

CITY OF BEULAH

May 10, 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 Ben Lenzen, Gary Miller, Auston Biles, David Czywczynski, Jason Isaak, Amanda Mohl and Eric Hoffer present. Sean Cheatley absent.

Also Present: City Attorney Scott Solem, City Engineer Charlie Hankins, Economic Development Beaver Brinkman, Water Superintendent Gary Bovkoon, Police Chief Frank Senn, Public Works Superintendent Kenny Yeager, City Assessor/Planner Heidi Hamelton, City Auditor Heather Ferebee, Cindy Zahn, Gloria Olheiser, Stephanie Miller, Kevin Herrmann, Beulah residents.

Lenzen moved to dispense with the reading of the minutes of the last regular meeting on April 26 and approve as furnished to the Council by email. Mohl seconded. Roll call vote found Lenzen, Mohl, Biles, Isaak, Hoffer, Miller and Czywczynski in favor.

PUBLIC INPUT

Cindy Zahn with Mercer County WARC presented site authorizations. Lenzen moved to approve the following Site Authorizations for Mercer County WARC for gaming: Nite Owl Bar from July 1, 2023 to June 30, 2024; Molco LLC from July 1, 2023 to June 30, 2024; the Main Bar from July 1, 2023 to June 30, 2024. Miller seconded. Roll call vote found Lenzen, Miller, Biles, Isaak, Hoffer, Mohl and Czywczynski in favor.

COUNCIL PORTFOLIOS

Council Member Isaak

Arbor Day Celebration took place today. A tree was planted at the Wellness Center.

Council Member Hoffer

Hoffer introduced the first reading of Ordinance No. 453: Animal ordinance with the addition of chickens (fowl). Solem stated there is a provision in the Home Rule Charter allowing the city governing body by $\frac{3}{4}$ vote to amend or repeal an initiated ordinance. Chicken bands were discussed. It was questioned how the police department will be able to house chickens. It was decided to remove "bands will be issued to mark animals". Violations were discussed. It was recommended to require banding by the individual with a requirement for the owner to retrieve the chicken within 24 hours if it is held by the Police Department.

Kevin Herrmann commented on the addition of chickens. He doesn't feel it's good to have them in city limits. He stated there should be language in the ordinance for an adjacent neighbor to voice their concern. The smell will be an issue and who will determine the odor level. Solem

stated the Police Department will need to go to the residence and determine that. Herrmann recommended not passing the ordinance.

Czywczynski commented this will be difficult for the Police Department. Senn stated that they can only check if there is a complaint and there are search and seizure issues. Stephanie Miller stated there is a yearly inspection required in the ordinance. Czywczynski stated if someone wants to sell their house and there is a chicken coop next door, they may not be able to make the sale. Miller stated his feeling is that it should go to the vote of the people, not the seven members of council deciding it. Solem stated that a straw vote could be added to the ballot of the special election. It is not a binding vote, just an informational vote. Hoffer moved to approve the first reading of Ordinance No. 453 with the requirement that the chicken owners are responsible for banding and the holding time limit go to 24 hours and unbanded chickens will be rehomed or terminated immediately. Isaak seconded. Roll call vote found Hoffer, Isaak, Mohl, Biles in favor. Lenzen, Miller, Czywczynski opposed. Motion carries.

One-arm garbage truck repair is \$52,024 for brakes, transmission, and structural work to the compactor. The repairs were previously approved. Hoffer moved to pay the invoice from West Dakota Utility Services. Biles seconded. Biles commented that inspection reports will be starting for equipment to make sure all equipment has a precheck prior to being used. Roll call vote found Hoffer, Biles, Lenzen, Miller, Isaak, Mohl and Czywczynski in favor.

Council Member Czywczynski

There are some streets in town that require work.

Council Member Lenzen

JDA is reviewing new programs.

Mayor Gooss

RTD Program is available for the Police Department that allows the purchase of equipment such as generators. The equipment would be free of charge, except for shipping. It would need to be under the Police budget.

