

CITY OF BEULAH

March 22, 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 Auston Biles, David Czywczynski, Amanda Mohl, Jason Isaak and Ben Lenzen present. Gary Miller, Sean Cheatley and Eric Hoffer 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/Planner Heidi Hamelton, City Engineer Charlie Hankins, City Auditor Heather Ferebee, Roger and Mary Kay Gazur, Dale Schwalbe, Chris Renner, Rod Schaper, Editor Alyssa Meier.

Lenzen moved to dispense with the reading of the minutes of the last regular meeting on March 8 and approve as furnished to the Council by email. Isaak seconded. Roll call vote found Lenzen, Isaak, Mohl, Biles, and Czywczynski in favor.

HEARING

A Variance Request Application was presented for the storage unit landscape strip requirement. P&Z recommended denying the permit to comply with the ordinance. The ordinance states that self-storage units are required to have a landscape strip containing one tree and twenty shrubs per fifty linear feet. This project would require the two street sides to have 330 shrubs and 17 trees, which would be a large project. One issue is that there is no water on the property. The landscaping strip is stated in the ordinance, but the purpose of it should be reviewed. Other storage units in town do not have landscaping, so it is not consistent. Discussion followed. It was stated that the trees could cause a snow issue and that the species of trees and bushes should be defined. Buffer strips were originally designed to separate different types of zones and landscape strips are usually aesthetic. Discussion followed. Gazur commented the variance is in direct conflict of the zoning ordinance. The applicant can apply for a new variance with different conditions if the variance is denied. Jennifer Gooss agreed there is not a valid hardship. It cannot be an economic hardship, it needs to be a physical hardship. Gazur commented the zoning code states it is up to the discretion of the P&Z as to what would be allowable in the landscape strip. It was stated that a landscape buffer should be specific so there is some consistency in the city since P&Z members change. Isaak commented the audit of the city trees gave species types that would diversify the city. Isaak moved to deny the variance. Biles seconded. It was stated that the owner can come back with an alternative variance. Roll call vote found Isaak, Biles, Lenzen, Mohl, and Czywczynski in favor.

PUBLIC INPUT

Frank Senn commented on SIRN radios still needed and the funds available. The cost of radios will be \$48,200 and \$47,500 is available. Czywczynski moved to purchase the six portable SIRN radios and the base station. Mohl seconded. The additional \$700 would come from the Specialty Equipment fund. A grant application for the possible purchase of a pickup is being made. Roll call vote found Lenzen, Isaak, Mohl, Biles and Czywczynski in favor.

Rod Schaper – Beulah Chamber of Commerce

The Chamber is planning an event to meet area businesses. It is requested that the city help get the word out and attend if possible. It will be May 8 at the Beulah Civic Center.

Schaper commented that the Chamber shares space with the Bismarck DMV for driver's license renewal, but there is no record of the Chamber approving the DMV's use of the location in its meeting minutes. The Chamber has separated from the CVB. The Chamber would like to rent out the building for revenue. It is requested that the DMV be moved or for the city to pay the Chamber \$500 per month to leave the DMV at the Chamber/CVB building. There was discussion as to how much of the building the CVB owns.

Biles questioned if the DMV could come to City Hall or back to the Civic Center. Lenzen commented the DMV is a perfect fit for the Chamber/CVB building along with the Motor Vehicle Department. Gooss stated the Chamber and CVB should meet and discuss the building situation before the city makes a decision. Schaper stated the Chamber is making the decision as majority owners of the building to allow the city to decide where the DMV should go.

Schaper requested the city assist the Chamber in the budget of 2024 as they need a part-time director. He stated the Chamber won't exist with volunteers alone.

COUNCIL PORTFOLIOS

Council Member Lenzen

JDA is moving forward with new assistance programs for businesses.

Council Member Isaak

Becoming a Tree City USA will allow the city access to grants and a free of charge audit of all the trees in the city. To become a Tree City USA the city will need to maintain a Tree Board, implement a Community Tree Ordinance, spend at least \$2 per capita on trees, and celebrate Arbor Day.

