

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 December 7, 2015 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, Public Works Supt. Mike Braden, City Auditor Kimberly Nunberg, Engineer Thomas Schmelzenbach, Deputy Sheriff Clint Wohler and guests Steve Zook, Levi Hall and Lily Stewart.

**Public Participation** – Lily Stewart expressed her concerns with the quality of water being provided to the residents.

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

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

18293 Advanced Engineering & Environmental Services 3,107.00

18294 Allen Law Office 480.00

18295 American Welding & Gas 82.08

18296 Auto Tech 15.00

18297 Beach Area Chamber of Commerce 1,150.00

18298 Beach Floral & Gifts 27.98

18299 Beach Vet Clinic 135.00

18300 Beach Volunteer Fire Department 739.05

18301 Black Mountain Software 2,955.00

18302 BOSS 352.19

18303 Case Electric 60.00

18304 CNH Capital 618.23

18305 CT Electric 6,892.98

18306 Dakota Dust Tex 73.40

18307 Darley Fire Equipment 602.05

18308 Darrel's Body Shop 126.50

18309 DSG 3,579.56

18310 Ebeltoft Sickler Lawyers 2,229.00

18311 Fallon County Treasurer 3,278.00

18312 Farmers Union 2,773.32

18313 Golden Valley County 9,565.00

18314 JSG Agency 11,114.00

18315 Kent Olson 1,000.00

18316 Kim Nunberg 130.12

18317 Marman Plumbing & Construction 4,800.00

18318 MDU 5,124.16

18319 Mid-American Research Chemical 1,365.26

18320 Midstate Communication 249.91

18321 Olympic Sales 331.09

18322 One Call Concepts 47.30  
18323 Prairie Lumber Company 118.70  
18324 Rohan's Hardware 345.83  
18325 S & R Interiors 397.00  
18326 SBM 20.00  
18327 Southwest Water Authority 9,293.67  
18328 Spirit of the West 45.00  
18329 Steffan Saw & Bike 123.97  
18330 Stockwell Cleaning 250.00  
18331 Taryn Hoffer 175.00  
18332 Verizon Wireless 186.94  
18333 Waste Not Recycling 2,538.00  
-89606 - 89602, -89600 -89590 18276 - 18277, 18279-18289 Wages for November - 23,190.28  
18278 City of Beach 265.79  
18285 ND PERS 2,777.27  
18286 City of Beach 119.08  
18287 USPS 209.07  
18290 Blue Cross Blue Shield 524.40  
18291 Blue Cross Blue Shield 4,593.22  
18292 Black Mountain Software 100.00  
-89601 First State Bank of Golv 2,183.63  
-89589 First State Bank of Golv 2,903.05

### **Public Works Report:**

PWS Braden reported the lagoon is functioning well. The North water tower has been drained for the winter. The city crew continues to remove dead/diseased trees from the boulevards and trim up trees/bushes in alleys. Braden presented a quote from West Plains Implement for a stump grinder in the amount \$6,544. Gerving moved to approve purchasing the stump grinder in January 2016, second by Walworth. Benes abstained. Motion carried.

### **Auditor Report:**

Nunberg reviewed her written report. Nunberg will submit the application to ND Department of Health Clean Water State Revolving Fund before the due date of December 12. There was discussion on the increase of .21/1000 gallons for water from SW Water Authority effective with the January billing. Marman moved to increase the city water rate by .25/1000 gallons of water, effective with the January billing, second by Walworth. Discussion. Motion carried unanimously. Correspondence on the ND DOT Transportation Alternatives Program for construction projects in 2017 was read. Gerving moved to submit the application to ND DOT TAP for Phase 3, second by Walworth. Motion carried unanimously. Larson moved to amend the Garbage Fund Disposal Services from \$55,000 to \$85,000 due to increased expenses, second by Walworth. Motion carried unanimously.

### **Committee Report:**

**Sheriff's Report** – The monthly report for October and November were reviewed. October had a total of 14 calls and 9 citations. November had a total of 25 calls, 7 citations & 1 written warning.

