

CITY OF BEULAH

July 27, 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, Amanda Mohl, Auston Biles, David Czywczynski, Eric Hoffer and Jason Isaak present. Sean Cheatley absent.

Also Present: City Attorney Scott Solem, Assistant Attorney Jennifer Gooss, City Engineer Charlie Hankins, Economic Development Beaver Brinkman, Water Superintendent Gary Bovkoon, City Assessor Heidi Hamelton, City Auditor Heather Ferebee, Chelsea Stockwell, Ryan Tolosky, Hope Ochsner, Dale Schwalbe, Roger Gazur, Chris Renner, Beulah Residents and Editor Alyssa Meier.

Pledge of Allegiance.

Miller moved to dispense with the reading of the minutes of the last regular meeting on July 13 and approve as furnished to the Council by email. Biles seconded. Roll call vote found Miller, Biles, Lenzen, Isaak, Hoffer, Czywczynski and Mohl in favor.

HEARING

Fence Variances:

Troy and Ann Morgenstern at 314 6th Ave NW, for one of the twin homes. P&Z recommends approval. Lenzen moved to approve the fence variance at 314 6th Ave NW as presented. Mohl seconded. Roll call vote found Lenzen, Mohl, Czywczynski, Hoffer, Isaak, Miller and Biles in favor.

Aaron and Amy Garman at 116 3rd St NE. P&Z recommends approval. Biles moved to approve the fence variance at 116 3rd St NE as presented. Miller seconded. Roll call vote found Biles, Miller, Lenzen, Mohl, Czywczynski, Hoffer and Isaak in favor.

Conditional Use permits for Sun Valley Builders Second Addition on Keller Drive was taken off the table. A list was presented of those who applied for outside storage on these lots as allowed within C3 zoning. A revised set of conditions modifies the first item to read that the conditional use applies for as long as the property remains zoned commercial. Miller moved to approve the conditional use permits as presented. Lenzen seconded. Roll call vote found Miller, Lenzen, Biles, Czywczynski, Hoffer, Isaak and Mohl in favor.

PUBLIC INPUT

Chelsea Stockwell commented Council voted to transfer the land to her on June 8. It was stated P&Z cannot issue a permit for property that is not in her name and the use would need to be

approved for that zone as it is not in the use table. Solem stated Council approved the transfer of the property in question with condition on the property to be used as intended and the requirement of green space maintenance. The City can complete a purchase agreement with the conditions. The text amendment would need to happen to add a kennel as a use under C4. The property is to be in her name first and if the conditions are not accomplished, the property would default back to the city. The use table would need to be updated, then the permit could be approved. It was stated that Stockwell would cover the legal fees for the process. It was questioned if the city is going to be criticized again if this project doesn't happen. Solem stated the business owner has the risk that it won't go through. Miller stated P&Z had a meeting on Monday and 38 people were there who want this facility, but some don't want it in that location. It is understood that there are concerns in that neighborhood. He plans to visit other cities with kennels in the middle of town and visit the homeowners and write a report. Discussion followed. Hoffer questioned if the use table could be updated first. It was stated it could be updated first before the business owner incurs any cost.

Hope Ochsner – Molco, LLC parking lot event. 2022 is 50 years that Mohl's have owned the bowling alley. They are planning to have a party on Friday, September 16 with a live band and food vendors. Hoffer moved to approve the special event as presented with the condition that the Police Chief and Public Works are able to work with them. Lenzen seconded. Roll call vote found Miller, Lenzen, Biles, Czywczynski, Hoffer, Isaak and Mohl in favor.

Preliminary budget approval. Additions and changes were discussed. It was recommended that the \$7,000 for the Police Dept. Task Force be added back in to fund assistance with Mercer County Narcotics or South Sakakawea. Hoffer recommended an increase to the Equipment fund for PD vehicle lease payments to \$15,000 per vehicle. It would change to \$30,000 from \$20,000. Hankins requested an increase for street repairs. \$25,000 will be added to the Sales Tax fund for street repairs to make it \$200,000. Discussion followed on the condition of streets. An increase of the mill levy by 5% was discussed. If revenue to the general fund does not increase, but expenses increase, the city will need to increase the mill levy. Gooss stated the city will do what it can to trim expenses as to not pass more on to the citizens. It was commented that inflation is up 9% and fuel costs have gone up. It was commented that if the city is able to adjust the budget before the final budget it approved, the mill levy could be lowered. It was stated the seventh police officer could be removed which would save \$100,000. Hoffer moved to approve the preliminary budget as presented including the increase of \$7,000 for the task force, increase to \$30,000 for police vehicles, increase in street improvements by \$25,000 and an increase to the mill levy by 5%. Lenzen seconded. This will be reviewed for the final budget. Hoffer commented that selling city lots and bringing in businesses provides tax revenue. Roll call vote found Hoffer, Lenzen, Miller, Biles, Czywczynski, Isaak and Mohl in favor.

