



City of Beach
153 East Main Street
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Beach, ND 58621-0278

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2003 ND City of the Year
an equal opportunity employer

Mayor
Walter Losinski
PO Box 907
Beach, ND 58621

City Council
Tom Marman
PO Box 613
Beach, ND 58621

Sarah Ross
PO Box 35
Beach, ND 58621

John Stonehocker
86 5th St. SW
Beach, ND 58621

Lynn Swanson
PO Box 26
Beach, ND 58621

Beverly Wolff
PO Box 1060
Beach, ND 58621

Andy Zachmann
PO Box 112
Beach, ND 58621

City Auditor
Kimberly Gaugler

Public Works Sup.
Randy Dietz

City Council Meeting Agenda City Hall – 153 East Main Street Monday, October 6, 2025 - 7:00PM

1. Call Meeting to Order, stand as able for Pledge of Allegiance (NDCC 40-06-02)
2. Roll Call of Members
3. Additions or Corrections to the Agenda & Approval
4. Recognize Visitors & Public Participation
 - Deb Helsper regarding drainage improvements
5. Review of September 15th Meeting Minutes & Approval
6. Review of Vouchers & Approval
7. Engineer's Report
 - Written Report including Resolution 2025-19 Creating City of Beach Stormwater Drainage & Street Improvement District No. 2025-02
8. Public Works Report
 - Written Report
9. Auditor's Report
 - Written Report
10. Committee Report(s)
11. Unfinished Business
12. New Business
 - City Ordinance 366 Chapter 15 Curfew for Persons Under 18 Years of Age
 - Request to update Retail Alcoholic Beverage License for Golden Valley County Fair Association
 - Request to update the Gaming Site Authorization for Harley Salzman Post No. 5 American Legion
 - First Reading of Ordinance 399 An Ordinance Enacting a New Section 19.0707-1 to the City Code of the City of Beach, North Dakota Relating to Zoning of Certain Properties
13. Adjourn

NEXT REGULAR MEETING
Monday, October 20th

"Change happens by listening and then starting a dialogue with the people who are doing something you don't believe is right."
Jane Goodall

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 on Monday, September 15, 2025 at 7:00 p.m. Present when the meeting was called to order was City Council Tom Marman, Sarah Ross, Lynn Swanson-Puckett, John Stonehocker, Bev Wolff and Andy Zachmann, others present Public Works Superintendent Randy Dietz, City Auditor Kimberly Gaugler, Administrative Assistant Lea Massado, Sheriff Dey Muckle, Engineer Zac Ranisate, and guests Jordanna Garland, Tiffany Stonehocker, Roger Barkland, Michelle Marman, and Joe & Sue Finneman.

The Pledge of Allegiance was recited.

Roll call was taken. All members were present.

Zachmann moved to approve the agenda as presented, second by Wolff. Motion carried unanimously.

Public Participation

There was no public participation.

Minutes

Minutes of the meeting on September 2, 2025, were presented. Zachmann moved to approve the minutes, second by Ross. Motion carried unanimously.

Engineer's Report copy and paste:

Engineer Ranisate reviewed his written report. **2025 Street and Utility Improvement Project** – Final pay application will be presented at the next meeting. Marman moved to approve the amount of \$81,323.00 for the chip sealing that was completed, second by Stonehocker. Motion carried unanimously. **2026 Main and Central Street Reconstruction** – NDDOT Flex Fund is committed to funding 100% of the storm sewer cost subject to the final cost estimate and scope of work. Additional geotechnical investigation from Terracon is required to jack and bore underneath BNSF Railroad per BNSF's utility accommodation policy. Cost is \$18,800. Wetland delineation of the storm sewer project area is required for the proposed storm sewer layout. Cost is \$6,325. Zachmann moved to approve the contracts with Terracon at \$18,800 and Meadowlark Environmental at \$6,325, second by Ross. Motion carried unanimously.

Sheriff's Report

Sheriff Muckle reviewed his written report for the month of August which consisted of 46 city calls, 3 written citations and 1 warning citation.

Public Works Report

PWS Dietz reviewed his written report.

Auditor's Report

Gaugler reviewed her written report. Gaugler mentioned expenses to date are \$6,506,492.65 and revenues to date are \$6,659,363.91.

Gaugler reviewed the financial report for the month of August. Zachmann moved to approve the financial report with a month end balance of \$1,583,920.23, second by Wolff. Motion carried unanimously.

Committee Reports

Zoning – Marman reported the Zoning Board met this morning at 8 am. There was a Public Hearing on an Application for Conditional Use at 82 1st St SE. Based on comments at the Public Hearing the Zoning Board is recommending the City Council approve the Conditional Use Permit with two conditions.

1. The Conditional Use Permit is to be reviewed after one year.
2. Assure that one and one-half off-street parking spaces are provided for each residential unit as is required by City Ordinance 19.0405. Marman moved to approve the Zoning Board recommendation for the Conditional Use Permit with the two conditions identified, second by Swanson-Puckett. Discussion. Marman-yes, Swanson-Puckett-yes, Stonehocker-yes, Wolff-yes, Ross-no, Zachmann-no. Motion carries.

Park Board – Zachmann reported the swimming pool is now closed and being winterized.

Unfinished Business

There was no unfinished business.

New Business

At 7:30 pm, a Public Hearing was held for comment and/or questions on the Budget for the Year Ending December 31, 2026. Zachmann moved to open the Public Hearing, second by Wolff. Motion carried unanimously. Gaugler reviewed the Cap Calculation Worksheet and the Preliminary Revenue and Expense Budget for the Year Ending December 31, 2026.

General Fund \$207,880.00

City Specials \$17,000.00

Special Assessment Deficiency \$1,050.00

Emergency \$3,250.00

Total Levy \$229,180.00

No written or verbal public comments were received. Zachmann moved to close the Public Hearing, second by Wolff. Motion carried unanimously. Zachmann moved to approve the Final Budget for the Year Ending December 31, 2026, second by Wolff. Motion carried unanimously.

