

CITY OF CASSELTON
Monday, April 3, 2017
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Mike Eberhardt, Charlie Francis, Kent Buss and Char Gust. Also present: Angela Kolden, Greg Kempel, Lorne Sterner, Harold Rotunda, Jan Mevold, Mike Lee, Josh Olson, Mike Peschel, Jesse Soper, Mark Frese, Stan Jablonsky, Broc Lietz, Kayla Anderson, Anthony Sommerfeld, Deputy Jacob Longlet, Dylan Dunn, Steve Iverson, Alex Richard, Steve Link, Public Works Supervisor Kevin Mayer, City Auditor Sheila Klevgard, City Attorney Del Losing and City Engineer Brandon Oye.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Eberhardt made a motion, seconded by Councilman Carvell to approve the agenda. All voted aye on voice vote; **motion passed**. Councilman Buss made a motion, seconded by Councilman Francis to approve the minutes of March 6 and March 27, City Attorney’s Report, Municipal Judge’s Report, Police Report and the delinquent utilities list. All voted aye on voice vote; **motion passed**. (Councilman Wangler arrived.) Councilman Wangler made a motion, seconded by Councilman Francis to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Aflac	\$19.80
Ameripride	\$199.80
Avesis Vision	\$121.13
Baymont Inn & Suites	\$81.90
Birch Communications	\$403.38
Bremer Bank	\$247,319.00
Brenco Corporation	\$35.00
Business Essentials	\$14.00
Cass County Electric	\$566.98
Cass County Reporter	\$664.99
Cass County Treasurer	\$12,451.50
Cass Rural Water Users	\$23,670.15
Casselton Cemetery Assn	\$17,200.00
Casselton Fire Dept	\$35,000.00
Casselton Public Library	\$52,911.25
City of Fargo	\$3,934.12
Colonial Life	\$80.92
Dakota Supply Group	\$220.67
Essentia Health	\$80.00
Guardian	\$932.40

Hardware Hank	\$60.57
Job Authority	\$13,000.00
John Deere Financial	\$252.67
Johnson Pest Control	\$85.00
Richard Kjonaas	\$57.97
Mac's	\$28.74
Medica	\$3,055.89
Midnight Solutions	\$120.00
Mid-States Wireless	\$116.00
Moore Engineering	\$17,578.44
Municipal Govt Academy	\$280.00
ND DOT	\$3,569.77
Ohnstad Twichell	\$1,700.00
Ottertail Power	\$4,617.56
Powerplan	\$417.06
Shortprinter	\$1,208.15
Starion Bond Service	\$333,211.75
Statewide Services, Inc.	\$137.00
Verizon Wireless	\$139.02
Xcel	\$348.30

Financial Statement

Councilman Wangler made a motion, seconded by Councilman Gust to approve the financial statement. General Fund \$56,945.03; Special Revenue Funds \$1,014,660.28; Debt Service Funds \$2,235,373.56; Construction Funds \$691,654.23; Special Assessment Funds \$1,664,771.97; Enterprise Funds \$330,117.07; Trust and Agency Funds \$70,353.40; total \$6,063,875.54. All voted aye on roll call vote; **motion passed**.

Correspondence

North Dakota Insurance Reserve Fund is holding their annual meeting in Bismarck on Wednesday, May 10, 2017. Council members interested in attending are to speak with the auditor.

Sales Tax Ordinance

Councilman Buss made a motion, seconded by Councilman Eberhardt to approve the second reading of the sales tax ordinance increasing the tax rate to 2% and allocating 1% to the repayment of bonds for the Wellness Center. All voted aye on voice vote; **motion passed**.

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Financial Report

Harold Rotunda, CPA for the city, reported on the financials indicating the city has structured income to handle the decrease in state aid. Of the current year excess, \$200,000 was applied to debt to ensure future health. He has moved the 75% sales tax grant back into the sales tax fund from the 5th Street North project since the project is using a different revenue source. He then presented a comparison with other cities of similar size including Oakes, Lisbon and Carrington. There's a significant difference in garbage costs for Carrington because they contract with Waste Management. Carrington has three fulltime people in the office and four police officers while Oakes and Lisbon have three police officers. The \$784,000 fund balance represents what is available to spend. The other cities had higher sales tax rates and therefore collected significantly more tax. Surpluses have been moved to specific funds so the available balance has been lower since 2013. If Casselton doesn't continue to grow the city may face the same financial issue as other cities.

Planning & Zoning Commission

The commission recommended annexation of approximately 15.7 acres and a preliminary plat of the same area. As per recommendation, Councilman Wangler made a motion, seconded by Councilman Francis to approve the first reading of an annexation of property in the Industrial Park to be designated Heartland Fifth Addition. All voted aye on voice vote; **motion passed**. Councilman Carvell made a motion, seconded by Councilman Buss to approve the preliminary plat of Heartland Fifth Addition. All voted aye on voice vote; **motion passed**. Keystone Properties is purchasing 9.1 acres of the noted area and requested the lot be rezoned general commercial as well as a conditional use permit so as to build a self-storage facility consisting of 50 storage units 10 feet by 25 feet. Councilman Francis made a motion, seconded by Councilman Eberhardt to approve rezoning Lot 2, Block 1, Heartland Fifth Addition from light industry to general commercial. All voted aye on voice vote; **motion passed**. Councilman Francis made a motion, seconded by Councilman Buss to approve a conditional use permit at this location for storage units. All voted aye on voice vote; **motion passed**. Maple River Grain is purchasing 2.5 acres to construct a grain piling station with six foot walls for temporary storage of soybeans. This lot will be accessed from their current property. They requested rezoning to agriculture/commercial as well as a conditional use permit. Councilman Wangler made a motion, seconded by Councilman Gust to rezone Lot 1, Block 2, Heartland Fifth Addition from agriculture to agriculture/commercial. All voted aye on voice vote; **motion passed**. Councilman Francis made a motion, seconded by Councilman Buss to approve a conditional use permit for a grain piling station. All voted aye on voice vote; **motion passed**. The commission recommended approval of the final plat of Casselton Farms Second Addition consisting of single family lots and one twin home lot. Councilman Buss made a motion, seconded by Councilman Carvell to give final approval of the plat of Casselton Farms Second Addition. All voted aye on voice vote; **motion passed**. Pending a signed petition from Martins Lutheran Church, the commission recommended annexation of a triangular parcel north of the school and a preliminary plat of Central Cass Addition which consolidates many parcels owned by the school into one parcel. Councilman Francis made a motion, seconded by Councilman Wangler to approve the preliminary plat of Central Cass School Addition. All voted aye on voice vote; **motion passed**.

Raffle Permits

Councilman Eberhardt made a motion, seconded by Councilman Wangler to approve raffle permits for Swanks Car Club and Casselton Golf Course. All voted aye on voice vote; **motion passed**.

Site Authorizations

Councilman Eberhardt made a motion, seconded by Councilman Gust to approve the gaming site authorizations for Veterans Incorporated at Udder Bar and Vets Club. All voted aye on voice vote; **motion passed**.

Construction Engineering Agreement

NDDOT wrote up the contract between Apex Engineering, the city and the state for the NDSTREET project on 5th Street North. As a federal contract it includes lodging even though it is not included in the bid. As-built record drawings will be submitted to the city both electronically and as a hard copy. Councilman Eberhardt made a motion,

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seconded by Councilman Francis to authorize the mayor and auditor to sign the contract. All voted aye on voice vote; **motion passed.**

Planning & Zoning Appointments

Councilman Wangler made a motion, seconded by Councilman Buss to reappoint Ed McConnell to February 2021 and Bruce Wheeler to February 2022. All voted aye on voice vote; **motion passed.**

Wellness Center Advisory Board

The auditor is to put out a notice requesting the public to apply for one of the city positions on this board. The mayor would like a resume which should include their personal interests and knowledge, reason for wanting to be on the board and they must live within city limits. This board will meet as needed.

Ordinance Regarding Sale/Lease of City Owned Property

This topic has come up in several contexts including the old water tower property. Losing stated allowing the lease or rent of city owned property can be added to the sale of city property ordinance if desired. Councilman Francis made a motion, seconded by Councilman Wangler to approve the first reading of the ordinance adding those options. All voted aye on voice vote; **motion passed.**

Engineer's Agenda

State Highway 18/2nd Street N – Fargo DOT office has completed their work for final closeout approval and paperwork is now being sent to Bismarck. Councilman Buss made a motion, seconded by Councilman Francis to approve payment of Semi-Final Payment Request No 5 for \$4,395.51. All voted aye on roll call vote; **motion passed.** Councilman Francis made a motion, seconded by Councilman Buss to approve payment of Final Payment Request No 6 for \$3,600.23. All voted aye on roll call vote; **motion passed.**

