

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 November 19, 2012. Present when the meeting was called to order was City Council Tim Marman, Mark Benes, Jeanne Larson, Paul Lautenschlager, Henry Gerving, Wade Walworth, PWS Dell Beach, City Auditor Kimberly Nunberg, City Engineer Jon Wilczek, guests Janie Rathbun and Drew Hall.

Employees Meeting:

Beach reported equipment is ready for snow removal and Christmas decorations will be put up this week. Nunberg provided statistics on increased usage of city utilities and building permits.

Unfinished Business:

The request by Leonard Stockwell to make the street in front of his house into an 18' alley was tabled until the next meeting.

New Business:

Drew Hall presented a Preliminary Plat for the Hathaway Industrial Park Subdivision. There was discussion on five areas of concern; fire protection, wastewater disposal, adequate culinary water, obtaining easement with the adjoining property owner for a road and reducing the speed limit in this area on Highway 16. Hall mentioned the location for the lift station has yet to be determined. Hall indicated Midstate Communication & Telephone will be trenching soon to provide services in this area. Gerving moved to approve the Preliminary Plat for the Hathaway Industrial Park Subdivision, second by Walworth. Motion carried unanimously. A Final Plat for this area is anticipated to be complete mid January.

City Engineer Wilczek reviewed four possible projects the city should consider applying for Energy Infrastructure Impact Office Funds. Wilczek recommended projects were:

1. Improvements to the North Water tower so it can be used year round.
2. Increasing the size of the lagoon to accommodate for additional growth.
3. Line the sewer main along 1st Ave NE to eliminate infiltration of ground water in this area.
4. Build storm drain systems to handle water run-off.

The Council will give consideration to the recommendation.

There was a Second Reading of Ordinance 374. Gerving recommended 19.0110-2(25) (a) to read: The home shall have at least 960 square feet of gross living area above ground and to remove 19.0110-2(25) (i). Discussion. Majority ruled to leave (i). Marman moved to approve the Second Reading of Ordinance 374 with changes, second by Benes. Marman-yes, Benes-yes, Larson-yes, Lautenschlager-no, Gerving-no, Walworth-no. Mayor Losinski voted yes. 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:

Nunberg reviewed the Contract for Audit Services for the year 2012 submitted by James J. Wosepka. Benes moved to accept the contract for services, second by Walworth. Motion carried unanimously. Correspondence from Roosevelt Custer Regional Council regarding CDBG funds was read. Correspondence from Southwest Water Authority regarding a rate increase was read. Walworth moved to add the increase of seven cents to our current water rate pending the State Water Commission approves the request by Southwest Water Authority, second by Lautenschlager. Motion carried unanimously. Thank you correspondence from Golden Valley County was read. Gerving mentioned the Legion Club will not provide complete funding for the Baseball Program next year. Alternative funding sources will need to be sought.

No other business was brought forward. Gerving moved to adjourn, second by Marman. Motion carried unanimously. Meeting adjourned at 8:35 p.m.

ATTEST:

Walter Losinski, Mayor

Kimberly Nunberg, City Auditor