

CITY COUNCIL PROCEEDINGS
PUBLISHED SUBJECT TO THE GOVERNING BODY'S REVIEW AND REVISION

A regular meeting of the Beach City Council was called to order by President Wade Walworth at 7:00 pm August 19, 2013. Present when the meeting was called to order was Council Mark Benes, Jeanne Larson, Henry Gerving, PWS Dell Beach, City Auditor Kimberly Nunberg and approximately 60 guests.

President Walworth asked to restructure the agenda and move the City Employee Reports to the end of meeting. All were in favor.

Committee Reports:

Larson reported on the Zoning Board meeting held this morning. A request was made to the Zoning Board by property owner David Grice to change the zoning at 191 5th Street SW (see attached legal description) from Residential 1 to Residential 2. The reason for the request is to use the building as a boarding/rooming house and eventually convert to senior citizen housing. The Zoning Board recommended changing the zoning with the following Conditional Use at 191 5th Street SW;

1. The property owner incorporates into the lease agreement a "Zero Tolerance Policy" on alcohol, drugs and firearms.
2. An independent property manager is required to reside onsite. The property manager cannot be an employee of the Leasee.
3. The property owner incorporates into the lease agreement a "No Animals Allowed" Policy.
4. If noise complaints are issued, a fence approved by the city is to be installed on the west side of the property.
5. Designate a specific traffic route for tenants of the property to abide by, preferably using Central Avenue to 6th Street SW thence East to the parking lot of the property.
6. Only 1 Ton and under pickups and personal cars allowed on site, no semi's allowed.
7. The Conditional Use Permit will expire in one year. At that time, the City Council will determine if the Conditional Use would be re-issued and the length of time.
8. If the property owner sells the property before the one year time limit of the Conditional Use, the new owner is subject to the above conditions.

Several comments were given by individuals in attendance regarding who would be responsible to enforce the noise ordinance, concerns of increased traffic and if this is a proper location for this type of housing. Nunberg mentioned should the City Council approve the recommendation given by the Zoning Board, property owners within 150' of the area would be notified of the decision. The City Council would then hold a public hearing for comment and final decision. Discussion. Benes moved to table a decision until further information is provided, second by Gerving. Motion carried unanimously.

Unfinished Business:

Benes moved to approve the following bills, second by Larson. Motion carried unanimously.

16562 BC6 Builders 19,603.00

16564 Sanitation Products 160,085.00

New Business:

At 7:30 pm, a public hearing was held on proposed street improvements in the NW & SE areas of the city. City Engineer, Jon Wilczek presented the following three options for the affected property owners and City Council to consider:

Option 1: 36' Residential paved street with curb & gutter at \$226/ft;

Option 2: 36' Residential paved street at \$174/ft;

Option 3: 36' Aggregate base street at \$104/ft.

Wilczek answered questions regarding drainage issues, special assessment process, and construction timelines. A property owner suggested only improve 3rd Ave and 8th Street NW at this time since these are the two streets mostly used and request property owners in the whole area to cost share the project. Wilczek will check on the legality of this suggestion. Gerving requested those in attendance show support by raising their hands to each option as it was called. The majority of those in attendance did not want any improvements made to the streets. Property owners who do want the street improvements will need to petition the City Council to do so.

Wilczek provided further explanation on the bill from American Engineering associated with the Quiet Zone Project. Gerving moved to approve the bill less \$60, second by Larson. Motion carried unanimously. Wilczek also presented an option for vacating the alley near Dickinson Ready Mix. An Application for Special Events submitted by The Backyard was reviewed.

Larson moved to approve, second by Benes. Motion carried unanimously. Nunberg reviewed the Preliminary Budget for the Year 2014.

Employees Meeting:

PWS Beach reported weed spraying and chip sealing has been completed. Recycling Coordinator Braden reported a new baler will need to be budgeted for next year. Nunberg reviewed her written report. Beach presented a letter of resignation. Benes moved to regrettable accept the resignation, second by Larson. Discussion. Motion carried unanimously.

No other business was brought forward. Gerving moved to adjourn, second by Larson. Motion carried unanimously. Meeting adjourned at 9:05 p.m.

ATTEST:

Wade Walworth, Mayor

Kimberly Nunberg, City Auditor