

**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 May 7, 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, Deputy Sheriff Jon Moll and guests Charles Stalnaker, John Phillips, Lois Ferebee, Patricia Lynch, Darlene Gundlach, and Deb Walworth. .

John Phillips, representing LSS was present to answer questions and provide additional information regarding the Public Hearing on Resolution 2012-11. **RESOLUTION 2012-11** is a Resolution Authorizing the Issuance of \$800,000 Mortgage Revenue Bonds (LSS Housing Beach LLC Project) Series 2012 which establishes the terms of the bonds. A copy of the Resolution is available in the office of the City Auditor for review during business hours. No public comment was given. Lautenschlager moved to approve RESOLUTION 2012-11, second by Larson. Motion carried unanimously. Benes moved to approve the sale of bonds for a multi-family housing project, second by Walworth. Motion carried unanimously.

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

15286 3D Specialties 256.25  
15287 Beach Food Center 72.35  
15288 Beach Vet Clinic 141.26  
15289 Black Mountain Software 100.00  
15290 BOSS 674.99  
15291 Ebeltoft, Sickler Lawyers 370.00  
15292 Fallon County Treasurer 2964.93  
15293 Fargo Water 1535.04  
15294 Farmers Union 3696.07  
15295 Fisher Sand & Gravel 426.06  
15296 Floyd Braden 227.40  
15297 Four Season Trophies 132.40  
15298 G & G Garbage 3900.00  
15299 Golden Valley County 6968.00  
15300 Golden Valley News 821.96  
15301 Industrial Towel 119.83  
15302 Jill Schatz 33.74  
15303 John Deere Financial 283.68  
15304 Marman Plumbing & Construction 12000.00  
15305 Merlie Novotny 135.00  
15306 Mid-American Research Chemical 552.67  
15307 Midstate Communications 230.46  
15308 Morrison Majerle System Corp 40.00  
15309 NAPA 156.66

15310 National League of Cities 536.00  
15311 ND Association of Oil & Gas 20.00  
15312 ND Department of Health 64.00  
15313 ND State Surplus 60.00  
15314 North Dakota Insurance Department 12.34  
15315 One Call Concepts 348.75  
15316 PACE Construction 7905.86  
15317 Post Graduation Committee 500.00  
15318 Prairie Fire Pottery 32.00  
15319 Prairie Lumber Company 10044.56  
15320 Prairie West Development Foundation 757.90  
15321 Precious Memories 73.96  
15322 Ramkota Hotel 69.00  
15323 Rohan's 1493.04  
15324 SBM 778.00  
15325 Sip N Sew 33.00  
15326 Southwest Water Authority 11374.05  
15327 Stockwell Cleaning Service 225.00  
15328 Swanston Equipment 837.23  
15329 Ver-Tech 252.62  
15330 Verizon 177.22  
15331 Waste Not Recycling 2449.80  
15332 West Plains, Inc. 64.08  
15333 Western Fire & Safety 612.03  
15334 Beach Centennial Committee 148.50  
15335 MDU 4305.55  
15252-15257 & 15263-15278 City Employees Wages for April 16243.06  
15258 ND Child Support 84.00  
15259 ND PERS 100.00  
15260 Kim Nunberg 168.30  
15261 Beach Park Board 22647.33  
15262 WP Capital, LLC 2494.00  
15279 ND Child Support 84.00  
15280 ND PERS 100.00  
15281 ND PERS 1270.32  
15282 City of Beach 92.30  
15283 Blue Cross Blue Shield 4451.50  
15284 Blue Cross Blue Shield 424.50  
15285 USPS 180.72  
-89971 First State Bank of Golva 2819.45

### **Sheriff" Report**

Deputy Sheriff Jon Moll presented the monthly report consisting of 26 calls, 4 citations and 1 written warning. Lautenschlager requested more patrolling on Main Street East due to higher traffic speeds. Marman moved to lower the speed limit from 45 to 35 from 6<sup>th</sup> Ave SE to Hwy 16, second by Benes. Motion carried unanimously.

## **Public Works & Auditor's Report**

PWS Beach reported some summer employees will start coming back to work this week. Street signs in the NW area of the city have been installed; a water leak on the North tower was repaired. Beach mentioned he has plans of chip sealing 70 blocks this summer. Nunberg reviewed the financial report for the month of April. Walworth moved to amend the Lodging Tax Fund due to increased expenses, second by Larson. Motion carried unanimously. Walworth moved to approve the financial report, second by Larson. Motion carried unanimously.

## **Committee Reports:**

Garbage - Walworth moved to order 3 more dumpsters, second by Marman. Motion carried unanimously.

Public Recreation - Nunberg reported on the progress of the Fishing Pond Project.

## **Unfinished Business:**

Marman will contact Fulton's on their request of altering the drainage ditch in Woodhull's Second Addition, Block 2.

## **New Business:**

Marman moved to approve Golden Valley News as official newspaper for the city of Beach, second by Larson. Lautenschlager – yes, Marman – yes, Benes - yes, Larson – yes, Walworth – no. Motion carried. Walworth moved to approve the Second and Final Reading of Ordinance 372, second by Larson. Motion carried unanimously.

## **ORDINANCE NO. 372**

### **AN ORDINANCE AMENDING AND RE-ENACTING SECTION 3.0207 OF THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA RELATING TO WEIGHT AND LOAD RESTRICTIONS**

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

Section 1: Section 3.0207 entitled "Weight and Load Restrictions" is hereby amended and re-enacted as follows:

#### **3.0207 WEIGHT AND LOAD RESTRICTIONS:**

No person shall operate any vehicle at any time upon any street or part of a street, with a gross weight which exceeds a number 3 restriction as adopted by the State Highway Patrol Motor Carrier Division, except as follows:

- A. Vehicles shall be permitted along those routes designated by the City Council as truck routes and indicated as such, which do not exceed in weight those limits as determined from time to time by the State of North Dakota for highways other than the Interstate System, except that designated truck route from Interstate 94, along Highway 16 to 4th Street North, thence east along 4th Street North to Central

Avenue, thence South along Central Avenue to Main Street, thence from Main Street East shall be those weight limits determined from time to time by the State of North Dakota for vehicles on the Interstate System.

- B. Vehicles in excess of a number 3 restriction may be operated upon streets other than those designated as truck routes for the purpose of delivering or picking up materials or merchandise, and then only by entering such street at the intersection nearest the destination of the vehicle and proceeding thereon no further than the nearest intersection thereafter.
- C. That this section shall not apply to vehicles and equipment of the City's public works and fire department.

Failure to abide by the provisions of this Section shall be violation of the Section, and shall be punishable by a fine of One Hundred Dollars and No Cents (\$100.00).

The Police Department is authorized to remove or cause to be removed any vehicle found to be in violation of this Section, and may impound and retain the same until the expense of removal, storage, and impounding has been paid in full, together with the amount of any fine, costs, bail, or other claims of the City against the owner or any other person lawfully entitled to possession thereof within a period of thirty (30) days after the impounding, any vehicle so impounded may be sold and disposed of by the Police Department in the manner provided in Section 12.0505 of the Beach City Code, as may be amended from time to time.

For the purpose of this Section, the word "street" shall mean any street, avenue, lane, alley, drive, or any other title that indicates a street.

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: 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 4: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

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Mayor, City of Beach, North Dakota

ATTEST:

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Kimberly Nunberg, City Auditor

An Application for Special Event on May 25<sup>th</sup> submitted by The Legion was reviewed. Walworth moved to approve the Special Event, second by Benes. Motion carried unanimously. An Application for Raffle submitted by Golden Valley Manor was reviewed. Larson moved to approve the Raffle, second by Marman. Motion carried unanimously. An Application for Community Enhancement Funds submitted by Post Graduation Committee was reviewed. Walworth moved to approve the request of \$500, second by Benes. Walworth – yes, Larson – yes, Benes – yes, Marman – yes, Lautenschlager – no. Motion carried. Information on the NDLC Regional Spring meeting was provided. Correspondence from the Arbor Day Foundation was read.

No other business was brought forward. Walworth moved to adjourn, second by Larson. Meeting adjourned at 8:00 p.m.

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ATTEST:

Walter Losinski, Mayor

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Kimberly Nunberg, City Auditor