Lenzen moved to have Arbor Day on May 10. Mohl seconded. Roll call vote found Lenzen, Mohl, Isaak, Biles, and Czywczynski in favor. Lenzen moved to create the Tree Board for Tree City USA with the proposed nominations: Heidi Hamelton, Jeremy Buchmann, Dave Czywczynski, Jason Isaak and Tim Aichele. Mohl seconded. Roll call vote found Lenzen, Mohl, Isaak, Biles, and Czywczynski in favor. Gooss proclaimed May 10 as Arbor Day in Beulah. Lenzen moved to approve

the proclamation. Isaak seconded. Roll call vote found Lenzen, Isaak, Mohl, Biles and Czywczynski in favor.

Council Member Biles

2023 Spraying Agreement is approved for spraying of city properties for \$33,500. The garbage truck is still in for repairs.

CITY PERSONNEL

City Auditor

Isaak moved to add the recorded link of City Council meetings to the website. Mohl seconded. Roll call vote found Isaak, Mohl, Lenzen and Czywczynski in favor. Biles opposed. Motion carried.

Public Works Superintendent

The Transfer Station loader repairs will be decided on at the Equipment meeting tomorrow.

Water/Wastewater Superintendent

There was a major pipe break at the Water Plant that was fixed yesterday. It broke again and right now half the plant is running.

Economic Development Director

The Midwest Assistance Survey is a household survey for the city used to possibly qualify for CBGD block grants. The survey will break down the city into different areas. There is no charge to the city, but the city will need to pay for postage. Hankins recommended the surveys for a possibility of reduced assessments for low-income homeowners. Mohl moved to approve the surveys along with the addition of two more areas to those being proposed. Lenzen seconded. Roll call vote found Mohl, Lenzen, Isaak, Biles, and Czywczynski in favor.

CVB would like to install ATM cash machines at the Civic Center, Pool and City Hall. The CVB would create a building fund for fees to purchase furniture for those buildings. Jennifer Gooss stated this would be beneficial for the pool. It was questioned if the ATM's have security. It was commented that there should be some type of surveillance at the Civic Center. Mohl moved to allow Brinkman to request approval from the CVB to place ATM machines in the buildings mentioned. Biles seconded. Roll call vote found Mohl, Biles, Lenzen, Isaak and Czywczynski in favor.

Happy Soles opened on Main Street. JDA assisted Happy Soles through its rent program and assisted Country Kettle with a new sign.

Assessor/Planner Report

Property Tax Abatement/Refund Application – New Life Properties, LLC. The plan for 2023 is possibly to turn the former Family Dollar building into a gym ministry. For 2022 it probably would still be considered an investment property. The recommendation is to deny the application for 2022. It will be reviewed again in January of 2024. Isaak moved to deny the property tax

abatement application for New Life Properties, LLC. Mohl seconded. Roll call vote found Isaak, Mohl, Lenzen, Biles, and Czywczynski in favor.

The Fireworks Committee met and will have an ordinance at the next meeting for first reading. There will also be an update of the possible chicken ordinance at the next meeting.

City Engineer

The NDDEQ lead service line inventory assistance program was explained. This is a requirement of the EPA that the DEQ is requesting the city to move forward on. The application is being worked on.


Main Street Improvements – Invoice for subconsultants

The Interstate Engineering invoice for subcontractors on the project was presented for approval to be paid. Lenzen moved to pay the invoice as presented. Mohl seconded. Roll call vote found Lenzen, Mohl, Isaak, Biles and Czywczynski in favor. The Main Street project bid is out. There is one contractor requesting it be extended for one week. Lenzen moved to allow the bid to be moved to April 6. Mohl seconded. Roll call vote found Lenzen, Isaak, Mohl, Biles and Czywczynski in favor.

City Attorney

Solem Law researched the agreement for the P&Z consultant and did not find anything wrong with it.

Meeting adjourned at 7:31 pm.



Jeff Gooss, Mayor



Heather Ferebee, City Auditor