

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 December 3, 2012. Present when the meeting was called to order was City Council Paul Lautenschlager, Tim Marman, Mark Benes, Jeanne Larson, Wade Walworth, PWS Dell Beach, City Auditor Kimberly Nunberg, Sheriff Scot Steele and guest Leonard Stockwell.

Minutes of the previous month meetings were read. Benes moved to approve the minutes with corrections, second by Larson. Motion carried unanimously. Walworth moved to amend the City Sales Tax Fund from \$55,000 to \$61,000 due to increased expenses, second by Benes. Motion carried unanimously. Vouchers were reviewed for payment. Lautenschlager moved to approve the following vouchers, second by Benes. Motion carried unanimously.

15882 Beach Vet Clinic 177.75
15883 Beach Volunteer Fire Dept. 2277.00
15884 Bismarck Tribune 77.10
15885 Black Mountain Software
15886 BOSS 618.11
15887 Dakota Dust Tex, Inc. 67.80
15888 Ebeltoft Sickler Lawyers 1283.50
15889 Farmers Union 743.26
15890 Feldmann Construction 600.00
15891 Floyd Braden 227.40
15892 G & G Garbage 1500.00
15893 Golden Valley County 6968.00
15894 Golden Valley News 629.64
15895 Heiman Fire Equipment 10605.00
15896 JSG Agency 9025.00
15897 MDU 4581.96
15898 Midstate Communications 227.79
15899 Morrison Majerle Systems Corp 20.00
15900 NAPA 110.90
15901 One Call Concepts 8.75
15902 Pace Construction 4483.95
15903 Power Plan 1288.63
15904 Rohan's 617.50
15905 Sip N Sew 33.00
15906 Southwest Water Authority 9941.25
15907 Stockwell Cleaning 225.00
15908 Verizon Wireless 190.51
15909 Western Dakota Boom Truck Service 1000.00
15849-15854 &15858-15874 City Employees Wages for November 16962.25
15855 NDPERs 100.00
15856 City of Beach 98.35
15857 USPS 179.94

15875 ND PERS 100.00
15876 ND PERS 1042.79
15877 City of Beach 37.90
15878 Blue Cross Blue Shield 3541.68
15879 Blue Cross Blue Shield 452.40
15880 Unum Life Insurance 13.68
15881 Beach Area Chamber of Commerce 1050.00
-89962 First State Bank of Golva 3121.02

Sheriff's Report:

Sheriff Steele presented the monthly report consisting of 13 calls, 4 citations and 1 written warning. Two new Deputies have been hired; Clint Wohler and Dey Muckle. Sheriff Steele mentioned there are still a number of trailers, vehicles, etc. that remain on the street even after a warning has been issued.

Public Works & Auditor's Report:

PWS Beach reported Christmas decorations have been put up. Nunberg reviewed the monthly financial report for November. Benes moved to approve the financial report, second by Walworth. Motion carried unanimously. Nunberg provided her written report. Marman moved to decline negotiations on a pending bench trial, second by Walworth. Motion carried unanimously.

Unfinished Business:

Leonard Stockwell requested the 66' street to the East of his residence be converted to an 18' alley. Stockwell explained he would like to build a garage North of his residence but cannot meet Zoning setbacks because his residence is on the property line. Marman suggested Stockwell request a variance from the Zoning Board. Discussion. Marman moved to deny the request in the best interest for development of the city, second by Benes. Motion carried unanimously.

New Business:

Benes moved to approve the Final Reading of Ordinance 374, second by Walworth. Marman-yes, Benes-yes, Larson-yes, Walworth-yes, Lautenschlager-no. Motion carried.

ORDINANCE NO. 374

AN ORDINANCE AMENDING AND RE-ENACTING SECTION 19.0110-2(25) AND SECTION 19.0110-2(45) OF THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA RELATING TO ZONING – DEFINITIONS; AND SECTION 19.0303-3 OF THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA RELATING TO ZONING “RESIDENTIAL DISTRICT (R-1) – CONDITIONALLY PERMITTING USES

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 19.0110-2(25) entitled “Definitions – Specific Terms – Double Wide Mobile Homes” is hereby amended and re-enacted as follows:

19.0110-2(25) Double-wide Mobile Home – A factory built structure which is to be used as a place for human habitation, which is not constructed or equipped with a permanent hitch or other device allowing it to be moved other than to a permanent site does not have permanently attached to its body or frame any wheels or axles; bears a label certifying that it was built in compliance with the National Manufactured Home Constructing and Safety Standards promulgated by the US Department of Housing and Urban Development; and which complies with the following architectural and aesthetic standards:

- (a) The home shall have at least 960 square feet of gross living area above ground;
- (b) The home shall have an exterior width of at least 24 feet and length of 40 feet;
- (c) The roof shall be pitched with a minimum pitch of 3:1;
- (d) The exterior material shall be or have the appearance of being wood siding or masonry, but shall not be sheet siding with a vertical orientation;
- (e) The home shall have a non-reflective roof material, which is or simulates asphalt or wood shingles, tile, or rock;
- (f) Permanent utility connections shall be installed in accordance with local regulations;
- (g) The home shall have all wheels, axles, transporting lights, and towing apparatus removed;
- (h) The home shall be installed upon a permanent foundation that is constructed and built in accordance with local regulations;
- (i) The home shall be manufactured within five (5) years of the current year
- (j) The home shall blend with existing structures in the neighborhood so as to maintain the integrity of the area.

Section 2: Section 19.0110-2(45) entitled “Definitions – Specific Terms – Modular Homes” is hereby amended and re-enacted as follows:

19.0110-2(45) Mobile Home Skirting – Skirting is required and shall be constructed of brick, stone, finished metal, or other acceptable materials approved by the zoning administrator. White pole barn metal is not acceptable for skirting. The skirting shall be in place within thirty days of placement of the mobile home on the lot. The tongue and axle of the mobile home shall be removed if not covered by the skirting. Mobile homes having perimeter foundations shall not be required to have the above types of skirting. These requirements shall be fulfilled before a certificate of occupancy is issued.

Section 3: Section 19.0303-3 entitled “Residential District (R-1) – Conditionally Permitting Uses” is hereby amended and re-enacted as follows:

19.0303-3 Conditionally permitted uses:

1. An in-house apartment unit;
2. Duplex;
3. Communal housing;

4. In-house occupations which do not affect the integrity of the neighborhood;
5. Churches;
6. Libraries;
7. Day care center or private kindergarten;
8. Hospital or nursing home;
9. City or county building or facility;
10. Golf courses and contained sports facilities;
11. Double-wide Manufactured Home.

Section 4: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 5: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 6: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

Walter Losinski, Mayor, City of Beach, North

Dakota
ATTEST:

Kimberly Nunberg, City Auditor

First Reading: November 5, 2012
Second Reading: November 19, 2012
Final Passage: December 3, 2012

An Application for Raffle submitted by Beach Post Prom Committee was reviewed. Benes moved to approve the raffle, second by Walworth. Motion carried unanimously. The Vision West Planning & Zoning Workshop will be held December 12th in Dickinson. Correspondence from Dickinson Area Chamber of Commerce was read. Mayor Losinski recommended giving Beach Bucks to the employees. Benes moved to approve the recommendation, second by Walworth. Motion carried unanimously. No other business was brought forward. Walworth moved to adjourn, second by Benes. Meeting adjourned at 8:15 p.m.

ATTEST:

Walter Losinski, Mayor

Kimberly Nunberg, City Auditor