

CITY OF BEULAH

August 24, 2022, 6:00 pm

Beulah City Hall Council Chambers

CITY COUNCIL MEETING

The regular meeting of the Beulah City Council was called to order at 6:00 pm by Mayor Jeff Gooss with Council Members Gary Miller, Ben Lenzen, Auston Biles, Jason Isaak, David Czywczynski, Eric Hoffer, Sean Cheatley and Amanda Mohl present.

Also Present: Assistant Attorney Jennifer Gooss, City Engineer Charlie Hankins, Economic Development Beaver Brinkman, Police Chief Frank Senn, Water Superintendent Gary Bovkoon, Public Works Superintendent Kenny Yeager, City Assessor Heidi Hamelton, City Auditor Heather Ferebee, Neil Seibel, Kevin Flaagan, Beulah residents, Editor Bill Schmalfeldt.

Pledge of Allegiance.

Miller moved to dispense with the reading of the minutes of the last regular meeting August 10 and the special meeting on August 11 and approve as furnished to the Council by email. Biles seconded. Roll call vote found Miller, Biles, Cheatley, Lenzen, Hoffer, Czywczynski and Isaak in favor.

HEARINGS

Robert and Sandra Cole Fence Variance Application at 301 22nd St NE was approved by P&Z. Requesting a variance to install a fence up to the property line on one side of the house. The neighbors are in favor. Hoffer moved to approve the variance as presented. Miller seconded. Roll call vote found Hoffer, Miller, Biles, Cheatley, Lenzen, Czywczynski and Isaak in favor.

Michael and Donna Willmus Fence Variance Application at 307 10th St NW was approved by P&Z. Requesting a chain link fence up to the property line to link in with neighbor's fence. Neighbors are in favor. Miller moved to approve the variance as presented. Hoffer seconded. Roll call vote found Miller, Hoffer, Biles, Cheatley, Lenzen, Czywczynski and Isaak in favor.

Mohl joined the meeting.

Ordinance No. 449 – Use Table Amendment for animal kennels in zone C4. Czywczynski moved to have the first reading of Ordinance No. 449. Biles seconded. Miller commented on his visits to kennels in Fargo and Moorhead. The kennels were in the proper zone, which was light industrial. Residents were not home in Moorhead and there was a railroad track between houses and the kennel. In Fargo there were reports of noise in the morning when dogs are dropped off. P&Z voted 4 to 2 to approve the conditional use be added to C4. It was stated that kennels are currently conditional use in C2, C3 and Light Industrial zones in Beulah. It was clarified that the vote is to decide whether an animal kennel is an appropriate use for the C4 zone of neighbor

commercial. It is a conditional use not a permitted use. A project would still need to come to P&Z and Council for approval. Seibel commented that the apartment building allows cats and dogs with 24 units, which would hold many animals. It was also commented that the city needs to sell these lots in order to bring in tax revenue. Flaagan commented on his concern of having a kennel close to a residential area and that it would affect future residential value. Other residents commented on the topic of a dog kennel. Roll call vote found Biles, Miller, Cheatley, Lenzen, Hoffer, Mohl and Isaak opposed. Czywczynski abstained. Motion fails.

COUNCIL PORTFOLIOS

Council Member Isaak

Cemetery variance for four headstones on three lots. This would be one stone that would make maintenance easier. Isaak moved to approve the variance. Hoffer seconded. Roll call vote found Isaak, Hoffer, Miller, Biles, Cheatley, Lenzen, Czywczynski and Mohl in favor.

Main Street trees – when the city put them in, the city asked the owners if they wanted one. The owner would take care of the trees if they approved it to be planted in front of their business. Now the trees are getting old and falling. The Main Street project would include the replacement of these trees. The ordinance needs to be clarified. Discussion followed. The boulevard trees are the property owner’s responsibility. The Main Street trees were put in because of a Tree City USA project. Hankins stated that if it is something that exists in public right-a-way, then the city is responsible, unless there is an ordinance stating something else. It will be reviewed further.

Council Member Cheatley

Employee Relations met August 16. The recommendation is to offer the Police Officer position to Ronald McCloud at a rate at midpoint of the salary range due to experience. Cheatley moved to offer Ronald McCloud the position. Hoffer seconded. Discussion followed on the two applicants. Both applicants had very good interviews and would both be great employees. Roll call vote found Cheatley, Hoffer, Miller, Biles, Lenzen, Czywczynski and Isaak in favor. Mohl abstained. Motion passed.

Health Insurance rates will increase 12.86% in 2023 due to the loss ratio and inflationary trend. Cheatley moved to increase the employee’s portion of the health insurance premium by 1% from its current rate. Lenzen seconded. Employees on the family plan currently pay 7% or \$124 per month and it will increase to 8% or approximately \$160 per month and employees on the single plan pay 13% or \$95 per month and it will increase to 14% or approximately \$115 per month. Roll call vote found Cheatley, Lenzen, Miller, Hoffer, Biles, Mohl, Czywczynski and Isaak in favor.

Council Member Hoffer

A water department employee has resigned, and the position will be advertised.

Mayor Gooss

The business summit took place and was successful with a lot of input received.

CITY PERSONNEL

City Auditor

Hoffer moved to approve the July Financial Reports. Miller seconded. Roll call vote found Hoffer, Miller, Cheatley, Lenzen, Biles, Mohl, Czywczynski and Isaak in favor.

Hoffer moved to approve the local permit for a raffle for the Beulah Park District at the Beulah Civic Center for the adult prom on October 15, 2022. Lenzen seconded. Roll call vote found Hoffer, Lenzen, Miller, Cheatley, Biles, Mohl, Czywczynski and Isaak in favor.

Cheatley moved to approve the special event permit for the Nite Owl bar to serve alcohol at a wedding dance at the Beulah Civic Center on October 1, 2022, upon the Police Chief's approval. Mohl seconded. Roll call vote found Cheatley, Mohl, Lenzen, Miller, Hoffer, Biles, Czywczynski and Isaak in favor.

Economic Development Director

An interest only payment on the pool loan has been approved by the bank. The Union Bank would like authorization of the signers.

Mohl moved to extend the loan by one payment to make an interest only payment this quarter to cover pool expenses. Isaak seconded. Roll call vote found Mohl, Isaak, Cheatley, Lenzen, Miller, Hoffer, Biles and Czywczynski in favor.

The Mayor and City Auditor are authorized signers at banking institutions. Lenzen moved to approve the Mayor sign and the City Auditor counter sign all financial documents as per NDCC. Miller seconded. Roll call vote found Lenzen, Miller, Cheatley, Hoffer, Biles, Mohl, Czywczynski and Isaak in favor.

City Assessor

P&Z will draft a formal adoption of the State Building Code. P&Z is working on the Zoning Code Text Amendments to be submitted to the attorney's office for review. Vacant property in the city was an item at the Business Summit. A Vacant Property Registry is a program being looked into.

City Engineer

Czywczynski moved to approve the pay estimate to Dakota Concepts, LLC in the amount of \$63,378.75. Mohl seconded. The Civic Center work is not included as it may need to be redone. Roll call vote found Czywczynski, Mohl, Isaak, Cheatley, Lenzen, Miller, Hoffer and Biles in favor.

One intersection is closed, and they would like to keep traffic off it for at least seven days.

The TAP grant for the multi-use path along Hwy. 49. The bid previously came back high, and the grant program had a cap at the time. Now the grant program doesn't have a cap, but the cost of

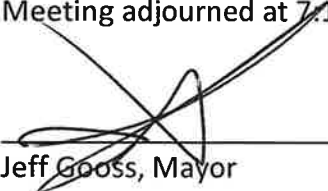
the project is much higher. It is an 80/20 grant program. The easements along Hwy. 49 have been secured, but there was not a payment made since the project did not happen.

A letter will be sent to property owners in Murray Addition and Country Club Estates with options and estimates on street repairs.

Police Chief

Sergeant Wenning will be back to full duty on September 6.

Meeting adjourned at 7:10 pm.



Jeff Gooss, Mayor



Heather Ferebee, City Auditor