State Highway 18/5th Street N – Gladen Construction was the low bidder on the project at \$1,420,318.22. Oye called and talked with them to verify they understand the complexity of the project. Adelman is one of their subcontractors for concrete which is their specialty. Oye worked with Gladen on the Swan Creek diversion project and they were good to work with. After the breakdown of costs for federal and state funding, the local share is \$478,000 of which \$57,000 is to be paid by Casselton Farms leaving the city to pay \$420,000. Following Oye's recommendation, Councilman Wangler made a motion, seconded by Councilman Buss to award the contract to Gladen Construction contingent on NDDOT approval. All voted aye on voice vote; **motion passed.** Apex will work with the school to get changes made modifying the location of their approach and sewer and storm sewer lines and request that federal funding be amended. Moore Engineering invoiced through the bidding process. Councilman Gust made a motion, seconded by Councilman Francis to approve Moore's invoice 15120 for \$8,250.00. All voted aye on roll call vote; **motion passed.** NDDOT recommended the engineer of record finish the contract with the construction contractor. A contract amendment was drawn up for Moore to attend meetings and assist Apex on the project at an hourly rate. Councilman Carvell made a motion, seconded by Councilman Gust to approve the engineering proposal for city engineer services. All voted aye on voice vote; **motion passed.**

Industrial Park Storm Sewer Improvements – Moore will send Adelman an updated punch list which includes crushed culverts and standing water that didn't used to be there. The final completion date was late last fall and no change order has been received to extend the deadline. Oye will prepare a letter asking Adelman to complete work as timely as possible and stating that the city will reserve the right to assess damages. Balance of the project including retainage is \$65,000. Councilman Wangler made a motion, seconded by Councilman Gust to approve Moore's invoice 15109 for \$957.30. All voted aye on roll call vote; **motion passed.**

Water Tower Improvements – Oye and Mayer were on a conference call with Bureau of Reclamation where they indicated Casselton will be one of first to be approved but no time frame was given. Adjustments were made to the design based on comments. Councilman Carvell made a motion, seconded by Councilman Eberhardt to approve

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Moore's invoice 15122 for \$3,910.00. All voted aye on roll call vote; **motion passed**.

Storm Sewer Lift Station and Pond – Moore is finishing the water model analysis for pump and pond sizing. Moore hopes to have bid opening in May with an award in June. He received a petition today for two ponds and he will be having meetings with landowners regarding downstream impacts.

Cass County Highway 10 – School Improvements – Moore's proposal for storm sewer improvements in front of the school has been submitted to the county to be reviewed at their April meeting.

Casselton Farms – Bob Walton, Fargo district engineer with NDDOT, requests a letter from the city requesting a traffic study to see if Langer should be made into a three lane road due to anticipated increased traffic from the new development. The road south of the diversion would need to be widened; although through town may not require additional construction, parking would need to be removed on one side of the road. Oye will write the letter and have the mayor sign it.

East View 1st Addition – Public works committee reviewed the plans and recommends approval. Councilman Eberhardt made a motion, seconded by Councilman Carvell for a resolution to approve plans and specifications. All voted aye on voice vote; **motion passed**. Councilman Gust made a motion, seconded by Councilman Carvell for a resolution to authorize the auditor to advertise for bids. All voted aye on voice vote; **motion passed**. A plat will be coming after they work with Maple River Water Resource District. Bids will be opened on April 25 at 10am.

LOMR – Application was submitted to FEMA on February 24th; Moore paid the application fee of \$8,000 so the bill is for more than the agreement. Cass County sales tax committee approved the request for \$10,000 in cost share. Councilman Eberhardt made a motion, seconded by Councilman Buss to approve Moore's invoice 14882 for \$6,686.65. All voted aye on roll call vote; **motion passed**. Councilman Wangler made a motion, seconded by Councilman Francis to approve Moore's invoice 15139 for \$13,565.74. All voted aye on roll call vote; **motion passed**.

Northeast Quadrant Drainage – Oye recognized there are many options for pipe location and extent of area included. He asked to meet with public works to look at the map, delineate where the water is coming from and see what is wanted prior to talking with the county. He could then get an opinion of cost.

Sheriff's Report

There were 71 calls for service which is higher than last month probably due to more people being outside due to the warmer weather. As an active investigation Longlet could not discuss the search warrants that were issued this morning. A guy was under the I-94 bridge sleeping; he had an outstanding \$50 warrant from Valley City. They continue to work on drug issues in town.

Councilman Francis made a motion to adjourn at 8:37 pm.

Next regular meeting May 1, 2017 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor