

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 April 2, 2012. Present when the meeting was called to order was City Council Paul Lautenschlager, Henry Gerving, Tim Marman, Mark Benes, Jeanne Larson, Wade Walworth, PWS Dell Beach, City Auditor Kimberly Nunberg, Deputy Sheriff Zane Manhart and guests Marty Campbell, Tom Marman, Gary VanVleet, Deb Walworth, Jim Schulte and John Thompson.

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 amend the City Occupancy Fund from \$6000 to \$7100 due to increased expenses, second by Larson. Motion carried unanimously. Walworth moved to approve the following vouchers, second by Lautenschlager. Motion carried unanimously.

15222 Best Western Plus Ramkota Hotel 178.00

15223 Bismarck Tribune 45.00

15224 BOSS 94.78

15225 CT Electric 2,472.14

15226 Custom Concrete 5,525.50

15227 Eggers Electric 150.75

15228 Fargo Water 355.42

15229 Floyd Braden 227.40

15230 Four Seasons Trophies 30.50

15231 GV County 6,968.00

15232 GV News 294.36

15233 Home on the Range 100.00

15234 Lyle Signs 741.36

15235 Marman Plumbing 3,400.00

15236 Midstate Communications 228.03

15237 Morrison Majerle Systems Corp 20.00

15238 Municipal Government Academy 15.00

15239 ND Sewage Pump Lift Station Service 395.00

15240 One Call Concepts 260.00

15241 Prairie Lumber 2,883.36

15242 Redplum Media 2,112.00

15243 Rohan's Hardware 1,577.82

15244 Rough Rider Industries 1,692.00

15245 S & R Interiors 140.00

15246 SW Water Authority 8,605.48

15247 Stockwell Cleaning Service 225.00

15248 Verizon Wireless 179.15

15249 West Plains 532.06

15250 USPS 135.00

15251 MDU 4,447.09

15187-15192 & 15201-15215 City Employees Wages for March 15776.20

15193 ND Child Support 84.00

15194 ND PERS 100.00
15195 City of Beach 89.00
15196 Jill Schatz 196.16
15197 Kent Shaw 349.66
15198 Kim Nunberg 530.95
15199 Blue Cross Blue Shield 424.50
15200 Blue Cross Blue Shield 4451.50
15216 ND Child Support 84.00
15217 ND PERS 100.00
15218 ND PERS 1290.41
15219 USPS 180.18
15220 Carl Newton 1000.00
15221 USPS 290.00
-89973 First State Bank of Golva 5279.76
-89973 Office of State Tax Commissioner 220.91

Sheriff' Report

Deputy Sheriff Zane Manhart presented the monthly report consisting of 23 calls, 2 citations and no written warning. Marty Campbell requested a yield or pedestrian sign be placed at the intersection of 5th Ave SE and 1st Street for safety of children. The Street Committee will consider the request.

Public Works & Auditor's Report

PWS Beach reported a load of cardboard was shipped out today, streets are being swept and street repairs have begun. Nunberg reviewed the financial report for the month of March. Benes moved to approve the financial report, second by Larson. Motion carried unanimously. Marman moved to create an enterprise fund for the Conference Center, second by Walworth. Motion carried unanimously. Marman moved to approve a Journal Voucher transferring \$176,806.93 for Conference Center expenses incurred in 2011 from the General Fund to Conference Center Fund, second by Benes. Motion carried unanimously.

Committee Reports:

Larson reported 76 properties on the North side of 4th Street N do not have house numbers displayed or numbers are not easily visible. House numbers not easily visible make it difficult for emergency services to respond in a timely manner. Nunberg will contact property owners that do not have house numbers displayed and explain the importance of doing so. Marman moved that if the property owner does not have house numbers displayed within 30 days of notice, the city will purchase the numbers and install them, second by Larson. Lautenschlager-no, Gerving-yes, Marman-yes, Benes-yes, Larson-yes, Walworth-yes. Motion carried.
Garbage – Nunberg reported on the progress of recycling newspapers thanks to the partnership with Close-Up.

New Business:

Walworth moved to adjourn as City Council and convene as the Board of Equalization, second by Larson. Motion carried unanimously. Henry Gerving declared a conflict of interest and will abstain from voting until the City Council meeting has re-convened. Minutes of the Board of

Equalization meeting on April 18, 2011 were approved. GV Tax Director Gerving explained 3 methods for determining the valuation of a property. Gerving choose to use the Sales Comparison Method. Gerving provided information on increases and decreases in true and full valuation of property. Tom Marman expressed concerns of increased property valuations. Larson moved that a finding be made that all classifications of property have been reviewed and find them proper as assessed, second by Walworth. Walworth-yes, Larson-yes, Marman-no, Benes-yes, Lautenschlager-yes. Motion carried. Exemption Applications and Homestead Credit applications were reviewed. Benes moved that a finding be made that we have reviewed all Exemption Applications and Homestead Credit Applications and find them proper as presented, second by Larson. Walworth-yes, Larson-yes, Marman-no, Benes-yes, Lautenschlager-yes. Motion carried. Lautenschlager moved that a finding be made that the overall Assessment Roll for 2012 has been reviewed and find it proper as assessed, second by Benes. Walworth-yes, Larson-yes, Marman-no, Benes-yes, Lautenschlager-yes. Motion carried. Walworth moved based on preceding findings, we declare the Assessment Roll for 2012 for the City of Beach equalized, second by Larson. Walworth-yes, Larson-yes, Marman-no, Benes-yes, Lautenschlager-yes. Motion carried. Walworth moved to adjourn as the Board of Equalization and reconvene as the Beach City Council, second by Benes. Motion carried unanimously. Mayor Losinski called for a 5 minute break.