CITY PERSONNEL

City Auditor

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

Hoffer moved to approve the Mobile Food Vendor License for Rita Wright DBA Gimme Grub LLC. She will be at the fairgrounds on May 12-14 for the Spring Extravaganza. Miller seconded. Roll call vote found Hoffer, Miller, Biles, Lenzen, Isaak, Mohl and Czywczynski in favor.

Mohl moved to approve the site authorization for gaming for the American Foundation for Wildlife at Alibis Lounge from July 1, 2023 to June 30, 2024. Lenzen seconded. Lenzen noted that

he would like information on where the money is being distributed and whether some is coming back to Beulah. Mohl moved to table the motion. Czywczynski seconded. Roll call vote on tabling the motion found Mohl, Czywczynski, Hoffer, Biles, Lenzen, Miller and Isaak in favor.

Isaak moved to approve the Special Event permit for the Main Bar to serve alcohol at the Rough Rider Motorcycle Biker Bash on June 16-17, 2023. Hoffer seconded. Roll call vote found Isaak, Hoffer, Mohl, Czywczynski, Biles, Lenzen and Miller in favor.

Ferebee met with the Driver's License Division today regarding moving back to the Civic Center. It will require installing electricity in one of the former restrooms for the DOT computer. They will also need to run an ethernet line to that room.

Gooss stated that Cenex is requesting a change to the alcohol ordinance to allow for the sale of off-sale without a separate outside entrance. Senn stated Cenex would like to have a program that reads a driver's license to allow someone into the area. Mohl left the meeting. Senn stated they will have electronic means to confirm from within and it would be secure. It was stated it is a technological advancement and would justify a change to the ordinance. It would be more secure than a separate door. Hoffer moved to update the alcohol ordinance to include controlled internal access. Biles seconded. Roll call vote found Hoffer, Biles, Isaak, Czywczynski, Lenzen and Miller in favor.

City Assessor/Planner

The Arbor Day Celebration went very well. The 2023 ND Forest Service America the Beautiful Program Development Grant application for removal of up to 50 trees was submitted. The National League of Cities Capstone Challenge application was completed to possibly receive one option: Using data for strategic planning and budgeting or build a strategic equity plan for the city. The P&Z meeting was cancelled Monday. There was no quorum so the text amendment hearing will be held at the next council meeting.

City Engineer

There are three street areas that need to be repaired. Bechtold Paving may be able to patch these areas. The contractor for the Main Street Project will meet with city staff tomorrow morning to review value engineering for the project.

Police Chief

Senn is applying for a Dept. of Health grant for training for the Quick Response Units. Jim Wenning is resigning, and his last day is May 27.

City Attorney

Isaak moved to approve Resolution 2023-05: Designation of the Beulah Civic Center as the polling place for the Special Election on August 15. Miller seconded. Roll call vote found Isaak, Miller, Hoffer, Biles, Czywczynski and Lenzen in favor.

Public Works Superintendent

Tractors are ready to go, sweeping is close to being done, curb side pick-up was completed, the Transfer Station has been busy, and they are waiting for a burn permit.


Water/Wastewater Superintendent

Flushing hydrants next week. DPC was here doing lift station maintenance. Lift #2 needs new blades in the pumps. The pumps cannot handle flushable wipes. The black sand from streets comes in through the manhole covers.

Economic Development Director

ATMs for the Pool, Civic Center and City Hall were approved by CVB. A percentage of the profits would be used to create building funds for those areas. Hoffer moved to install ATMs at those three locations. Lenzen seconded. Roll call vote found Hoffer, Lenzen, Biles, Isaak, Czywczynski and Miller in favor. JDA received the audit back. Brinkman met with Hazard Mitigation from the state regarding grants for Beulah and they are supportive. The Pfennig Museum will be open for free in honor of Helmuth Pfennig on May 19-20. The CVB researched the building co-owned by the Chamber and CVB and the CVB owns 50% of the building. The CVB is providing information to the Chamber.

