

CITY OF BEULAH

January 25, 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, Auston Biles, David Czywczynski, Eric Hoffer, Sean Cheatley, Jason Isaak and Amanda Mohl present. Ben Lenzen absent.

Also Present: Assistant City Attorney Jennifer Gooss, Economic Development Beaver Brinkman, Water Superintendent Gary Bovkoon, Public Works Superintendent Kenny Yeager, Police Chief Frank Senn, City Assessor Heidi Hamelton, City Engineer Charlie Hankins, City Auditor Heather Ferebee, Steph Miller, Roger and Mary Kay Gazur, Dale Schwalbe, Gerald Bieber, Travis Frey, Editor Bill Schmalfeldt.

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

PUBLIC INPUT

Steph Miller presented a letter and petition with signatures requesting to allow chickens within city limits. She commented on the rising food costs and supply issues. She addressed negative issues of owning chickens such as smell, lice, cleanliness, and noise. She also mentioned there is noise from the train and barking dogs. The reason to allow chickens (not roosters) would be for egg production, a learning opportunity, to reduce landfill waste by their eating food scraps, to eat grasshoppers and to fertilize the grass. It is not free of cost and would be at the owner's expense and liability.

Sean Cheatley arrived.

The ordinance states that the owner must live in an area that is zoned agricultural to have chickens. Senn commented he reached out to Mandan and they will be sending their ordinance. There is a yearly fee for the chickens and a limited number of chickens. They have had issues with mice and skunks. Jennifer Gooss commented an ordinance was proposed to Zap last year. The chickens were limited to four. Chicken coops were limited to so many square feet, setback requirements for the property line and neighbors, construction requirements, storage requirements, cleaning requirements, and it had to be permitted. There was also an annual fee. Isaak questioned if Mandan put it to a vote for the city. Senn commented he will ask. Senn stated instead of it being allowed in residential maybe there could be a portion of land sectioned off. The odor in a residential area could be an issue. There are some reservations from the police department standpoint. It was questioned if it would invite more predators such as coyotes and mountain lions to come into town. A rural residential zone could also be an option. Jennifer Gooss commented on

the procedure to change the ordinance and on what would happen if it were put to a vote in the city.

Isaak stated the council will need to review the ordinances of other cities and gather more information. Isaak moved to table the request until more information is gathered, and it can be discussed at the next meeting. Czywczynski seconded. Gooss stated Steph Miller can gather more information from other cities and what ordinances work. Isaak thanked Miller. Roll call vote found Isaak, Czywczynski, Mohl, Miller, Biles and Cheatley in favor.

Hoffer arrived remotely to observe. He was not able to respond so will not be voting.

COUNCIL PORTFOLIOS

Council Member Miller

Miller commented he doesn't see a reason to hold up the appointment to Planning and Zoning as there is a qualified applicant. Gooss stated he will hold off until the next council meeting. He stated he continued Gazur's appointment for the time being. Gooss stated that it won't be discussed further. Miller moved to direct the mayor to make the appointment. Jennifer Gooss stated that he cannot do that. The mayor makes the appointment, and a council member cannot force the mayor to make the appointment under the law. Gazur commented he agrees that the city needs to get the most qualified people to serve on boards. Two weeks have passed and there are no other candidates.

The public flood insurance meeting will be Monday, January 30 at the Civic Center.

Council Member Biles

The rental purchase schedule was received for the loader. It will start October 31 and end April 15 for \$2,925 per month.

Council Member Czywczynski

The bidding process for Main Street is close to complete.

Council Member Isaak

Isaak questioned the appointment of the Assessment Board. Gooss stated it will take place at the next meeting.

CITY PERSONNEL

City Auditor

2022 Financial Reports, Year-end Transfers and Budget Amendments were presented. Transfers were made for debt service funds, for payments made on bonds, and reserve requirements. Transfers were also made for budget allocations, projects, negative fund balances for overages, to clear up payroll clearing, and for special assessments. Annual transfers were made from enterprise funds (water, sewer, garbage) as allowed by NDCC to help fund the General fund. Budget

amendments are required by NDCC. Amendments are made per fund, not per account, to match the amount of expenses and revenue for the year. There must be enough revenue brought in to cover excess expenses unless there is already cash in the fund to cover the expenses. Isaak moved to approve the 2022 financial reports, transfers, and budget amendments as presented. Miller seconded. Roll call vote found Isaak, Miller, Czywczynski, Mohl, Biles and Cheatley in favor.

Cheatley moved to approve the local permit for a raffle for Pheasants Forever at the Beulah Civic Center on March, 11, 2023. Mohl seconded. Roll call vote found Cheatley, Mohl, Isaak, Czywczynski, Miller and Biles in favor.

A lot located at 302 17th St NE is being offered back to the City by Mercer County for \$1.00. It would go on the list of city properties to auction. There would be a 90 day hold on transfer of the title. Isaak moved to purchase the lot from the County. Biles seconded. Roll call vote found Isaak, Biles, Czywczynski, Mohl, Miller and Cheatley in favor.

Police Chief

Senn will be at the capitol tomorrow to testify on two bills. One is regarding WSI for officers and the other is the Attorney General's Tough on Crime bill. A bullet proof vest grant is being pursued.

City Attorney

Cheatley moved to have the second reading of Criminal Ordinance No. 452. Mohl seconded. Roll call vote found Cheatley, Mohl, Isaak, Czywczynski, Miller and Biles in favor.

Public Works Superintendent

The old loader is under repair.

Water/Wastewater Superintendent

Civic Center lift station #1 was down for five days due to an electrical inverter. Water loss was at 10% for the year and the national average is 16%.


Economic Development Director

Legislative bill information was sent to council. The USDA will be at the Civic Center on February 14 with grant options for residents. Allowing unmanned aircraft to go beyond the line of sight was approved today. Mercer County is on the list as a test location. Job Service ND is having a nationwide job fair. JDA had a buydown for new owners of the Blooming House. Kurt Swenson resigned his appointment to JDA as he does not live within city limits. Biles questioned if there will be any information on permits at the USDA meeting. Hamelton stated she will provide information.

Meeting adjourned at 7:00 pm.



Jeff Gooss, Mayor



Heather Ferebee, City Auditor