John Phillips representing Lutheran Social Services requested the City Council approve **RESOLUTION 2012-10.**

**A RESOLUTION RELATING TO A PROJECT UNDER THE MUNICIPAL
INDUSTRIAL DEVELOPMENT ACT, GIVING THE PROJECT PRELIMINARY
APPROVAL, SUBJECT TO A PUBLIC HEARING
(LSS HOUSING BEACH, LLC PROJECT)**

BE IT RESOLVED by the City Council of Beach, North Dakota (the “City”), as follows:

SECTION 1. POLICY AND PURPOSE .

1.01. For the purpose of promoting, attracting, encouraging, and developing an economically sound commerce, preserving and developing housing facilities, and encouraging employment opportunities for the citizens of the City, the City is authorized by Chapter 40-57, North Dakota Century Code (“N.D.C.C.”), to issue its bonds and loan the proceeds thereof to a nonprofit corporation to acquire property for use in connection with a revenue-producing enterprise.

1.02. LSS Housing Beach, LLC, a North Dakota limited liability company (the “Company”), desires to undertake a project in the City, at a total cost presently estimated at approximately \$1,300,000, said project to consist of the construction and equipping of a 12-unit multifamily housing facility and functionally related and subordinate facilities to be used or useful in connection with the project (the “Project”).

1.03. The Project will increase the level of economic activity in the City, will provide

necessary additional housing facilities in the City which lessens the burden of the City or some other governmental entity to provide such housing, and will provide additional employment opportunities for residents of the City and the surrounding area.

1.04. The City is advised by representatives of the Company that with the aid of municipal financing and the resulting lower borrowing cost, the Project would be significantly more feasible. The City is further advised by the Company that approval of municipal financing would be a significant inducement to the commencement of construction of the Project by the Company.

SECTION 2. FINDINGS.

2.01. Subject to the holding of a public hearing according to law, it appears the issuance of the Bonds is in the public interest and any competitive nature, impact and effect of the issue upon existing industry and business will not result in an unfair advantage for the proposed Project to the substantial detriment of existing enterprises.

SECTION 3. APPROVAL AND AUTHORIZATION .

3.01. Subject to the holding of a public hearing according to law and subject to the mutual agreement of the City, the Company, and the purchaser of the Bonds as to the details of a Bond Resolution, Indenture, Loan Agreement, and other documents necessary to evidence and effect the financing of the Project and the issuance of the Bonds, the issuance of Housing Revenue Bonds of the City, in one or more series, in an amount not to exceed \$800,000, is hereby approved and authorized to finance and refinance the cost of the Project.

3.02. If final approval and authorization is given after public hearing, the Company shall not be required to advertise for public bids on any part of the Project as the City hereby waives the requirements of Chapter 48-02, N.D.C.C., as authorized by Section 40-57-03(12), N.D.C.C.

3.03. Neither this preliminary commitment nor any actions, agreements, or legal matters related hereto or executed in pursuance hereof, shall in any manner or form create an indebtedness or liability of the City.

SECTION 4. PUBLIC HEARING.

4.01. Since a public hearing, after notice according to law, is required for final approval of such bond issue, a public hearing on the issuance of the Bonds shall be held at the City Hall,

Beach, North Dakota, on May 7, 2012, at 7:00 p.m. and the City Auditor is hereby instructed to give notice of such public hearing according to law.

4.02. The form of Notice of Public Hearing attached to this Resolution is hereby approved.

Dated April 2, 2012.

APPROVED:

Mayor

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly made by Larson, seconded by Marman and upon vote being taken thereon, the following voted in favor: Lautenschlager, Gerving, Marman, Benes, Larson, Walworth.

the following voted against the same: _____

and the following were

absent: _____

whereupon said resolution was declared duly passed and adopted.

The Prairie West Development Foundation Annual Report was presented. Two Applications for Blighted Building Demolition Grants were reviewed. Gerving moved to approve both Applications for Blighted Building Demolition Grants in the amount of \$1000, second by Walworth. Motion carried unanimously. An Application to Sell Fireworks submitted by Gary VanVleet was reviewed. Larson moved to approve the Application to Sell Fireworks, second by Benes. Motion carried unanimously. An Application for Special Events from the Backyard was reviewed. Benes moved to approve, second by Walworth. Motion carried unanimously.

Jim Schulte attended the meeting to discuss street repairs on First Ave NE between First and Fourth Street. The Council also discussed improvements to other streets on the truck route.

No other business was brought forward. Walworth moved to adjourn, second by Larson. Meeting adjourned at 9:30 p.m.

ATTEST:

Walter Losinski, Mayor

Kimberly Nunberg, City Auditor