

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 May 18, 2020 at 7:00 pm. Present when the meeting was called to order was City Council Tim Marman, Bev Wolff, Jeanne Larson, Mark Benes, Public Works Supt. Randy Dietz, City Auditor Kimberly Gaugler, City Engineer Jasper Klein, and guests Winnie Anderson, Sheriff Roger Clemens, and Tyler Oliver.

The Pledge of Allegiance was recited.

Roll call was taken. Zachmann and Walworth were absent.

**Minutes**

Minutes of the meeting on April 28<sup>th</sup> and May 4<sup>th</sup> were presented. Benes moved to approve the minutes, second by Wolff. Motion carried unanimously.

**Public Works Report**

Dietz reviewed his written report. Residential sanitation carts that were ordered in April have arrived and will be disbursed in the near future. Two loads of cardboard were shipped last week.

**Auditor Report**

Gaugler reviewed her written report. On March 16<sup>th</sup>, the City Council agreed to suspend penalties and disconnection of delinquent accounts until May 1<sup>st</sup> due to COVID-19. This timeline has since expired. Marman moved to not extend this ruling any further, second by Benes. Motion carried unanimously. Benes moved to approve opening a checking account at First State Bank of Golva for the 2021 Street and Utility Project if the project proceeds, second by Larson. Motion carried unanimously. Benes approved extending hours at the Tourist Information Center as long as it stays within budget, second by Larson. Motion carried unanimously. Benes moved to approve renting the Community Center as long as Social Distancing Guidelines are followed, second by Wolff. Motion carried unanimously. Gaugler reviewed the financial report for the month of April. Benes moved to approve the financial report, second by Larson. Motion carried unanimously.

At 7:25 a Public Hearing was held for comment on an Application for Building with Request for Variance of 2' at 219 2<sup>nd</sup> Avenue SE. Larson moved to open the Public Hearing, second by Wolff. Motion carried unanimously. No public comment was given. Larson moved to close the Public Hearing, second by Wolff. Motion carried unanimously. Larson moved to approve the Application for Building with Request for Variance of 2' at 219 2<sup>nd</sup> Avenue SE, second by Wolff. Motion carried unanimously.

**Committee Reports**

**Zoning** – Larson reported on the Zoning Board meeting held earlier this morning. Approximately 40 people were in attendance. Public comments were received in favor of and opposing the Request for Conditional Use submitted by Elk Creek Capital, LLC for a Dollar

General Store. The Zoning Board recommendation was to approve the Request for Conditional Use with the following conditions;

- A sidewalk adhering to ND DOT requirements is to be installed along the west property line.
- A sidewalk adhering to ND DOT requirements is to be installed from the parking lot to the sidewalk on the south property line.

Wolff moved to approve the recommendation from the Zoning Board to grant the Request for Conditional Use with the conditions specified, second by Marman. Motion carried unanimously.

### **Engineers Report**

Engineer Klein reviewed his written report. Benes moved to approve the project area submitted for the 2021 Street and Utility Project, second by Larson. Motion carried unanimously.

### **Sheriff's Report**

The Sheriff's Report for the month of April consisting of 2 citations, 2 warnings and 9 calls was reviewed. There was discussion on the Sheriff's Department providing enforcement of ordinances, more specifically the animal ordinance. The contract with Golden Valley County Sheriff's Department would need to be amended to include enforcement of animal ordinances. Sheriff Clemens mentioned there are some areas of public right of way throughout the City being obstructed. These areas should be identified and property owners notified to remove the obstruction from the right of way.

### **Unfinished Business**

Correspondence from Post Grad Committee – At this time it is uncertain if there will be a Post-Graduation event so request for support was withdrawn.

### **New Business**

Benes moved to approve Resolution 2020-11, second by Larson. Motion carried unanimously.

## **RESOLUTION OF GOVERNING BODY OF APPLICANT RESOLUTION NO. 2020-11**

Resolution authorizing filing of application with the North Dakota Department of Environmental Quality for a Loan under the Safe Drinking Water Act Amendments.

WHEREAS, under the terms of the Clean Water Act, the United States of America has authorized the making of loans to authorized applicants to aid in the construction of specific public projects:

Now, Therefore, BE IT RESOLVED the Beach City Council:

1. That Kimberly Gaugler, City Auditor, be and is hereby authorized to execute and file an application on behalf of the Beach City Council with the North Dakota Department of Environmental Quality for a loan to:

Replace lead service lines and cast-iron pipe watermains;

2. That Kimberly Gaugler, City Auditor, be and is hereby authorized and directed to furnish such information as the North Dakota Department of Environmental Quality may reasonably request in connection with the application which is herein authorized to be filed, to sign all necessary documents, and, on behalf of the city, to accept loan offer and receive payment of loan funds.

#### CERTIFICATE OF RECORDING OFFICER

The undersigned duly qualified and acting City Auditor of the City of Beach does hereby certify:

That the attached resolution is a true and correct copy of the resolution, authorizing the filling of application with the North Dakota Department Environmental Quality, as regularly adopted at a legally convened meeting of the Beach City Council, duly held on the 18<sup>th</sup> day of May, 2020; and further that such resolution has been fully recorded in the journal of proceedings and records in my office

In WITNESS WHEREOF, I have hereunto set my hand this 18<sup>th</sup> day of May, 2020.

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Henry Gerving, Mayor

ATTEST:

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Kimberly Gaugler, City Auditor

An Application for Gaming Site Authorization at The Backyard submitted by Prairie Public Broadcasting, Inc. was reviewed. Benes moved to approve, second by Wolff. Motion carried unanimously.

An Application for Blighted Residential Building Demolition Program submitted by DaLane Stedman at 206 3<sup>rd</sup> Avenue SW was reviewed. Wolff moved to approve, second by Larson. Motion carried unanimously.

Correspondence was read from NDIRF regarding the Annual Meeting on May 20<sup>th</sup>.

Correspondence was read from US Department of Interior regarding surface owner consultation and environmental impact statement. Benes moved to submit the surface owner response form showing a preference in favor of mining coal deposits, second by Wolff. Motion carried unanimously.

Winnie Anderson request consideration be given for Handicap Parking or an Unloading/Loading Zone on Central Avenue near Advanced Therapy.

No other business was brought forward. Benes moved to adjourn, second by Wolff. Motion carried unanimously. Meeting at 8:10 p.m.

ATTEST:

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Henry Gerving, Mayor

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Kimberly Gaugler, City Auditor