The meeting adjourned at 7:28 pm.



Jeff Gooss, Mayor



Heather Ferebee, City Auditor

The following bills were approved and paid in April:

Check Range: 42876 to 42965, -99703 to -99700

Payroll Check Range: -74039 to -73966, 42958

Employees	87757.57	City of Beulah	48.33
HEALTH INS	41340.11	Principal Life Insurance Co	384.75
METLIFE	1216.15	US Bank	23375.31
NDPERS 457	497.50	North Dakota One Call Inc	3.90
FIT	13848.57	Waste Management	986.05
SIT	3224.12	Dakota Fire Extinguishers	494.12
Unemployment	289.03	Quadient Leasing USA Inc	218.07
NDPERS Main	5149.36	Hawkins Inc.	4157.76
NDPERS Main 2020	3003.55	MDU	13826.57
NDPERS PD	4245.50	US Bank	506.34
FIT	14230.43	J.J. Keller & Assoc.	418.08
NDPERS 457	747.50	Hazen Welding	14.80
NY Life Insurance Company	4113.98	ESRI	550.00
North Dakota Tax Comm	25.75		

Michael Todd Indust Supply	740.24	West River Telephone	74.43
Butler Machinery Company	5012.78	NAPA Auto Parts	1231.89
Powerplan	2506.71	The Beacon	1566.45
Legend Auto Body	2033.45	Farmers Union Oil Company	11214.17
Austin Lovejoy	185.30	Ecolab Pest Elim Div	161.63
Knife River Veterinary Clinic	454.50	ND Economic Assistance Div.	83.78
ND League of Cities	550.00	The Bismarck Tribune	1007.39
Krebs Auto Body LLC	240.00	City of Beulah	570.57
AED Everywhere	805.50	The Beacon	144.75
NDACo Resources Group, Inc.	570.00	Beulah Chamber of Comm	700.00
Downtown Gas & Auto	6841.26	Solem Law Office	12766.09
Interstate Engineering, Inc	20262.00	Coal Country CHC	26.00
Millennium Express	16.23	Sanford Health Occup Med	35.00
USA Blue Book	739.25	Beulah Park District	26110.77
Bronson's Marketplace	55.92	Mercer County Treasurer	7454.25
AE Operations, LLC	4885.25	J & M Hardware Inc	435.32
Interstate Engineering, Inc	6325.00	Beulah Park District	5530.57
Mark A. Kaffar	900.00	Beulah Senior Center	1063.57
Steven Kuntz	345.90	Beulah Airport Authority	1489.00
Lucky's Towing & Repair	1650.00	AT&T Mobility	43.23
Bank of North Dakota	51193.12	Colonial Research Chem Corp	827.10
Bank of North Dakota	6823.61	Brock White Company LLC	1939.20
North Dakota Dept of Health	75.00	Stein's Inc	307.94
NDDEQ	235.62	Mercer County Sheriff's Dept	280.00
Beulah JDA	431.76	Millennium Express	32.46
Roughrider Electric Coop Inc	3621.09	Ed Duffy	25.00
Beulah Airport Authority	431.76	Lance Klipfel	50.00
Aramark	210.54	Elsie Baier	15.00
American Express	1201.90	Darla Knutson	26.20
AT&T Mobility	776.72	Gary Bovkoon	171.30
Aramark	80.52	Marlin Block	66.50
West River Telephone	1507.79	Postmaster	412.89
Information Technology Dept	357.30	Interstate Engineering, Inc	4983.10
MicroMarketing LLC	526.40	Sanitation Products	1197.46
Bronson's Marketplace	58.25	Interstate Engineering, Inc	3370.00
Cengage Learning	273.59	Interstate Engineering, Inc	2177.50
Baker & Taylor	434.05	Brady, Martz & Associates	13600.00
Grafix	402.25	Core & Main LP	202.99
Waste Management	419.05		
Creative Product Source	212.31		