

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 November 5, 2018, at 7:00 pm. Present when the meeting was called to order was City Council Tim Marman, Andy Zachmann, Bev Wolff, Mark Benes, Jeanne Larson, PWS Randy Dietz, City Auditor Kimberly Gaugler and guests Deputy Sheriff Dey Muckle, Todd Wilson, Nellie Booth, Jane Cook, Logan Sime, Ashleigh Henley and Tom Littlecreek.

The Pledge of Allegiance was recited.

Roll call was taken.

**Vouchers**

Walworth moved to approve the following vouchers, second by Benes. Motion carried unanimously.

20084 AE2S 4,335.50  
20085 American Engineering 5,000.00  
20086 Beach Food Center 52.25  
20087 Beach Park Board 4,443.42  
20088 Beach Volunteer Fire Dept. 247.17  
20089 Best Western Harvest Inn & Suites 257.25  
20090 Black Mountain Software 100.00  
20091 Boss Office Products 169.33  
20092 Coral Creek Landfill 3,066.00  
20093 Core & Main 3,520.21  
20094 Dakota Dust-Tex 152.80  
20095 Dakota Supply Group 672.36  
20096 Ebeltoft Sickler Lawyers 3,090.00  
20097 Farmers Union/NAPA 1,299.22  
20098 Fire Safety USA 830.00  
20099 G & G Garbage 1,200.00  
20100 Golden Valley County 9,435.87  
20101 Golden Valley News 358.82  
20102 Golden Valley Outfitters/Park Café 335.50  
20103 Jill Schatz 58.87  
20104 John Deere Financial 568.38  
20105 Kimberly Gaugler 43.76  
20106 Lyle Signs 104.31  
20107 Marman Plumbing 3,150.00  
20108 Midstate Communications 202.88  
20109 Midwest Doors of Dickinson 462.86  
20110 MDU 5,690.25  
20111 Morrison Majerle Systems 480.00  
20112 ND DOT 2,469.38  
20113 One Call Concepts 19.85

20114 Prairie Lumber Co. 4,226.79  
20115 Randall Dietz 12.51  
20116 Rohan's Hardware 278.42  
20117 S & R Interiors 160.00  
20118 Sanitation Products 662.99  
20119 Southwest Water Authority 7,743.64  
20120 Stockwell Cleaning 275.00  
20121 Swanston Equip. 417.41  
20122 Valli Info. Systems 50.00  
20123 Verizon Wireless 174.68  
20068-20069, 20077-20082, -89015 - -89011 & -89009 - -88999 Wages for October 25,740.64  
20070 City of Beach 198.88  
20071 UNUM Life 106.08  
20072 Bank of ND 12,962.55  
20073 Blue Cross Blue Shield 4,111.66  
20074 Blue Cross Blue Shield 593.00  
20075 USPS 204.02  
20076 Blue Cross Blue Shield 1,541.50  
20083 City of Beach 115.31  
-89010 First State Bank 2,580.87  
-88998 First State Bank 3,049.48  
-88997 ND PERS 4,411.04

### **Minutes**

Minutes of the meeting and attachments from the Public Hearing on October 15, 2018 were presented. Wolff moved to approve the minutes and attachments, second by Larson. Motion carried unanimously.

### **PW Report**

PWS Dietz reviewed his written report. Marman moved to approve the heating improvements at the City Shop as presented by Dietz, second by Walworth. Motion carried unanimously.

### **Auditor Report**

Gaugler reviewed her written report. Benes move to approve renewing the Tri-Centennial CD at Bank of the West for 48 months, second by Wolff. Motion carried unanimously. Enterprise Fund Budgets were presented.

### **Engineer Report**

A written report submitted by Engineer Adam Isakson was reviewed.

**Street Project 2017** – Reseeding and warranty work –The bonding company has contacted the City Attorney to schedule a project meeting.

**Sanitary Sewer Project** – When the Title Opinion is complete by the City Attorney, and reviewed by USDA the project can proceed to bid again.

## **Committee Reports**

### **Streets/ Sewer/ Water**

Benes mentioned Montana Dakota Utilities (MDU) is planning a street light replacement project beginning in the first quarter of 2019. Based on an existing rate schedule the estimated monthly savings will be \$460/month. Benes recommended approving an Amendment of Municipal Street Lighting and Equipment Rental Agreement from Montana Dakota Utilities (MDU), second by Larson. Motion carried unanimously.

### **Police**

Zachmann reported after the New Year, Sheriff Steele will be attending the City Council meetings on a quarterly basis. Meeting dates set at this time are: March 18, June 17, September 16, and December 16, 2019.

### **Unfinished Business**

Application for Conditional Use at 509 2<sup>nd</sup> Avenue SE for a 40-bed in-patient residential treatment center for drug and alcohol services – Larson moved to approve the Application for Conditional Use with the following conditions;

1. DESCO BHS, LLC is able to obtain licensing from the ND Department of Human Services' Behavioral Health Division in Adult ASAM Level II.5, Adult ASAM Level III.1 and Adult ASAM Level III.2.
2. No treatment services other than what is listed in 1 will be allowed.
3. Provide a signed lease agreement between property owner and business owner(s) clearly indicating assignment of responsibility for repair, maintenance, upkeep of property, etc.
4. Provide an inspection/report by a qualified ND Building Official supporting no threats exist and/or plans for dealing with threats.
5. Provide incorporation documents listing executive corporate officers and/or trustees with the authority to sign a lease and operate in ND.
6. A Pick, Pack and Ship Business (or any other commercial business) will not be allowed.
7. Conditional Use Permit will expire one year from the date issued unless re-application is made.

Motion was second by Bev Wolff. Mayor Gerving called for discussion. Tim Marman declared a conflict of interest stating he would not be voting. Concerns mentioned were; the location of the proposed treatment center in proximity to the Golden Valley Manor, safety and welfare of the elderly population at the Golden Valley Manor. Upon roll call vote, Jeanne Larson and Bev Wolff voted yes. Mark Benes, Wade Walworth and Andy Zachmann voted no. Tim Marman abstained. Motion failed.

Request from Grace Church for a sign – Benes reported once the area is surveyed the location of the sign can be determined.

The Law Enforcement Service Contract for 2019 with the Golden Valley County Sheriff's Department was reviewed. Walworth moved to accept the contract presented, second by Zachmann. Motion carried unanimously.

Mayor and City Council reviewed City Ordinance Chapter 3 – Public Places and Property.

**New Business**

Tom Littlecreek provided a proposal for replacing the retaining wall at his residence of 509 First Avenue SE. Discussion. Marman moved to table a decision until the Street Committee can review and provide a recommendation, second by Benes. Motion carried unanimously.

An Application for Special Event submitted by Golden Valley County Fair Board was reviewed. Walworth moved to approve the Application for Special Event, second by Benes. Motion carried unanimously.

An Application for Raffle submitted by the Golden Valley Manor was reviewed. Walworth moved to approve the Application for Raffle, second by Benes. Motion carried unanimously.

Correspondence from Golden Valley County Auditor was read regarding the Annual Sale of Real Estate Forfeited for Delinquent Taxes.

City Ordinance Chapter 4 –Fire Protection and Prevention was provided and will be reviewed at the next meeting.

No other business was brought forward. Walworth moved to adjourn, second by Benes. Meeting adjourned at 9:15 p.m.

ATTEST:

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Henry Gerving, Mayor

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Kimberly Gaugler, City Auditor