

**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 Henry Gerving on January 6, 2020 at 7:00 pm. Present when the meeting was called to order was City Council Tim Marman, Andy Zachmann, Bev Wolff, Jeanne Larson, Wade Walworth, Public Works Supt. Randy Dietz, City Auditor Kimberly Gaugler, guests Marcus Knutson, Jodi Ebel, Walter & Tara Losinski, and Velvet Craigo.

The Pledge of Allegiance was recited.

Roll call was taken. Mark Benes was absent.

**Minutes**

Minutes of the meetings on December 16<sup>th</sup> and December 27, 2019 were presented. Walworth moved to approve the minutes, second by Wolff. Motion carried unanimously.

**Vouchers**

Vouchers were reviewed for payment. Walworth moved to approve the following vouchers, second by Zachmann. Larson asked for explanation on a bill from GWorks. Marman moved to not pay the bill from GWorks, second by Larson. Motion carried unanimously.

20924 Beach Food Center 3,828.76  
20925 CNH 184.98  
20926 Coral Creek Landfill 1,113.75  
20927 Dakota Dust-Tex 82.55  
20928 Ebeltuft Sickler Lawyers 960.00  
20929 G&G Garbage 900.00  
20930 Golden Valley News 598.03  
20931 James Wosepka, PC 1,100.00  
20932 Kimberly Gaugler 60.00  
20933 Mid-American Research Chemical 1,416.76  
20934 Midstate Communications 360.41  
20935 MDU 6,975.45  
20936 Office of the State Auditor 380.00  
20937 Prairie Lumber Company 10.57  
20938 Rohan's Hardware 78.21  
20939 Southwest District Health Unit 120.00  
20940 Southwest Water Authority 6,918.77  
20941 Verizon Wireless 178.32  
20942 Beach Area Chamber of Commerce 100.00  
20943 Beach Park Board 2,476.92  
20944 Eugene Padilla 1,635.00  
20945 VOID  
20946 Golden Valley County 23,835.39  
20947 Hailee Farstveet 18.62  
20948 Jill Schatz 57.08

20949 Marman Plumbing & Construction 800.00  
20950 NDLC 1,556.00  
20951 NDRWSA 245.00  
20952 ND Water and Pollution Control Conference 150.00  
20953 ND Water Users Association 100.00  
20954 Railroad Management Company 517.90  
20955 Randy Dietz 21.19  
20956 Stockwell Cleaning 275.00  
20903-20904, -88728 -88724, 20917-20922, -88722 -88710 Wages for December \$25,615.81  
20905 City of Beach 306.46  
-88723 FSB 2,500.11  
20913 Unum Life Insurance 47.61  
20914 BCBS of ND 5,511.50  
20915 BCBS of ND 692.50  
20916 USPS 152.20  
20923 City of Beach 190.52  
-88709 FSB 3,215.61

### **Public Works Report**

Dietz reviewed his written report. Marman moved to approve selling the pumps that are no longer being used at the lagoon, second by Wolff. Motion carried unanimously.

### **Auditor Report**

Gaugler reviewed her written report. Walworth moved to transfer \$3,000 from the 2019 Fire Department Supplies Budget to the Fire Reserve Fund Budget, second by Larson. Motion carried unanimously. Correspondence was read from James Styron, ND Transportation Rail/Hwy Crossing Safety Manager regarding upgrades to the RR crossings on 2<sup>nd</sup> Avenue and Central Avenue. Estimated cost of the improvements is \$163,588.77. The local match would be 10% of the actual cost. Marman moved to proceed with this project to upgrade the crossings, second by Walworth. Motion carried unanimously.

### **Engineers Report**

Engineer Klein's written report was reviewed.

### **Committee Report**

Strategic Planning Committee – Larson reported the next meeting is scheduled for January 15<sup>th</sup>. Consultant Jason Matthews will be attending this meeting.

