

## **CITY OF BEULAH**

**October 19, 2020, 6:30 pm**

**Beulah City Hall Council Chambers and by Remote call-in with GoToMeeting**

### **PUBLIC HEARING**

The Public Hearing was called to order at 6:30 pm by Mayor Travis Frey with Council Members Gary Miller, David Ripplinger, Jason Isaak, Kathy Kelsch, Ben Lenzen, Sean Cheatley, and David Czywczynski present. Eric Hoffer absent.

Also Present: City Attorney Scott Solem, City Engineer Charlie Hankins, Economic Development Beaver Brinkman, Police Chief Frank Senn, Public Works Kenny Yeager, Water/Wastewater Superintendent Gary Bovkoon, Clyde Schulz, John Phillips, Darrold Bertsch, Suzanne Grandy, Deon Stockert, Greg Wavra, Cal Oldenburg, Herb Dittus and Editor Jerick Tafoya.

The Hearing is for Special Assessment Districts for Storm Sewer Improvements: Storm Sewer District #2 on 12<sup>th</sup> Street and Storm Sewer District #3 in the Gateway Addition.

This is the final hearing to spread the special assessments for the two storm sewer districts. The districts were set up last year and were approved by Council. The Assessment Board was set up to spread the dollars in the two districts. There is not a protest option for storm sewer districts. The City Attorney reviewed the previous hearing of the Assessment Board and postings in the paper as required. Tonight's meeting is for the City Council to hear any requests for changes. The Council can then finalize the list for it to be sent to the County by November 1. The assessments will be included on the tax statements sent out in December. Phillips explained the front footage calculation for assessments. Czywczynski questioned the use of front footage instead of square footage for drainage. He believes his property should be reduced to one unit because the water from his property does not all drain that direction. Clyde Schulz questioned the assessment for West River Transit as it is paying double. The backside of the lot is being assessed along with the front side. Phillips stated that at the last hearing, it was strongly recommended the back side of the properties with road access on each side be assessed along with the front footage assessment as they have a two side benefit. Phillips recommended just a one side assessment. Front footage for one unit is 0-90, two units is 91-139, three units is 140-179, and four units is 180-209. Herb Dittus sent in a written protest regarding the benefit to his property. Dittus stated he has never had a problem with flooding and does not receive a benefit from the improvement. It was questioned if the City is paying a portion of the project. Mayor Frey commented the City did pay a portion of the project from the Sales Tax fund. The City contributed a lump sum based on the estimate of the project to reduce the amount that was financed. The City is assessing the amount financed.

Public Hearing closed.

### **CITY COUNCIL MEETING**

The regular meeting of the Beulah City Council was called to order.

Cheatley moved to dispense with the reading of the minutes of the last regular meeting on October 5 and approve as furnished to the Council by email. Kelsch seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

Resolution No. 2019-2 Confirming Assessments and Directing Certification and Levy for Storm Sewer District No. 2. The average annual interest rate is 3.75% amortized over 15 years. Residents can pay with no interest through October 29. The assessment list as approved tonight will be sent to the County to be included on the annual tax statements. Kelsch moved to approve Resolution 2019-2 for Storm Sewer District 2 on 12<sup>th</sup> Street as presented. Cheatley seconded. Discussion followed on Czywczynski's lot. Hankins stated his opinion from the beginning was that the district should be based on square footage for drainage. Discussion followed on the drainage of some lots that would need to be redistributed if changes are made. The City Attorney mentioned there are not others here protesting and the City should just work with the one property so this project is not set back. Roll call vote found Kelsch, Isaak, Ripplinger in favor. Lenzen, Czywczynski, Miller, Cheatley opposed. Motion fails. Storm Sewer District 2 is not approved as presented.

Resolution No. 2019-3 Confirming Assessments and Directing Certification and Levy for Storm Sewer District No. 3. Kelsch moved to approve Resolution 2019-3 for Storm Sewer District 3 in the Gateway Addition as presented. Miller seconded. Discussion followed on the drainage and assessments on the lots. Kelsch, Isaak, Miller, Ripplinger, Cheatley, Lenzen in favor. Czywczynski opposed. Motion passed. Storm Sewer District 3 is approved as presented.

