

The regular Beulah City Council meeting of August 15, 2016 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

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

Also Present: City Attorney Scott Solem, City Engineer Loren Daede, City Coordinator Russell Duppong, Economic Development Director John Phillips, Public Works Foreman Kenny Yeager, Police Chief Frank Senn, David Whipps, Peggy Wolf, Perry Wolf, Jackie Loyas, Kevin Kloosterman, Terri Kloosterman, Craig Muri, Charlie Hankins, Brent Torgerson, Bill Suter, Linda Pouliot, Sarah Tunge, Jo Hafner, Ken Beauchamp, Marie Mettler, Maverick Thompson, Jerald Isaak, 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 August 1 and approve as furnished to the Council by email. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor.

Bjerke introduced visitors from Glen Ullin's Council.

Jo Hafner of the Beulah Senior Center commented on work that needs to be done on the building and requests any help the City can provide. Kelsch made a motion seconded by Morgan to issue the \$4,500 budgeted amount to the Beulah Senior Center. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor.

David Whipps of the Nite Owl Bar requested clarification on the Special Event Permit required to serve alcohol on City property. Bjerke stated the City has since found out new information from NDIRF that the City has host liability insurance. The establishment that has the permit would be responsible for the people serving the alcohol. Hoffer made a motion seconded by Frey to remove the requirement that the City be listed as additional insured on the liquor establishment's insurance. Whipps commented he carries liquor liability insurance but the State of ND does not require a liquor establishment to carry it. He stated establishments do carry general liability though. Hoffer questioned private parties. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. Keller made a motion seconded by Hoffer to approve the Special Event Permit for the Nite Owl to serve alcohol at the Duck's Unlimited Banquet on September 10, 2016 at the Beulah Civic Center. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. Schulz stated the permit should be requested 30 days in advance.

Bjerke commented on the budget for 2017 and requested Council look it over before the preliminary budget is approved.

Lenzen commented street repairs should be completed soon.

Kelsch commented on the sale of the city building the Chamber is currently occupying. The Chamber has decided they would like to stay in the building. The amount negotiated is a purchase price of \$70,000 minus the lease payments of \$25,800 already made to the City. The purchase price would then be \$44,200 plus legal fees. The City has spent \$42,590 so far to maintain the building. Kelsch made a motion seconded by Schulz to proceed with the sale of the building to the Chamber for

\$70,000 minus the \$25,800 in lease payments made to date for a total of \$44,200 plus legal fees. Hoffer questioned where the \$70,000 amount comes from in relation to the appraisal. Bjerke commented the appraisal includes extra land that is not being sold. It is also taking into account some issues that were found with the building. Bjerke commented we need to consider the future of Beulah. Hoffer questioned why the lease payments were included in the price of the sale and if another business wishing to purchase it would be given that opportunity. Bjerke commented it is also in the flood zone. Keller commented we could sell it to them for more, but the Chamber may come back for additional funds in the future for repairs. Lenzen questioned how we acquired the building and Phillips explained it was acquired through back taxes and was not in good shape at the time. Discussion followed. Hoffer questioned if any other businesses have expressed interest in the building or if it could be put up for bids. Lenzen commented the Chamber was located in City Hall. The City has tried to assist them and he thinks it is a great move by the City to help them move forward on their own. Schulz stated this was all discussed before a recommendation was made. Roll call vote found Keller, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. Hoffer opposed. Motion passed.

Five minute recess taken.

Keller commented on a meeting with Moore Engineering and the finishing of the loan application. He suggested adding the automated water meter reading system to the request. Moore will go out for bids on the Water Plant Improvements and the water meter system could be included. Keller made a motion seconded by Schulz to allow Moore to complete the application for funding for the automated water meter reading system. Keller commented in the future he would like the Ordinance changed to state the City owns the water meters and to add approximately \$1.50 to each monthly bill as a water meter maintenance charge. Bjerke clarified this would be at a later meeting. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor of the motion. Keller commented on the bid package for water plant improvements that will be brought to a Council meeting soon. Moore Engineering's Phase II will be over as soon as the bid opening takes place.

Bjerke commented we have had requests for smaller tipping carts. We are looking seriously at ordering 45 gallon tipping carts for some individuals. He commented Morgan could look at prices.