Mohl moved to have a special meeting on September 15 and the final budget hearing on September 28 at 6:00 pm. Miller seconded. Roll call vote found Mohl, Miller, Lenzen, Biles, Czywczynski, Hoffer and Isaak in favor.

COUNCIL PORTFOLIOS

Council Member Czywczynski

Employee Relations met and made recommendations for the city.

1. Allow city employees to live within a 45-minute response time. It would be for all employees of the city. Hoffer moved to approve the recommendation by Employee Relations to increase the hiring pool and open employment to anyone living within 45-minutes response time of the City of Beulah. Mohl seconded. It was commented that the city won't be able to change this back once the decision is made. It was commented that the city should be able to extend the limits to outside of Beulah. Current employees would also be able to live outside of town. It was commented that first responders should live closer for emergencies. It was stated that the squad cars will remain in Beulah. Employees would be driving personal vehicles to and from work if they live out of town. Roll call vote found Hoffer, Mohl, Miller, Isaak, Czywczynski and Lenzen in favor. Biles opposed. Motion carried.
2. Police Chief pay was reviewed, and Employee Relations recommends that the pay stay hourly for the Chief. It was stated that it would be kept exactly the way it is and try to reduce overtime. It will be reviewed again at Employee Relations.
3. A \$750 bonus was recommended for Public Works and Water Dept. employees: 6 full-time and 1 part-time (not including Summer Help), and to Water Dept. employees: 4 full-time. Lenzen moved to approve the \$750 bonus. Czywczynski seconded. The funds would come from the mowing budget and the Water Fund as a thank you for working during the blizzard and bad weather during a water break. Roll call vote found Lenzen, Czywczynski, Mohl, Miller, Biles, Hoffer and Isaak in favor.
4. Recommendation to increase the wage for summer help to \$14.00 per hour starting in 2023 and increase by \$1.00 for each consecutive year the employee works. Czywczynski moved to approve the wage increase to \$14.00 per hour and increase by \$1.00 for each consecutive year the employee works, and the wage would not exceed the Laborer base salary. Hoffer seconded. Roll call vote found Czywczynski, Hoffer, Mohl, Miller, Lenzen, Biles and Isaak in favor.
5. Hoffer moved to approve the addition of another Public Works employee to return to the full staff the city had two years ago. Isaak seconded. It will be reviewed when the new employee can start based on this year's budget. Roll call vote found Hoffer, Isaak, Lenzen, Czywczynski, Mohl, Miller and Biles in favor.
6. Hoffer moved to add a Point of Contact for community service as the Clerk of Court. Czywczynski seconded. WSI would be a minimum of \$250 per year and the city's insurance will cover community service. The point of contact would receive \$.50 per hour increase in pay to oversee this project. The supervisor would also receive \$.50 per hour. Roll call vote found Hoffer, Czywczynski, Mohl, Miller, Lenzen, Biles and Isaak in favor.
7. Hoffer moved to amend the job description title of Assessor Technician to City Assessor/Planner/Building Official. Miller seconded. Roll call vote found Hoffer, Miller, Czywczynski, Mohl, Lenzen, Biles and Isaak in favor.

Council Member Mohl

The Pool Board discussed the budget and major repairs. The slide needs to be repaired. It is leaking significantly, and it was stated that it should be inspected every ten years. The ultrasonic testing needs to be completed and each segment needs to be sealed. There is a \$30,000 mobilization cost and \$1,000 to \$1,500 per seam for an estimate near \$65,000. An elimination of the gel coating of the entrance and exit of the slide would save \$9,000. Financials of the Pool fund were discussed. It was stated the slide should have been repaired four years ago and it should be safe for children to use. The city will also need to find a manlift or scaffolding for the repair. The company is Safe Slide and it was the only company that could be found to complete the repair. The pool will also need to be acid washed next year. Mohl moved to approve the repair as presented. Lenzen seconded. Hoffer clarified that the council is pledging support by this motion and if the Pool Board comes up short on funds, the city may need to lend funds to the Pool fund for the loan payment. The pool board should decide on the gel coating based on the inspection. Roll call vote found Mohl, Lenzen, Czywczynski, Hoffer, Miller, Biles and Isaak in favor. It was questioned if the pool board will increase fees next year. It was stated they did increase this year and will wait until next year to decide on that.

Mayor Gooss

Mark Kaffar agreed on a rate of \$900 per month for the Municipal Judge position starting in 2023. This is an increase from \$600 per month. It is in the preliminary budget and will be approved with the approval of the final budget.

Solem Law contract rate proposal was presented to council with an annual flat rate of \$54,500 for criminal prosecution and \$32,000 for General Legal Counsel. This is based on an average of the last couple years. Communication will increase, as well as contract review and drafting. Separate rates were provided for ordinance revision of \$20,000 and P&Z meetings of \$10,000. Special projects would also be additionally invoiced at \$250 per hour. It will make it efficient to communicate. It was questioned if the city approached any other law firms for competition's sake. It was stated that the city did not. It was stated that next year the city should put out a request for proposal for transparency's sake. It was stated that it will be reviewed at that time, but this year Solem Law was appointed. It was stated that the \$10,000 for legal representation doesn't need to be added to P&Z. These amounts are in the preliminary budget and will be adjusted and approved during the final budget. It was clarified the \$75,000 in the P&Z budget is for assistance with technical issues regarding the state building code.

CITY PERSONNEL

Water/Wastewater Superintendent

The GIS system is up and running and has made everything very efficient.

City Auditor

Hoffer moved to approve the June financial reports. Isaak seconded. Roll call vote found Hoffer, Isaak, Czywczynski, Mohl, Miller, Lenzen and Biles in favor.

Mohl moved to approve the Special Event permit for the Main Bar to serve alcohol on the street outside of the bar during the street dance on August 6, 2022, with the requirement that only beer be sold outside the bar. Lenzen seconded. Roll call vote found Mohl, Lenzen, Czywczynski, Hoffer, Miller, Biles and Isaak in favor. Senn will need to be contacted.

Hoffer moved to approve the local permit for a 50/50 raffle for the Beulah Education Foundation at Riverside Park from August 26 to October 7, 2022. Miller seconded. Roll call vote found Hoffer, Miller, Czywczynski, Mohl, Lenzen, Biles and Isaak in favor.

Economic Development Director

Tolosky land purchase request of a portion of Lot 11, Block 5 in Century Fifth Addition behind their home. There would need to be an easement for maintenance, a drainage ditch, and they could not place a permanent structure on it. Miller moved to approve the land purchase as presented. Hoffer seconded. It is the city's legal responsibility to maintain an easement if there isn't one. A survey would be needed, and costs will need to be determined. Miller moved to table until the next meeting so costs can be determined. Hoffer seconded.

The bushes by Pfennig Museum are about 90% dead and CVB will incur the cost of removal. Hoffer moved to allow CVB to remove the bushes. Mohl seconded. Roll call vote found Mohl, Lenzen, Czywczynski, Hoffer, Miller, Biles and Isaak in favor.

City Engineer

Concrete work is starting next week and asphalt the week after.

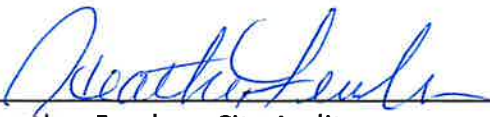
City Attorney

Mohl moved to have the second reading of Ordinance 447 regarding Regulation of Business & Trades, which includes alcohol licensing. The mobile food vendor fee is \$100 per year. Czywczynski seconded. Roll call vote found Mohl, Czywczynski, Lenzen, Hoffer, Miller, Biles and Isaak in favor.

Meeting adjourned at 8:41 pm.



Jeff Gooss, Mayor



Heather Ferebee, City Auditor