**Lagoon** – Engineer Schmelzenbach had nothing new to report but mentioned he is willing to be involved in mediating the final costs of the project. Nunberg recommended approving a Resolution for Reimbursement of Certain Expenditures in the event the City has to bond for expenses associated with the lagoon expansion project.

**RESOLUTION 2015 – 12**  
**RESOLUTION OF CITY OF BEACH, NORTH DAKOTA**  
**RELATING TO THE ISSUANCE OF BONDS AND**  
**THE REIMBURSEMENT OF CERTAIN EXPENDITURES**

**BE IT RESOLVED** by the City Council of the City of Beach, North Dakota (the “City”) as follows:

**Section 1. RECITALS.**

- (a) Treasury Regulations Section 1.150-2 (the “Regulations”) restricts the use of tax-exempt bond proceeds to reimburse the City for project expenditures made by the City prior to the date of issuance of such bonds.
- (b) The Regulations generally require that (i) the City declare its official intent to reimburse itself for prior expenditures from the proceeds of a subsequent issue of tax-exempt bonds no later than 60 days after making such expenditures, (ii) the bonds be issued within 18 months after making an expenditure or within 18 months the project is placed in service, but in no event more than three years after the date the original expenditure was made, and (iii) the expenditure be either a capital expenditure or a cost of issuance of the bonds.
- (c) The City plans to make certain wastewater system improvements, including a lagoon expansion project. The City desires to comply with the Regulations in order to preserve the option of the City to be reimbursed for certain expenditures from the proceeds of tax-exempt bonds. The total costs of the improvements to be paid by the City are estimated to be approximately \$1,000,000. The City currently expects to pay a portion of the costs from funds on hand until the City can be reimbursed for such expenditure from the proceeds of bonds.

**Section 2. OFFICIAL INTENT DECLARATION.**

The City reasonably expects to be reimbursed for all or part of the expenditures made for the construction of the project from the proceeds of bonds to be issued by the City. The maximum principal amount of such bonds or other obligations which may be issued for such purpose is approximately \$1,000,000.

Dated December 7, 2015

CITY OF BEACH, NORTH DAKOTA

ATTEST:

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Walter Losinski, Mayor

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Kimberly Nunberg, City Auditor

The governing body of the City acted on the foregoing resolution at a properly noticed meeting held in Beach, North Dakota , on December 7, 2015 with the motion for adoption made by Gerving and seconded by Larson and the roll call vote on the motion was as follows:  
“Aye” – Gerving, Beach, Marman, Benes, Larson, Walworth. “Nay” - none “Absent” – none.

Contractor’s Application for Payment No. 4 in the amount of \$281,044.85 was reviewed.  
Gerving moved to approve Payment No. 4, second by Walworth. Motion carried unanimously.

**Multi Use Trail** – Engineer Schmelzenbach reported the remaining work on the street ramp/drainage issues along 6th Street NW will be corrected in the spring. A walk through of the project will be completed this week.

**Unfinished Business:**

None

**New Business:**

Steve Zook, representing Beach Cooperative Grain Company presented a map and petition signed by adjoining landowners to vacate alleys, streets and avenues in Glenhaven Park Addition, Blocks 18 – 29. Benes moved to proceed to Public Hearing on the request to vacate, second by Walworth. Discussion. Motion carried unanimously.

An Application for Property Tax Exemption New Home Construction at 578 5<sup>th</sup> Street SE was reviewed. Benes moved to approve the application, second by Larson. Gerving abstained. Motion carried.

Correspondence from ND DOT was reviewed. Benes moved to apply to ND DOT for assistance in improving the rail crossings on Central and Second Avenue, second by Larson. Motion carried unanimously.

Marman moved to approve giving \$200 Beach Bucks to full time employees and \$100 to part time employees, second by Walworth. Motion carried unanimously.

No other business was brought forward. Gerving moved to adjourn, second by Benes. Motion carried unanimously. Meeting adjourned at 8:25 p.m.

ATTEST:

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Walter Losinski, Mayor

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Kimberly Nunberg, City Auditor