \$30,000. The allocated funds are also used for general maintenance like lawn mowing and snow removal. They will be seeking State grant money for a new roof on the airport lobby. The State grant is a 50% match but not guaranteed. Garner Sailer commented the lawn mower and lawn tractor are getting old and will need to be replaced. Discussion followed on their budget practices. Gazur made a motion seconded by Schulz to grant the request for the \$20,000 allocation which was budgeted for 2015. Kok commented they should come in earlier and with more information for their future requests. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Bjerke commented on the JDA's 2015 allocation request for \$52,000. Bjerke stated that some time ago he handed out a list of all the things in which JDA has been involved. It currently approved the interest buy down for Cobblestone Inn for 5 years. The cost of the custodial salary for the USDA Building, which the City has paid on behalf of JDA, will need to be taken out of the allocation. Bjerke commented he would like to see the Comfort Station at Sun Valley RV Park fully in the hands of the City. Gazur made a motion seconded by Schulz to release the 2015 budgeted allocation of \$52,000 less the custodial salary to JDA. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Lenzen commented on the snow removal route map which identifies 3 different areas: emergency, primary and secondary routes. He thanked Yeager for the excellent job on the route map. The City will move forward with these snow removal routes.

Bjerke commented on the bike/walking path grants that are due in December and January. Daede stated the December grant will be sent out for review this week and should be ready for print next week. This grant is an 80/20 match.

Kok commented the city will be replacing the stakes from underneath the trees that hold the "In Memory of" plaques at the cemetery. Dakota Gasification Company made 85 aluminum plates which will be used to hang the new plaques to the fence by each tree. Knutson is working to have someone make the plaques. Public Works will install the "In Memory of" plaques this spring. Public Works will also work on leveling the lots at the cemetery as time allows. Kok stated things are going well with the Police Department. Kok made a motion seconded by Schulz to accept the municipal court report. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Keller had no report.

Gazur thanked Duppong and Interstate Engineering for fixing the drainage structure that crosses Hwy 49 which is much welcomed by all the residents that run snow down through that area.

Gazur commented that Heather Ferebee will be taking over the management of the wage schedule which he has been the holder of for a few years. He will still conduct the midyear salary adjustment meeting but Ferebee will take care of the day to day operation from this point forward.

Gazur commented on the acceptance of SRF Task 6, Chapter 1. This is the last chapter to be presented to Council prior to the coordination of all the individual parts and the final version. Gazur made a motion seconded by Schulz for Council to accept SRF Task 6, Chapter 1. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Gazur commented on the bike path maintenance agreement. Gazur stated he believes the City has an asset in the bike path. The NDDOT, through minor changes basically pedestrian rumble strips, is trying to take control of the bike path and exert its influence over anything that is going to be done in the future. Gazur stated he is not in favor of the City of Beulah being a signatory to this cost anticipation of maintenance agreement dated November 13. If the agreement is mandated, the City has no alternatives. He questioned if it is not mandated, of what benefit is there to the City of Beulah. If there's no benefit to the City of Beulah, Gazur stated he doesn't believe in entering into any kind of agreement. The more agreements you enter into, the more potential there is to run into some type of interference in the future. Bjerke questioned if this is a standard agreement or specifically written for the Beulah bike path. Daede stated it is fairly standard as far as a maintenance agreement. Bjerke commented he would like to see the agreement modified to be satisfactory to both the City and Highway Department. Gazur agreed with Daede's assessment that the agreement is pretty straight forward and probably somewhat universally applicable. Gazur stated the NDDOT is directing what we are going to do with our asset. Daede clarified the definition of shared use. It doesn't mean shared between the City and NDDOT but rather shared use is calling it a bike path or a pedestrian path and the sharing of those two uses. Daede stated we already have an agreement in place similar to this one. Daede will contact the NDDOT to see if any revisions could be made to make it more palatable. Bjerke moved the topic to another meeting after Daede receives more information.

Schulz commented the Wellness Center had a reorganization meeting that was well attended and they reviewed a lot of information. They are looking at the cost of what they want and determining where they can downsize to restructure from \$8 million to between \$6 and \$7 million. The next step is waiting on revised drawings from the architect with breakdown prices and phases. They will also be working on financing. Schulz stated if everything falls together, they are hoping for a midsummer groundbreaking.

Morgenstern commented on the winter rates for Sun Valley RV Park. He will do additional research and bring it to the next meeting for discussion. Morgenstern stated he would like to see the City take over the Comfort Station since the City paid for repairs and installation of cameras. Gazur questioned the potential to run Sun Valley RV Park like the City runs the enterprise funds. This could allow for cost analysis to determine the rates. Bjerke commented on the cost to update the year round sites and upgrades to 50 amp.

Solem commented on Resolution 2015-11 to increase garbage rates. Discussion followed on the vacation rate. Schulz made a motion seconded by Gazur to approve Resolution 2015-11 with the recommended garbage rates effective January 1, 2016. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Solem commented on Resolution 2015-12 for the bike path grant. Kok made a motion seconded by Gazur to approve Resolution 2015-12 for the bike path grant request. Bjerke stated this is a resolution required to be submitted with the grant request. Solem stated as part of the 80/20 cost share grant funding process the City has to do an agreement with the County where by the City would be responsible for the walking path under the grant; the County is supposed to be the fallback entity. At the County Commission meeting Kelsch attended, the County expressed concern over being responsible if the City doesn't take care of its own bike path. As a result, Kelsch visited with the person in charge of the grant. They recommended getting an agreement in place stating the City is responsible for its own bike path. Solem stated he will work on the agreement. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Solem commented on Resolution 2015-10 for accepting the lot that came back from the County for taxes. The City Council has to approve the purchase of the lot for \$1 and send the resolution along with payment to the County for the deed. The property will need to be possessed by the City for at least 90 days to clear any resulting title defects in the taxing. Kok made a motion seconded by Schulz to approve Resolution 2015-10 regarding the lot in question that we will buy back for \$1. Roll call vote found Schulz, Morgenstern, Keller, Gazur, Lenzen, Kok in favor.

Yeager stated they installed a block heater on the loader, changed oil in the garbage truck, installed a stop ahead sign on 16th St, helped the Water Plant with a break on Cypress, sanded streets, cleaned sidewalks and bike paths, cleaned drains, installed a door sweep at the Comfort Station, trimmed trees, pushed up concrete and asphalt, and picked up the old pedestals from Sun Valley. The next two weeks they will burn the wood pile, clean up the dead end on 10th St NE, install a glass board in the showers at the Comfort Station, replace old stop signs, and trim trees. There will be double garbage routes December 24 and 31.

Duppong commented that thirteen dilapidated building letters have been sent out with nine owners responding by the deadline of December 21. Eight owners will be taking down the buildings. They will need to send a letter with a realistic date of completion along with a time schedule to follow for the demolition process to make sure the environmental aspects are addressed. One

property owner would like to rebuild. Duppong stated Loreen Weist will contact the owner to schedule an inspection. We are still waiting to hear back from four owners. If they haven't responded within 2 weeks, a secondary letter will be sent from Solem Law. Duppong commented he attended the Water Conference in Bismarck. There will be a meeting in January with the Governor's office to discuss the finance processes and see what is available for the City. The last P & Z meeting of 2015 was canceled. Duppong commented he will be working with SRF to close out the district codes in March.

Bjerke stated the Employee Appreciation Banquet is on January 8. Gazur wished everyone a Merry Christmas!

Meeting adjourned at 8:37 pm.

Darrell R. Bjerke, Mayor

Darla Knutson, Deputy Auditor