

## **CITY OF BEULAH**

**February 8, 2023, 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, Sean Cheatley, Auston Biles, David Czywczynski, Eric Hoffer, Amanda Mohl, Jason Isaak and Ben Lenzen present.

Also Present: City Attorney Scott Solem, City Engineer Charlie Hankins, Economic Development Beaver Brinkman, Water Superintendent Gary Bovkoon, Police Chief Frank Senn, City Assessor Heidi Hamelton, Deputy Auditor Darla Knutson, Roger and Mary Kay Gazur, Dale Schwalbe, Chris Renner, Adam Baker, Jerry Reichenberg, Marvin Bauer, Adrienne Biles, Ryan Tolosky, Josh and Christy Mindt, Connie and Jack Mindt, Erin Sorensen, Steph Miller, James Knutson, Brock Seibel, Steve Battest, Editor Alyssa Meier.

Isaak moved to dispense with the reading of the minutes of the last regular meeting on January 25 and approve as furnished to the Council by email. Biles seconded. Roll call vote found Isaak, Mohl, Biles, Cheatley, Miller, Czywczynski and Lenzen in favor. Hoffer arrived.

### **APPROVAL OF BILLS**

Cheatley moved to pay bills as presented and reviewed. Miller seconded. Roll call vote found Isaak, Cheatley, Biles, Miller, Hoffer, Lenzen, Mohl and Czywczynski in favor.

### **PUBLIC INPUT**

Steph Miller followed up on questions that were asked at the previous meeting about allowing chickens within city limits. You can get insurance if you don't start a chicken or egg business. Predators like raccoons and skunks are not much of a concern if the chickens are contained. She asked if the Council did approve chickens, would they consider lower permit and renewal fees as other cities' ordinances are very high and out of reach for an average family. Senn commented that the NDSU Extension Office had some concerns about H1N1 Avian Flu. A positive case would require the mandatory euthanizing of all poultry in a 2-mile radius of outbreak. A committee consisting of Eric Hoffer, Chief Frank Senn, Steph Miller, Heidi Hamelton, and a Planning & Zoning Member will meet to discuss other cities' ordinances and bring a recommendation to Council.

### **COUNCIL PORTFOLIOS**

#### Mayor Gooss

Travis Frey – Assessment Board (6-year term). Interstate Engineering will make sure Frey is not involved with the design associated with the project that is to be assessed to avoid conflict. Gooss appointed Travis Frey to the Assessment Board. Hoffer moved to approve the appointment as

presented. Miller seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

Roger Gazur & Christina Mindt – Planning and Zoning Commission (5-year term)

Mindt stated she applied because she has a passion to serve the community to help make Beulah a better place. She would bring a fresh perspective and diversity to the committee. Miller questioned how she learned about the opening. She stated she has seen how things were playing out through meeting minutes and in the paper. She thought she could bring a positive light to how things are handled. It was questioned if she was recruited, and Mindt stated no. Gooss requested Mindt state how she made notice and what he asked when she messaged him. She stated she reached out to Gooss to see if the position was still open and how to apply, and Gooss replied that she should email him what her qualifications are. Gooss stated there is not a single person in the City of Beulah or the County of Mercer that has had a contact phone call from him regarding trying to get them on Planning & Zoning.

Gooss stated he will not appoint Roger Gazur to the Planning and Zoning Commission since the Council was subjected to a situation that forced them to make a vote that took the power away from the people and Council. It is his understanding that Gazur saw to it that a building permit was passed for a storage facility and did so willfully violating a city ordinance.

Gooss appointed Mindt to the Planning and Zoning Commission. It would be the first female member appointed to Planning & Zoning providing a fresh look and different set of ideas. The appointment of Mindt is in the best interest of the community and Commission. Miller questioned if Gazur passed the permit single handedly. Mohl moved to approve the appointment as presented. Biles seconded. Roll call vote found Mohl and Biles in favor, Czywczynski abstained, Cheatley, Lenzen, Isaak, Hoffer, and Miller opposed. Motion failed. The appointment will stay vacant.

Hoffer thanked Mindt for her interest and encouraged her to apply again. He stated the issue was that this process had a deadline, and it was extended until the mayor got an applicant that he approved of. Gooss stated the appointment was made based on the advice of the City Attorney's Office. He commented that he wasn't aware that there was a rule or deadline for the appointment and that it is imperative to him to make sure that he does his job to the best of his ability.

Gazur requested an opportunity to speak since the other candidate had ample time to speak. He stated that he was amazed at what he sees as hypocrisy. He referenced a direct quote made by Gooss at the January 25 council meeting that was reported in the Beulah Beacon "I know you are advocating for him. I like Mr. Gazur. I think he is excellent. I made the decision that we are going to wait until the next City Council meeting." Gazur noted that if the only thing that can be claimed as the reason he is unsuitable is that he was party to the granting of a building permit the entire Planning & Zoning Commission would need to be dismissed. Decisions on Planning & Zoning are made as a group by majority vote. Gazur felt that it was a travesty of justice to be singled out of a group decision and banished because of it. Gazur stated that he believes outright lies and falsehoods have been used to smear his reputation and that he has no idea the reasons for this

opposition. Gooss said he acted in the best interest of the City of Beulah and not his own personal interest. Miller noted his disagreement.

Hoffer moved for a vote of no confidence in the Mayor of Beulah. Miller seconded. This has been building for a long time. Hoffer noted his belief that the Mayor's actions have not been in the best interest of the residents of Beulah and that this issue with Gazur is the latest example of Gooss retaliating against those who speak out in opposition to him or his wife. He believes that Gooss is more focused on leaving a legacy than on meaningful projects that would benefit the City as a whole. It is his opinion that Gooss is stifling economic growth by presenting himself as the CEO of Beulah and wanting to be the primary contact instead of allowing persons hired to develop Beulah's economy to do their jobs. Hoffer stated his belief that it is unprofessional that the Mayor is soliciting funds for his personal dream park instead of for projects that might actually benefit the City of Beulah and that would move Beulah in the right direction. Hoffer noted that he is fearful that if we continue to ask business owners to fund dreams and legacies, they won't be there or won't have the resources when we need them to support projects that actually help Beulah. We are very fortunate with the business owners in Beulah. We have recently seen examples of how they have helped the City of Beulah with budgeting, donations, and time. If we continue to tax the source over and over again, they won't be there when we need them. Roll call vote found Hoffer, Biles, Czywczynski, Isaak, Cheatley and Miller in favor. Mohl and Lenzen abstained. Motion passed.

## **CITY PERSONNEL**

### Deputy Auditor

Cheatley moved to approve the special event permit for Molco LLC to serve alcohol at the Pheasants Forever event at the Beulah Civic Center on March 11, 2023. Miller seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

Mohl moved to approve the site authorization for the Beulah CVB at the Fanatics Sports Bar & Grill for the poker tournament on March 10 & 11, 2023. Hoffer seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

### City Engineer

Hoffer moved to approve Resolution 2023-02 Main Street Improvements - Phase I for the SRF Grant Application. Cheatley seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

### Police Chief

A letter from Sheriff Ternes, Mercer County Sherriff's Department, to purchase the K-9 for \$5,000 was presented. Senn stated that Officer Baker gave a verbal indication that he would be leaving his position at the end of the month. Senn feels the offer is too low since the dog was purchased for \$10,000 with community money less than two years ago, plus many other expenses. Baker and Raider are an excellent team, and he would like to keep them together but also needs to look at the best financial decision for the city since we would have to replace our K-9 asset. The goal would be to continue our drug program and replace the dog since we have all the equipment. The K-9 could be retrained but it is a lot easier to stay with the original handler. Senn will contact the

business contributors since most of the funds were donated by them for the purchase of the K-9 and they should be included in the decision. Mohl moved to table the conversation until the next meeting. Cheatley seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

City Attorney

Hoffer moved to approve Resolution 2023-01 to purchase Lot 9, Block 6, Prairie Hills Addition Filing No. 2 from Mercer County for \$1.00. Biles seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

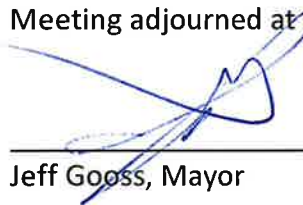
Economic Development Director

USDA is hosting a meeting on February 14 at the Civic Center about grant and loan programs available for businesses, farmers, ranchers, and individuals.

City Assessor/Planner

Hamelton presented an application for tax abatement of 2022 taxes for a New Life Properties building located at 400 7<sup>th</sup> St NW. The property is being used for church storage which would make it exempt so they are requesting a refund. It was stated that if they are paying taxes, it would give them an incentive to lease out the building. Solem requested Hamelton get clarification from the State on whether the city should approve it. Lenzen moved to table until Hamelton receives clarification from the State on requirements. Miller seconded. Roll call vote found Mohl, Hoffer, Biles, Czywczynski, Lenzen, Isaak, Cheatley and Miller in favor.

Meeting adjourned at 7:08 pm.




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Jeff Gooss, Mayor




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Darla Knutson, Deputy Auditor

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

Check Range: 42592 to 42699, -99713 to -99710

Payroll Check Range: -74255 to -74182, 42625, 42684

Employees	90914.93	NDPERS 457	297.50
SIT	4064.25	NY Life Insurance Company	4113.98
Unemployment	60.68	WSI	13471.79
HEALTH INS	43553.47	North Dakota Tax Comm	11.04
METLIFE	1144.97	City of Beulah	1115.75
NDPERS 457	297.50	City of Beulah	44.37
FIT	14590.05	Principal Life Insurance Co	368.55
NDPERS Main	5143.26	EDND	150.00
NDPERS Main 2020	3228.94	Mercer County Treasurer	6396.00
NDPERS PD	4529.48	Downtown Gas & Auto	12767.57
FIT	14280.51	Roughrider Electric Coop	4001.39

West River Telephone	1534.72	MDU	177.28
MDU	13531.39	ICC - International Code Council	145.00
US Bank	1246.56	Baker & Taylor	126.54
AT&T Mobility	777.12	Bronson's Marketplace	84.23
Swanston Equipment Corp.	5990.00	The Beacon	480.00
City of Beulah	927.92	State Historical Society of ND	40.00
Autumn Schaan	30.01	Mercer County Historical Soc	25.00
Dave Gar	50.00	Mercer County Historical Soc	25.00
Mercer County Treasurer	197239.99	Neuberger Oil Co.	925.00
Mercer County Auditor	2305.60	Lucky's Towing & Repair	2250.00
North Dakota Dept of Health	48.00	Nancy Bickerstaff	9.95
Lexipol LLC	3377.27	J.P. Cooke Co.	136.05
IACP	190.00	City of Beulah	658.08
NDDEQ	18.54	Butler Machinery Company	5754.99
Waste Management of WI-MN	829.60	NDACo Resources Group	426.61
USA Blue Book	519.10	DirectMED	378.09
Quadient Leasing USA Inc	218.07	Municipal Judges' Assoc	37.50
AE2S, LLC	801.60	VESSCO, INC	1207.04
AE Operations, LLC	2990.40	Redwood Toxicology Lab	198.00
Hawkins Inc.	8777.35	Quill LLC	104.94
Mercer County Sheriff's Dept	7000.00	Beulah Public School Dist	40.00
Information Technology Dept	268.85	ND League of Cities	2564.00
Black Sands Golf Course	2208.00	West River Transit	14000.00
iWorQ	7500.00	Petty Cash	25.50
Mercer County Sheriff's Dept	50.00	NAPA Auto Parts	527.01
Benz Insurance Agency	2675.00	Solem Law Office	9606.47
Colliers Securities LLC	300.00	Interstate Engineering, Inc	525.50
NDACo Resources Group, Inc.	11922.00	Farmers Union Oil Company	3714.57
West River Telephone	104.52	Interstate Engineering, Inc	2662.56
Beulah Lumber Company	177.40	Interstate Power Systems, Inc	2331.88
Lignite Tire	108.00	NDACo Resources Group, Inc.	300.00
North Dakota One Call Inc	2.05	NDDEQ	200.00
Beulah JDA	11289.49	Allstate Peterbilt of Bismarck	707.76
Beulah Airport Authority	11289.49	Michael Todd Industrial Supply	707.25
Mark A. Kaffar	900.00	William Elmore	133.00
Aramark	436.40	Fetzer Electric	257.50
Bronson's Marketplace	234.83	Clay's Plumbing & Heating Inc	622.59
American Express	275.68	Beulah Park District	28173.35
The Beacon	815.28	Beulah Park District	5955.96
Aramark	53.68	Beulah Senior Center	1145.38

Beulah Airport Authority	1603.53
The Union Bank	17787.66
AT&T Mobility	43.23
Benjamin Newman	499.80
Cass County Sheriff's Dept	60.00
J & M Hardware Inc	634.17
Archie Zuern	25.00
Hydro Hotshots	50.00
Harvey Lipp	25.00
Dale Gilje	50.00
Convention & Visitors Bureau	48478.15
James & Peggy Gегelman	42.63
Granville Brinkman	298.72
Convention & Visitors Bureau	75267.96
Postmaster	409.70
Millennium Express	16.23
Mitchell Strand	50.00
Wayne & Prudy Renner	39.58
Auto Value Beulah	19.98
Quill LLC	663.97