

**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 May 16, 2011. Present when the meeting was called to order was Council Tim Marman, Mark Benes, Wade Walworth, Mike Bingeman, Jeanne Larson, Paul Lautenschlager, Public Works Supt. Dell Beach, City Auditor Kimberly Nunberg and guest Emanuel Culman and James Giggey.

**City Employees:**

PWS Beach reported; two part-time employees are back for the summer, grass being blown in the streets is plugging the storm drains, the city crew has been hauling trees in the boulevard, City Clean-Up Weeks will be May 16<sup>th</sup> through May 28<sup>th</sup>. Nunberg mentioned the Golden Valley County Commissioners declared a Winter Storm Emergency in Golden Valley County. If the Declaration is approved by the Governor assistance from FEMA is possible. Nunberg presented a voucher from West Plans Inc. that was overlooked at the last meeting. Walworth moved to approve payment to West Plains Inc. in the amount of \$1600, second by Larson. Motion carried unanimously.

**Unfinished Business:**

The Sheriff's Report for the month of April was reviewed showing 21 calls, no written warnings and 4 citations. Nunberg reviewed the financial report for the month of April. Benes moved to approve the financial report, second by Walworth. Motion carried unanimously.

**New Business:**

Due to a publishing error in the legal notice the bid opening for labor on improvements at City Hall will be held on Wednesday, May 18<sup>th</sup>. A public hearing was held for comment on a Conditional Use for Building Permit 01-2011. No comments were received. Walworth moved to approve the Conditional Use for Building Permit 01-2011, second by Marman. Motion carried unanimously. An Application for Exemption on a New or Expanding Businesses submitted by Zachmann Rentals was reviewed. Discussion. Benes moved to approve the application, second by Larson. Motion carried unanimously. An Application for Exemption on a New or Expanding Business submitted by Beach Cooperative Grain was reviewed. Discussion. Benes moved to approve the application, second by Marman. Motion carried unanimously. Benes moved to approve the Second Reading of Ordinance 368, second by Walworth. Motion carried unanimously.

## **ORDINANCE NO. 368**

### **AN ORDINANCE ANNEXING CERTAIN TERRITORY AND INCORPORATING THE SAME WITHIN THE CORPORATE BOUNDARIES OF THE CITY OF BEACH, NORTH DAKOTA.**

#### **PREAMBLE**

1. A petition has been presented to the City Council of the City of Beach, signed by owners of real and personal property of the territory herein described requesting annexation of their properties to the City of Beach.
2. The appropriate notices and requirements of NDCC Chapter 40-51.2-05 have been complied with.
3. The annexation of such territory is deemed necessary for the welfare of the residents and property owners thereof and of this city as a whole.

Now, therefore, be it ordained by the City Council of the City of Beach, County of Golden Valley, State of North Dakota as follows:

#### **SECTION ONE ANNEXATION OF TERRITORY**

There is hereby annexed to the City of Beach, County of Golden Valley, State of North Dakota, and incorporated within the corporate boundaries thereof, the following territory adjoining the present corporate boundaries of the city:

#### **South Tract 02510500 Annexation to City of Beach, North Dakota Metes and Bounds Description**

The south tract 02510500 is generally described as all of Auditors Tract A65 plus portions of Auditors Tract A64 excluded from Document No.s 82109 and 93929 filed in the Golden Valley County Courthouse.

South tract 02510500 is also described as a tract lying in the NW $\frac{1}{4}$  of the SE $\frac{1}{4}$  of Section 23, Township 140 North, Range 106 West of the 5<sup>th</sup> PM more specifically as follows:

Beginning at the northwest (NW) corner of Woodhulls 1<sup>st</sup> Addition and southwest (SW) corner of Auditors Tract A64 being 732 feet north of the southwest (SW) corner of said SE $\frac{1}{4}$  Section 23; thence continuing north along said west line of SE $\frac{1}{4}$  Section 23 a distance of 178.4 feet; thence fifteen degrees (15°) north of east a distance of 462.37 feet to the east boundary of said Auditors Tract A64 and west line of Auditors Tract A65; thence north along the west line of said Auditors Tract 65 a distance of 67.95 feet to the northwest (NW) corner of said Auditors Tract 65, thence east along the north line of said Auditors Tract A65 a distance of 206 feet, thence 15°

north of east a distance of 165.7 feet to the west boundary line of Woodhulls 2<sup>nd</sup> Addition and east boundary line of said Auditors Tract A64, thence south along the east boundary line of Auditors Tract A64 a distance of 42.87 feet to the northeast (NE) corner of Auditors Tract A65; thence continuing south along the east boundary of Auditors Tract A65 a distance of 366 feet to the southeast (SE) corner of said Auditors Tract A65; thence westerly along the south line of said Auditors Tract A65 a distance of 366 feet to the southwest (SW) corner of said Auditors Tract A65 also being the most southeast (SE) corner of Auditors Tract A64; thence continuing westerly along the southern most boundary of said Auditors Lot A64 a distance of 446.6 feet to the southwest (SW) corner of said Auditors Tract A 64 and point of beginning.

Said tract 02510500 contains 2.52 acres more or less.

## SECTION TWO NEW CORPORATE LIMITS

THE CORPORATE LIMITS OF THE CITY OF BEACH ARE HEREBY EXTENDED AND INCREASED SO AS TO INCLUDE AND EMBRACE WITHIN THE CORPORATE LIMITS OF THE CITY OF BEACH, THE TERRITORY DESCRIBED IN SECTION ONE HEREOF, AND SUCH TERRITORY IS HEREBY DECLARED TO BE A PART OF THE CITY OF BEACH.

Section 3: ALL ORDINANCES AND PARTS OF ORDINANCES IN CONFLICT HEREWITH ARE HEREBY REPEALED.

Section 4: EFFECTIVE DATE: THIS ORDINANCE SHALL BE IN FULL FORCE AND EFFECT FROM AND AFTER FINAL PASSAGE.

## CITY OF BEACH

Attest:

By: \_\_\_\_\_  
Walter Losinski, Mayor

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Kimberly K. Nunberg, City Auditor

First Reading: May 2, 2011

Second Reading: May 16, 2011

Final Passage:

Marman moved to appoint Nunberg as the Zoning Administrator, second by Lautenschlager. Motion carried unanimously. Wages were discussed for the staff at the Tourist Information Center . Marman moved for 3% increase in wage for the Tourist Information Staff, second by Walworth. Walworth – yes, Larson – yes, Lautenschlager – yes, Benes – no, Marman – no,

Bingeman – no, Mayor Losinski – yes. Motion carried. There was discussion of keeping semi traffic on the truck route and off residential streets.

No other business was brought forward. Walworthy moved to adjourn, second by Benes. Motion carried unanimously. Meeting adjourned at 8:00 p.m.

ATTEST:

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Walter Losinski, Mayor

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Kimberly Nunberg, City Auditor