

The regular Beulah City Council meeting of September 4, 2018 was called to order at 6:00 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 Scott Solem, City Engineer Charles Hankins, City Coordinator Russell Duppong, Police Chief Frank Senn, Rick Ahlschlager, Jesse Berg, Kate Johnson

#### Pledge of Allegiance

Kelsch made a motion seconded by Miller to dispense with the reading of the minutes of the last regular meeting on August 20 and approve as furnished to the Council by email. Roll call vote found Czywczynski, Daede, Kelsch, Miller, and Ripplinger in favor.

Rick Ahlschlager presented a funding request for the Black Sands Golf Course. He stated the golf course is debt free, but they have had declining membership. The \$12,000 request is to cover payroll through the spring. The membership issue is also a problem with other courses. They have done some drives and have tried to reduce expenses. Kelsch stated she appreciates the fact that the last time Ahlschlager was here, the city was discontinuing payments to all the organizations that received funds in the past and the golf course understood and said they would be okay. At that time, the golf course wasn't in a position to need that money and didn't request it. She stated she wouldn't have a problem with the request which hopefully will allow it to make some changes to get the financial situation turned around. She believes the golf course is a definite benefit to our community. Frey questioned the golf course water. Ahlschlager stated the water is contributed from Coyote and the golf course pays to pump it. It costs about \$2,000 per month to pump the water. DGC has helped with rebuilding pumps. The request is for next year. Czywczynski questioned if they had to borrow money this year. Ahlschlager stated this is the first year they borrowed money to get to spring. The current membership is 148 and the highest he saw in the past was 213.

Schulz arrived.

Kelsch made a motion seconded by Czywczynski to approve the \$12,000 contribution to Black Sands Golf Course for 2019. Ripplinger questioned where the funds would come from. Kelsch stated the library requested \$10,000 more than they received last year, but they have cash in their account at this time and are in good standing. It could come from there. Schulz stated the City has cut some of the appropriations to stay within the City's budget. Ahlschlager stated the golf course board is concerned about the City's finances as well and are only asking for enough to make payroll. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor.

Jesse Berg from Moore Engineering presented the Water Plant Project Schedule. The contractor is planning to be done on September 21. Daede stated the committee was looking for a final completion date. Berg presented the Certificate of Substantial Completion with a date of August 10, 2018. The one-year correction period starts on this date. The substantial completion punch list needs to be completed by September 21, the final completion date. Daede made a motion seconded by Miller to approve the Certificate of Substantial Completion with a date of August 10,

2018. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor. Berg stated the retainage is reduced to 2.5% for the contractor. Daede made a motion seconded by Kelsch to approve the Northern Plains payment of \$141,160.91. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor. Berg commented on the budget of the project. The state funding cost share will be depleted. Daede made a motion seconded by Schulz to approve the request for the SRF payment of \$57,050. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor. Berg presented the SRF resolution to update the name of the mayor that will need to be filed with the ND Department of Health. Czywczynski made a motion seconded by Kelsch to approve Resolution 2018-03 for the government body applicant as presented. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor. Berg commented the amount the committee agreed on for liquidated damages is \$52,000 with the project being completed by September 21. After September 21, the contractor would be charged an additional \$1,000 per day. There are a couple items from change orders that would be completed at a specific date in October and that would not be included in the liquidated damages. Daede explained how the damages were determined. Frey stated the committee met last Tuesday and this is the first time it was brought to the Council. Daede made a motion seconded by Schulz to approve payment of the Moore Engineering invoice of \$23,178.37. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor. Berg commented on Engineering Amendment #6. Daede stated \$15,000 is included in the liquidated damage amount and questioned if the \$10,000 for work in October was included in the initial contract. Berg stated it was included. Frey questioned if this would be the last engineering amendment. Berg confirmed it should be. He has been the engineer on site since May. Daede made a motion seconded by Kelsch to approve Engineering Amendment #6 for up to \$25,000 for completion of engineering services. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger and Schulz in favor.

Timmer arrived.

Berg presented a letter agreement with Moore Engineering for technical support for the staff through 2019 for \$20,000. This is support for after the project and would be on an hourly basis. Daede stated this was a request from Water Plant employees for them to have a contact to call with issues on the new plant. This will be reviewed and approved at a later date.

Frey asked for a moment of silence for the passing of Gary Neuberger, the City's Water Superintendent.

Frey stated there will be a Special meeting next Monday at 6:00 pm for review of the budget. He commented the NDLC conference is next week in Grand Forks.

Kelsch presented the Employee Relations Committee recommended salary adjustment of a 2% raise and an additional 1% available as a match in the 457b retirement program for those who contribute at the minimum level. Kelsch made a motion seconded by Schulz to approve the salary increase as recommended by the Employee Relations Committee. Kelsch stated a 3% total was approved in the preliminary budget. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer and Schulz in favor.

Hoffer arrived.

Kelsch commented on the Water Department workforce. The Employee Relations Committee recommends offering Tyler Rosborough a temporary position through the end of summer 2019 and his position would be changed to Water/Wastewater Operator. There is the expectation that he will be pursuing the certifications required at the water plant. Kelsch made a motion seconded by Daede to create this temporary position for Tyler Rosborough as presented. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor. Kelsch stated the committee will meet again soon to review the job description for the Water/Wastewater Foreman position. It will be posted and we will consider in-house and outside applicants. In the Public Works Department, Marc Kus has tendered his resignation and we will determine if a new position would be full or part time. Jeremy Buchmann has moved to the sub-foreman position and Lucas Hartman has moved to Maintenance Worker II. Phillips is willing to stay on as interim Economic Development Director and details are yet to be worked out. Kelsch made a motion seconded by Schulz to accept Marc Kus' resignation. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor.

Czywczynski commented on the walking bridge on Main Street.

Ripplinger mentioned that the City Cleanup for the fall is September 15-22.

Schulz commented there will be two positions open on the Pool Board in December. The Section 22 flood meeting was at City Hall last week.

Schulz commented there are some changes to be discussed in the Animal and Fowl Ordinance #429. He stated he would rather there be three violations instead of five violations. Hoffer questioned the requirement for licensing in the city and mentioned it should just be required for each dog to have a rabies tag and an id tag. It's more administrative work for the city. He also questioned why the yearly license is \$10 and the five year is \$75. Schulz stated it was discussed to change the yearly license to \$25, or \$20 for spayed and \$30 for non-spayed. Ripplinger stated those charges are too high. We want to encourage people to participate in the program. Kelsch stated an individual was at the last meeting regarding dogs running loose that could cause harm and questioned if that is the primary reason we are looking at this ordinance. Schulz stated that it was being looked at before last meeting because they are having dog issues coming to court more than once and not receiving fines. Kelsch questioned couldn't we accomplish this with mandatory fines without requiring licensing these animals and creating an administrative nightmare. She questioned who's going to remind that person each year that it's time to renew that registration. Kelsch stated that doesn't help accomplish the goal of minimizing the pets at-large. Hoffer agreed and stated it's a person problem and not a dog problem. The license is allowing us to track animals instead of keeping track of it by a per person basis. Timmer stated if it is just a one-time fee of \$10, the goal would still be accomplished on tracking the dog. Kelsch questioned when the last time we had someone get rabies from a dog bite and are we spending so much time on an issue that isn't creating the problem. Schulz commented on the possibility of a skunk giving a dog rabies. Ripplinger agreed with Timmer only having to get the license the first time to get it in the database. Miller agreed one time is fine and if they get picked up and don't have a rabies shot, they should be fined at that time. Hoffer stated the charge should still be per person, not per dog. Solem stated it would be, even if it's a different animal. Discussion followed. Schulz commented a shock collar was brought up as an alternative for a leash and questioned what would happen if the shock collar didn't work. Solem stated it was written that the owner could use a shock collar to keep the dog on their property, but when out walking the dog it should be on a physical leash. Requiring having a cat on a leash was added. Ripplinger commented he would like to see the

shock collar in the ordinance, not just on the owner's property, but when they're out giving the dog exercise. Hoffer agreed. Schulz stated 100 yards is too much. Ripplinger stated 25 feet is not enough. Schulz commented on dog impound fees of \$35 per day and reducing the fee after the first day. Hoffer questioned if owners will still get fined and Schulz confirmed they will still get the dog-at-large fine. Daede commented that would be the place to raise the fee to pay for the pound. Schulz commented on the limitation on the number of dogs and whether cats should be limited also. Duppong questioned those who take animals in to try to find them homes temporarily, where do they stand in this ordinance. Kelsch questioned the reason for the two-dog limit. Schulz stated it has just been that way. Timmer commented it could be taken out as it would be covered under the nuisance policy if you have too many dogs. Hoffer agreed it may be discouraging people from licensing their dogs if they have more than two. Solem stated the police department doesn't actively look for the number of dogs or whether they are licensed. Hoffer stated that just reinforces why a license is not needed. The next Council meeting will include additional review of the ordinance.

Schulz made a motion seconded by Miller to accept the Municipal Court Report. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor. Kelsch questioned alarm calls and whether the fees are being collected on false alarm calls. Schulz will look into it. Schulz stated Senn would like to move forward with an auction of vehicles that are in the impound. Schulz made a motion seconded by Hoffer to approve a minimum bid auction for impounded vehicles. Miller questioned why there is a minimum bid. Hoffer stated the cost of scrap iron could be the minimum bid. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor. Schulz commented last year they put together a Hero's Appreciation and questioned if the City would like to do it again. Schulz will contact the past committee to see if they are interested.

Timmer commented there is a Library Board meeting tomorrow.

Hoffer commented they are looking at moving to winter hours at the Transfer Station on November 1.

Hankins commented on city-wide street repairs, stating the patching crew is back in town. Czywczynski made a motion seconded by Schulz to approve the payment of \$21,116.94 to Roadway Services, Inc. for crack sealing. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor.

Czywczynski made a motion seconded by Schulz to approve the payment of \$38,845.50 to Dakota Concepts, LLC for street patching. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor.

Hankins stated the Sanitary Sewer Manhole Lining Project has started. The 75k Gallon Water Tank Refurbishment should start next week. The Multi-Use Path paperwork has been delivered to the NDDOT and we are awaiting bids.

Kelsch stated there have been issues with cats making messes on decks. The residents made calls to the police but were told the police couldn't do anything about it. Solem stated the person calling in would need to sign a statement and possibly come to court if it wasn't witnessed by the police.

Duppong commented there will be a P&Z meeting on Thursday. The museum submitted plans for an addition. Duppong stated there was a lot of information at the Section 22 flood study meeting, which included options for dike systems. Schulz stated they would like to have another meeting with the City after they figure out some numbers. Duppong stated they had an inspection of a house today that is in the floodway that could possibly be a buyout.

Ferebee presented a 50/50 raffle permit for the Beulah Education Foundation at Riverside Park for the football games from September 14 to October 5, 2018. Hoffer made a motion seconded by Kelsch to approve the raffle permit as presented. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor.

Ferebee presented a Special Event permit for the Nite Owl bar to serve alcohol at the Ducks Unlimited Banquet at the Civic Center on September 28, 2018. Schulz made a motion seconded by Hoffer to approve the special event permit as presented. Roll call vote found Czywczynski, Daede, Kelsch, Miller, Ripplinger, Timmer, Hoffer and Schulz in favor.

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

Meeting adjourned at 8:18 pm.

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Travis Frey, Mayor

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Heather Ferebee, City Auditor

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**The following bills were approved and paid in August:**

Check Range: 36909 to 37025, -99853, -99852, -99851

Payroll Check Range: -79027 to -78856

Employees	144,914.07
FIT	16,605.75
FIT	14,115.84
FIT	16,893.35
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
ND Child Support	190.99
MN Child Support	347.01
Bank of North Dakota	33197.50
Bank of North Dakota	20307.97
Bank of North Dakota	20317.07
Mercer County Recorder	20.00

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Home Connection, LLC	3853.17
North Dakota Dept of Health	114.00
Mercer County Treasurer	6076.62
BHG, Inc.	1302.40
Beulah JDA	113.29
MDU	18028.14
Downtown Gas & Auto	5341.02
Northern Plains Contracting, Inc.	111405.34
Midco	119.28
West River Telephone	1813.44
Beulah Airport Authority	113.29
Chemistry Lab	524.93
North Dakota One Call Inc	31.30
NDACo Resources Group, Inc.	408.88
Roughrider Electric Cooperative Inc	6613.28
Information Technology Dept	249.25
Moore Engineering, Inc.	22427.19
New York Life	1565.31
Mainstay Funds	6250.22
CDS Administrative Services LLC	100.00
Verizon Wireless	539.99
Terry McLaughlin	50.00
Brady, Martz & Associates,PC	9545.37
ND League of Cities	75.00
Abby Schantz	151.85
Jerusha Seal	80.00
NDSWRA	190.00
North Dakota Planning Association	60.00
Heritage Park Market	1200.00
Office of the State Auditor	165.00
Bronson's Marketplace	769.04
HAWKINS INC	11216.59
Beulah Park District	45276.06
SPEE-DEE Delivery Service	19.22
AmeriPride Linen & Apparel Serv	323.88
Lignite Tire	2183.93
Waste Management of WI-MN	872.00
New York Life Insurance	309.42
USA Blue Book	296.88
Farmers Union Oil Company	5109.74
Ecolab Pest Elim Div	161.63
Roughrider Motorcycle Club	510.05
Morgan Tomchuk	73.29

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Lonny Buchmann	30.00
Auto Value Beulah	40.96
Benz Insurance	32735.00
Kameron Plienis	290.00
Randy Zimmerman	50.00
Beth Zimmerman	50.00
AMY PRINCE	50.00
Brian Sitz	50.00
Chad Morsette	200.00
Jillian McDonald	200.00
Cody Hein	200.00
Elijah Barbot	200.00
Garrett Mahin	200.00
Dayton Fiddler	200.00
Tanner Palaniuk	100.00
Trinity Doe	100.00
Johnnie Brown	100.00
Jacob Gooss	100.00
Morgan Tomchuk	300.00
Recreation Supply Co	2397.71
Stein's Inc	317.86
Core & Main	660.00
Quill Corporation	138.20
Dakota Fire Extinguishers	198.98
Western Dakota Energy Association	200.00
Mercer County Sheriff's Department	100.00
Neofunds	1000.00
Clyde Schulz	1249.79
West River Telephone	193.45
J & M Hardware Inc	440.75
Petty Cash	7.49
Solem Law Office	3000.00
NAPA Auto Parts	544.66
Solem Law Office	4773.32
Interstate Engineering, Inc	22572.40
Abby Schantz	100.00
Uniform Center	203.64
Beulah Chamber of Commerce	124.50
Sanford Health Occupational Med Bis	70.00
Hydro Hotshots	6985.00
Dakota Pump & Control, Inc	28939.35
Dakota Pump & Control, Inc	5270.00
Sletten Excavating, Inc.	15524.56

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Dakota Supply Group	3589.19
Hot Shot Plumbing & Heating LLC	370.00
Roto-Rooter Sewer & Drain Service	1020.00
Forterra Pipe & Precast	1942.60
Clay's Plumbing & Heating Inc	7073.80
Titan Machinery	3413.36
Coal Country CHC	26.00
Neuberger Oil Co.	118.00
Ingram Library Services	1189.33
Midwest Tape	982.77
Barnes & Noble Inc	333.89
Southwest Business Machines	31.98
Postmaster	375.61
US Bank	897.78
Brett Koch	20.00
Moore Engineering, Inc.	34000.00
HAWKINS INC	4691.07
Jared Miller	50.00
Chad Symmank	75.00
Interstate Engineering, Inc	9275.20
Gary Miller	90.40
JMAC Resources	42979.98