At 7:45 pm, a Public Hearing was held for comment and/or questions on an Application for Approval of Zoning Change from Residential-1 to Commercial-2 at Hunter's 3rd Addition, Block 3, lots 7, 8, 9 submitted by property owners Joe & Sue Finneman. Zachmann moved to open the Public Hearing, second by Wolff. Motion carried unanimously. Joe & Sue Finneman provided historical information on the property. There was discussion on permitted uses and conditional uses for Residential-1 and Commercial-2 zoning. Zachmann moved to close the Public Hearing, second by Wolff. Motion carried unanimously. Ross moved to approve the request to change the zoning from Residential-1 to Commercial 2 on lots 7, 8, 9, Block 2, Hunter's 3rd Addition, second by Swanson-Puckett. Ross-yes, Swanson-Puckett-yes, Stonehocker-yes, Wolff-yes, Marman-no, Zachmann-no. Motion carried. Gaugler will have the official city map printed to reflect the change in zoning.

Swanson-Puckett moved to adjourn, second by Zachmann. Motion carried unanimously. Meeting adjourned at 8:38 p.m.

ATTEST:

Walter Losinski, Mayor

Kimberly Gaugler, City Auditor



October 6, 2025 Council Meeting – Engineer’s Report

Honorable Mayor and Council:

Engineer is planning to attend the meeting. Below is a summary of the status of current engineering projects and tasks. Please feel free to reach out if you have any specific questions.

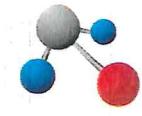
1. Beach 2025 Street and Utility Project

- **Summary of Work Completed**
 - Final Walkthrough and Project Closeout Completed
 - Attached is EJCDC C-626, Notice of Acceptability of Work
- **Council Action Items**
 - Please consider the motion to approve the following:
 - Pay application #5

Action Item Document	Description
Final Payment Application #5	\$353,121.33

- Final Project Cost Summary

	Budgeted/Allocated	Remaining
SWC Cost-Share	\$3,377,663	\$611,491
DWSRF	\$2,819,00	\$535,584
BND	\$810,000	\$214,812.38
Total	\$7,006,663	\$1,361,886.77



2. Beach 2026 Main and Central Street Reconstruction

- Updated Opinion of Total Project Cost

	Original Estimate – Base Bid	Updated Estimate – Base Bid	Alternate 1 – Storm Sewer With Pavement Width Replacement	Alternate 2 – Reconstruct 2 nd Ave NE (Main Street to 1 st)	Alternate 3 – Chip Sealing
NDDOT Flex Fund Grant	\$4,328,000	\$4,328,400	\$1,200,000		
City Obligation	\$3,424,000 <i>BND Loan Amount</i>	\$3,322,920	\$44,000	\$110,000	\$140,000
Total Project Cost	\$7,752,000	\$7,651,320	\$1,244,000	\$110,000	\$140,000
Total Project Cost (Base Bid + Alt 1 + Alt 2 + Alt 3)					\$9,111,880
NDDOT Flex Fund Grant (Base Bid + Alt 1)					\$5,528,000
City Obligation (Base Bid + Alt 1 + Alt 2 + Alt 3)					\$3,583,480
Existing BND Loan for Project					\$3,424,000

- Assessment District Resolution
 - City of Beach needs to establish a new assessment district for the storm sewer on 2nd Ave NE and the chip sealing in the SE corner of town, given that it was not included in the original assessment district scope of work
- Council Action Items
 - Please consider the motion to approve the following:
 - Resolution 2025-19: Resolution creating City of Beach Stormwater Drainage and Street Improvement District No. 2025-02
 - See attached official Resolution.
 - \$500 increase to Terracon's Geotechnical Contract.
 - BNSF is requiring Cathodic Protection on the pipe, which requires soil corrosivity tests, which were not originally scoped.

NOTICE OF ACCEPTABILITY OF WORK

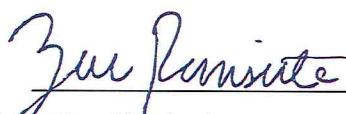
Owner:	City of Beach	Owner's Project No.:	
Engineer:	AE2S	Engineer's Project No.:	05066-2022-001
Contractor:	BEK	Contractor's Project No.:	
Project:	Beach 2025 Street and Utility Improvements		
Contract Name:	Contract No. 1 – General Construction		
Notice Date:	October 6, 2025	Effective Date of the Construction Contract:	April 21, 2025

The Engineer hereby gives notice to the Owner and Contractor that Engineer recommends final payment to Contractor, and that the Work furnished and performed by Contractor under the Construction Contract is acceptable, expressly subject to the provisions of the Construction Contract's Contract Documents ("Contract Documents") and of the Agreement between Owner and Engineer for Professional Services dated **[date of professional services agreement]** ("Owner-Engineer Agreement"). This Notice of Acceptability of Work (Notice) is made expressly subject to the following terms and conditions to which all who receive and rely on said Notice agree:

1. This Notice has been prepared with the skill and care ordinarily used by members of the engineering profession practicing under similar conditions at the same time and in the same locality.
2. This Notice reflects and is an expression of the Engineer's professional opinion.
3. This Notice has been prepared to the best of Engineer's knowledge, information, and belief as of the Notice Date.
4. This Notice is based entirely on and expressly limited by the scope of services Engineer has been employed by Owner to perform or furnish during construction of the Project (including observation of the Contractor's Work) under the Owner-Engineer Agreement, and applies only to facts that are within Engineer's knowledge or could reasonably have been ascertained by Engineer as a result of carrying out the responsibilities specifically assigned to Engineer under such Owner-Engineer Agreement.
5. This Notice is not a guarantee or warranty of Contractor's performance under the Construction Contract, an acceptance of Work that is not in accordance with the Contract Documents, including but not limited to defective Work discovered after final inspection, nor an assumption of responsibility for any failure of Contractor to furnish and perform the Work thereunder in accordance with the Contract Documents, or to otherwise comply with the Contract Documents or the terms of any special guarantees specified therein.
6. This Notice does not relieve Contractor of any surviving obligations under the Construction Contract, and is subject to Owner's reservations of rights with respect to completion and final payment.

