

## **CITY OF BEULAH**

**June 8, 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 Gary Miller, Ben Lenzen, David Ripplinger, Kathy Kelsch and David Czywczyński present. Amanda Mohl, Eric Hoffer and Sean Cheatley absent.

Also Present: Assistant City Attorney Jennifer Gooss, City Engineer Charlie Hankins, Economic Development Beaver Brinkman, Police Chief Frank Senn, Water Superintendent Gary Bovkoon, City Assessor Heidi Hamelton, City Auditor Heather Ferebee, Terry Lutz, Marvin Bauer, Chelsea Stockwell, Curtis Jacobson, Jan Oihus, Roger Gazur, Bill Wilhelm and Alyssa Meier.

Pledge of Allegiance.

Czywczyński moved to dispense with the reading of the minutes of the last regular meeting on May 25 and approve as furnished to the Council by email. Kelsch seconded. Roll call vote found Czywczyński, Kelsch, Lenzen and Miller in favor. Lenzen moved to dispense with the reading of the minutes of the special meeting on May 26 and approve as furnished to the Council by email. Kelsch seconded. Roll call vote found Lenzen, Kelsch, Czywczyński and Miller in favor. Kelsch moved to dispense with the reading of the minutes of the special meeting on June 6 and approve as furnished to the Council by email. Lenzen seconded. Roll call vote found Kelsch, Lenzen, Czywczyński and Miller in favor.

Ripplinger arrived.

### **PUBLIC INPUT**

Marvin Bauer commented on city beautification. There is concern that the cleanup of Beulah is not progressing. Hamelton stated that since June 1, 41 violation letters for zoning, trees, junk yards, and grass and weeds have been sent out. There are over 1800 parcels in Beulah to observe. Public Works does help with this project, but they are also busy at this time. Bauer commented on a property in his neighborhood with health hazards. Hamelton stated a letter was sent to that property. Bauer stated there should be a continuation of cleanup in Beulah.

Terry Lutz commented on the traffic on Highway 49. He stated that when he tries to address the issue himself, he gets in trouble with the police. Gazur stated that semis do not adhere to the speed limit, and they use engine brakes. Senn commented that approximately 70% of speeding tickets they issue are on Hwy. 49. They do have other areas in town they need to patrol also. Speed signs have been researched. The city has been denied grants for signs. It is possible to request a speed study from the DOT. It was requested that an estimate be obtained for speed signs. It was questioned if that is the city's responsibility since it's a state highway.

## COUNCIL PORTFOLIOS

### Council Member Kelsch

The updated Employee Personnel Policy was presented. Most of the changes were clarifications within the policy. Some of the changes are: only safety sensitive positions are drug tested for pre-employment and included in random drug testing; medical marijuana falls under the same classification as alcohol; an employee is not required to use sick leave for worker's compensation that occurred on the job for the city; an employee may request leave without pay if every effort was made to come to work during inclement weather. FMLA: sick or vacation leave in excess of the 12 weeks of FMLA will need authorization from council as to whether the employee will be allowed to continue to remain on leave and remain employed, along with the intermittent leave and reinstatement policy being clarified. Kelsch moved to adopt the updates to the Employee Personnel Policy. Czywczynski seconded. Roll call vote found Kelsch, Czywczynski, Miller, Ripplinger and Lenzen in favor.

The Civic Center still needs a utility sink and updates to the family bathroom.

### Council Member Czywczynski

There is a shortage of staff for Public Works so not all the sweeping has been done. They are busy mowing now.

### Council Member Lenzen

The Waterpark has opened, both managers are back from last year and they have a full staff. JDA does not hold the loan for the bakery anymore.

### Council Member Miller

Gooss commented that a letter was received from the Attorney General stating that they will not offer an opinion on the letter sent to them. They would like a new letter with all legal research completed, relevant case law and the opinion of the city attorney. They will then decide if they will offer an opinion and it will take about 180 days. It will be taken back to P&Z. Four architects have been contacted regarding the old nursing home. JDA has approved \$10,000 for initial architectural plans.

### Mayor Frey

The Organization Meeting is scheduled for Tuesday, June 28.

## CITY PERSONNEL

### City Engineer

Bids were reviewed for street repairs. Czywczynski moved to approve the bids for 2022 street repairs for crack sealing from Roadway Services for \$21,000, asphalt patching from Dakota Concepts for \$114,875, and concrete repairs from M Construction for \$65,365. Miller seconded. Roll call vote found Czywczynski, Miller, Kelsch, Ripplinger and Lenzen in favor. DOT Transportation Alternatives Grant funding recently announced that there will no longer be a cap

for projects in 2024 and 2025. The shared use path that was not completed could be bid out again and the grant could be applied for to see if the cost would be lower for the city.

#### Police Chief

Summer conference for the ND Police Chiefs Association went well this week. Cops and Kids event at Harmony Lake was attended by about 260 kids.

#### City Attorney

The city alcohol ordinance is being updated. The finalized ordinance will be at the next council meeting. The criminal ordinance is the next ordinance to update.

#### Water/Wastewater Superintendent

The sludge in the north lagoon will be judged to find out what needs to be done. Hydrant Flushing is complete and there are hydrants in need of repairs.

#### Economic Development Director

The Council Chambers is still in need of some doorknobs, but otherwise it is complete. COVID revenue is being used for the improvements.

Chelsey Stockwell is proposing a dog kennel in an area on 16<sup>th</sup> Street. A dog walking park is included and would be considered green space. The owners would maintain the green space, which will save the city time and money. The recommendation is for the city to not charge for the land. The buyer would need to pay for the survey and legal expenses. Discussion followed. It was discussed that a legal agreement should be in place to assure that the project happens after the land is transferred to the buyer. It was stated that the facility will bring in people from outside the community to house pets. It is currently zoned C-4 and P&Z is in support of the project. The land is 108,000 square feet. The green space is a requirement for the city, and this is an opportunity for someone else to maintain it. The new owner would also pay taxes on the property. Czywczynski moved to approve the sale of the property described with the legal fees and survey the only cost to the buyer. Ripplinger seconded. The purchase agreement will have a certain time requirement included as well as the green space condition. The purchase agreement and conditions will be brought before council when completed. Roll call vote found Czywczynski, Ripplinger, Kelsch, Miller and Lenzen in favor.

Property sale at 424 E Main St. Jamie Nelson made an offer at \$.50 per square foot, which is \$3,250. It is in the floodway and zoned commercial. It would be used for storage. The cost of demolition was paid by the city and assessed to the property. The property came back to the city and the assessment is no longer on the property. Kelsch moved to accept the offer as presented. Lenzen seconded. Roll call vote found Kelsch, Lenzen, Czywczynski, Miller and Ripplinger in favor.

Property sale on 3<sup>rd</sup> Ave of lots 9, 10, 11. Autumn Weil would like to purchase the lots for a total of \$6,000. Total assessments on the lots are \$52,428.98 for which the city would no longer be responsible. Miller moved to accept the price of \$6,000 for the three lots. Lenzen seconded. Roll call vote found Miller, Lenzen, Kelsch, Czywczynski and Ripplinger in favor.

Documents are being completed to keep the Pfennig Museum in Beulah. It would be open each day and would house the CVB office. Sun Valley Comfort Station will be painted, and landscaping will be done. New tables and chairs at the Civic Center will be paid for by CVB. There will also be concrete improvements to the Civic Center.

City Assessor

Letters will be sent out to complete onsite assessments for property values.

**APPROVAL OF BILLS**

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

Meeting adjourned at 7:36 pm.




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Travis Frey, Mayor




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Heather Ferebee, City Auditor

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

Check Range: 41724 to 41831, -99731

Payroll Check Range: -75084 to -75015, 41741, 41800

Employees	88275.11	SIRCHIE	122.93
FIT	15530.95	Powerplan	172.95
NDPERS 457	297.50	ND Housing Finance Agency	40.41
HEALTH INS	34856.18	Leonard Mosbrucker	16.11
METLIFE	1048.87	Century 21 Morrison Realty	65.37
FIT	13887.28	Bailey Gerving	52.64
NDPERS 457	297.50	Nathan Fandrich	50.00
NDPERS Main	5500.17	Gordon Schmidt	25.00
NDPERS Main 2020	2190.83	Neil Schroetlin	25.00
NDPERS PD	3495.18	West River Telephone	120.44
MN Child Support	187.81	NAPA Auto Parts	1257.22
MN Child Support	187.81	Downtown Gas & Auto	16357.67
Principal Life Insurance Co	317.55	BNSF Railway Company	2644.53
Mercer County Treasurer	7651.60	Beulah JDA	229.65
Bronson's Marketplace	181.25	West River Telephone	1530.74
American Express	2293.27	Beulah Airport Authority	229.65
MDU	14583.91	Solem Law Office	2637.66
City of Beulah	879.12	Aramark	577.25
US Bank	2417.37	USA Blue Book	222.82
Penworthy	169.16	Interstate Engineering, Inc	6167.00
Baker & Taylor	343.42		

AE2S, LLC	291.26	WARC	210.24
AE Operations, LLC	6837.55	Benz Insurance Agency	245.00
Interstate Engineering, Inc	2160.32	Interstate Engineering, Inc	2658.00
Hawkins Inc.	6388.28	Mark A. Kaffar	600.00
The Beacon	485.00	Keith Norman Books	51.50
Interstate Engineering, Inc	1746.44	B & B Mobile Home Transp	2500.00
Information Tech Dept	263.20	Beulah Park District	32007.17
Farmers Union Oil Company	2548.88	Millennium Express	30.00
Convention & Visitors Bur	121582.11	Beulah Park District	4967.92
Ferguson Waterworks #2516	83.18	Beulah Senior Center	955.37
Linde Gas & Equipment Inc	378.15	Beulah Airport Authority	1337.52
Rivistas, LLC	12.48	AT&T Mobility	735.48
Go Promo, LLC	1279.91	Centennial Collision & Paint	620.38
National League of Cities	871.00	NDACo Resources Group	115.00
Lucky's Towing & Repair	1200.00	EDND	150.00
Pipe Detectives	9500.00	Lakeview Books	154.84
USA Blue Book	6985.23	Sanitation Products	3137.25
Dale Schwalbe Trucking	730.00	Brock White Company LLC	960.00
Colonial Research Chem	532.95	Granville Brinkman	182.52
NDACo Resources Group	1401.27	East West Books	103.95
Darla Knutson	10.65	Dakota Business Solutions	220.99
Butler Machinery Company	482.32	William Elmore	166.00
Interstate Engineering, Inc	8241.50	Adam Baker	197.54
North Dakota Dept of Health	64.00	Dakota Pump & Control, Inc	4816.00
North Dakota One Call Inc	20.80	Zoom Video Comm	1297.80
NDDEQ	105.90	Hawkins Inc.	20.00
Waste Management	702.88	The Garden Mill	1338.16
Roughrider Electric Coop	3620.52	Creative Product Source	374.67
Aramark	48.80	MicroMarketing LLC	347.42
Bill Barth Ford	349.89	Lucky's Towing & Repair	300.00
Quadient Finance USA, Inc.	1000.00	Straightway Construction	64380.00
Sanford Health Occup Med	210.00	Fetzer Electric	55200.00
Adam Baker	127.87	AVI Systems Inc	30217.53
Bronson's Marketplace	29.23	Magi-Touch	232.00
Modern Marketing	298.76	Postmaster	379.45
J & M Hardware Inc	950.30	Marco Technologies LLC	155.60
Black Sands Golf Course	642.00	Petty Cash	150.00
Cobblestone Hotel & Suites	432.00		
Computer Projects of Il. Inc.	900.00		
Intoximeters, Inc.	40.00		
MDU	1796.68		