

CITY OF CASSELTON
Monday, April 2, 2012
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Edward McConnell, Councilmen Pete Silbernagel, Phil Spooner, Steve Link, Fred Wangler, Paul Spooner, and Craig Tillisch. Also present: Public Works Supervisor Kevin Mayer, City Engineer Brandon Oye, Lin Smithwick, City Auditor Sheila Klevgard, Deputy Keenan Zundel, Dell Arneson, Lee Anderson, Ryan Bosse, Phil Pender, Jan Sinner and Rich Hawkins.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Steve Link made a motion, seconded by Councilman Fred Wangler to approve the minutes of March 5, City Attorney's Report, Municipal Judge's Report, and the delinquent utilities list. All voted aye on roll call vote; **motion passed.**

Councilman Pete Silbernagel made a motion, seconded by Councilman Steve Link to approve the following bills and refunds for the month of April. All voted aye on roll call vote; **motion passed.**

Adapco	\$6,034.80	Johnson Pest Control	\$55.00
Aflac	\$115.50	Ken's Heating & AC	\$97.58
Ameripride	\$122.47	Brian Kujala	\$48.20
Avesis Vision	\$74.09	Jim Markey	\$70.00
BNSF	\$28,354.08	Medica	\$4,042.55
Bremer Bank	\$10,265.38	Midnight Solutions	\$199.80
Cass County Reporter	\$407.21	Moore Engineering	\$15,738.12
Cass County Treasurer	\$10,751.27	Municipal Govt Academy	\$80.00
Casselton Drug	\$30.00	ND Dept of Health	\$244.79
Cass County Electric	\$420.78	ND DOT	\$685.23
Casselton Cemetery Assn	\$10,000.00	North Dakota One Call	\$30.00
Casselton Fire Dept	\$4,000.00	ODB Company	\$1,710.64
Casselton Lumber	\$12.03	Ohnstad Twichell	\$1,450.00
Casselton Public Library	\$16,924.06	Chris Olson	\$41.06
Cass Rural Water Users	\$21,674.18	Orbitcom	\$305.25
City of Fargo	\$2,915.85	Ottertail Power	\$4,473.91
Expressway Suites	\$498.40	Petro Serve USA	\$7,360.58
Fox Valley Systems	\$657.11	Powerplan	\$5.51
Gary Marier	\$58.21	Sanitation Products	\$78.00
Guardian	\$671.08	Starion Bond Service	\$395,388.12
Hardware Hank	\$50.36	Sturdevant's	\$1,004.22
Haugen Cleaning	\$450.00	Universal Services	\$88.00
H & S Painting	\$356.00	Verizon Wireless	\$152.58
Innovis	\$65.00	Weber Insurance Agency	\$19,954.00
Jayhawk Software	\$362.00		

Financial Statement

Councilman Steve Link made a motion, seconded by Councilman Pete Silbernagel to approve the financial statement. General Fund \$124,011.89; Special Revenue Funds \$627,038.76; Debt Service Funds \$847,111.26; Construction Funds \$238,489.79; Special Assessment Funds \$391,047.09; Enterprise Funds \$425,965.60; Trust and Agency Funds \$51,455.34; total \$2,705,119.73. All voted aye on roll call vote; **motion passed.**

Correspondence

ND Department of Health commends the city and its workers for successful compliance with our public water system requirement from which our consumers benefitted.

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Police Report

Juveniles have made statements about a significant reduction in drug use due to the likelihood of getting caught with increased police presence. The 13 and 14 year old juveniles that spray painted the town were caught and taken to Juvenile Detention. A male legally brought an unconcealed unloaded gun into a local bank. There is a high percentage of minors on probation in city. Damages and trash at the basketball courts has been a problem. If individuals are willing to testify that they can identify an individual committing a crime, the deputies are willing to make the arrest.

Public Works

Water loss is still at 24% for the month. There are still three locations that are not metered. Kevin and Sheila will continue to track the system and see if it can be found.

Curb Stop Repair Bill

Jason Holland had a pipe break at his home on Cottonwood Drive. According to Jerry Fletschock the location of the curb stop was at the request of the previous homeowner. Quick couplers have been installed on this repair. In the past the city has required the homeowner to pay for the repair. Public works says the city has not adjusted any charges for repairs on lines from the main to the house in the past. Councilman Pete Silbernagel made a motion, seconded by Councilman Craig Tillisch, to deny the request to adjust the bill. All voted aye on roll call vote; **motion passed.**

Repair Bill to Cap Water Line

Phil Pender would like a breakdown of the bill. He wanted to know why they dug 20 feet from the house. The city workers started at the location where Phil Pender said the shutoff valve was located but could not find it so they capped the line. Councilman Pete Silbernagel made a motion, seconded by Councilman Paul Spooner, to deny the request to not pay the bill. All voted aye on roll call vote; **motion passed.**

Engineers Agenda

Front Street relining and replacement costs were presented. Councilman Phil Spooner made a motion, seconded by Councilman Steve Link, to go forward with the option of replacing the line from 8th Avenue to 10th Avenue with 12" PVC provided that the city is awarded the FEMA Hazard Mitigation Grant. All voted aye on roll call vote; **motion passed.** Councilman Steve Link made a motion, seconded by Councilman Pete Silbernagel, to approve the plans and specs contingent upon Public Works Committee approval. All voted aye on roll call vote; **motion passed.** Councilman Steve Link made a motion, seconded by Councilman Pete Silbernagel, to direct the auditor to advertise for bids contingent upon Plans & Specs approval. All voted aye on roll call vote; **motion passed.** Councilman Steve Link made a motion, seconded by Councilman Phil Spooner, to approve the engineering agreement for District #24. All voted aye on roll call vote; **motion passed.**

A Quiet Zone preconstruction meeting was held prior to construction starting on March 26, 2012. All concrete work should be completed within a couple of weeks. BNSF has also started on their portion of the project. Councilman Phil Spooner made a motion, seconded by Councilman Fred Wangler, to approve Moore Engineering invoice 2927 for \$3,389.34. All voted aye on roll call vote; **motion passed.**

Request to Remove Sidewalk

Brian Bosse, of 452 Langer Ave S, would like to remove the sidewalk on his lot along 4th Street S. The sidewalk does not continue beyond his yard. Councilman Phil Spooner made a motion, seconded by Councilman Pete Silbernagel, to allow the removal of the sidewalk while still allowing that if the city does a sidewalk project, the city could require it to be replaced at the owner's expense. All voted aye on roll call vote; **motion passed.**

Off-sale liquor

Jan Sinner, representing Country Kitchen/Governor's Pub, requested authorization to add off-sale liquor sales to their liquor license. The council did not see that it would be a problem since Shamrock is no longer at that location, although a new liquor license application needs to be submitted and approved.

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Dell Arneson Developer Agreement & Promissory Note

An amended developer agreement has been drafted changing the requirement to a promissory note rather than a letter of credit. As of now, specials must be paid by February 15th in order to not be in default. New agreements in other cities show 3 years to allow spec homes to be built without the developer having to pay the specials. The current agreement allows release of obligation by the developer only if the property is built on. Councilman Paul Spooner made a motion, seconded by Councilman Phil Spooner, to release the obligation to pay specials on a property under the promissory note once the lot is developed and change the default to 3 years and as drafted with changes approved by Del Losing. All voted nay on roll call voted except for Paul Spooner who voted aye; **motion failed**. Councilman Steve Link made a motion, seconded by Councilman Pete Silbernagel to release Dell Arneson of the obligation to pay specials on a property under the promissory note upon sale of the property, as long as the transfer is to an unrelated party and no more than 3 undeveloped properties owned by one owner are to be released without city council approval (with final language to be prepared and reviewed by Del Losing) - All voted aye on roll call vote except for Paul Spooner who voted nay; **motion passed**.

Gaming Site Authorizations

Councilman Phil Spooner made a motion, seconded by Councilman Steve Link to authorize Veterans Incorporated to maintain gaming sites at the Vets Club and Red Baron under the license granted by the Attorney General. All voted aye on roll call vote; **motion passed**.

Fireworks Retail Sale Application

Councilman Phil Spooner made a motion, seconded by Councilman Pete Silbernagel to approve the application submitted by Memory Fireworks. All voted aye on roll call vote; **motion passed**.

Raffle Permit

Councilman Phil Spooner made a motion, seconded by Councilman Steve Link to approve the raffle permit application submitted by Cottonwood Golf Club. All voted aye on roll call vote; **motion passed**.

Employee Insurance and City HSA Contribution

The Finance Committee recommends changing health insurance coverage to the Blue Cross Blue Shield \$2500 High Deductible Health Plan. Councilman Pete Silbernagel made a motion, seconded by Councilman Steve Link to switch health insurance coverage to the BCBS HDHP at a city contribution level of 70% for single and family policies, and to contribute to the employee HSA accounts in the amount of \$1,000 for one final year. All voted aye on roll call vote; **motion passed**.

Tornado Disaster Exercise

There will be a tabletop exercise on Wednesday evening. The intent is to determine the resources we can bring in, in the case of a disaster. Councilmen are invited to attend the tabletop session on April 4 at 7pm to help set up procedures for the Emergency Operations Center because the local jurisdiction is in charge of managing a disaster. The actual exercise will occur on Wednesday, April 25 at 7pm. The EOC will be set up, fire and emergency services will participate as well as the sheriff department and several other agencies. On the afternoon of the 25th, four Incident Management Assistant Teams will be in town with trailers to get familiar with equipment and shadow our exercise. IMAT is available any time there is an incident and a jurisdiction needs assistance.

Refinancing Bond Issue

Interest rates are low enough to refinance some of our bonds; however it is unknown at this time how much is the maximum amount that can be refinanced. This question will be brought up with Dougherty and addressed at the next council meeting. Also a bond should be established to pay for the Quiet Zone since sales tax income cannot cover all the bills right away.

Water Bill Collections

Councilman Pete Silbernagel would like to earmark the \$161,659.20 expected collection on undercharged water bills to the Quiet Zone debt. The city expected an estimated \$10,000 in work to finish up with connecting the new water tower we, some of which is beyond the budgeted expenses. Councilman Phil Spooner made a motion, seconded by Councilman Paul Spooner to put the

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income from the 5 year undercharged water bills into a separate construction fund earmarked to be applied against the SSW#24 project. All voted aye on roll call vote; **motion passed.**

Next meeting is tax equalization meeting on Tuesday, April 10, 2012 at 7:00pm.
Next regular meeting is May 7, 2012 at 7:00pm.

Councilman Fred Wangler made a motion to adjourn at 9:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor