

The regular Beulah City Council meeting of February 6, 2017 was called to order at 7:00 pm at Beulah City Hall by Mayor Darrell Bjerke.

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

Absent: Joel Morgan

Also Present: City Attorney Scott Solem, City Engineer Loren Daede, Charlie Hankins, City Coordinator Russell Duppong, Leonard Hibl, Craig Lohstreter, 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 January 16 and approve as furnished to the Council by email. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor.

Bjerke commented on franchise ordinances for REC and MDU and stated a franchise fee can be added to the ordinance. He commented on trying to find additional funding for the budget. Franchise fees can generate revenue needed for operations. Kelsch questioned where the revenue would be deposited. Bjerke stated it would go into our General fund and could delay adding a street light fee. Kelsch commented the City did incur some expenses to replace the lights on Main Street. Bjerke stated the City did but MDU took care of most of the expenses. Hoffer questioned the maintenance of street lights. He stated he is concerned the franchise fees would be passed on to the consumers. He questioned if it could go into a separate fund. Bjerke stated that is up to Council; it just hasn't been discussed yet. Keller questioned if the City has franchise fees now. Bjerke commented we currently have a franchise fee of 3% on Midco but not on REC and MDU. Hoffer questioned if REC or MDU could turn the maintenance over to the City and what would stop REC and MDU from saying the street lights are now the City's responsibility. Lohstreter stated the lights are owned and maintained by MDU and there is a fee for that. Frey questioned if 20 years is standard for franchise agreements. Bjerke stated yes. Lenzen questioned what we paid for on the Main Street poles. Duppong stated the City paid for the upgrade to metal poles instead of wood poles and the paint for the poles. Solem commented additions to the ordinances were: the franchise fees, maintenance of old transmission lines (physical property maintenance), advance notice given to the City of rate increases, and a purchase clause in REC's agreement that was in the previous ordinance. Hoffer questioned where the franchise fee would be assessed and Bjerke stated it would be on accounts within the City. Keller questioned whether we should charge a franchise fee or add a street light fee to our utility bill. Schulz commented some cities have done a flat fee for street lights. Discussion followed on franchise fees. Schulz made a motion seconded by Timmer to have the first reading of Ordinance #421 for the franchise of MDU and the first reading of Ordinance #422 for the franchise of REC. Schulz commented the franchise fee could be set at 3% now and if in the future we need more, we could add a per household fee. Schulz clarified the motion is to accept the franchise ordinances as presented with franchise fee verbiage, but the franchise fee percentage is at zero. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor. Schulz made a motion seconded by Frey to set the franchise fee at 3% for both MDU and REC. Hoffer stated he has a choice with Midco, but he doesn't have a choice with electricity. He doesn't agree with a franchise fee on utilities. Frey stated we will need to increase revenue down the road whether it be property taxes or by this avenue. Lenzen commented he would like to see the revenue in a

separate fund. Hoffer amended the motion seconded by Lenzen to approve the 3% franchise fee be put into a separate fund for street lights and electrical infrastructure. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor on the amendment. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor on the main motion for a 3% franchise fee. Lohstreter commented MDU's rates are set. They will not raise the rates but the fee will be passed on to the citizens.

Bjerke commented Daede will be retiring in April. Charlie Hankins will be taking over.

Bjerke commented Southwest Water wants to enter into an agreement with Beulah that anytime we go out of city limits in our development, we would pay them a royalty. He stated he is opposed to this. Bjerke stated it should not be within our one mile extraterritorial area.

Keller commented there was a pre-construction meeting last week for the water plant improvement project and the water meter project. The water plant project is on schedule and the water meter project will start in May and be done by the middle of June. Keller stated there will be a pre-spring run-off evaluation meeting on Thursday. Duppong stated there will be a follow-up meeting on February 23.

Frey commented the Employee Policy handbook is being updated. There will be an Employee Relations meeting in the near future. A Land Use Plan is the next step now that the Zoning Code has been completed.

Schulz commented on items discussed at JDA last week. He stated West River Transit had a quarterly meeting and is planning to have a community meeting at the Civic Center. He commented police vehicle #10 has had more repairs, the Beulah Waterpark still has board openings, and the Wellness Center has a meeting tomorrow. Schulz made a motion seconded by Timmer to accept the municipal court report. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor. Bjerke commented we still have two officers helping at DAPL.

Timmer commented there was a Library Board meeting last week. There were 2,016 checkouts and 7 new families added last month. They are also weather proofing the book dropbox. Duppong stated the dropbox is outside now.

Hoffer had no report.

Lenzen commented on a citizen survey that was received. The survey requested there be no parking on streets for campers, boats and trailers all year round. Lenzen stated he would like to see an option offered if they are not allowed to park on the street. Lenzen commented on solar speed signs on Hwy. 49. Schulz commented he has been working with Senn on this.

Kelsch commented on the agreement for spraying services by Joe Green Lawn Care. He kept the price the same as last year in spite of adding a couple more areas to the contract. Kelsch made a motion seconded by Hoffer to accept the agreement for 2017 spraying services with Joe Green Lawn Care. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor. Kelsch commented she met with the building committee of the Chamber and they would like to move forward with purchasing the property. They would like to request to purchase more property to the east of the building and will be coming to Council with that request. Frey questioned if the

survey has been completed on the property and Bjerke stated no. Frey commented we should incorporate this possible purchase into the survey.

Daede commented they started working on the specs for concrete work and crack sealing for 2017 repairs. He stated some gate valves will need to be added in. The ground tower will be repainted and they will put specs together for that. Daede stated they are moving along with the bike path. They are having issues with getting responses from some of the companies, but it would get completed in 2017. He commented the water tower in the middle of town was last repainted in 1992 and will also need to be done soon.

Solem commented on two lots being offered to the City by the County for \$1 each. Schulz made a motion seconded by Frey to approve Resolution 2017-03 to purchase the two lots from the County. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor. Solem commented the Midco franchise agreement is more of a rewrite and he will send this out in the next couple days.

Duppong presented a recommendation from P&Z to appoint Merlin Dahl and Chris Renner to fill the open positions to the P&Z Board. Bjerke appointed Merlin Dahl and Chris Renner as recommended. Frey made a motion seconded by Schulz to approve the appointment of Merlin Dahl and Chris Renner to P&Z. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor. He stated they completed a final inspection on the 24-unit apartment complex and it has been issued a temporary occupancy permit. It will officially open on March 1. The Wellness Center plans have come in and will go in for approval in March. Duppong commented on a presentation he will give on dilapidated buildings in Underwood. He stated the Section 22 study came in and he described the area the analysis would cover.

Ferebee presented a charity local permit for the Shriners to sponsor a snowmobile poker run ending at Alibis Lounge on February 25, 2017. Lenzen made a motion seconded by Hoffer to approve the charity local permit as presented. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor.

Ferebee presented a raffle permit for Beulah Congregational Church for a benefit on March 5, 2017. Lenzen made a motion seconded by Frey to approve the raffle permit as presented. Roll call vote found Keller, Hoffer, Kelsch, Timmer, Schulz, Frey and Lenzen in favor.

Bjerke stated Schulz will cover the meeting for him on February 20 and March 20. Bjerke commented on buildings for sale that may accommodate the new garbage truck. He commented on the municipal solid waste rates per ton for cities in North Dakota. He also commented on regulating types of trees planted in boulevards. Celebrate Cities Day is on March 3 for those interested in attending.

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

Meeting adjourned at 9:10 pm.

