

The regular Beulah City Council meeting of December 17, 2018 was called to order at 7:00 pm at Beulah City Hall by Mayor Travis Frey.

Present: David Czywczynski, Loren Daede, Kathy Kelsch, Clyde Schulz, Kelsey Timmer, Gary Miller, David Ripplinger

Absent: Eric Hoffer

Also Present: Assistant City Attorney Jennifer Gooss, City Attorney Scott Solem, City Engineer Charles Hankins, City Coordinator Russell Duppong, Police Chief Frank Senn, Public Works Superintendent Kenny Yeager, Interim Water/Wastewater Superintendent Justin Benz, John Phillips, Roger Gazur, Cal Wagner, Rachael Mortenson, Gloria Olheiser, Autumn Kus, Vern Muscha, Toni Moore, Connie Sailer, Julie Lenzen, Gordon Hilz, Jerald Isaak, Kate Johnson

Frey opened the Hearing on the application for amendment of the district zoning map to replat a portion of the Moens Addition. Duppong stated it is a property exchange between Roger Gazur and John Bickerstaff. The resolution will be at the next meeting for approval. Frey questioned if anyone wished to speak on the replat. Schulz made a motion seconded by Miller to approve the replat of the Moens Addition. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, and Miller in favor. Frey closed the hearing of the replat.

Pledge of Allegiance

Kelsch made a motion seconded by Timmer to dispense with the reading of the minutes of the last regular meeting on December 3 and approve as transcribed to the Council by email. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, and Miller in favor.

Kelsch made a motion seconded by Daede to approve the allocation request of \$10,000 to the Beulah Rural Fire Department. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, and Miller in favor.

Cal Wagner commented on the water runoff issue on Cypress Drive. He stated he has had water runoff issues for twenty years and that this is the fourth mayor to who he has presented the issue. He has sump pumps in his house, but he believes it's a storm sewer issue. He is trying to sell his house but cannot because of the water runoff issue. He questioned if money was available for the project in the past and how are new council members made aware of the problem. He questioned if there was money from FEMA in the past for their area. He stated a study was done on his sewer and it was deemed the problem was his responsibility, but it was also deemed that he did everything he could do regarding city runoff. Ferebee stated it was looked into in the past and three options were estimated by Interstate Engineering. A project was initially put in the budget, but it was not determined where the money would come from and whether or not it would be special assessed. Wagner stated he can't do this himself, he's asking for help from the city. Duppong stated in 2011 he didn't see anything from FEMA come through for Gateway Addition, it was all for the southside. Frey questioned if there were any plans. Daede stated there were some surveys and options, but no formal plans. Daede stated the city also put in for damages in 2014 but FEMA denied the application. Ripplinger arrived. Wagner questioned what avenue he can take to eliminate this problem. Miller asked how many houses are affected by this. Wagner stated it is about five houses and ten townhouses. Czywczynski commented he met with Hankins and looked at the area. Duppong explained water runoff in the area. He stated the City put in SRF funding

request applications for this project and others. Hankins stated it would probably be a benefit to just address the bottom of the hill and add a pipe. Frey stated the council members and Hankins need to get together and make a plan. He stated the plans and specs would be needed for the project to be bid. If we have funding available, that could be used, but if not, it could be special assessed.

Gloria Olheiser commented the Hospitality and Lodging Tax Advisory Committee recommends approval of a funding request from Roughrider Motorcycle Club for \$500. Czywczynski made a motion seconded by Miller to approve the funding request as presented. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor.

Olheiser commented the Hospitality and Lodging Tax Advisory Committee reviewed the CVB budget on the recommendation of a percentage change for the distribution of the Restaurant and Lodging tax. It was recommended to allocate the revenue as follows: CVB 90%, City Facilities 10%, with the CVB showing a line item for 10% of the 90% for Beulah promotional events. Czywczynski commented it was to be 10% for discretionary funds and the CVB would be in charge of distributing those funds instead of the Advisory Committee. He stated the 10% will be a lot less for capital improvements, but the CVB needs the revenue. Kelsch questioned if the percentages could be put into numbers. Czywczynski stated the CVB will look at their budget again after they know how much money they will be receiving. Schulz questioned what the Advisory Committee will now do. Czywczynski stated they will meet monthly with the CVB Board. Schulz questioned why the 10% is being changed to the CVB. Czywczynski stated he believes the CVB has more experience with advertising. Kelsch questioned if the process would be the same. Czywczynski stated yes. Schulz questioned if it would be brought to the Council for final approval. Mortenson stated it expedites the process by coming through the CVB. Schulz stated this was initially changed to keep the City in the loop. Gooss stated it is specifically outlined in the ND Century Code and that portion cannot be moved to the CVB because we are not a full home rule charter. Schulz stated we need to find out exactly what's allowed before it's changed. Mortenson stated the Century Code doesn't set percentages and there needs to be some resolution before the start of 2019. Solem arrived. Olheiser questioned who came up with the percentages. Schulz stated the CVB, Chamber and City came up with a formula. Kelsch stated she interprets it that the spending of the discretionary funds needs to be approved by the Council and doesn't have to do with percentages. She commented that the 10% may need to stay with the committee if that's where the potential problem is with the Century Code. Phillips stated there is nothing in the Century Code establishing the percentages. The Century Code issue is that the committee is to be in place to handle the discretionary funding. The committee is to come to Council with a recommendation. Olheiser questioned if the CVB and Committee could meet and then bring the recommendation back to Council. Frey clarified that if there is an amount of discretionary funding, that needs to be reviewed. How you get to the amount of the discretionary is immaterial. Mortenson commented on how other cities work with their CVB. She stated it would be better if only one group is working with the funds. Ripplinger questioned if meeting each month with the CVB and reporting back to the Council would solve the problem. Mortenson stated if the 10% discretionary funds were on the CVB books they would have an easier time increasing that amount as time went on. Ripplinger commented the CVB would be receiving 80% and they would be able to do some of that if they didn't need the full amount. Schulz clarified that if there are excess funds and the CVB would like to donate that amount, it would need to come back to the Council because the CVB is not using it for operational costs. Czywczynski made a motion seconded by Kelsch to approve the allocation of the Restaurant and Lodging 2018 tax

revenue as 10% to the city capital fund, 10% to the discretionary fund and 80% to the CVB. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor.

Timmer stated the Library Board met to plan for next year.

Kelsch commented the Water/Wastewater Superintendent position has been offered and accepted by Justin Benz on an interim basis for six months. Kelsch made a motion seconded by Daede to approve the recommendation of the Employee Relations Committee to hire Justin Benz as the Interim Water/Wastewater Superintendent. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor. Kelsch stated there was a vacancy in our Public Works department and instead of filling that position full time, it was decided to add an "as needed" part time laborer position. Most of the duties would be in the summer unless Public Works is short employees in the winter. Kelsch made a motion seconded by Daede to approve the recommendation of the Employee Relations Committee to hire Keith Yeager in the as needed laborer position. Ripplinger questioned who his supervisor would be. Kelsch stated Kenny Yeager. Ripplinger questioned if there is a relation and Kelsch stated they are brothers. Ripplinger just wanted to make sure that it was noted. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor. Kelsch stated the Civic Center Improvements are moving ahead. There will be an Employee Relations meeting tomorrow.

Czywczynski commented he will meet with Interstate Engineering regarding the water runoff issue.

Daede commented there was an issue at the water plant where an air compressor ran all night. He stated Benz got a quote of \$3,410 to hook the air compressor up to the Scada System. Frey clarified this will be a sensor system to alert the employees when this happens. Kelsch questioned the cost of the air compressor. Duppong stated it would be around \$8,000. Frey stated this would be a twin air compressor system. Daede made a motion seconded by Schulz to proceed with the quote. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor.

Ripplinger commented Duppong brought to his attention that a storm shelter could be built at Sun Valley RV Park through the FEMA Hazard Mitigation Assistance Program. The City would pay 25% of the expense. Duppong stated each unit would hold 200 people and we would need two units. Senn stated currently the Civic Center is used during storms. A storm shelter is needed in Beulah and would be helpful for the police department. Frey questioned what they would need from the City to apply for it. Schulz questioned the revenue from the RV Park. Ferebee stated that is in the General Fund, but there is also the Emergency Fund. Schulz stated it's in the General Fund but it could be justified based on the revenue stream from RV Park rentals. Senn stated we need better access to our storm shelter, but they should be centrally located. Frey stated he doesn't see a reason not to apply for the grant.

Schulz commented the pool leak will not be fixed until next spring after some testing is done. There is a JDA meeting this week. Schulz and Frey attended the NDLC Legislative Workshop and Schulz commented on issues that were addressed. He stated there is a weekly call through the NDLC addressing legislative bills for those interested in listening in.

Miller commented P&Z met and discussed the fence ordinance. It will be addressed in the near future.

Senn commented the police vehicle is back with a new motor. It also has new seats in it. Senn commented the vehicle he uses was run into and has a small dent.

Ferebee presented a local permit for a raffle for the Roughrider Motorcycle Club at Riverside Park on June 15, 2019. Miller made a motion seconded by Daede to approve the permit as presented. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor.

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

Ferebee commented the fuel and propane bids were opened. Farmer's Union Oil will be the 2019 propane provider and Downtown Gas and Auto will be the fuel provider. The Hub also submitted a fuel bid and will honor the discount for fuel after hours. The police department will fill at The Hub when Downtown Gas is closed. Schulz made a motion seconded by Timmer to approve the fuel and propane providers as presented. Roll call vote found Czywczynski, Daede, Kelsch, Schulz, Timmer, Miller, and Ripplinger in favor.

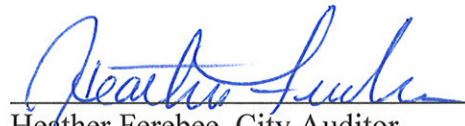
Duppong commented the FEMA flood plain map is up in the Council room.

Yeager stated the new garbage truck is broke down and will need to go to Bismarck for repairs.

Frey commented City Staff will be leaving at noon on Christmas Eve.

Meeting adjourned at 9:00 pm.


Travis Frey, Mayor


Heather Ferebee, City Auditor