### **Unfinished Business**

Review Employee Evaluations – Evaluations of all employees were available for review. Marman moved to reject the evaluation conducted on PWS Dietz completed by Mayor Gerving and have the City Council members complete an evaluation on PWS Dietz, second by Wolff. Motion carried unanimously. Mayor Gerving request Gaugler contact Attorney Bouray for legal opinion.

## **New Business**

Correspondence was read from the Office of State Auditor regarding the Audit Report for the year ended 2018.

### **RESOLUTION 2020-1**

### **PUBLIC NOTICE OF REGULARLY SCHEDULED MEETING DATES TO BE HELD AT CITY HALL, BEACH, ND, AND THE HOUR BEGINNING OF MEETINGS**

WHEREAS, UNDER PROVISIONS OF CHAPTER 40-04.1-05. NDCC, AND CITY ORDINANCE 1.0201 THE CITY COUNCIL HAS DETERMINED DATES FOR REGULAR MEETINGS IN THE YEAR 2020,

AND WHEREAS, THE CITY COUNCIL SHALL OBSERVE DAYLIGHT SAVINGS TIME DURING THOSE MONTHS DAYLIGHT SAVINGS TIME IS OBSERVED AND MOUNTAIN TIME DURING THOSE MONTHS MOUNTAIN TIME IS OBSERVED,

NOW THEREFORE, BE IT RESOLVED THAT THE CITY COUNCIL MEETINGS SHALL BEGIN AT 7:00 P.M. ON THE FOLLOWING DATES AND MAY ADJOURN FROM TIME TO TIME IF NECESSARY:

|                 |                  |
|-----------------|------------------|
| JANUARY 6 & 21  | JULY 6 & 20      |
| FEBRUARY 3 & 18 | AUGUST 3 & 17    |
| MARCH 2 & 16    | SEPTEMBER 8 & 21 |
| APRIL 6 & 20    | OCTOBER 5 & 19   |
| MAY 4 & 18      | NOVEMBER 2 & 16  |
| JUNE 1 & 15     | DECEMBER 7 & 21  |

WALWORTH MOVED TO ADOPT RESOLUTION 2020-1, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

### **RESOLUTION 2020-2**

### **ESTABLISHMENT OF DAYS THAT CITY HALL IS CLOSED DUE TO HOLIDAYS**

WHEREAS, UNDER THE PROVISIONS OF CHAPTER 1-03-01 OF NDCC AND BY THE ACTIONS OF THE CITY COUNCIL TO DECLARE DAYS THAT CITY HALL WILL BE CLOSED,

NOW THEREFORE, BE IT RESOLVED THAT CITY HALL WILL BE CLOSED IN OBSERVANCE OF THE FOLLOWING:

|                                     |                                  |
|-------------------------------------|----------------------------------|
| JANUARY 1 - NEW YEARS DAY           | SEPTEMBER 7 - LABOR DAY          |
| JANUARY 20 - MARTIN LUTHER KING DAY | OCTOBER 12 - COLUMBUS DAY        |
| FEBRUARY 17 - PRESIDENTS DAY        | NOVEMBER 11 - VETERANS DAY       |
| APRIL 10 - GOOD FRIDAY              | NOVEMBER 26 - THANKSGIVING       |
| MAY 25 - MEMORIAL DAY               | NOVEMBER 27- IF COUNCIL APPROVES |
| JULY 3 - INDEPENDENCE DAY           | DECEMBER 24 – CHRISTMAS EVE 12PM |

**DECEMBER 25 – CHRISTMAS DAY**

CITY HALL CLOSING WILL ALSO BE OBSERVED UPON ACTION OF THE PRESIDENT OF THE UNITED STATES AND THE GOVERNOR OF THE STATE OF NORTH DAKOTA.

WALWORTH MOVED TO ADOPT RESOLUTION 2020-2, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-3  
BUSINESS HOURS AT CITY HALL**

WHEREAS, THE CITY COUNCIL WILL DETERMINE THE HOURS CITY HALL WILL BE OPEN,

NOW THEREFORE, BE IT RESOLVED THAT CITY HALL WILL BE OPEN MONDAY THROUGH FRIDAY, 8:00 A.M. TO 5:00 P.M., WITH THE EXCEPTIONS OF HOLIDAYS.

WALWORTH MOVED TO ADOPT RESOLUTION 2020-3, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-4  
REIMBURSEMENT FOR MILEAGE, MEALS AND LODGING**

WHEREAS, CITY EMPLOYEES MAY INCUR EXPENSES FOR MILEAGE, MEALS, AND LODGING IN THE PERFORMANCE OF CARRYING OUT THE DUTIES REQUIRED BY THE CITY,

AND WHEREAS, THE CITY AUDITOR, UPON BEING PRESENTED WITH DOCUMENTED EVIDENCE AND IS SATISFIED WITH AUDIT OF EXPENSES, MAY APPROVE PAYMENT BETWEEN REGULARLY SCHEDULED COUNCIL MEETING,

NOW THEREFORE, BE IT RESOLVED THAT THE CITY ALLOW REIMBURSEMENT FOR EXPENSES INCURRED ACCORDING TO CHAPTER 54-06-09 OF NDCC AS FOLLOWS:

|   |                |
|---|----------------|
| PERSONAL VEHICLE, MILEAGE                                     | .57.5 PER MILE |
| PER DIEM FOR BREAKFAST, LUNCH & DINNER                        | \$30.00        |
| LODGING   | \$96.00        |
| (ACTUAL LODGING NOT TO EXCEED \$89 PLUS ANY APPLICABLE TAXES) |                |

WALWORTH MOVED TO ADOPT RESOLUTION 2020-4, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-5  
EXPEDITION OF BUSINESS**

WHEREAS, IT APPEARS THE BUSINESS OF THE CITY WILL BE EXPEDITED BY AUTHORIZING THE CITY AUDITOR TO PAY CERTAIN MISCELLANEOUS ITEMS, SUCH AS POSTAGE, FREIGHT, UTILITIES, REFUND ORDERS, REGULAR EMPLOYEE PAYROLL AND APPORTIONMENTS,

NOW THEREFORE, BE IT RESOLVED THAT THE CITY AUDITOR BE ALLOWED TO PAY SUCH CLAIMS.

WALWORTH MOVED TO ADOPT RESOLUTION 2020-5, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-6  
LISTING OF DEPOSITORY BANKS**

WHEREAS, IT IS NECESSARY FOR THE CITY AUDITOR TO DEPOSIT MONIES FROM TIME TO TIME,

AND WHEREAS, IT IS NECESSARY FOR THE CITY AUDITOR TO DRAW UPON THE DEPOSITS,

NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING BANKS BE NAMES FOR DEPOSITORY FUNDS;

FIRST STATE BANK OF GOLVA, GOLVA & BEACH, ND: CHECKING ACCOUNT

BANK OF THE WEST, BEACH, ND: TREASURY SAVINGS

WESTERN COOPERATIVE CREDIT UNION: SAVINGS ACCOUNT

WALWORTH MOVED TO ADOPT RESOLUTION 2020-6, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-7  
PLEDGE OF SECURITIES**

WHEREAS, IT IS NECESSARY TO HAVE PLEDGE OF SECURITIES,

NOW THEREFORE, BE IT RESOLVED THE FOLLOWING PLEDGES BE ACCEPTED:

BANK OF THE WEST, BEACH, ND \$ 99,347.00 PLUS  
\$250,000.00 FDIC

FIRST STATE BANK OF GOLVA, GOLVA & BEACH, ND \$ 1,925,000.00 PLUS

\$ 250,000.00 FDIC

WALWORTH MOVED TO ADOPT RESOLUTION 2020-7, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-8  
CITY AUDITOR TO INVEST AND REINVEST FUNDS**