## **PUBLIC INPUT**

### **Suzanne Grandy – Sidewalk repair**

Grandy's neighbor's sidewalk was replaced at the time her sewer line was replaced. The neighbor wanted her to pay for half of the sidewalk. The sidewalk wasn't there before the sewer line repair so she doesn't believe she should pay. It was questioned what circumstances the City would pay for a sidewalk. The City would pay for an apron, but not a sidewalk. Discussion followed. The sidewalk was not there at the time of the sewer line repair and is not on her property. Kelsch moved to forego collecting the payment from Grandy. Miller seconded. It was stated the sidewalk was being replaced due to a shared line and the invoice was split. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

### **Darrold Bertsch – CEO of SMC and CCHC – COVID and masks**

Bertsch mentioned the nursing home residents do have limited visitation so it is good to reach out and contact them more often. He encourages having virtual meetings, wearing masks and social distancing. Mercer County has had a lot of positive exposures. It was clarified that the hospital and doctors do not get paid more because of positive cases. He stated if you know of folks working in health care right now, reach out and thank them. It's been a very challenging time.

### **Cal Oldenburg of AE2S – Water Plant needs assessment, proposal and OpWorks software**

The needs assessment memo was presented. The Water Plant still needs a Class 3 operator and an SOP. Training will be given on testing and operations. It was stated that Moore Engineering is supposed to provide the SOP. The proposal includes OpWorks cloud based software to assist with managing the plant and allowing AE2S to log in remotely. The cost would be \$4,700 per week for six months for contract operations and \$2,500 for the OpWorks software. The SOP will have an additional charge if needed.

Cheatley moved to approve the contract for task 2 and task 3 of the agreement with AE2S for Contract Operations and OpWorks Software. Miller seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

### **COUNCIL PORTFOLIOS**

#### Council Member Czywczynski

Czywczynski moved to accept the current Snow Route. Cheatley seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

#### Council Member Miller

P&Z met last week and discussed homeowners going rogue on their building permits. The lowest bid received for the demolition of 305 W Main was from Perreault Contruction for \$13,500. Miller moved to accept the bid for 305 W Main as presented. Isaak seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

#### Mayor Frey

Frey proclaimed November 1, 2020 as Extra Mile Day. Ripplinger moved to approve the proclamation of November 1, 2020 as Extra Mile Day. Kelsch seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

### **CITY PERSONNEL**

#### Public Works Superintendent

Transfer Station Winter Hours will start November 2 with hours of 12:00-5:00 pm on Monday, Wednesday, and Friday each week.

#### Water/Wastewater Superintendent

Marlin Block passed both of his 1A tests. The Water Department is preparing for winter.

#### City Auditor

Cheatley moved to approve the September Financial Reports. Lenzen seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

A decision needs to be made on the Kerner invoice. Miller moved to assess the balance of the Kerner invoice to the homeowner. Kelsch seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

Economic Development Director

An estimate was presented for a propane heater in the Mine Building to house the new vac truck in the amount of \$5,140. This is the only building the City has that the vac truck will fit into. Kelsch moved to approve the quote for a heater for the mine property building. Miller seconded. Roll call vote found Ripplinger, Czywczynski, Cheatley, Lenzen, Kelsch, Isaak and Miller in favor.

The Storm Shelter completion deadline is extended to the end of November. The City has been promised three times that it would be completed; it still isn't done. The storm shelter sidewalk and electrical are not complete. The cancelled checks for the storm shelter work need to be sent to FEMA for reimbursement.

The USDA Building walk-through is delayed but should be completed by mid November.

City Engineer

Trying to contact Burlington Northern regarding the railroad crossings. Floodway estimates are being worked on. Main Street survey was completed. The robot created a 3D rendering of the area. The City Hall door by the library is being considered for an ADA ramp. The doors by the library will be replaced with ADA buttons.

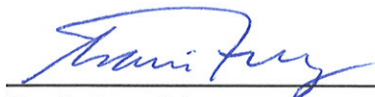
City Attorney

It was questioned if the City will accept any motions to pass District 2. The bond payment will need to be paid. A change could be done and the spreadsheet could be available by tomorrow. It was commented that there is one individual requesting a change and that could be taken care of. Kelsch moved to approve Resolution 2019-2 for Storm Sewer District 2 on 12<sup>th</sup> Street with the change to the Czywczynski lot to one unit. Cheatley seconded. The motivation is that the City faces budget issues and it would be a better move at this time not to impose another payment on the City. Roll call vote found Ripplinger, Czywczynski, Cheatley, Kelsch, Isaak and Miller in favor. Lenzen opposed. Motion passed. Storm Sewer District 2 is approved with the change as presented.

Police Chief

The Police Department received a \$500 donation from Faces of ND Coal for a new vehicle.

Meeting adjourned at 8:45 pm.



Travis Frey, Mayor



Heather Ferebee, City Auditor