

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 Mayor Walter Losinski at 7:00 pm on September 3, 2013. Present when the meeting was called to order was City Council Paul Lautenschlager, Henry Gerving, Tim Marman, Mark Benes, Jeanne Larson, Wade Walworth, Public Works Employees Austin Fulton, Brandon Hoelscher, City Auditor Kimberly Nunberg, Sheriff Scot Steele, Economic Development Director Deb Walworth and 15 guests.

Minutes of the previous month meetings were read. Benes moved to approve the minutes, second by Gerving. Motion carried unanimously. Vouchers were reviewed for payment. Gerving moved to approve the following vouchers, second by Lautenschlager. Motion carried unanimously.

16597 Beach Co-op Grain 115.00
16598 Beach Vet Clinic 27.00
16599 Beach Volunteer Fire Dept. 796.15
16600 Boss Office Products 1,693.24
16601 Dakota Dust-Tex, Inc. 67.80
16602 Fallon County Treasurer 1,719.75
16603 Fargo Water/DSG 192.18
16604 Farmers Union 3,146.69
16605 Floyd Braden 227.40
16606 G & G Garbage 2,100.00
16607 Golden Valley County 7,900.00
16608 Golden Valley News 344.35
16609 Interstate Engineering 2,915.62
16610 Jack Cook Computer Repair 95.00
16611 John Deere Financial 63.13
16612 JSG Agency 158.00
16613 Kadrmas, Lee & Jackson 15,445.76
16614 Marman Plumbing & Construction 2,200.00
16615 Michael Bingeman 390.00
16616 Midstate Communications 272.13
16617 Morrison Majerle Systems Corp. 20.00
16618 NAPA 132.73
16619 ND Assoc. of Oil & Gas 1,392.82
16620 One Call Concepts 15.40
16621 Prairie Lumber Co. 110.46
16622 Rohan's Hardware 236.48
16623 S & R Interiors 260.13
16624 Southwest Water Authority 21,688.81
16625 Stockwell Cleaning 225.00
16626 Verizon Wireless 194.20
16627 WPI 361.63
16628 MDU 4126.87

16546-16558 & 16568-16592 City Employees wages for the month of August 36,270.58
16559 NDPERS 100.00
16560 City of Beach 231.84
16561 MDU 4026.97
16562 BC6 Builders 19603.00
16563 Kim Nunberg 245.65
16564 Sanitation Products 160085.00
16565 MDU 451.03
16566 Blue Cross Blue Shield 454.70
16567 Blue Cross Blue Shield 4745.84
16593 NDPERS 100.00
16594 NDPERS 2254.48
16595 City of Beach 85.00
-89950 First State Bank of Golva 8983.68

Sheriff" Report:

Sheriff Steele presented the monthly report for August consisting of 31 calls, 20 citations and 10 written warning.

Public Works Report:

PW Employees Fulton and Hoelscher reported on work completed this week and projects scheduled for next week. Fulton indicated he is interested in the PWS position which is vacant upon the resignation of Dell Beach. Hoelscher indicated he is interested in a full time public works position. Fulton presented estimates from Dakota Farm Equipment and West Plains Implement on a new bobcat and new tractor. Discussion. Marman moved to table a decision, second by Walworth. Motion carried unanimously.

Auditor's Report

Nunberg reviewed her written report. Nunberg reviewed the financial statement for the month of August. Benes moved to approve the financial report, second by Walworth. Motion carried unanimously. Nunberg mentioned a request has been made by a property owner to reissue a Quit Claim Deed due to a defect found when a title opinion was being conducted. Attorney Gene Allen explained the Quit Claim Deed will be recognized as a defect when issuing a title opinion due to the City reserving rights of clay, sand and gravel. Discussion. Gerving moved to correct the Quit Claim Deed removing the words "clay, sand, gravel", second by Walworth. Discussion. Larson-yes, Walworth-yes, Benes-yes, Marman-yes, Gerving-yes, Lautenschlager-no. Motion carried.

Unfinished Business:

On August 19th, 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 on site. The property manager cannot be an employee of the Lessee.
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. Recommend 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.

Mayor Losinski opened the meeting for comments from those attending. Attorney Gene Allen, representing concerned citizens residing near 191 5th Street SW, presented the Council with remarks opposing the change in Zoning and proposed project. Vicki Braden, Director of the Golden Valley Manor opposed the change in Zoning explaining there is a vulnerable elderly population in close proximity to the project. Kayla Begger presented comments regarding the “Zero Tolerance Policy” on alcohol, drugs and firearms and employing a property manager to enforce the Policy. Discussion. Gerving moved to approve the recommendation from the Zoning Board, second by Marman. Lautenschlager abstained. Gerving-yes, Marman-yes, Benes-yes, Larson-yes, Walworth-yes. Motion carried. Residents within 150' of 191 5th Street SW will be notified of a public hearing set on October 7th for final consideration.

Committee Reports:

Gerving and Larson presented a revised Public Works Superintendent Job Description. Discussion. Walworth moved to table a decision on the job description until the next meeting, second by Larson. Motion carried unanimously.

New Business:

Economic Development Director Deb Walworth informed the Council the ND Housing Finance Agency (NDHFA) has conditionally committed \$350,000 from the NDHFA Housing Incentive Fund (HIF) for a housing project in Beach. The project, a 12 unit apartment complex with 6 of the units being committed for essential service workers would be owned/operated by Loretto Bay 7. A location for the project has yet to be determined. Discussion. Gerving moved to invite representatives from Loretto Bay 7 to the next City Council meeting requesting a business plan/diagram of their project be presented, second by Lautenschlager. Larson-yes, Walworth-yes, Benes-yes, Gerving-yes, Lautenschlager-yes, Marman-no. Motion carried.

An Application for Raffle submitted by the Pheasants Forever Chapter 777 was reviewed. Gerving moved to approve, second by Walworth. Motion carried unanimously. An Application for Property Tax Exemption at 983 4th Ave NW was reviewed. Walworth moved to approve, second by Lautenschlager. Gerving abstained. Motion carried unanimously. An Application for

On/Off Sale Beer and Liquor License submitted by S & V Kukowski was reviewed. Discussion. Gervings moved to approve the applications pending a manager residing in Golden Valley County is appointed, second by Marman. Walworth abstained. Motion carried. Correspondence from the ND Association of Oil & Gas Producing Counties was read. Correspondence from Roosevelt Custer Regional Council regarding updates to the Municipal Zoning Codes was read. Nunberg reviewed the Preliminary Budget for the Year Ending 2014. Walworth moved to approve the Preliminary Budget for the Year Ending 2014, second by Gervings. Motion carried unanimously.

No other business was brought forward. Gervings moved to adjourn, second by Walworth. Meeting adjourned at 9:15 p.m.

ATTEST:

Walt Losinski, Mayor

Kimberly Nunberg, City Auditor