

The regular Beulah City Council meeting of August 20, 2018 was called to order at 7:00 pm at Beulah City Hall by Mayor Travis Frey.

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

Absent: Kathy Kelsch, Dave Czywczynski

Also Present: City Attorney Scott Solem, City Engineer Charles Hankins, Public Works Foreman Kenny Yeager, Police Chief Frank Senn, David Whipps, Kate Johnson

Pledge of Allegiance

Schulz made a motion seconded by Hoffer to dispense with the reading of the minutes of the last regular meeting on August 6 and approve as furnished to the Council by email. Roll call vote found Daede, Hoffer, Miller, Ripplinger, Schulz, and Timmer in favor.

Frey commented on the Home Rule Charter. Schulz stated we have a partial Charter and are working on a full one. Frey stated the sunset clause is up in 2020 and that would be a good time to change it to a full Home Rule Charter.

Whipps commented on the street dance. The Lions Club will have snow cones and there will be other vendors. Wristbands will be provided and he would just like to know what is needed to barricade the area. Senn stated cattle gates work the best for the safety of the crowd, in case someone in a car is not paying attention. Frey stated the approval from the last meeting should be sufficient.

Frey commented on the size of the City Council, noting it may be too large for this size of a community. He appreciates everyone on the board. Although, when three quarters of the Council is made up of seats that nobody ran for, there may be too many seats. He mentioned reducing the Council to a size of five. The Council would need to vote on it and it would need to be put on the ballot. One option is to get rid of wards. If there was a change, anyone who currently has a term would be allowed to finish it. Timmer commented Fargo and Wahpeton each have five council members and questioned why we have eight. Schulz stated it has been at eight members to accommodate for shift workers. He commented on having six, one from each of the four wards and two at large. Schulz commented the wards should be redrafted because they are off balance due to growth.

Frey stated JDA had a meeting and it has recommended Blake Seibel and Vern Muscha. Frey appointed them to the JDA Board. Schulz made a motion seconded by Timmer to approve the appointment as presented. Roll call vote found Daede, Hoffer, Miller, Ripplinger, Schulz, and Timmer in favor. Frey commented the next Council meeting will be on Tuesday, September 4 due to Labor Day and the meeting will be at 6:00 pm. Frey commented on having a special meeting for the budget at 6:00 pm on September 10. Frey stated National League of Cities is November 5-9 and those interested can let him know.

Hoffer commented eight Council members is a lot, but it does help those who can't attend because of shift work. September 4 at 4:00 pm is the deadline to have the measure to the County for the ballot. Miller made a motion seconded by Daede to reduce the size of the City Council to five

members and remove the wards. Schulz stated he doesn't want to move on it too fast. Hoffer agrees we should wait and redraw the wards. Daede agrees the wards should be redrawn. Roll call vote found Miller in favor. Daede, Hoffer, Ripplinger, Schulz, and Timmer opposed. Motion defeated.

Hoffer commented the new loader should be here in the middle of September.

Daede commented on the water plant project. The concrete is poured, landscaping has started, painters are still not finished, but the change order items are getting done. The committee will still need to meet to discuss liquidated damages. Upgraded pumps for Lift #3 have been ordered. There was a water break over the weekend. Frey questioned an end date on the water plant. Daede stated there isn't a definite date and they will need to do some work in the fall when they can shut the plant down temporarily. Duppong commented he has requested a schedule from Moore Engineering of what is left to get done. Frey stated we should meet soon on this. Duppong stated the committee should meet first before it comes to Council. Daede stated it can be brought to a regular council meeting and if needed taken into executive session. Solem stated under the contract there is only so much the City can withhold until substantial completion, then you have a smaller percentage to withhold. He stated the numbers need to be looked at and the retained amount should be enough to cover the liquidated damages.

Ripplinger commented September 15-22 is the week for City Cleanup. Schulz stated there is no curbside pick-up during this cleanup.

Schulz presented Ordinance #429 for Animal and Fowl and discussed some of the changes. Schulz commented on some remodeling in the police department. They will have new carpet installed soon. The pool is being drained. There is an Employee Relations meeting this week. Frey questioned the police K9. Senn commented the Sherriff's department had some cuts so he is waiting to hear if they are still interested.

Miller questioned the mandatory fines for registering the dogs but that there are no mandatory fines for dangerous animals. Solem commented on the fines. Miller stated he would like to see the mandatory minimum fine on a dangerous animal so it doesn't give the judge the option to let them walk. Solem stated they wouldn't charge someone for having a dangerous dog but would charge them with a nuisance. Daede commented on prohibited animals and the FFA exemptions. He questioned if the City has written guidelines for the FFA animals. Solem stated he hasn't seen guidelines and maybe each instance should be approved by City Council. Hoffer commented some people in Beulah probably don't know they need a license for their pet. Senn explained the pound. Hoffer questioned if the license could be a lifetime license instead of having to do it each year. Senn mentioned having a day at the vet to register pets. Hoffer commented leashes should be required for cats and that dogs with shock collars could be considered leashed.

Miller commented P&Z has decided to delay the fence issue for the time being.

Hankins gave an update on the street repairs in town. Daede made a motion seconded by Miller to approve the payment of \$42,979.98 to JMAC Resources for Concrete Repairs. Roll call vote found Daede, Hoffer, Miller, Ripplinger, Schulz, and Timmer in favor.

Kelsch arrived remotely. Hankins commented on the bike path project along Hwy. 49. Trevor Huber is the last person to agree on the easement. He disagrees with the appraisal and believes the lot has development potential. The City offered approximately \$2,600 and he requested \$7,800 for the easement. It is up to the City Council whether to accept the amount. The deadline for the project is September 5 with bid letting shortly after. If the bids come in way too high, we do not need to move forward and do not need to compensate anyone for the easements. We will lose the grant money if we decide to turn the bids down. Kelsch commented we would need to decide if \$5,150 to pay this additional amount to get to the bidding process. Kelsch made a motion seconded by Timmer to agree to the \$7,800 for the combined temporary and permanent easement payable to Trevor Huber, understanding that this easement payment is only payable if the multi-use path is constructed. Miller questioned the other easements and Hankins stated the others have all signed the paperwork. Hoffer questioned if the owner would lose any property. Hankins explained the volume change of the floodway that could affect his property. The channel will need to be widened. Roll call vote found Kelsch, Daede, Hoffer, Miller, Ripplinger, Schulz, and Timmer in favor. Hankins stated the construction will take place in 2019 if a bid is accepted. Kelsch left the meeting.

Solem stated revisions to the animal ordinance could be sent to Ferebee to be added right away so that all ideas are represented in the next draft.

Duppong commented the walking bridge on Main Street needs some repairs. He commented on the roundabout on Hwy. 49 and Hwy. 200. After the public meeting they decided to make it larger than initially planned, but not as big as the one by Killdeer. The bridge by the Riverside Park still has some work to be done to repair the drainage. The South Lagoon will be dredged in September. The Section 22 study will be reviewed on August 29 at City Hall. The Mercer County Historical Society plans to expand the north side of the museum building.

Schulz made a motion seconded by Hoffer to approve the July financial reports. Roll call vote found Daede, Hoffer, Miller, Ripplinger, Schulz, and Timmer in favor.

Ferebee presented a raffle permit for Knife River Ducks Unlimited at the Beulah Civic Center on September 28, 2018 and a Chinese raffle permit for Immanuel Baptist Church at the Beulah Civic Center on August 26, 2018. Hoffer made a motion seconded by Miller to approve the raffle permits as presented. Roll call vote found Daede, Hoffer, Miller, Ripplinger, Schulz, and Timmer in favor.

Senn commented on a speed limit sign coming into Beulah. The sign is obstructed by light shining from a light pole. The sign will be moved soon.

Meeting adjourned at 8:50 pm.

Travis Frey, Mayor

Heather Ferebee, City Auditor