

CITY OF CASSELTON
Monday, April 1, 2013
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Edward McConnell, Councilmen Lee Anderson, Kent Buss, Paul Spooner, Fred Wangler and Joan Carvell; Mike Eberhardt arrived late. Also present: Denny Buchholz, Dean Johnson, Kevin Schauer, Tim McLean, Chris Prochnow, Jesse Hagen, Dan Weber, Rory Petersen, Mark Housh, City Auditor Sheila Klevgard, Deputy Keenan Zundel, City Engineer Brandon Oye, Justin Hall, Mark Radtke, Public Works Supervisor Kevin Mayer, Diane Spoerl and City Attorney Del Losing.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Wangler made a motion, seconded by Councilman Spooner to approve the minutes of March 4, City Attorney's Report, Municipal Judge's Report, Police Report and the delinquent utilities list. All voted aye on roll call vote; **motion passed**. Councilman Anderson made a motion, seconded by Councilman Buss to approve the following bills and refunds. Councilman Eberhardt arrived at this time. All voted aye on roll call vote; **motion passed**.

Aflac	\$115.50
Ameripride	\$214.62
Avesis Vision	\$87.35
Blue Cross Blue Shield	\$4,583.40
Business Essentials	\$37.99
Cass County Reporter	\$731.39
Cass County Treasurer	\$10,931.25
Cass County Electric	\$632.64
Cass Rural Water Users	\$24,688.72
Casselton Bus Assn	\$2,500.00
Casselton Cemetery Assn	\$11,000.00
Casselton Fire Dept	\$71,000.00
Casselton Heritage Center	\$4,000.00
Casselton Public Library	\$37,069.54
City of Fargo	\$2,617.65
Essentia Health	\$22.00
Expressway Suites	\$588.18
First State Bank	\$42,189.88
Guardian	\$810.32
Haugen Cleaning	\$465.00
Jayhawk Software	\$362.00
Job Authority	\$9,000.00
Johnson Pest Control	\$55.00

Brian Kujala	\$16.97
Jim Markey	\$59.95
Midnight Solutions	\$120.00
Moore Engineering	\$3,779.45
NDLC	\$25.00
North Dakota One Call	\$1.25
ND Sewage Pump	\$5,392.00
Ohnstad Twichell	\$6,500.00
Orbitcom	\$303.12
Ottertail Power	\$4,522.84
Overhead Door Co	\$466.94
Petro Serve USA	\$3,118.19
Powerplan	\$256.56
Harold Rotunda	\$2,800.00
Sanford Health Occ Med Clinic	\$30.00
Lisa Seely	\$161.25
John Siverson	\$44.35
Starion Bond Service	\$2,243,688.00
Team Laboratory	\$5,935.00
Verizon Wireless	\$145.19
Weber Insurance Agency	\$809.00
Xcel	\$170.36

Financial Statement

Councilman Anderson made a motion, seconded by Councilman Carvell to approve the financial statement. General Fund \$127,703.35; Special Revenue Funds \$931,523.81; Debt Service Funds \$3,117,094.73; Construction Funds \$17,208.62; Special Assessment Funds \$474,628.85; Enterprise Funds \$429,363.68; Trust and Agency Funds \$49,978.01; total \$5,147,501.05. All voted aye on roll call vote; **motion passed**.

Annexation

Owen Industries dba Northern Plains Finishing has requested annexation of the old Loegering property on the south side of 37th Street Southeast. The notices have been published and the city has received no objections. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve a second reading of the ordinance to annex the property. All voted aye on roll call vote; **motion passed**.

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Heartland 4th Addition

The proposed addition would split lot 2, block 1 of Heartland Second Addition into 2 lots and keep the existing 80'x100' ingress/egress easement to provide access to the new Lot 2 and existing Lot 3 from Highway 18. The department of transportation wants this to be the only access to highway 18 for the lot to the north owned by RDO Equipment and the lot to the south. The question is how long the city right of way should extend west and whether the city should require the private portion of the access to be concrete curb and gutter. Councilman Anderson made a motion, seconded by Councilman Buss to table the plat until after discussion with the property owners. All voted aye on roll call vote; **motion passed.**

Sales Tax Grants

The sales tax committee recommended approving grants for four of the five applications received. They felt that since the city is already taking 75% of the sales tax revenues, the remaining funds should be awarded to other community organizations. The recommended grant requests were from the Casselton Fire Department for \$48,000 to help with roof replacement costs, Casselton Business Association for \$2,500 to add more Christmas lights to the downtown area, Casselton Public Library for \$3,500 to add marketing display racks and supplies and Casselton Heritage Center for \$4,000 for a technology update including a new computer and printer. Councilman Buss made a motion, seconded by Councilman Eberhardt to approve the grants as recommended. All voted aye on roll call vote; **motion passed.**

Raffle Permit

A raffle permit application was received from the Cottonwood Golf Club to raise funds for enhancements to the course and clubhouse. Councilman Wangler made a motion, seconded by Councilman Spooner to approve the application. All voted aye on roll call vote; **motion passed.**

Board Appointments

Councilman Anderson made a motion, seconded by Councilman Spooner to appoint Scott Kost and Ken Habiger to the Job Development Authority for a three year term ending in 2015. All voted aye on roll call vote; **motion passed.** Councilman Wangler made a motion, seconded by Councilman Spooner to appoint Tom Sinner Jr to the Special Assessment Commission for an additional six year term ending in 2019. All voted aye on roll call vote; **motion passed.**

Building Inspections

Councilman Anderson recommended that Moore Engineering should issue the accessory structure permits rather than through city hall. They have dedicated personnel in the building permit department so that a permit can usually be completed within one hour. He also suggested that more inspections be completed by Moore Engineering of which they are now doing the framing, final and insulation inspections and usually come out to Casselton three to four times for each project. Kevin Mayer is performing the foundation, footing, flood proofing and drain tile inspections as well as city approach and sidewalk inspections.

In regard to a particular building that was constructed some years ago, a certificate of substantial completion was issued rather than a certificate of occupancy due to the fact that the owner never got the footings inspected. Without the certificate of occupancy, financing would likely not be available to a purchaser. The city has protected itself by filing a notice of the defect with the county recorder.

Health and Dental Insurance

Ed Van Hal, the city's insurance agent for dental and vision insurance, was able to get the monthly rate reduced on the dental insurance renewal to \$44.81 for a single and \$116.31 for a family which is an 8% increase and an annual increase in cost to the city of \$474.29. The Blue Cross Blue Shield renewal came in at a 5.73% increase which will be a \$2,207.52 annual increase in cost to the city.

Records Retention Disposal

Councilman Buss made a motion, seconded by Councilman Wangler to dispose of the records as requested. All voted aye on roll call vote; **motion passed.**

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Engineer's Agenda

Sewer and Street Improvement District #25 –

Oye has made all changes requested by the Public Works committee which includes an alternate on 1st Street North between 6th Avenue and Langer Avenue to change from mill and overlay on the base bid to a full street replacement with concrete including sidewalk, curb and gutter. The committee decided not to do any road improvements at this time on 1st Avenue North since they are unsure of the adjustments planned on Highway 10. The design is to put drainage right next to the road since the right of way is only 40 feet wide. Oye pointed out that the city could request a drainage easement from the railroad, which owns the lots east of the road, although with drainage in place 20 feet onto the property this could be a problem if the lots were ever sold and the new owner wanted to build a house. Oye also stated that ideally the city should try to purchase the railroad lots to the east of the road to have more right of way to allow for improvement of the road. Residents Johnson and Schauer suggested minimal work to the area such as digging a narrow channel for the drainage and maintaining the road with a blade once a year to remove the pot holes. Councilman Anderson made a motion, seconded by Councilman Eberhardt to approve the plans and specs for the project. All voted aye on roll call vote; **motion passed.** Councilman Buss made a motion, seconded by Councilman Spooner to authorize the auditor to advertise for bids. All voted aye on roll call vote; **motion passed.** The plan is to open bids on May 2, 2013 at 1:30pm at city hall and award the contract at the council meeting on May 6, 2013 so that work can start by June 1st.

*Levee Improvements –*Right of way easements are missing with the county for several sections of the levy. Oye is working with the auditor and city attorney to locate these easements. The budget for this project is \$15,000 and to date it is still on budget at 60%. Councilman Wangler made a motion, seconded by Councilman Carvell to pay Moore Engineering invoice 5144 for \$3,779.45 for the survey work performed to date. All voted aye on roll call vote; **motion passed.**

State Highway 18 Improvements – The ND STREET program grant application is due May 1, 2013 for projects to be constructed in 2017. Public Works Supervisor Kevin Mayer suggested using this program to improve drainage along Highway 18/County Road 10 from Langer Ave to the curved section where the state is planning to make improvements. Oye will contact the county to see if they will help with the cost of the application and local 15% share since it is also a county road. Moore estimates the cost for the application at \$3,500 if no award is received from the grant request.

Emergency Declaration

Councilman Wangler made a motion, seconded by Councilman Eberhardt to authorize the mayor to sign an emergency declaration for any impending flood. All voted aye on roll call vote; **motion passed.**

SSBCI Contract Change

Councilman Wangler made a motion, seconded by Councilman Buss to approve the SSBCI contract change with Lewis and Clark Regional Development Council to add a paid position of Loan Officer at a billable rate of \$90.00 per hour. All voted aye on roll call vote; **motion passed.**

Next council meeting is April 9, 2013 at 7:00pm as the board of equalization.

Next regular meeting May 6, 2013 at 7:00pm.

Councilman Eberhardt made a motion to adjourn at 7:58pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor