

CITY OF CASSELTON
Monday, April 7, 2014
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Edward McConnell, Councilmen Lee Anderson, Joan Carvell, Kent Buss and Mike Eberhardt. Also present: , Charles Francis, Jonathan Warrey, Lance Johnson, Valorie Gibson, Lance Johnson, Kayla Gibson, Becky Dunker, Matt Thompson, City Auditor Sheila Klevgard, Corporal Tim Briggeman, Deputy Keenan Zundel, City Engineer Brandon Oye, Kevin Mayer, Harold Rotunda and City Attorney Del Losing.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Eberhardt made a motion, seconded by Councilman Wangler to approve the minutes of March 3, 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. All voted aye on roll call vote; **motion passed**.

Aflac	\$135.52
James Albrecht	\$55.60
Ameripride	\$118.02
Avesis Vision	\$100.40
Blue Cross Blue Shield	\$4,292.40
Bremer Insurance	\$23,494.00
Cass County Electric	\$605.05
Cass County Reporter	\$739.82
Cass County Treasurer	\$11,040.50
Cass Rural Water Users	\$24,976.72
Casselton Cemetery Assn	\$14,700.00
Casselton Fire Dept	\$23,000.00
Casselton Lumber	\$281.00
Casselton Parks & Rec	\$200.00
Casselton Public Library	\$32,973.65
City of Fargo	\$4,339.48
Compass Tools	\$262.75
Dakota Tire Service	\$2,383.90
Earl's Repair	\$210.66
Essentia Health	\$23.00
Fargo Water Equip	\$1,253.72
First State Bank	\$42,189.88
Gordy's Inc.	\$56.84
Guardian	\$794.05
Hardware Hank	\$5.37
Haugen Cleaning	\$825.00
Hawkins Chemical	\$3,001.80

Jerry's Excavating	\$6,970.72
Job Authority	\$7,700.00
John Deere Financial	\$213.86
Johnson Pest Control	\$55.00
Jim Markey	\$93.59
Midnight Solutions	\$120.00
Minnkota Recycling	\$174.00
Motion Industries	\$341.79
Municipal Govt Academy	\$15.00
ND Municipal Judges' Assn	\$25.00
North Dakota One Call	\$17.05
Ohnstad Twichell	\$1,500.00
Chris Olson	\$23.97
Orbitcom	\$560.68
Ottertail Power	\$4,759.46
Petro Serve USA	\$20,709.26
Radisson Hotel Bismarck	\$94.70
Rush River Construction	\$3,000.00
Sanitation Products	\$1,592.61
Starion Bond Service	\$696,678.14
Sturdevant's	\$1,479.86
Swanston Equipment	\$163.45
Titan Access Account	\$35.82
Total Imaging	\$398.97
Verizon Wireless	\$146.26
Xcel	\$301.48

Financial Statement

Councilman Wangler made a motion, seconded by Councilman Carvell to approve the financial statement. General Fund \$130,408.04; Special Revenue Funds \$758,399.20; Debt Service Funds \$1,507,187.61; Construction Funds \$1,332,324.97; Special Assessment Funds \$1,262,535.47; Enterprise Funds \$423,032.27; Trust and Agency Funds \$53,150.33; total \$5,467,037.89. All voted aye on roll call vote; **motion passed**.

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Correspondence

Cass County Joint Water Resource District is holding a public meeting at Governors' Inn at 9:00 am tomorrow to focus on local flood issues in the Rush River Watershed. They are requesting participation in the meeting as well as specific locations where flood impacts are a concern and locations where runoff can be temporarily stored during the spring snowmelt.

Police Report

Medical responses were the majority of the calls although the owner of a barking dog was issued a warning followed by a citation for an infraction, which as a Class B misdemeanor was sent to the states attorney. If in officer's presence it is automatic otherwise require written complaint. There have been complaints of a dog that appears to be abandoned; the deputies stated that it depends on the situation, each case must be looked at on an individual basis. Losing pointed out that these cases can also be cited into municipal court.

Public Forum

Kayla Gibson is the winner of the third grade essay contest for Mayor for the Day and read her entry to the audience. The top three winners had pizza with the mayor prior to the council meeting and Kayla had the opportunity to call the meeting to order and request a motion to accept the consent calendar. The mayor congratulated her and excused her from the remainder of the meeting.

Gaming Site Authorization

Councilman Wangler made a motion, seconded by Councilman Buss to approve the Gaming Site Authorization to Veterans Incorporated for sites at Red Baron and Vets Club. All voted aye on roll call vote; **motion passed**.

Raffle Permits

Councilman Anderson made a motion, seconded by Councilman Eberhardt to approve raffle permits to Casselton Outback Dance Team and American Cancer Society for Relay for Life. All voted aye on voice vote; **motion passed**.

Fireworks Retail Permit

Councilman Buss made a motion, seconded by Councilman Wangler to approve a retail sale fireworks permit to Shannon Knutson under the name of Memory Fireworks next to Gordy's. All voted aye on roll call vote; **motion passed**. Losing will work on amending the fireworks ordinance for time of day limitations on displays.

Tax Abatement

Maple River Grain is building a new grain storage building and requesting a 10 year 100% exemption. Paperwork has just been received and due to public notice requirements will not be addressed tonight. Exemptions are designed to promote construction which is not the case here because they already have the building permit in the works. Rock footings are being put in but other construction must wait for approval of the exemption. Council cannot have a meeting to address the application prior to 15 days after the second publication.

Park Board Update

The \$30,000 sales tax grant distribution is being supervised by the park board; \$8,800 remains. The park board has asked that personnel be available in the clubhouse office to answer the phone and update the website. A fund raiser is planned for April 26; the fund raiser last year brought in \$5-6,000. The grant was to cover expenses until they could transition into the revenue producing months. Salaries have been renegotiated to limit expenses while hoping for average plus revenues; \$5,000 plus. Brent Ham and Jonathan Warrey will attend the club meeting on Wednesday and Bob Runck will attend the park board meetings to try to provide better oversight. The park board is disappointed that they didn't receive a grant to repave the trail at Tinta Tawa; motorized trails were higher priority for funding. A

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couple spots will need to be patched keep it going another three to four years. Scott Kost is spearheading a sponsorship of the covered grandstand at the new ball field. Estimate \$175,000 for the grandstand, concessions and bathrooms. Youth basketball league had 102 participants with \$19,500 in revenue and \$17,000 in expenses. They anticipate they should be able to reduce fees next year. Missoula Children's Theatre fee will remain at \$25 per participant. The park board would be willing to consider sponsoring the theater group if they would ask. Online registration and payments are now available.

Health Insurance

The BCBS health insurance renewal date is May 1st and due to a 40% increase in rates and inadequate budget for the increase, the city will need to reduce the percentage paid by the city. Councilman Anderson made a motion, seconded by Councilman Buss to approve the renewal and change the percentage paid by the city to 67% of premiums. All voted aye on roll call vote; **motion passed.**

Furnace for Garbage Truck Garage

Kens Heating gave a quote of \$1,990 for a 95.5% efficient forced air gas furnace in the garbage truck garage. Councilman Eberhardt made a motion, seconded by Councilman Carvell to accept the quote. All voted aye on roll call vote; **motion passed.** Public works will take the chimney down so Rush River can start working on the exterior.

Appoint Assessor

Councilman Anderson made a motion, seconded by Councilman Wangler to appoint Tim Schneider as assessor. All voted aye on roll call vote; **motion passed.**

Request to Vacate Street

Clint Sletten has requested the city to vacate 1st Avenue North south of 1st Street. Procedure requires a signed petition from adjoining landowners including BNSF and publication in the newspaper. The mayor and attorney will look into it.

Semi-trailer Parking

Only select areas of town have been designated for parking semi-trailers. The question was raised as to why the city still allows it with parking available at Gordy's. Some of them do walk home from the downtown location. There is a 72 hour time limit posted, it just needs to be enforced. An anhydrous tank was parked there for over one week although it is unknown if it was loaded or empty. Councilman Anderson made a motion, seconded by Councilman Wangler to approve the first reading of the amendment to ordinance number 165 to make it unlawful to park any trailer containing toxic or hazardous materials in town. All voted aye on roll call vote; **motion passed.**

Conditional Use Permit

Councilman Buss made a motion, seconded by Councilman Eberhardt to amend the agenda. All voted aye on voice vote; **motion passed.** Lance Johnson, owner of Willow Creek Taxidermy, would like to move his business into the old gun shop. All carcasses are delivered in a bag and will not be left outside and beetles indigenous to the area are used to clean the skulls preventing any bad smells that could be caused by boiling them instead. His plan is to reside and paint both buildings and clean up the yard to make it a presentable business. Following the recommendation of the Planning & Zoning Commission, Councilman Eberhardt made a motion, seconded by Councilman Wangler to approve the conditional use permit. All voted aye on roll call vote; **motion passed.**

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Engineer's Agenda

Sewer & Street Improvement District #25 –

A Startup Construction Meeting was held at 10:00 am today. Construction probably won't start until early May with the next meeting one week prior to start up. The first items will be 1st Street South west of Langer and in front of city hall. The street in front of Hagen Dental will not start until after their open house in May. Anderson requested one day's notice before starting on 1st Street South. To appease residents for work not completed last fall, KPH has offered to pay the city's interest from December to April. A substantial portion of the incomplete work is qualifies for SRF funding and for which funds have not been drawn. 3.4% interest on the street portion of \$300,000 is only \$4,200 in interest. At \$600,000 it is only \$8,000 in interest. Consensus was that was not sufficient. If construction is extended two months, the engineers have an inspector onsite for an extra two months. This is a direct cost where damages come into play. The city is not obligated to negotiate assessed damages now. Councilman Anderson made a motion, seconded by Councilman Carvell to decline KPH's offer. All voted aye on roll call vote; **motion passed**. The plan is to increase the thickness of the concrete in front of Earl's Repair and check out the concrete near the lift station at 10th and Front Street. Other locations will wait until the frost goes out since even old established road beds have issues this year due to such a deep frost.

Levee Improvements –

Paperwork for other easements with Swan Creek and Maple River were received from BNSF to put in the city files.

State Water Commission Funding –

These funds are usually used more for flood control, levees and dams; they don't usually fund water towers but since the city will be losing storage it is a possible funding source. Councilman Wangler made a motion, seconded by Councilman Buss to submit an application to put the water tower on their priority list for the 2015-2017 funding biennium. All voted aye on roll call vote; **motion passed**.

Sherman Excavating

Councilman Eberhardt made a motion, seconded by Councilman Anderson to amend the agenda. All voted aye on voice vote; **motion passed**. Sherman Excavating declined the city's offer to settle for \$13,000 and countered that the invoice had been adjusted to \$24,236.49 from \$28,791.49 with the expectation that it would be paid. They stated that if the city didn't pay the \$24,236.49 within ten days they would seek recovery of the full \$28,791.49. Council was assured that they couldn't go after the resident for collection because the city hired them, not her. Councilman Eberhardt made a motion, seconded by Councilman Anderson to reject the offer. All voted aye on roll call vote; **motion passed**.

Financial Update

Rotunda stated that the city's financial condition has improved significantly which shows that if better decisions are made more options are made available. State aid money has increased and allowed the city to keep property taxes in line. Contract services include the sheriff's contract which makes this category significantly higher than in some cities. Reserves are available and can be considered discretionary although the property taxes collected include funds from TIF districts which are not available for spending. The debt side is high but not excessive for the current financial condition. Since cities are allowed to invest in CD's and any governmental obligations, cash could be used to invest in ourselves by paying off (buying) debt and continuing to collect the payments and interest from the public to create our own perpetual fund for financing future projects. Doing this would still give the city cash flow as long as it is recovered in a relatively short time frame such as three to seven years. There are four bonds that fit within this criteria totaling close to one million dollars which is well within the city's means. Other consideration is timing of a new water tower and whether the extra funds should be held to pay on it outright or if enough would be recovered by then to pay it off sufficiently. Councilman Eberhardt made a motion, seconded by Councilman Wangler to accept

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the auditor's financial report. All voted aye on roll call vote; **motion passed.**

Councilman Anderson made a motion to adjourn at 9:37pm.

Next meeting April 8, 2014 at 7:00pm as Board of Tax Equalization.

Next regular meeting May 5, 2014 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor