

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 May 2, 2016 at 7:00 pm. Present when the meeting was called to order was City Council Henry Gerving, Dell Beach, Tim Marman, Mark Benes, Jeanne Larson, Wade Walworth, City Auditor Kimberly Nunberg and Engineer Kenzie Robertson.

**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 Gerving. Motion carried unanimously.

18539 AE2S 2,059.80  
18540 Beach Floral & Gifts 34.00  
18541 Beach Food Center 8.24  
18542 Beach Park Board 2,254.10  
18543 Boss Office Products 155.89  
18544 Butler Machinery Co. 945.61  
18545 CHS Inc. 2,781.58  
18546 Ebeltoft, Sickler Lawyers 990.00  
18547 Farmers Union/NAPA 1,320.53  
18548 G & G Garbage 1,884.74  
18549 GV County 9,585.00  
18550 GV News 383.52  
18551 Home On The Range 140.00  
18552 Jeanne Larson 9.97  
18553 MDU 5,546.42  
18554 Mid-American Research Chemical 1,212.14  
18555 Midstate Comm. 255.74  
18556 Prairie Lumber Co. 6.79  
18557 Rural Leadership ND AA 40.00  
18558 Rohan's Hardware 33.87  
18559 SBM 4.00  
18560 Southwest Water Authority 13,207.79  
18561 Stockwell Cleaning 250.00  
18562 USA Bluebook 271.61  
18563 Valli 25.00  
18564 Verizon Wireless 183.09  
18565 Post Grad Comm. 500.00  
-89523- 89520, -89518-89509, 18522-18523, 18532-18537 Wages for April - 21,419.42  
18386 City of Beach 214.75  
18524 City of Beach 209.31  
18525 ND DOT 47.50  
18526 FBLA 1,500.00

18527 Void  
18528 Power Fuels 908.80  
18529 Blue Cross Blue Shield 524.40  
18530 Blue Cross Blue Shield 3664.82  
18531 USPS 204.04  
18538 ND PERS 2,568.79  
-89519 First State Bank of Golv 2,395.14  
-89508 First State Bank of Golv 2,542.54

**Public Works Report:**

PWS Braden was not able to attend the meeting.

**Auditor Report:**

Nunberg reviewed her written report. The City of Beach is recipient of a \$2,000 grant from the City of Dickinson to purchase benches and pet waste receptacles along the Multi Use Trails.

**Committee Reports:**

No committee reports were given.

**Unfinished Business:**

Correspondence from City Attorney Nate Bouray was provided regarding the Contract for Transfer of Service Area from Southwest Water Authority. Attorney Bouray will inform us of progress as it occurs.

Information on submitting a claim to the American Arbitration Association was provided. Marman moved to have Attorney Bouray draft a legal opinion of whether to proceed with mediation, second by Benes. Motion carried unanimously.

**New Business:**

At 7:30 p.m. there was a Public Hearing for comment on a request for Conditional Use of a daycare at 83 W Main Street. Gerving moved to open the Public Hearing, second by Walworth. Motion carried unanimously. No public comment was given. Walworth moved to close the Public Hearing, second by Gerving. Motion carried unanimously. Benes moved to approve the request for Conditional Use of a daycare at 83 W Main Street, second by Walworth. Motion carried unanimously.

Larson moved to appoint Golden Valley News as the official newspaper for the City of Beach, second by Gerving. Motion carried unanimously.

Correspondence from Post Grad Committee was read. Walworth moved to donate \$500 from the Community Enhancement Fund to the Post Grad Committee, second by Gerving. Motion carried unanimously.

Engineer Robertson provided an updated map and estimated cost for the proposed street improvement project in the NW and SE areas of the city. Walworth moved to approve Resolution 2016-10, second by Benes. Motion carried unanimously.

**RESOLUTION NO. 2016-10**

**A RESOLUTION CREATING THE CITY OF BEACH STREET IMPROVEMENT  
DISTRICT 2016-01 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 of the municipal street system and any part thereof; and

WHEREAS, the City of Beach desires to establish a special assessment district to provide for the improvement of City streets throughout 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 **The City of Beach Street Improvement District 2016-01** for the purpose of making certain specified improvements to the municipal streets within the City of Beach.
2. The said **City of Beach Street Improvement District 2016-01** shall encompass all of the following legally-described real property:

Butte View, BLK 2, LOT 1
Butte View, BLK 2, LOT 5
Hunter's 5 <sup>th</sup> , BLK 9, LOTS 7-8-9
Hunter's 5 <sup>th</sup> , BLK 9, LOTS 10-11-12
Hunter's 5 <sup>th</sup> , BLK 10, LOTS 1-2
Hunter's 5 <sup>th</sup> , BLK 10, LOTS 3-4-5-6-10
Hunter's 5 <sup>th</sup> , BLK 10, LOTS 11-12
Hunter's 5 <sup>th</sup> , BLK 10, LOTS 13-14
Hunter's 5 <sup>th</sup> , BLK 11, LOT 6
Hunter's 5 <sup>th</sup> , BLK 11, LOTS 7-8-9-10
Hunter's 5 <sup>th</sup> , BLK 11, LOT 11
SE ¼ LESS Track A-72 & Tracks, SEC. 25-140-106

Woodhull's 1 <sup>st</sup> , BLK 6, LOT 7
Woodhull's 1 <sup>st</sup> , BLK 7, LOT 14
Woodhull's 1 <sup>st</sup> , BLK 8, LOT 1
Woodhull's 1 <sup>st</sup> , BLK 8, LOT 14
Woodhull's 1 <sup>st</sup> , BLK 9, LOT 6
Woodhull's 1 <sup>st</sup> , BLK 9, LOT 7
Woodhull's 1 <sup>st</sup> , BLK 11, LOTS 7-8
Woodhull's 1 <sup>st</sup> , BLK 11, LOTS 9-10

Woodhull's 1 <sup>st</sup> , BLK 11, LOTS 11-12 & N 33' of vacated Elizabeth Ave.
Woodhull's 1 <sup>st</sup> , BLK 12, LOT 1
Woodhull's 1 <sup>st</sup> , BLK 12, LOTS 7-8 & S 33' of vacated Elizabeth Ave.
Woodhull's 1 <sup>st</sup> , BLK 12, LOTS: 9-10-11-12
Woodhull's 1 <sup>st</sup> , BLK 13, LOT 1
Woodhull's 1 <sup>st</sup> , BLK 13, LOT 6
Woodhull's 1 <sup>st</sup> , BLK 13, LOTS 7-8-9
Woodhull's 1 <sup>st</sup> , BLK 13, LOTS 10-11-12
Woodhull's 1 <sup>st</sup> , BLK 14, LOTS 6-7
Woodhull's 1 <sup>st</sup> , BLK 14, LOTS 8-9
Woodhull's 1 <sup>st</sup> , BLK 14, LOT 10
Woodhull's 1 <sup>st</sup> , BLK 15, LOTS 1-2-3-4-5-6
Woodhull's 1 <sup>st</sup> , BLK 16, LOTS 1-2-3-4-5-6
Woodhull's 1 <sup>st</sup> , BLK 19, LOTS 7-8-9-10-11-12
Woodhull's 1 <sup>st</sup> , BLK 20, LOTS 7-8-9-10-11-12
Woodhull's 1 <sup>st</sup> , BLK 21, LOTS 1-2-3-4-5-6
Woodhull's 1 <sup>st</sup> , BLK 22, LOTS 1-2
Woodhull's 1 <sup>st</sup> , BLK 22, LOTS 3-4-5-6
Woodhull's 2 <sup>nd</sup> , BLK 1, LOTS 1-2-3-4-5-6 & S 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 1, LOTS 7-8 & S 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 1, LOTS 9-10-11-12
Woodhull's 2 <sup>nd</sup> , BLK 2, LOTS 1-2-3-4-5-6 & N 33' of Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 2, LOTS 7-8
Woodhull's 2 <sup>nd</sup> , BLK 2, LOTS 9-10
Woodhull's 2 <sup>nd</sup> , BLK 2, LOTS 11-12 & N 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 3, LOT 1
Woodhull's 2 <sup>nd</sup> , BLK 3, LOTS 7-8-9 & N ½ of 10
Woodhull's 2 <sup>nd</sup> , BLK 3, LOTS S ½ of 10, 11-12
Woodhull's 2 <sup>nd</sup> , BLK 3, S 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 4, LOT E ½ of 6
Woodhull's 2 <sup>nd</sup> , BLK 4, LOT W ½ of 6
Woodhull's 2 <sup>nd</sup> , BLK 4, LOTS 7-8-9-10
Woodhull's 2 <sup>nd</sup> , BLK 4, LOTS 11-12 & N 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 5, LOTS 1-2-3
Woodhull's 2 <sup>nd</sup> , BLK 5, N 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 5, LOTS 4-5-6
Woodhull's 2 <sup>nd</sup> , BLK 5, LOTS 7-8-9
Woodhull's 2 <sup>nd</sup> , BLK 5, LOTS 10-11-12
Woodhull's 2 <sup>nd</sup> , BLK 5, N 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 6, LOT 1
Woodhull's 2 <sup>nd</sup> , BLK 6, LOT 6
Woodhull's 2 <sup>nd</sup> , BLK 6, LOTS 7-8-9 & S 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 6, LOTS 10 & N 20' of 11 & S 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 6, LOTS S 30' of 11 & All 12
Woodhull's 2 <sup>nd</sup> , BLK 7, W ½ & N 33' of vacated Elizabeth Ave.

Woodhull's 2 <sup>nd</sup> , BLK 7, N ½ of E ½
Woodhull's 2 <sup>nd</sup> , BLK 7, S ½ of E ½ & N 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 8, LOTS 1 & S ½ of 2
Woodhull's 2 <sup>nd</sup> , BLK 8, LOTS N ½ of 2, ALL of 3
Woodhull's 2 <sup>nd</sup> , BLK 8, LOT 4 & S 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 8, LOTS 9-10-11-12
Woodhull's 2 <sup>nd</sup> , BLK 8, S 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 9, LOTS 1-2-3-4
Woodhull's 2 <sup>nd</sup> , BLK 9, LOTS 5
Woodhull's 2 <sup>nd</sup> , BLK 9, LOTS 6-7-8 & S 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 9, LOTS 9-10-11-12
Woodhull's 2 <sup>nd</sup> , BLK 10, S. 33.5' of LOT 1 & N 33' of vacated Elizabeth Ave
Woodhull's 2 <sup>nd</sup> , BLK 10, N.16.5' of LOT 1 & ALL of LOT 2
Woodhull's 2 <sup>nd</sup> , BLK 10, LOTS: 3-4
Woodhull's 2 <sup>nd</sup> , BLK 10, LOTS 5-6
Woodhull's 2 <sup>nd</sup> , BLK 10, LOTS 7-8-9-10
Woodhull's 2 <sup>nd</sup> , BLK 10, LOTS 11-12 & N 33' of vacated Elizabeth Ave.
Woodhull's 2 <sup>nd</sup> , BLK 11, LOTS 1-2
Woodhull's 2 <sup>nd</sup> , BLK 11, LOTS 3-4-5-6 & S 33' of vacated Prospect Ave.
Woodhull's 2 <sup>nd</sup> , BLK 11 LOT 12
Woodhull's 2 <sup>nd</sup> , BLK 12, LOTS 1-2-3-4-5-6 & N 33' of vacated Prospect Ave.
Lighthouse Add., Part of TR, A-60, A-61, A-62, A-63 in SE ¼
WEST 167'X502.07' OF TR. A-63 IN SE1/4 , CITY ACREAGE
Part of TR A-64 & BLKS in Woodhull's Acreage
Part of TR A- 65 IN E1/2, SEC 23-140-106 CITY ACREAGE

3. The report of the City Engineer regarding the general nature, purpose, and feasibility of the proposed improvements, and the City Engineer's estimate of the probable cost of the improvements is hereby approved.
4. The plans and specifications for the project, as prepared by the City Engineer, are hereby approved.
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 2<sup>nd</sup> day of May, 2016.

ATTEST:

---

Walter Losinski, Mayor  
City of Beach

---

Kimberly Nunberg, City Auditor

Gerving moved to approve Resolution 2016-11, second by Marman. Motion carried unanimously.

**RESOLUTION NO. 2016 – 11**

A RESOLUTION DECLARING THE NECESSITY OF AN IMPROVEMENT IN  
CITY OF BEACH STREET IMPROVEMENT DISTRICT 2016-1.

WHEREAS, the City Council of the City of Beach have previously created **The City of Beach Street Improvement District 2016-1**, and

WHEREAS, the City Engineer for the City of Beach has prepared a report describing the general nature, purpose, and feasibility of the proposed improvements to be included in the City of Beach Street Improvement District 2016-1; and

WHEREAS, a true and accurate map showing the location of the City of Beach Street Improvement District 2016-1 is attached hereto; and

WHEREAS, the City Council has considered the contents of said report, and found and determined that the proposed improvements are necessary for the orderly and proper maintenance and upkeep of the City; and

WHEREAS, the City Council finds that it is necessary to provide notice of the proposed improvements to the owners of property located within the City of Beach Street Improvement District 2016-1;

NOW, THEREFORE, IT IS HEREBY RESOLVED by the City Council of the City of Beach, North Dakota, as follows:

1. That the City Council hereby authorizes and directs the City Auditor to have a copy of this resolution, and map published in the official newspaper of the City, once each week for two weeks;
2. The owners of property within said improvement district shall be afforded an opportunity to file written protests with the City Auditor any time within 30 days after the first publication of the Resolution. The City Council shall meet on June 20<sup>th</sup> at 7:30 p.m. at Beach City Hall to hear and determine the sufficiency of any written protests that were filed with the City Auditor on or before June 11<sup>th</sup>.

Dated this 2<sup>nd</sup> day of May, 2016.

ATTEST:

---

Walter Losinski, Mayor  
City of Beach

---

Kimberly Nunberg, City Auditor

No other business was brought forward. Gerving moved to adjourn, second by Walworth. Motion carried unanimously. Meeting adjourned at 7:50 p.m.

ATTEST:

---

Walter Losinski, Mayor

---

Kimberly Nunberg, City Auditor