WHEREAS, CITY FUNDS MAY BE INVESTED IN CERTIFICATES OF DEPOSIT OR US TREASURY NOTES TO DRAW INTEREST,

AND WHEREAS, THESE FUNDS MATURE FROM TIME TO TIME,

NOW THEREFORE, BE IT RESOLVED THAT THE CITY AUDITOR BE AUTHORIZED TO INVEST FUNDS AND REINVEST UPON MATURITY OF CERTIFICATES OF DEPOSITS. ALL CERTIFICATES OF DEPOSITS THAT ARE REDEEMED OR REINVESTED SHALL REQUIRE THE SIGNATURE OF BOTH THE CITY AUDITOR AND THE MAYOR.

WALWORTH MOVED TO ADOPT RESOLUTION 2020-8, SECOND BY WOLFF. MOTION CARRIED UNANIMOUSLY.

**RESOLUTION 2020-9  
SALARIES OF HIRED AND APPOINTED OFFICIALS**

WHEREAS, THE CITY COUNCIL SHALL SET FORTH SALARIES OF CITY OFFICIALS AND EMPLOYEES,

NOW THEREFORE, BE IT RESOLVED THAT THE FOLLOWING SALARIES HAS BEEN SET EITHER ON A YEARLY, MONTHLY OR HOURLY BASIS:

**MAYOR**

- Henry Gerving \$ 5,400.00 YR

**CITY COUNCIL**

- Mark Benes \$ 3,600.00 YR
- Jeanne Larson \$ 3,600.00 YR
- Tim Marman \$ 3,600.00 YR
- Wade Walworth \$ 3,600.00 YR
- Beverly Wolff \$ 3,600.00 YR
- Andy Zachmann \$ 3,600.00 YR

**ZONING BOARD**

- Al Begger \$ 1,200.00 YR
- Tom Marman \$ 1,200.00 YR
- Leann Allen \$ 1,200.00 YR
- Tony Wanner \$ 1,200.00 YR
- Michelle Marman \$ 1,200.00 YR

**PUBLIC WORKS SUPT.**

- Randy Dietz \$ 25.63/HR

**PUBLIC WORKS EMPLOYEES**

- Bart Bishop \$ 24.74/HR
- Tom Littlecreek \$ 20.50/HR
- Loren Martian \$ 20.00/HR

**CITY AUDITOR**

- Kimberly Nunberg \$ 57,979.99/YR

**DEPUTY AUDITOR**

- Jill Schatz \$ 16.91/HR
- Samatha Oech \$ 11.00/HR

MARMAN MOVED TO ADOPT RESOLUTION 2020-9, SECOND BY LARSON. MOTION CARRIED UNANIMOUSLY.

Mayor Gerving reviewed his goals for 2020. Goals of the Mayor, PWS and Auditor will be posted on the back wall of the Council Chambers.

Correspondence was provided from Attorney Bouray regarding Special Event Permits previously issued to 3<sup>rd</sup> Avenue Liquors. Per legal counsel recommendation, Zachmann moved to offer 3<sup>rd</sup> Avenue Liquor an On/Off Sale Beer & Liquor License by paying difference in fees from Off Sale to On/Off Sale, second by Wolff. Motion carried unanimously.

Marman moved to amend Ordinance 10.0428 TOILETS REQUIRED to read as follows, second by Walworth. Motion carried unanimously.

**10.0428 TOILETS REQUIRED:** The premises where On-Sale License if granted must be equipped with adequate and sufficient lavatories and toilets, ~~separately maintained for men and women~~, and kept in a clean and sanitary condition. The On-Sale license may be revoked when the foregoing requirements, or any other health ordinance or regulation, is not, at all times, strictly observed.

No other business was brought forward. Mayor Gerving adjourned the meeting. Meeting adjourned at 8:15 p.m.

ATTEST:

---

Henry Gerving, Mayor

---

Kimberly Gaugler, City Auditor