Engineer

By (signature):



Name (printed):

Zac Ranisate

Title:

Project Manager

Progress Estimate - Unit Price Work

Contractor's Application

For (Contract): Beach 2025 Street and Utility Project		Application Period: 7/27/25 to 9/1/25		Application Date: 9/30/2025		Application Number: 5									
A		B		C		D		E		F					
Item		Contract Information				Estimated Quantity Installed		Value of Work Installed to Date		Materials Presently Stored (not in C)		Total Completed and Stored to Date (D+E)		% (F/B)	
Bid Item No.	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D+E)	Application Date:	Application Number:		
1	Bonding and Insurance	1	LS	\$30,000.00	\$30,000.00	1	\$30,000.00		\$30,000.00		\$30,000.00	9/30/2025	5		
2	Mobilization	1	LS	\$295,800.00	\$295,800.00	1	\$295,800.00		\$295,800.00		\$295,800.00	100.0%			
3	Erosion Control	1	LS	\$8,000.00	\$8,000.00	1	\$8,000.00		\$8,000.00		\$8,000.00	100.0%			
4	Traffic Control	1	LS	\$13,000.00	\$13,000.00	1	\$13,000.00		\$13,000.00		\$13,000.00	100.0%			
5	Temporary Water Service	1	LS	\$125,000.00	\$125,000.00	1	\$125,000.00		\$125,000.00		\$125,000.00	100.0%			
6	Reclaim and Salvage Bituminous Pavement	15062	SY	\$5.00	\$75,310.00	15163	\$75,815.00		\$75,815.00		\$75,815.00	100.7%			
7	Remove and Dispose Concrete Curb and Gutter	2600	LF	\$7.00	\$18,200.00	2249	\$15,743.00		\$15,743.00		\$15,743.00	86.5%			
8	Remove and Dispose Concrete Sidewalk	4825	SF	\$1.00	\$4,825.00	3235	\$3,235.00		\$3,235.00		\$3,235.00	67.0%			
9	Remove and Dispose Concrete Driveway	1653	SF	\$1.00	\$1,653.00	1576.75	\$1,576.75		\$1,576.75		\$1,576.75	95.4%			
10	Remove and Dispose Concrete Valley Gutter	3051	SF	\$1.00	\$3,051.00	2434.63	\$2,434.63		\$2,434.63		\$2,434.63	79.8%			
11	Remove and Salvage 4" of Topsoil	2186	SF	\$2.00	\$4,372.00	2186	\$4,372.00		\$4,372.00		\$4,372.00	100.0%			
12	Remove and Salvage 6" of Gravel	533	SF	\$1.00	\$533.00	355	\$355.00		\$355.00		\$355.00	66.6%			
13	Bituminous Pavement (4.5")	13299	SY	\$62.00	\$824,538.00	12994	\$805,628.00		\$805,628.00		\$805,628.00	97.7%			
14	Street Crowning	14414	SY	\$9.00	\$129,726.00	19891	\$179,019.00		\$179,019.00		\$179,019.00	138.0%			
15	8" Street Base (Type A3, Class 5 Aggregate)	13439	SY	\$25.00	\$335,975.00	12994	\$324,850.00		\$324,850.00		\$324,850.00	96.7%			
16	Concrete Curb and Gutter	2642	LF	\$80.00	\$211,360.00	2249	\$179,920.00		\$179,920.00		\$179,920.00	85.1%			
17	4" Concrete Sidewalk	4855	SF	\$19.00	\$92,245.00	3235	\$61,465.00		\$61,465.00		\$61,465.00	66.6%			
18	6" Concrete Driveway	2024	SF	\$19.00	\$38,456.00	1576.75	\$29,958.25		\$29,958.25		\$29,958.25	77.9%			
19	6" Concrete Valley Gutter	2815	SF	\$24.00	\$67,560.00	2768.63	\$66,447.12		\$66,447.12		\$66,447.12	98.4%			
20	4" Top Soil	2185	SF	\$7.00	\$15,295.00	2417	\$16,919.00		\$16,919.00		\$16,919.00	110.6%			
21	Hydrosedding and Maintenance	2185	SF	\$7.00	\$15,295.00	2417	\$16,919.00		\$16,919.00		\$16,919.00	110.6%			
22	6" Gravel (parking lot/driveway restoration)	533	SF	\$2.00	\$1,066.00										
23	Central Ave. & Main St. Surface Restoration	2234	SY	\$11.00	\$24,574.00	1725.375	\$18,979.13		\$18,979.13		\$18,979.13	77.2%			
24	2" PVC Water Main (C-900 DR-25)	158	LF	\$100.00	\$15,800.00										
25	4" PVC Water Main (C-900 DR-25)	163	LF	\$102.00	\$16,626.00										
26	6" PVC Water Main (C-900 DR-25)	218	LF	\$105.00	\$22,890.00	177	\$18,585.00		\$18,585.00		\$18,585.00	81.2%			
27	8" PVC Water Main (C-900 DR-25)	9712	LF	\$110.00	\$1,068,320.00	8400	\$924,000.00		\$924,000.00		\$924,000.00	86.5%			
28	1" Water Service with Curb Stop (Open Cut)	1918	LF	\$140.00	\$268,520.00	1887	\$264,180.00		\$264,180.00		\$264,180.00	98.4%			
29	1" Water Service with Curb Stop (Trenchless)	2267	LF	\$140.00	\$317,380.00	1814	\$253,960.00		\$253,960.00		\$253,960.00	80.0%			
30	1" Water Service with Meter Pit	1	EA	\$8,500.00	\$8,500.00	1	\$8,500.00		\$8,500.00		\$8,500.00	100.0%			
31	8" DI MJ Tee	10	EA	\$2,100.00	\$21,000.00	8	\$16,800.00		\$16,800.00		\$16,800.00	80.0%			
32	8" x 6" DI MJ Tee	14	EA	\$2,000.00	\$28,000.00	10	\$20,000.00		\$20,000.00		\$20,000.00	71.4%			
33	8" x 4" DI MJ Tee	2	EA	\$1,900.00	\$32,800.00										
34	8" x 2" DI MJ Tee	1	EA	\$1,500.00	\$1,500.00										

Progress Estimate - Unit Price Work

For (Contract): _____

Beach 2025 Street and Utility Project

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Contractor's Application

Annals NY

Application Number: 5

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For (Contract):	Beach 2025 Street and Utility Project										Application Number:	5
Application Period:	7/27/25 to 9/1/25										Application Date:	9/30/2025
Contract Information												
	A			B			C			D		
Bid Item No.	Item	Description	Item Quantity	Units	Unit Price	Total Value of Item (\$)	Estimated Quantity Installed	Value of Work Installed to Date	Materials Presently Stored (not in C)	Total Completed and Stored to Date (D + E)		% (F/B)
35	8"x6" DI MI Reducer		10	EA	\$1,400.00	\$14,000.00	8	\$11,200.00		\$11,200.00		80.0%
36	8"x4" DI MI Reducer		1	EA	\$1,400.00	\$1,400.00						
37	8" DI MI 90 Bend		11	EA	\$1,600.00	\$17,600.00	5	\$8,000.00		\$8,000.00		45.5%
38	8" DI MI 45 Bend		1	EA	\$1,600.00	\$1,600.00						
39	8"x8" DI Cross		6	EA	\$2,600.00	\$15,600.00	3	\$7,800.00		\$7,800.00		50.0%
40	8"x4" DI Cross		1	EA	\$2,250.00	\$2,250.00						
41	8" DI MI Gate Valve and Box		35	EA	\$4,600.00	\$161,000.00	31	\$142,600.00		\$142,600.00		88.6%
42	6" DI MI Gate Valve and Box		14	EA	\$3,600.00	\$50,400.00	13	\$46,800.00		\$46,800.00		92.9%
43	4" DI MI Gate Valve and Box		1	EA	\$3,100.00	\$3,100.00						
44	Fire Hydrant		11	EA	\$9,300.00	\$102,300.00	10	\$93,000.00		\$93,000.00		90.9%
45	Connect to Existing Water Main		23	EA	\$7,500.00	\$172,500.00	21	\$157,500.00		\$157,500.00		91.3%
46	Owner Allowance for 1" Water Service - Lead Line		10	EA	\$15,000.00	\$150,000.00	8.81	\$132,150.00		\$132,150.00		88.1%
CO1.1	6" Water line Bore		80	EA	\$165.00	\$13,200.00	80	\$13,200.00		\$13,200.00		100.0%
CO2.1	Service Line Bore (Over 100 feet)		998	LF	\$92.00	\$91,816.00	1956	\$179,952.00		\$179,952.00		196.0%
CO2.2	Service Line Bore (2nd Service on single Bore)		84	LF	\$70.00	\$5,880.00	490	\$34,300.00		\$34,300.00		583.3%
CO2.3	Exploratory Excavation		16	EA	\$1,315.00	\$21,040.00	14	\$18,410.00		\$18,410.00		87.5%
CO2.4	Install Corp & Reconnect in Ditch - Mainline Crew		12	EA	\$1,510.00	\$18,120.00	21	\$31,710.00		\$31,710.00		175.0%
CO2.5	Replace Corp Only			EA	\$385.00							
CO2.6	Replace Curb Stop & Box only		9	EA	\$1,044.00	\$9,396.00	15	\$15,660.00		\$15,660.00		166.7%
CO2.7	Replace the Curb Box Only		5	EA	\$330.00	\$1,650.00	4	\$1,320.00		\$1,320.00		80.0%
CO2.8	Replace Saddle & Corp and Connect		2	EA	\$1,230.00	\$2,460.00	2	\$2,460.00		\$2,460.00		100.0%
CO3.1	Detachable Warning Panels		72	SF	\$37.40	\$2,692.80	88	\$3,291.20		\$3,291.20		122.2%
CO3.2	8" Bore		613	LF	\$169.00	\$103,597.00	613	\$103,597.00		\$103,597.00		100.0%
CO4.0	Chip Sealing		24946	SY	\$3.02	\$75,336.92	24946	\$75,336.92		\$75,336.92		100.0%



ENGINEERS JOINT CONTRACT
DOCUMENTS COMMITTEE

Contractor's Application for Payment No.

Contractor's Application for Payment No. 5			
Application Period:	7/27/25 to 9/1/25	Application Date:	9/30/2025
From (Contractor):	BEK Consulting	Via (Engineer):	AE2S
Project:	Beach 2025 Street and Utility Project	Contractor's Project No.:	2504
Owner:	City of Beach, ND	Owner's Contract No.:	P05066-2022-001

**Application For Payment
Change Order Summary**

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Contractor's Certification
The undersigned Contractor certifies, to the best of its knowledge, the following:
(1) All previous progress payments received from Owner on account of Work done under the Contract have been applied on account to discharge Contractor's legitimate obligations incurred in connection with the Work covered by prior Applications for Payment;
(2) Title to all Work, materials and equipment incorporated in said Work, or otherwise listed in or covered by this Application for Payment, will pass to Owner at time of payment free and clear of all Liens, security interests, and encumbrances (except such as are covered by a bond acceptable to Owner indemnifying Owner against any such Liens, security interest, or encumbrances); and
(3) All the Work covered by this Application for Payment is in accordance with the Contract Documents and is not defective.

353,121.33

Zac Ranisate 10/06/2025 (Date)
(Engineer)
3 (Line 8 or other - attach explanation of the other amount)

63

(Line 8 or other - attach explanation of the other

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(Owner)

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Funding or Financing Entity (if applicable)

Contractor's Application for Payment

Professional Engineers for EJCDC. All rights reserved.

Stored Material Summary

Contractor's Application

Engineer's Report
Street Improvement District No. 2025-02
&
Storm Sewer Improvement District No. 2025-02

The following report is submitted to the City Council of Beach regarding the proposed Street and Drainage Project benefiting Street Improvement District No. 2025-02 and Storm Sewer Improvement District No. 2025-02.

1. Purpose and general nature:

New installation of storm sewer infrastructure to alleviate flooding near Main Street, as well as chip sealing streets.

2. Location:

All blocks and lots within the assessment district boundary are shown in the attached assessment map to this report.

3. Feasibility and cost:

In the opinion of the undersigned, the improvement is feasible, and the probable cost thereof is estimated to be approximately \$1,244,000 for storm sewer improvements and \$26,000 for street improvements, including construction, engineering, contingencies, and other incidental costs.

	Street	Storm Water
Total Project Cost	\$30,000	\$1,244,000
Grant Funding		\$1,200,000
City Obligation	\$30,000	\$44,000
Total Assessment Amount	\$30,000	\$44,000

10/06/2025

Date

Zac Ranisate

Zac Ranisate, PE

RESOLUTION NO. 2025-19

**A RESOLUTION CREATING CITY OF BEACH
STORMWATER DRAINAGE & STREET IMPROVEMENT DISTRICT NO. 2025-02
OF THE CITY OF BEACH, NORTH DAKOTA.**

BE IT RESOLVED by the governing body of the City of Beach, North Dakota, as follows:

WHEREAS, a municipality is empowered under North Dakota law, NDCC Ch 40-22, to establish special assessment districts for the purpose of, among other things, improvements to the city street network and any part thereof; and

WHEREAS, the City of Beach desires to establish a special assessment district to provide for the improvement of the city street system in the area shown on the attached map, within the City of Beach;

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BEACH, as follows:

1. There is hereby created **City of Beach Stormwater Drainage & Street Improvement District No. 2025-02** for the purpose of making certain specified improvements to the municipal street and utility system in the area referenced on the attached map.
2. The said **City of Beach Stormwater Drainage & Street Improvement District No. 2025-02** shall encompass all of the real property referenced on the attached map.
3. The City Engineer is hereby directed to prepare and submit to the City Council a report regarding the general nature, purpose, and feasibility of the proposed improvements.
4. The report shall contain (a) a separate statement of the estimated cost of the work for which proposals must be advertised under NDCC section 40-22-19, and (b) a separate statement of all other items of estimated cost not included under (a) which are anticipated to be included in the cost of the improvement to be specially assessed against benefited property under NDCC sections 40-23-05 and 40-23-04.
5. The plans and specifications and estimates shall be the property of the municipality and shall be filed in the office of the city auditor and shall remain on file in the city auditor's office subject to inspection by any interested person.

Dated this 6th day of October, 2025.

Walter Losinski, Mayor,
City of Beach

ATTEST:

Kimberly Gaugler, City Auditor

EXHIBIT

**Beach 2026 Main St and Central Ave Reconstruction****Prepared for City of Beach****Opinion of Probable Construction Costs****90% Preliminary Plans**

10/06/2025

Beach Flex Fund - Base Bid (2026 Construction)

Item	Description	Unit	2026 Unit Price	Quantity	Total Cost
1	Bonding and Insurance	LS	\$ 57,000.00	1	\$ 57,000
2	Mobilization	LS	\$ 518,000.00	1	\$ 518,000
3	Erosion Control	LS	\$ 15,000.00	1	\$ 15,000
4	Traffic Control	LS	\$ 10,000.00	1	\$ 10,000
5	Materials Testing	LS	\$ 20,000.00	1	\$ 20,000
6	Remove and Dispose of Trees (18" to 24" Dia.)	EA	\$ 2,500.00	1	\$ 2,500
7	Remove and Dispose of Trees (+36" Dia.)	EA	\$ 5,000.00	1	\$ 5,000
8	Remove and Relocate Signs	EA	\$ 750.00	2	\$ 1,500
9	Reclaim and Salvage Bituminous Pavement	SY	\$ 8.00	30,154	\$ 241,232
10	Reclaim and Salvage Millings	SF	\$ 5.00	5,085	\$ 25,425
11	Remove and Dispose Concrete Driveway	SF	\$ 8.00	5,396	\$ 43,168
12	Remove and Dispose Concrete Curb and Gutter	LF	\$ 8.00	6,960	\$ 55,680
13	Remove and Dispose Concrete Valley Gutter	SF	\$ 8.00	1,878	\$ 15,024
14	Remove and Dispose Concrete Sidewalk	SF	\$ 8.00	8,244	\$ 65,952
15	Remove and Dispose Concrete Pavement	SF	\$ 8.00	7,843	\$ 62,744
16	Remove and Dispose Concrete Retaining Wall (4" to 12" Height)	LF	\$ 8.00	210	\$ 1,680
17	Remove and Dispose Concrete Base (5") (Main St from Central Ave to 2nd Ave)	SY	\$ 8.00	3,878	\$ 31,024
18	Remove and Dispose Aggregate Surfacing	SF	\$ 9.00	8,733	\$ 78,597
19	Remove and Dispose Storm Sewer Pipe	LF	\$ 15.00	36	\$ 540
20	Remove and Dispose Inlet Structures	EA	\$ 350.00	1	\$ 350
21	Remove and Relocate Hydrant	EA	\$ 7,500.00	3	\$ 22,500
22	7" Bituminous Paving	SY	\$ 75.00	31,171	\$ 2,337,825
23	12" Street Base (Type A3 Class 5 Aggregate)	SY	\$ 30.00	32,771	\$ 983,130
24	12" Subgrade Preparation	SY	\$ 5.00	32,771	\$ 163,855
25	6" Aggregate Surfacing	SF	\$ 7.00	8,733	\$ 61,131
26	6" Concrete Driveway	SF	\$ 18.00	5,346	\$ 96,228
27	Concrete Curb and Gutter	LF	\$ 65.00	7,497	\$ 487,305
28	6" Concrete Valley Gutter	SF	\$ 28.00	5,274	\$ 147,672
29	4" Concrete Sidewalk	SY	\$ 20.00	1,751	\$ 35,020
30	ADA Detectable Warning Panel	SF	\$ 50.00	150	\$ 7,500
31	18" RCP Storm Sewer Pipe	LF	\$ 250.00	27	\$ 6,750
32	24" RCP Storm Sewer Pipe	LF	\$ 300.00	49	\$ 14,700
33	36" x 24" Curb Inlet	EA	\$ 7,100.00	2	\$ 14,200
34	60" Manhole	EA	\$ 20,000.00	2	\$ 40,000
35	Adjust Inlet Castings	EA	\$ 1,000.00	3	\$ 3,000
36	Adjust Manhole Castings	EA	\$ 1,500.00	16	\$ 24,000
37	Adjust Gate Valve Boxes	EA	\$ 500.00	34	\$ 17,000
38	Adjust Curb Stops	EA	\$ 350.00	30	\$ 10,500
39	Painted Striping (RR Crossing and Cross Walks)	LS	\$ 5,000.00	1	\$ 5,000
40	Painted Striping (Roadway 4" Double Center Line)	LF	\$ 1.00	6,900	\$ 6,900
41	Seeding and Maintenance	SY	\$ 5.00	2,234	\$ 11,170
	Unidentified Construction Elements	LS	\$ 5,745,802.00	10%	\$ 575,000
	Construction Contingency	LS	\$ 5,745,802.00	10%	\$ 575,000
				Construction Subtotal	\$ 6,895,802
				Opinion of Total Probable Construction Costs	\$ 6,896,000
	Professional Fees (Engineering Design/Geotech/Bidding/Construction)				\$ 755,320
	Engineering Design				\$ 427,000
	Geotech				\$ 18,000
	Construction				\$ 310,320
	TOTAL BASE BID COST				\$ 7,651,320
				Grant Money: NDDOT Flex Fund	\$ 4,328,400
				City Obligation	\$ 3,322,920

**Beach 2026 Main St and Central Ave Reconstruction****Prepared for City of Beach****Opinion of Probable Construction Costs****90% Preliminary Plans**

10/06/2025

Beach Flex Fund - Alternate 1 - 2nd Ave NE Storm Sewer (2026 Construction)

Item	Description	Unit	2026 Unit Price	Quantity	Total Cost
42	Mobilization	LS	\$ 83,086.00	1	\$ 83,086
43	Erosion Control	LS	\$ 1,000.00	1	\$ 1,000
44	Remove Bituminous Paving	SY	\$ 12.00	472	\$ 5,664
45	Remove Aggregate Base	SY	\$ 9.00	472	\$ 4,248
46	Remove Concrete Paving	SF	\$ 16.00	495	\$ 7,920
47	Remove Curb and Gutter	LF	\$ 11.00	294	\$ 3,234
48	Remove Storm Pipe	LF	\$ 34.00	52	\$ 1,768
49	Remove Catch Basin	EA	\$ 1,000.00	2	\$ 2,000
50	Remove and Reset Sign	EA	\$ 450.00	1	\$ 450
51	Remove and Replace Railing	LS	\$ 3,000.00	1	\$ 3,000
52	6" Concrete Flume	SF	\$ 28.00	4,334	\$ 121,352
53	6" Concrete Flume Base (Type A3 Class 5 Aggregate)	SY	\$ 30.00	482	\$ 14,460
54	18" RCP Storm Sewer Pipe	LF	\$ 250.00	32	\$ 8,000
55	30" RCP Storm Sewer Pipe	LF	\$ 375.00	77	\$ 28,875
56	36" Smooth Steel Storm Sewer Pipe	LF	\$ 350.00	283	\$ 99,050
57	36" Steel Flared End-Section	EA	\$ 3,200.00	1	\$ 3,200
58	36" x 24" Curb Inlet	EA	\$ 7,100.00	4	\$ 28,400
59	60" Inlet Special - Curb Inlet	EA	\$ 12,100.00	2	\$ 24,200
60	72" Manhole	EA	\$ 30,000.00	2	\$ 60,000
61	48" Catch Basin	EA	\$ 14,400.00	1	\$ 14,400
62	36" Jacked and Bored Storm Sewer Pipe (includes bore pit prep/dewatering)	LF	\$ 1,250.00	241	\$ 301,250
63	6" Street and Sidewalk Base (Type A3 Class 5 Aggregate)	SY	\$ 30.00	803	\$ 24,090
64	4" Bituminous Paving	SY	\$ 75.00	472	\$ 35,400
65	4" Sidewalk Concrete	SF	\$ 20.00	266	\$ 5,320
66	Concrete Curb and Gutter	LF	\$ 65.00	294	\$ 19,110
67	8" Concrete Driveway	SF	\$ 34.00	229	\$ 7,786
68	Pavement Striping (RR Crossings)	LS	\$ 2,500.00	1	\$ 2,500
69	Seeding and Maintenance	SY	\$ 5.00	837	\$ 4,185
	Railroad Track Heaving/Settling Monitoring	LS	\$ 50,000.00	1	\$ 50,000
	Railroad Coordination, Permitting, and Application Fees	LS	\$ 50,000.00	1	\$ 50,000
	Unidentified Construction Elements	LS	\$ 913,948.00	15%	\$ 138,000
	Construction Contingency	LS	\$ 913,948.00	10%	\$ 92,000
				Construction Subtotal	\$ 1,243,948
	Opinion of Total Probable Construction Costs For Alternate 1 - 2nd Ave NE Storm Sewer				\$ 1,244,000
				Grant Money: NDDOT (Storm Sewer Improvements Only)	\$ 1,200,000
				City Obligation	\$ 44,000

Beach Flex Fund - Alternate 2 - 2nd Ave NE Repaving (2026 Construction)

Item	Description	Unit	2026 Unit Price	Quantity	Total Cost
70	Mobilization	LS	\$ 9,185.00	1	\$ 9,185
71	2" Milling of Bituminous Pavement	SY	\$ 10.00	1,471	\$ 14,710
72	2" Bituminous Overlay	SY	\$ 38.00	1,471	\$ 55,898
73	2" Bituminous Paving (Base Course Only)	SY	\$ 45.00	472	\$ 21,240
76	Chip Sealing (2nd Ave NE)	SY	\$ 3.30	1,471	\$ 4,854
				Construction Subtotal	\$ 105,887
	Opinion of Total Probable Construction Costs For Alternate 2 - 2nd Ave NE Repaving				\$ 106,000
				Grant Money: NDDOT Flex Fund (Remaining)	\$ -
				City Obligation	\$ 106,000