Darrell R. Bjerke, Mayor

Heather Ferebee, Auditor

2/6/2017

Check Range: 34847 to 34955, -99876
Payroll Check Range: -80688 to -80617

Employees	83,345.74
FIT	12,863.43
SIT	3,011.27
Unemployment	192.31
FIT	18,416.95
New York Life 457b	1,050.00
SDU	178.16
MN Child Support	575.62
Garnishment	265.45
SDU	178.16
MN Child Support	575.62
Garnishment	127.13
NDPERS	26,470.08
ALFAC	792.06
North Dakota Tax Commissioner	179.93
Strata Corporation	483.04
USA Blue Book	235.69
West River Transit	8500.00
ND League of Cities	2278.00
Mercer County Treasurer	119484.83
North Dakota Dept of Health	64.00
West River Telephone	1522.15
MDU	18754.91
Mercer County Treasurer	5901.21
BHG, Inc.	1483.00
AmeriPride Linen & Apparel Services	346.58
Farmers Union Oil Company	2516.55
Lignite Tire	45.00
Verizon Wireless	527.01
Information Technology Dept	185.10
Lexipol LLC	2723.00
Beulah Park District	500.00
Hedahls Headquarters	144.86
Monica & Pete Johner	37.26
Perreault Construction	2500.00
Powerplan	1415.49
Sakakawea Medical Center Foundation	20000.00
Starion Bond Services	900.00
Arntson Stewart Wegner PC	11112.63
Dustin Pekas	1260.00
Ferguson Waterworks #2516	29.76
Expressway Suites	819.00

2/6/2017

Mainstay Funds	5823.08
New York Life	1751.39
Butler Machinery Company	4731.57
Downtown Gas & Auto	7126.43
Todd Wolstenholm	1840.00
West River Telephone	92.08
North Dakota One Call Inc	2.00
Roughrider Electric Cooperative Inc	3003.90
Marco Tech	660.67
Secretary of State	10.00
Secretary of State	15.00
Ingram Library Services	447.91
BHG, Inc.	317.53
Taste of Home	13.00
MFOA	60.00
IACP	150.00
Northern Plains Contracting, Inc.	58625.90
Dakota Pump & Control, Inc	1500.00
NDACo Resources Group, Inc.	4545.00
Bronson's Marketplace	86.37
HAWKINS INC	2431.15
Dakota Sanitation Inc	872.00
J & M Hardware Inc	316.51
Beulah Airport Authority	3949.15
Beulah Senior Center	2820.82
Solem Law Office	2369.86
Beulah Park District	30323.00
Beulah Park District	14668.26
Killoran Trucking & Brokerage Inc	4817.95
Dakota Pump & Control, Inc	1710.00
NAPA Auto Parts	555.67
Interstate Engineering, Inc	18137.23
Solem Law Office	3000.00
NDWPCC	40.00
Kimberly Schock	1000.00
Bobcat of Mandan, Inc	736.00
Nancy Bickerstaff	17.75
Juniper Environmental Consulting	3750.00
Lonny Buchmann	186.00
Tim Klein Plumbing	295.94
Swanston Equipment Corp	380.14
DNOW L.P.	235.69

2/6/2017

Neuberger Oil Co.	130.00
J-S Sanitation	600.00
Solem Law Office	389.33
Solem Law Office	156.00
Sanford Health Occupational Med Bis	30.00
The Hub Convenience Stores	21.65
Russell Duppong	177.97
Beulah JDA	5484.58
Beulah Airport Authority	5497.55
First Security Bank West	1285.00
US Bank	240.91
Loren Wiest	560.00
Cardmember Service	288.11
Rebekah Kjos	90.40
Ashley Weigum	50.00
Heather Stromme	50.00
New Hope Healing Rooms	50.00
Rex Wenko	15.00
Hilary Zoeller	50.00
Archie Zuern	100.00
Judith Johnson	50.00
Marc Kus	125.00
Antelope Creek Trucking	1168.75
First Security Bank West	61413.99
Cengage Learning	72.66
First Security Bank West	25.00
Convention & Visitors Bureau	56170.67
Postmaster	373.65
Petty Cash	10.75
Black Sands Golf Course	100.00
Ethanol Products LLC	568.74