Frey commented on the Employee Relations meeting held to review employee evaluations. There will be another Employee Relations meeting to go over salary increases for 2017. He commented on the Assessor position and the option of contracting the duties to someone with experience. He stated they met with AE2S and have also spoken with Vanguard. Vanguard doesn't offer full assessor services but they can still assist with the program. The contracted individual would have no vested interest and would do everything by the book.

Schulz commented the last day for the Pool was Friday. A water carnival, movie night and puppy plunge was held and \$155 was raised. There is a JDA meeting this week and the Club Store Outlet is interested in opening a store in Beulah. The Wellness Center drawings are to be final at the end of this month. The new playground at Riverside Park is a plus for the community. He is working with Senn on the Police Department budget. Officer Bailey is out on sick leave.

Timmer commented on the Library. The Senior Reading program is getting started and the Walk Around is starting. Rita Baranick is leaving the Library.

Hoffer commented the City Cleanup will be in September and he will meet with Yeager on dates.

Daede commented street patching will start this week and Keller Drive will also start this week. He has been working with Lenzen on drainage. He commented on the New Energy Drive bids and he checked on Unlimited Excavating. Lenzen made a motion seconded by Schulz to accept the bid from Unlimited Excavating on Keller Drive for SID #25. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor.

Solem commented on the Resolution for SID #24 for the City to reimburse itself up to \$700,000 for expenses until the bonds are issued. Lenzen made a motion seconded by Keller to approve the resolution as presented. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. Solem commented on the agreement with Distribution NOW that was discussed at the last meeting. He presented the revised agreement which changes the agreement from a purchase to a lease. Kelsch made a motion seconded by Schulz to approve the document to be presented to Distribution NOW. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. Solem commented on the insurance for liquor establishments and questioned whether it should be required for them to obtain liquor liability since the state doesn't require it. Hoffer made a motion seconded by Lenzen to remove the requirement of liquor liability insurance to receive a Special Event Permit from the City. Lenzen questioned the waiver form. Solem stated it would be a good idea to keep that requirement. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor.

Yeager stated they have been weed eating, mowing, painting curbs, they put up signs at 3rd Ave NE, put up barricades on 17th St NE, and the garbage truck is back. They will continue to mow, fill in washouts, weed eat, and the metal crushers are here. The summer help is done.

Duppong commented on a 7 foot variance for a front yard setback to allow an attached garage to existing structure at 742 3rd St NW for Craig & Charity Muri recommended by P&Z. Signatures were received from area residents. Frey made a motion seconded by Keller to approve the variance recommended by P&Z. Schulz questioned the 7 foot distance if there were to be expansion. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. Duppong presented a lot sale to Charles and Sandra Hankins of the N 86 ft. of lot 6 & 7 less the E 20 ft. of the N 86 ft. of lot 7, Block 3, Fischer's 1st Addition. The total cost with legal fees would be \$11,016. Keller made a motion seconded by Kelsch to approve the lot sale as presented with the reimbursement of half of the total lot price if a house is built within 18 months. It would be half of the \$10,416 cost of the lot. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor. P&Z meeting will be this Thursday. Street signs have been placed on 16th & 19th St. and 3rd Ave. Duppong thanked Jerry Obenauer for the donated dirt used to fill in water damaged areas.

Ferebee presented two 50/50 raffle permits for the Beulah Education Foundation. One for volleyball at the Beulah High School from August 27 to October 24, 2016 and one for football at Riverside Park from August 19 to October 14, 2016. Lenzen made a motion seconded by Kelsch to approve the raffle permits as presented. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor.

Phillips commented the housing project has been moving forward. The second story should start at the end of the week. He expressed concern about the road getting completed to receive an occupancy permit. The Coal Country Conversion meeting will be held in September. JDA will continue to work

on the bakery and have struggled with building sites for potential businesses. He stated the Fly In is September 10.

Senn commented there are 24 vehicles in the impound ready for destruction. He will look at disposing of them. Three officers are going to training in Watford City.

Schulz made a motion seconded by Frey to accept the Police report as distributed. Roll call vote found Keller, Hoffer, Kelsch, Morgan, Timmer, Schulz, Frey and Lenzen in favor.

Lenzen described some drainage issues around town that are being reviewed for improvements.

Meeting adjourned at 8:50 pm.

Darrell Bjerke, Mayor

Heather Ferebee, Auditor