**Beach 2026 Main St and Central Ave Reconstruction****Prepared for City of Beach****Opinion of Probable Construction Costs****90% Preliminary Plans**

10/06/2025

Beach Flex Fund - Alternate 3 - Chip Sealing (2026 Construction)

Item	Description	Unit	2026 Unit Price	Quantity	Total Cost
74	Mobilization	LS	\$ 12,699.00	1	\$ 12,699
75	Chip Sealing (Main St & Central Ave)	SY	\$ 3.30	31,171	\$ 102,864
77	Chip Sealing (1st St SE & 5th Ave SE)	SY	\$ 3.30	7,311	\$ 24,126
			Construction Subtotal	\$	139,690
Opinion of Total Probable Construction Costs For Alternate 3 - Chip Sealing			\$	140,000	
			Grant Money: NDDOT Flex Fund (Remaining)	\$	-
			City Obligation	\$	140,000

Opinion of Probable Costs (Base Bid)

0% \$ 7,652,000

Opinion of Probable Costs (Base Bid + Alternate 1)

0% \$ 8,896,000

Opinion of Probable Costs (Base Bid + Alternate 1 + Alternate 2)

0% \$ 9,002,000

Opinion of Probable Costs (Base Bid + Alternate 1 + Alternate 2 + Alternate 3)

0% \$ 9,142,000

The construction cost estimates presented are based on 2026 dollars and detailed financial analysis should provide a cost inflation factor, which is checked and adjusted annually through the life of the project planning. This preliminary opinion of probable cost was developed based upon previous project data and project specific equipment quotes. This cost opinion represents a Class 5 Estimate based upon the definitions of the Association for Advancement of Cost Engineering (AACE) International. This level of cost opinion is appropriate for budget control with detailed unit costs and some detailed take-off. The cost opinion at this level of engineering is considered to have an accuracy range of +40/-30 percent. Actual costs will not be determined until a bidding process has been completed at the time of construction.

TOTAL PROJECT COST \$ 9,141,000

Total Grant Money \$ 5,528,400

Total City Obligation \$ 3,612,600

ACTION ITEMS:

•

WATER/SEWER:

- Water Supplies: \$5,872
- Water Repair Parts: -\$22,460
 - South Tower – Back online and operating as expected.
 - North Tower – Drained.
 - NOTE: Valves aren't holding 100% again and we have a slight trickle.
 - It will be scheduled for another inspection of the leaking floor.
 - Mixer will be tested and/or removed for warranty inspection.
 - Numerous ON/OFF Calls and meter change outs.
 - I will be attending the ND Water & Pollution Control Conference Oct 13-16
 - Installed new Curb Stop at 259 1st Ave NW.
 - NOTE: 09.24.25 Tom struck overhead power line during the backfill process. No Injuries. Electrical restored to all residents' same day.
- Sewer Supplies: \$4,387
- Sewer Repair Parts: \$13,745
 - October is sewer cleaning month.
 - Sewer Main Trunk from Main St to Lift Station has a lot of sediment. We could only Jet 220 ft North to South and got stopped. We were able to jet South to North about 400 ft but didn't try to suck back sediment for fear of damming up and blocking main trunk.
 - Sewer Main Trunk on Main St from 5th Ave to 3rd Ave had a lot of sediment. Roughly 8 yards removed.
 - NOTE: Vactor Truck will need some repair work to keep from over filling and better lighting will be needed.
 - Transferring water at lagoon as needed.
 - Government trapper has been attempting to trap a badger which is digging holes in our dikes at the lagoon.
 -

STREETS:

- Gen Fund - Repair & Maintenance (Equipment): 9,894
- Gen Fund - Street and Alley: \$1,105
- Hwy Fund - Repair & Maintenance (Equipment): 4,430
- Hwy Fund - Street and Alley: \$3,930
- Total Sales Tax Fund Remaining Budget \$26,227
- Total Remaining Snow Removal: \$446

- 3 of 6 new totes of Emulsion used.
- Replacement Stop signs and posts are mostly done in SE corner. Will address re-using older signs for the remainder of the intersections if time/weather allows.
- MDU Scheduling to put light up at the Lift Station.

SHOP/EQUIPMENT/BUILDING/PROPERTY/PERSONNEL:

- Spraying of weeds has been completed at the golf course and the main ditch through town as well as a lot of the lagoon area.
- Orange truck: Repaired and back in operation.
- Spraying 4 wheeler needed steering parts and an alignment. (\$350)
- We have spent roughly \$2000 on spray chemicals including Mosquito Control.
- New walk in door arrived for old fire hall. Need to install. We need to address the leaking roofs in city shop and old fire hall.
- Cleaned out sediment from drainage ditches.
- Hitch broke off the rubber wheel packer – Kevin Brown to repair.
- Broken Hydraulic Hose on Motor Grader – Repaired and back in operation.
- Poured small concrete pad by hydrant at S Tower.

LANDFILL/Garbage/Cardboard:

- Supplies: -\$8,684
- Repair & Parts: \$4,942
 - Garbage truck: EGR cooler was plugged and replaced & had a brake can was replaced. NOTE: We borrowed Wibaux's backup truck and had some issues with it. Not sure of status at this point.
 - Landscaped grass & leaf trailer area.

Auditor's Report

Monday, October 6th, 2025

1. I worked with Attorney Bouray to update City Ordinance 366 Section 19.07 to reflect the zoning changes approved at the September 15th meeting. Dan Lissick with AE2S is updating the official zoning map.
2. Lea and I attended the Municipal Finance Officers Association Annual Workshop held in conjunction with the North Dakota League of Cities Annual Conference in Bismarck September 17th - 19th. Information gathered at the annual conference will be shared with you at the meeting.
3. On September 24th, contact was made with Building Inspector Melvin Zent inquiring if he would consider contracting to handle the building permit process. He is willing to have further discussions if the City Council would like to pursue this option. Mr. Zent would not oversee the application process for conditional uses, zoning, or zoning changes as these are processes to be handled by the Zoning Board and City Council. Mr. Zent mentioned he is the only independent International Code Council (ICC) Building Inspector in the State.
4. On September 25th, NDLC offered a webinar titled "Navigating Open Records and Open Meetings Laws". The webinar information and recording were emailed to you.
5. On September 26th, a final walk through of the USDA Rural Business Development Grant Project at Dobre Brewhouse was completed. The project was just under the \$85,000 budget that was provided by the USDA RBDG. Final reporting of the project will be submitted to USDA by October 31st. If the city wants to apply for another USDA RBDG, we should start conversations now as to what the project should be.
6. As of September 30th, expenses for the year are \$6,584,937.83 and revenues collected are \$6,969,448.86. Ninety-two percent (92%) of the amended expense budget has been spent.
7. On September 30th, applications for the State's 2026 Intended Use Plan (IUP) under the Drinking Water State Revolving Fund (DWSRF) program were submitted. The applications are for a Lead Service Line Replacement Project and Southwest Watermain Replacement Project.
8. At this time special assessments to be certified to the County Auditor include:
2017-1 Street Improvement – \$56,904.82
2021-1 Street & Utility Improvement Project – \$12,402.01
Clean up of Property Identified as a Public Health Nuisance – \$2,792.58
Curb & Gutter – \$1,918.64
Mowing - \$2,700.00
Sewer Service Line – \$2,152.68
Sidewalk Replacement - \$1,755.77
Delinquent Water Bills - TBD
The last day to certify special assessments with the County Auditor is November 1.
9. City offices will be closed on Monday, October 13th in observance of Columbus Day.
10. As required by the Federal Lead and Copper Rule Revisions, Category B Phase 1 the service line inventory update was submitted to the online portal by AE2S on September 16th and approved by ND DEQ on September 18th. ND DEQ has sent us a notification letter that we must provide every property owner with that has a service line listed as lead, galvanized, or unknown on either the customer or utility side. This letter must be provided to the customer by November 15th. (281 unknown lines, 5 lead lines and 1 galvanized line)
11. We continue to submit documentation to Point CPA for the 2023 Audit Review. We are hoping to have the 2023 Audit approved by end of year.

12. The U.S. Department of Treasury has announced that it is offering early closeout to those recipients that have obligated and expended the entire ARPA SLFRF award. From August 2021 to July 2022, we received \$164,907.48 in ARPA funds. All funds were expended by June 2024 using them on radios for the Fire Department, water meter reading equipment, and street improvements. We will request closeout of our account so that we do not have to submit annual reports until 2027.
13. The MDU substation “tie-in” on 2nd Avene NE and 3rd Street NE was completed on September 30th. They also straightened several light poles in the area and installed a new light pole at the lift station.
14. We are working with an exchange student on hours of service to the community. She will be “shadowing” at the meetings from time to time.
15. Please be sure to stay connected by checking our City social media sites for community messages.



CHAPTER XV.

CURFEW FOR PERSONS UNDER 18 YEARS OF AGE

ARTICLE 1.

15.0101 MINOR UNDER 18 YEARS OF AGE: It shall be unlawful for any minor under the age of eighteen years to loiter, idle, wander, stroll or play in or upon the public grounds, public places and public buildings, places of amusements and entertainment, vacant lots or other unsupervised places between the hours of 10:00 PM and 5:00 AM of the following day on Sunday through Thursday and 12:00 AM and 5:00 AM on Friday and Saturday. The provisions of this section do not apply to a minor accompanied by his or her parent, guardian or other adult person having the care and custody of the minor or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult person having the care and custody of the minor.

15.0102 THOSE IN CARE OF MINOR: It shall be unlawful for the parent, guardian, or other adult person having the care and custody of a minor under the age of eighteen years to knowingly permit such minor to loiter, idle, wander, stroll or play in or upon the public streets, highways, roads, parks, playgrounds or other public grounds, public places and public buildings, places of amusement and entertainment, vacant lots or other unsupervised places between the hours of 10:00 PM and 5:00 AM of the following day on Monday through Friday and 12:00 AM and 5:00 AM on Friday, Saturday and Sunday. The provisions of this section do not apply when the minor is accompanied by his or her parent, guardian or other adult person having the care and custody of the minor or where the minor is upon an emergency errand or legitimate business directed by his or her parent, guardian or other adult having custody of the minor.

15.0103 PENALTY: Any violation of the provisions of this Chapter XV shall be considered an infraction. The penalty for such an infraction shall be as follows:

FIRST OFFENSE: A fine of twenty-five dollars (\$25.00)

SECOND OFFENSE: A fine of fifty dollars (\$50.00)

THIRD OFFENSE: A fine of one hundred dollars (\$100.00)

SUBSEQUENT OFFENSES: A penalty not greater than the maximum penalty of fine or imprisonment set forth in Section 2.0106 of the Beach City Code.

ORDINANCE NO. 399

AN ORDINANCE ENACTING A NEW SECTION 19.0707-1 TO THE CITY CODE OF THE CITY OF BEACH, NORTH DAKOTA RELATING TO ZONING OF CERTAIN PROPERTIES;

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF BEACH, NORTH DAKOTA, AS FOLLOWS:

Section 1: Section 19.0707-1 entitled "Properties from R-1 to C-2" is hereby enacted as follows:

19.0707 Properties from R-1 to C-2:

19.0707-1: Lots 7, 8, 9, in Block 3, Hunter's 3rd Addition to the City of Beach, Golden Valley County, North Dakota

Section 2: Repeal of Ordinances in Conflict. All Ordinances and parts of Ordinances in conflict herewith are hereby repealed.

Section 3: Severability. In the event any section of this Ordinance is held invalid by court of competent jurisdiction, the invalidity shall extend only to the section affected, and other sections of this Chapter shall continue in full force and effect.

Section 4: Effective Date: This Ordinance shall be in full force and effect from and after final passage.

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

ATTEST:

Kim Gaugler, City Auditor

First Reading:

Second Reading:

Final Passage: