

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 Losinski on Monday, September 16, 2024 at 7:00 p.m. Present when the meeting was called to order was City Council Tom Marman, Lynn Swanson-Puckett, Sarah Ross, John Stonehocker, Bev Wolff, Andy Zachmann, Public Works Superintendent Randy Dietz, City Auditor Kimberly Gaugler, Sheriff Dey Muckle, Administrative Assistant Lea Massado, guests Corlene Olson and Gary Howard.

The Pledge of Allegiance was recited.

Mayor Losinski requested everyone stay standing for a minute of silence to recognize the passing of Jeanne Larson who served as City Council for 13 years and Mayor for 2 years.

Roll call was taken. All members were present.

Mayor Losinski called for any additions or corrections to the agenda. Gaugler request adding correspondence from Robert Zinsli. Zachmann moved to approve the agenda with the addition, second by Ross. Motion carried unanimously.

Minutes

Minutes of the meeting on September 3, 2024 were presented. Swanson-Puckett moved to approve the minutes, second by Zachmann. Motion carried unanimously.

Engineer's Report

Engineer Ranisate reviewed his written report. **Beach Dam Project** - Geotechnical exploration was performed in the fall of 2023 and the geotechnical report is nearly complete. Preliminary alternative analysis is complete and preliminary opinions of cost have been prepared.

Alternatives have been reviewed with the City of Beach and were presented at a public information meeting on September 3. An emergency action plan for the existing Beach Dam has been drafted. Once City Council determines which alternative is preferred, preliminary design documents will be prepared and funding applications, specifically Building Resilient Infrastructure and Communities, will be completed. Swanson-Puckett moved to proceed with the preliminary design and funding applications to remove and replace the Beach Dam, second by Ross. Roll call vote. Swanson-Puckett-yes, Ross-yes, Marman-abstain, Wolff-yes, Zachmann-no, Stonehocker-no. Motion carried. **2025 Street & Utility Improvement Project** - The protest period expired on Saturday, September 14th. Three letters of protest were received from property owners within the improvement district. It was determined there was insufficiency of protests. Zachmann moved to approve Resolution 2024-024, second by Ross. Motion carried unanimously.

RESOLUTION NO. 2024-024

A RESOLUTION DETERMINING THE INSUFFICIENCY OF PROTESTS FILED
IN OBJECTION TO THE CITY OF BEACH STREET IMPROVEMENT
DISTRICT 2024-04

WHEREAS, the City Council has adopted Resolution 2024-18, creating the City of Beach Street Improvement District 2024-04; and

WHEREAS, the City Council adopted Resolution 2024-22, declaring the necessity of making certain improvements within the City of Beach Street Improvement District 2024-04;

WHEREAS, notice of this resolution was published in the official newspaper of the City of Beach on August 15, 2024 & August 22, 2024 providing notice to owners of property within the District of their right to protest the intended improvements by filing written objections within 30 days of the first publication;

WHEREAS the Beach City Council met at its next regularly scheduled meeting to hear and determine the sufficiency of the protests; and

WHEREAS, the City Council finds that owners of less than fifty percent of the property within the District have filed written protests to the planned improvements; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Beach, North Dakota, that due to the insufficiency of the protests filed objecting to the project, the project will proceed in accordance with all relevant laws and regulations.

Dated this 16th day of September, 2024.

ATTEST: Walter Losinski, Mayor
City of Beach, North Dakota

Kimberly Gaugler, City Auditor

Zachmann moved to approve Resolution 2024-025, second by Ross. Motion carried unanimously.

RESOLUTION NO. 2024-025

**A RESOLUTION DETERMINING THE INSUFFICIENCY OF PROTESTS FILED
IN OBJECTION TO THE CITY OF BEACH UTILITY IMPROVEMENT
DISTRICT 2024-05**

WHEREAS, the City Council has adopted Resolution 2024-21, creating the City of Beach Utility Improvement District 2024-05; and

WHEREAS, the City Council adopted Resolution 2024-23, declaring the necessity of making certain improvements within the Beach Utility Improvement District 2024-05;

WHEREAS, notice of this resolution was published in the official newspaper of the City of Beach on August 15, 2024 & August 22, 2024, providing notice to owners of property within the District of their right to protest the intended improvements by filing written objections within 30 days of the first publication;

WHEREAS the Beach City Council met at its next regularly scheduled meeting to hear and determine the sufficiency of the protests; and

WHEREAS, the City Council finds that owners of less than fifty percent of the property within the District have filed written protests to the planned improvements; and

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Beach, North Dakota, that due to the insufficiency of the protests filed objecting to the project, the project will proceed in accordance with all relevant laws and regulations.

Dated this 16th day of September, 2024.

ATTEST: Walter Losinski, Mayor
City of Beach, North Dakota

Kimberly Gaugler, City Auditor

Sheriff's Report

Sheriff Dey Muckle reviewed his written report for the month of August which consisted of 49 calls, 1 written citation and 6 warning citations. Sheriff Muckle addressed concerns of semi-trucks parking in residential areas and/or obstructing clear sight triangles.

Public Works Report

PWS Dietz reviewed his written report. Marman moved to approve trading the 2022 John Deere 544P for a 2024 John Deere 544G as is listed in the retail purchase order, second by Zachmann. Motion carried unanimously. Mayor Losinski stated he will take into consideration the suggestions provided by Dietz of individuals to appoint to the Tree Board Committee. Dietz mentioned the repairs to the sanitation truck are complete. Swanson-Puckett moved to approve payment of \$14,368.76 for repairs to the sanitation truck, second by Wolff. Motion carried unanimously. A letter of resignation was read from Loren Martian. Swanson-Puckett moved to approve, second by Wolff. Motion carried unanimously.

Auditor's Report

Gaugler reviewed her written report. Gaugler reviewed the financial report for the month of August. Zachmann moved to approve the financial report, second by Swanson-Puckett. Motion carried unanimously.

Committee Reports

Zoning – Marman reported the Zoning Board met today. One Application for Building with a Conditional Use was tabled until further information is provided, two Applications for Building were approved and one Application for Building is still being reviewed. Properties that are in non-compliance of setbacks or zoning use are being addressed by City Attorney Bouray.

Park Board – Zachmann reported the Park Board met on September 10th.

New Business

At 7:30, a Public Hearing was held for comment on the Preliminary Budget for the Year Ending 2025. Zachmann moved to open the Public Hearing for comment, second by Ross. Motion carried unanimously. Mayor Losinski opened the floor for any comments or questions. No comments were received. Zachmann moved to close the Public Hearing, second by Ross. Motion carried unanimously. Zachmann moved to approve the Final Budget for the Year Ending 2025, second by Ross. Motion carried unanimously. Levied amounts are as follows;

General Fund	195,000.00
City Specials	15,500.00
SA Deficiency	1,000.00
Emergency	3,150.00
Total Levied	214,650.00

An Application for Property Tax Exemption for New Residential Building at 373 2nd Avenue NE was reviewed. Zachmann moved to approve the application, second by Swanson-Puckett. Motion carried unanimously.

The 2025 Law Enforcement Services Contract with Golden Valley County was reviewed. Wolff moved to approve the yearly contract amount of \$114,545.52, second by Zachmann. Motion carried unanimously.

Correspondence was read from Greyson & Makensie Stedman requesting they be released from their lease at the Beach Mini Mall. Zachmann moved to approve the request, second by Ross. Motion carried unanimously.

Correspondence was read from Robert Zinsli. A check in the amount of \$3,000.00 was included and specified to be used in the kitchen area of the pavilion.

There being no other business, Swanson-Puckett moved to adjourn, second by Zachmann. Meeting adjourned at 8:25 p.m.

ATTEST:

Walter Losinski, Mayor

Kimberly Gaugler, City Auditor