

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 July 5, 2017 at 7:00 pm. Present when the meeting was called to order was City Council Dell Beach, Mark Benes, Jeanne Larson, Wade Walworth, City Auditor Kimberly Nunberg, City Attorney Gene Allen, City Engineer Kenzie Robertson, guests Richard Volesky, Terry Egan, Jim Fulton and Carrie Zachmann.

**Minutes** – Minutes of the previous month meetings were read. Walworth moved to approve the minutes, second by Larson. Motion carried unanimously.

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

19250 Allen Law Office, PLLC 950.00  
19251 Beach Food Center 10.74  
19252 Boss Office Products 584.46  
19253 Cashman Nursery 26,236.00  
19254 Civic Plus 1,575.00  
19255 Dakota Dust-Tex 75.90  
19256 Dakota Supply Group 1,643.96  
19257 Darrel's Body Shop 148.00  
19258 Ebeltoft Sickler Lawyers 12.50  
19259 Fallon County Treasurer 1,491.75  
19260 G & G Garbage 1,500.00  
19261 Geiger's L & S 236.48  
19262 Golden Valley County 9,435.87  
19263 Golden Valley News 182.40  
19264 James J, Wosepka, PC 1,030.00  
19265 Jandt Plumbing 872.90  
19266 John Deere Financial 19.57  
19267 Marman Plumbing & Constr. 2,000.00  
19268 Marshall Nunberg 150.00  
19269 Mid-American Research Chemical 1,630.02  
19270 Midstate Communications 247.11  
19271 MDU 5,621.99  
19272 ND Dept. of Health-Inert Landfill 25.00  
19273 ND Insurance Dept. 4,251.78  
19274 Office of the State Auditor 165.00  
19275 Olympic Sales 1,098.00  
19276 One Call Concepts 20.55  
19277 Rohan's Hardware 243.86  
19278 Southwest District Health Unit 120.00  
19279 Southwest Water Authority 24,541.86  
19280 Stockwell Cleaning 250.00  
19281 The Buffalo Gap, Inc. 168.00

19282 Valli 25.00  
19283 Verizon Wireless 184.04  
-89279 -89275, -89273-89263, 19231-19235, 19239-19247 Wages for June 25,032.18  
19228 City of Beach 293.65  
19236 Blue Cross Blue Shield 602.70  
19237 Blue Cross Blue Shield 4,812.22  
19238 USPS 202.01  
19248 ND PERS 2,661.43  
19249 City of Beach 299.06  
-89274 First State Bank of Golv 2,741.63  
-89262 First State Bank of Golv 3,015.11  
-89261 Office of Stat Tax Comm. 438.96

**Public Works Report:**

PWS Braden was not able to attend.

**Auditor Report:**

Nunberg reviewed her written report. Larson moved to amend the mini mall budget from \$10,000 to \$18,000 due to increased expenses, second by Walworth. Motion carried unanimously.

**Engineer Report:**

Engineer Robertson reported the bid opening for 2017-01 Street Improvements was held at City Hall on June 29<sup>th</sup> at 2:30 p.m. with six people present. Bid results were as follows:

Knife River Corp – North Central - \$1,042,695.51

Northern Improvement Co. - \$1,288,519.75

EHC, LLC - \$1,533,887.50

Engineer's estimate was \$1,541,000.00.

Robertson mentioned when taking all expenses (including expenses already incurred and anticipated expenses) into consideration (i.e. construction, engineering, legal, publishing, etc.) we are still \$31,535 under the budgeted amount approved in Special Assessment District 2016-2. Benes moved to accept the bid from Knife River Corp – North Central in the amount of \$1,042,695.51, second by Walworth. Motion carried unanimously.

**RESOLUTION NO. 2017-16**

Member Larson introduced the following resolution and moved its adoption:

**RESOLUTION ACCEPTING BID, SHOWING  
RECEIPT OF ENGINEER'S STATEMENT OF ESTIMATED COST  
AND DIRECTING EXECUTION OF CONTRACT**

WHEREAS, bids have heretofore been received for the making of certain improvements in Street Improvement District No. 2016-02 of the City of Beach, North Dakota; and

WHEREAS, said bids were opened and made public and are on file in the office of the City Auditor of the City of Beach; and

WHEREAS, the Engineer for the City of Beach has made and filed a careful and detailed statement of the estimated cost of said work; and

WHEREAS, it is necessary to accept the bid for the work to be completed.

NOW THEREFORE, BE IT RESOLVED AS FOLLOWS:

That the fact is and that the minutes show that the bid from Knife River Corp – North Central with a total bid in the amount of \$ 1,042,695.51 is the lowest bid received and that said company is the lowest responsible bidder; that said bid was accompanied by a bidder's bond in the sum of 5% of the bid and in conformity with the provisions of Chapter 48-01.1-05 of the North Dakota Century Code.

That the Engineer for the City of Beach, has made and filed with the City Council of the City of Beach a careful and detailed statement of the estimated cost of said work in said improvement district;

That the contract for the construction of said improvement for which advertisement for bids is made, be and the same is hereby awarded to the said Knife River Corp – North Central in the amount of \$1,042,695.51, and that the Mayor and the City Auditor are hereby authorized and directed to enter into a contract with the said contractor for the making of the improvements for which advertisement for bids was heretofore made and for which they were the low bidder.

Dated: July 5, 2017

APPROVED:

ATTEST:

\_\_\_\_\_  
Mayor

\_\_\_\_\_  
City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Member Walworth. On roll call vote, the following members voted aye: Larson, Walworth, Benes, and Beach. The following members voted nay: none. The following members were absent and not voting: Gerving and Marman. The majority having voted aye, the motion carried and the resolution was duly adopted.

Benes moved to issue a Notice of Award to Knife River Corp – North Central, second by Walworth. Motion carried unanimously. Benes moved to approve Agreement 00500 contingent

on proof of Payment Bond, Bid Bond, Certificate of Insurance, ND Sales Tax Certificate and Worker's Compensation Certificate, second by Larson. Motion carried unanimously.

Robertson reviewed the Construction and Post-Construction Phase Contract. Benes moved to approve the Construction and Post-Construction Phase Contract with AE2S, second by Walworth. Motion carried unanimously.

Larson moved a Notice to Proceed be issued to Marman Plumbing & General Construction for the extension of water and sewer main on 5<sup>th</sup> & 6<sup>th</sup> Avenue SE as was approved on June 05, 2017, second by Benes. Motion carried unanimously.

The Loan Commitment Agreement with the Bank of North Dakota was reviewed. Larson moved that the Mayor and City Auditor are hereby authorized and directed to enter into the Loan Commitment from Bank of ND, second by Walworth. Motion carried unanimously.

**Unfinished Business:**

Request from Beach Golf Association for Community Enhancement Funds: Jim Groll reported there was approximately \$1,700 spent on improvements this year. Leaving a minimal amount of funds available for mowing, etc. Benes moved to donate \$400 to the Beach Golf Association from Community Enhancement Fund, second by Beach. Motion carried unanimously.

**New Business:**

Correspondence from James J. Wosepka, CPA regarding disbursement of Pool Sales Tax Funds was read.

An Application for Special Events submitted by The Backyard was reviewed. Walworth moved to approve the Special Events for sale of beer, wine and sparkling wine, second by Larson. Motion carried unanimously. Walworth excused himself from the meeting.

Jim Fulton requested permission to bale the City's property in the NW area of the City (old softball fields and West of the Fairgrounds). Benes moved to approve Fulton's request, second by Beach. Motion carried unanimously.

No other business was brought forward. Benes moved to adjourn, second Beach. Meeting adjourned at 8:00 p.m.

ATTEST:

---

Walter Losinski, Mayor

---

Kimberly Nunberg, City Auditor