

CITY OF BEULAH

February 9, 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 Travis Frey with Council Members David Ripplinger, Gary Miller, Eric Hoffer, Ben Lenzen, Amanda Mohl and David Czywczynski present. Kathy Kelsch and Sean Cheatley absent.

Also Present: City Attorney Scott Solem, Water Superintendent Gary Bovkoon, Public Works Superintendent Kenny Yeager, Economic Development Beaver Brinkman, Police Chief Frank Senn, Assessor Technician Heidi Hamelton, City Auditor Heather Ferebee and Carmen Reed.

Pledge of Allegiance.

Lenzen 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. Mohl seconded. Roll call vote found Lenzen, Mohl, Czywczynski, Hoffer, Miller and Ripplinger in favor.

PUBLIC INPUT

Carmen Reed – Mercer County Mitigation Plan Update

The plan needs to be in place in order to receive funding or help from the Federal Government if a disaster hits the community. The plan addresses hazards in each community and ways to mitigate them. There will then be a survey for public input. Once a draft plan is approved by the State and FEMA, the plan will come back to the city to adopt a resolution. Discussion followed on Beulah Hazard Mitigation Action items. Items that will be left on the list as ongoing are: siren needs on the north side of town, notice to homeowners of flood insurance, city infrastructure generators, dry dam installation, channel clearance and debris removal from the Knife River, the fire wise program, and city shelters. Knife River bank stabilization needs will be determined by the City Engineer. The western and eastern tributaries will be added to the action items.

COUNCIL PORTFOLIOS

Council Member Hoffer

Hoffer moved to purchase 100 additional 95-gallon tipping carts for \$8,323. Lenzen seconded. Roll call vote found Hoffer, Lenzen, Mohl, Czywczynski, Miller and Ripplinger in favor.

Council Member Czywczynski

Lodging and Hospitality are being merged with CVB so there will be one board.

Council Member Miller

The P&Z Board has studied NDCC 40-47-04 and 40-47-05 and feels the current process is not necessary when updating the zoning ordinance and zoning map. It was requested this be brought to Council. There are two questions in which P&Z requests a formal opinion from the Attorney General:

In a City Council form of government with a Home Rule Charter, if an existing zoning ordinance is amended following the procedures outlined in NDCC 40-47-04 and 40-47-05, is the amendment considered law following a favorable vote of the Council?

In a City Council form of government with a Home Rule Charter, if an existing district zoning map is revised following the procedures outlined in NDCC 40-47-04 and 40-47-05, is the revision considered law following a favorable vote of the Council?

Miller moved to request the City Attorney to get an Attorney General opinion. Czywczynski seconded. Solem stated there will be legal fees involved. The State Statute requires an ordinance to amend an ordinance. Solem is not opposed to making the request. The request can be made. An informal opinion could also be received from Allison Hicks at the Attorney General's Office. The reason the city has the ordinance process is for public notice and input. Solem stated that this is a suggestion that the city should make a process through Home Rule Charter that the Council can take recommendations from P&Z and by motion make a change without public notice. Solem stated he can make it formal and get an answer from the Attorney General's Office as to whether it's legal or not, but it was questioned if this is what the city really wants to do. Hamelton stated the interpretation of NDCC 40-47-04 and 40-47-05 is that the city still goes through the process of a P&Z hearing and a City Council hearing, but does not create a new ordinance to replace that ordinance. The current ordinance is amended. It is just for zoning ordinances as there is a different process for that. It does not remove the notification. It removes the need for a new ordinance, as the current ordinance is amended. Solem stated the city will always have the same zoning ordinance. The new ordinance numbers designate when changes happened. The ordinance number is essentially a bill number to keep track of changes. The actual Zoning Code Chapter will remain the same with amendments made as ordinances are passed. There wouldn't be a way to track when changes were made without this process.

Miller moved to table discussion on the original motion until after the next P&Z meeting. Hoffer seconded. Roll call vote found Miller, Hoffer, Lenzen, Mohl, Czywczynski and Ripplinger in favor. It was requested the City Attorney attends a P&Z Board meeting to explain this process.

CITY PERSONNEL

Police Chief

The Police Dept. was notified it was awarded a \$3,875 grant for body cams with distribution over 24-48 months. A water pump in one of the vehicles went out and it's a large repair on these vehicles. Training for the summer conference has been approved by the POST Board so it can be used for continuing education. Hotels are reserved for the conference dates.

City Attorney

The Backflow Preventor ordinance will be provided for the next council meeting.

Public Works Superintendent

The newest dump truck has a software problem so it is in Minot. The sand truck is being repaired.

Water/Wastewater Superintendent

A second letter was sent regarding backflow preventors. There are some issues with Lift Station #2.

City Auditor

Ripplinger moved to approve a local permit for a raffle for Knife River Pheasants Forever at the Beulah Civic Center on March 12, 2022. Hoffer seconded. Roll call vote found Ripplinger, Hoffer, Miller, Lenzen, Mohl and Czywczynski in favor.

Economic Development Director

City Council may need to meet at the Civic Center when construction on the council room begins.

Land sale of the former landfill north of Beulah. The three plat books at the county all show different areas. This is currently owned by the city and it can only be used for pasture land. Excavating and building on it is not allowed. Hoffer moved to proceed with looking into options of selling the land when it is identified. Miller seconded. It was clarified that this is not approving the sale. Roll call vote found Hoffer, Miller, Lenzen, Mohl, Czywczynski and Ripplinger in favor.

CVB Sun Valley RV Park Agreement will be forwarded out to Council when it is complete.

A company will be reviewing the city for emergency generators. Discussion followed on areas in need of generators, especially the water plant. There is a generator on one lift station, but one is also needed on a well.

A grant was submitted for a convention center.

Assessor Technician

Permit/Inspection Software demos were viewed. The recommended program is iWorQ. This program merges everything together and would help with communication and record keeping. It could be accessed remotely and integrated with GIS. There are unlimited users and training at no extra cost. Permits can be applied for and paid for online. Individuals can search for permits and apply for inspections. The cost is \$12,000 for the initial year and \$7,500 per year thereafter. Interstate Engineering is looking into whether they can help with the cost. It would take a couple weeks to initiate the program. Hoffer moved to proceed with purchasing of the iWorQ Software. Czywczynski seconded. Roll call vote found Hoffer, Czywczynski, Lenzen, Mohl, Miller and Ripplinger in favor. Permit fees will be reviewed to help cover costs.

APPROVAL OF BILLS

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

Meeting adjourned at 7:33 pm.



Travis Frey, Mayor



Heather Ferebee, City Auditor

The following bills were approved and paid in January:

Check Range: 41324 to 41434, -99747 to -99742

Payroll Check Range: -75359 to -75292, 41356, 41362, 41398, 41425

Employees	83863.60	Beulah Airport Authority	11664.29
FIT	14401.77	US Bank	402.39
NDPERS 457	212.50	Mark A. Kaffar	600.00
HEALTH INS	34856.18	American Express	911.34
METLIFE	1048.87	Quadient Leasing USA Inc	218.07
FIT	12378.22	NDACo Resources Group, Inc.	9843.12
NDPERS 457	212.50	MDU	14235.73
NDPERS Main	5481.84	Information Technology Dept	253.95
NDPERS Main 2020	1843.77	Cengage Learning	238.40
NDPERS PD	4098.74	Marlin Block	100.10
WSI	11041.18	Steven Kuntz	100.10
MN Child Support	171.66	Nancy Bickerstaff	36.97
MN Child Support	171.66	Dale Schwalbe Trucking	630.00
NY Life	2634.90	Interstate Engineering, Inc	859.34
North Dakota Tax Comm	68.10	Baker & Taylor	163.25
City of Beulah	499.28	New York Life Insurance Co	5939.99
City of Beulah	57.77	New York Life Insurance Co	1156.59
Principal Life Insurance Co	317.55	New York Life Insurance Co	780.19
EFTPS	1555.91	PTC Cust IRA Kenneth Yeager	30150.32
EFTPS	1152.47	New York Life Insurance Co	383.20
Colliers Securities LLC	500.00	New York Life Insurance Co	12350.34
West River Telephone	103.96	New York Life Insurance Co	71.47
North Dakota Dept of Health	64.00	New York Life Insurance Co	6802.11
Downtown Gas & Auto	6200.55	Robert Mohl	2886.63
NDDEQ	243.58	Renee Carlson	1723.22
Beulah JDA	11664.29	ND League of Cities	2489.00
West River Telephone	1507.97	AT&T Mobility	275.98

West River Transit	10000.00	ICC - International Code Council	145.00
The Union Bank	37337.38	Aramark	48.80
Mercer County Treasurer	234772.64	Mid-States Org Crime	100.00
Eric Bornsen	14000.00	USA Blue Book	140.12
Mercer County Treasurer	6724.35	Farmers Union Oil Company	8555.65
Midco	119.28	IAPE	130.00
North Dakota One Call Inc	7.50	Interstate Engineering, Inc	9132.90
Solem Law Office	2833.33	Interstate Engineering, Inc	2776.00
Aramark	1015.45	Interstate Engineering, Inc	29167.14
Powerplan	157.82	Interstate Engineering, Inc	533.50
City of Beulah	1775.00	Beulah Lions Club	700.00
Postmaster	298.94	North Dakota Clerk's Assoc	100.00
Petty Cash	2.36	Mercer County Sheriff's Dept	14000.00
NAPA Auto Parts	843.02	Sweeney Controls Company	274.89
J & M Hardware Inc	567.59	Dakota Fire Extinguishers	61.36
Roughrider Electric Coop	3615.95	Mercer County Auditor	45.00
Solem Law Office	5309.02	NDACo Resources Group, Inc.	2792.94
Bronson's Marketplace	145.03	American Engineering Testing	1730.00
AE2S, LLC	86.89	Core & Main LP	506.20
AE Operations, LLC	3519.80	First Security Bank West	150.00
Hawkins Inc.	5949.38	Black Mountain Software	67.00
The Beacon	1448.80	Department of the Treasury	14876.22
Municipal Judges' Association	37.50	Motor Vehicle Department	24.00
Petty Cash	136.13	Postmaster	377.76
J & R Vacuum & Sewing	39.97	Marco Technologies LLC	155.60
Beulah Rural Fire Protection	15000.00	MCED	5000.00
Hazen Welding	3970.00	The Beacon	866.00
Lonny Buchmann	100.00	Black Sands Golf Course	1890.00
Advanced Business Methods	221.20	Bronson's Marketplace	120.98
Butler Machinery Company	40.30	Beulah Chamber of Commerce	150.00
Electronic Communications Inc	2560.00	Darla Knutson	16.10
Lucky Buchmann	300.00	Auto Value Beulah	27.47
Auto Value Beulah	15.99		
Allstate Peterbilt of Bismarck	177.42		
Beulah Park District	37488.21		
Beulah Park District	5100.98		
Beulah Senior Center	980.96		
Beulah Airport Authority	1373.34		
The Union Bank	17787.66		
Beulah Lumber Company	39.10		
Millennium Express	16.50		