

**CITY OF CASSELTON**  
**Monday, August 4, 2014**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Charlie Francis, Kent Buss and Mike Eberhardt. Also present: Matt Thompson, Troy Klevgard, Dennis Buchholz, Fred Eldridge, Becky Dunker, Ed McConnell, Lorne Sterner, Dan Farnsworth, Adam Altenburg, Kelly Everson, Nichole Bye, Tim McLean, Jesse Hagen, Chris Prochnow, Dan Farnsworth, City Auditor Sheila Klevgard, Deputy Joe Hedin, Dan Weber, Brandon Oye, Wayne Kramlich, Gary Gunderson, Kevin Mayer, Steve Link and City Attorney Del Losing.

**Minutes, Consent Agenda, Bills and Financial Report**

Councilman Eberhardt made a motion, seconded by Councilman Buss to approve the minutes of July 7 and 21, City Attorney's Report, Municipal Judge's Report, Police Report and the delinquent utilities list. All voted aye on voice vote; **motion passed**. Councilman Eberhardt made a motion, seconded by Councilman Francis to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Adapco	\$30.95	Mid-States Wireless	\$903.34
Aflac	\$235.24	Minnkota Recycling	\$522.00
Ameripride	\$223.40	North Dakota One Call	\$48.40
Avesis Vision	\$100.40	Ohnstad Twichell	\$1,500.00
Bank of North Dakota	\$807,713.92	Ottertail Power	\$4,575.46
Blue Cross Blue Shield	\$4,809.34	Paul Bunyan	\$664.12
Cass County Electric	\$612.02	S & S Landscaping	\$15.00
Cass County Reporter	\$36.00	Sam's Club	\$9.65
Cass County Treasurer	\$11,040.50	Sanitation Products	\$4,657.01
Cass Rural Water Users	\$31,558.95	Scheels Home & Hardware	\$15.99
Casselton Cemetery Assn	\$200.00	Sturdevant's	\$154.40
Casselton Parks & Rec	\$14,944.57	Structural Materials	\$160.00
City of Fargo	\$3,958.50	Swanston Equipment	\$105.36
Fargo Water Equip	\$742.50	Sweeney Controls	\$746.80
Gordy's Inc.	\$209.59	Team Laboratory	\$2,250.00
Guardian	\$794.05	Titan Access Account	\$504.05
Char Gust	\$200.00	Stacey Triebold	\$42.31
Hardware Hank	\$73.23	Verizon Wireless	\$146.32
Haugen Cleaning	\$135.00	Wisnewski's Top Cut	\$5,475.00
Johnson Pest Control	\$55.00	Xcel	\$61.20
Martha Kapaun	\$262.50	Xtreme Printing	\$56.00
Midnight Solutions	\$120.00		

**Financial Statement**

Councilman Carvell made a motion, seconded by Councilman Buss to approve the financial statement. General Fund \$131,296.09; Special Revenue Funds \$655,841.21; Debt Service Funds \$1,373,284.65; Construction Funds \$429,271.69; Special Assessment Funds \$1,043,210.78; Enterprise Funds \$436,941.02; Trust and Agency Funds \$13,964.05; total \$4,083,809.49. All voted aye on roll call vote; **motion passed**.

**Hagen Dental Alley Paving**

The public works committee met regarding this issue and after much discussion decided to recommend not proceeding with assistance in the cost of the alley improvement so as not to set a precedent. Councilman Eberhardt made a motion, seconded by Councilman Buss to follow the committee recommendation. All voted aye on roll call vote although Carvell abstained; **motion passed**.

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**Appoint New Council Member**

Five people have indicated their interest in the position: Fred Eldridge, Char Gust, Troy Klevgard, Robert Anderson and Ed McConnell. The consensus was that experience is a benefit and McConnell has that experience. It is nice to have this much interest in serving and appreciation was indicated. Councilman Eberhardt made a motion, seconded by Councilman Francis to appoint Ed McConnell to the position. All voted aye on voice vote; **motion passed.**

Portfolios were assigned as follows:

Finance:	McConnell, Wangler, Buss
Ordinance/Property:	Wangler, Francis, Buss
Public Works:	Eberhardt, McConnell, Carvell
Sanitation:	Buss, Eberhardt, McConnell
Fire/Police:	Francis, Carvell, Eberhart
School/Community:	Carvell, Wangler, Francis

**Planning & Zoning**

Kelly Everson was approved 2 years ago for a temporary Class B Daycare conditional use permit. As is required, it has been reviewed after 2 years for consideration as a permanent permit. Harry Lemar sent in a letter indicating his support. Although the planning & zoning committee didn't have a quorum, they recommend approval of the permanent Class B Daycare permit. Councilman Carvell made a motion, seconded by Councilman Eberhardt to follow the committee recommendation. All voted aye on voice vote; **motion passed.**

**Block Party Street Closure**

Becky Dunker requests 4<sup>th</sup> Street North between 8<sup>th</sup> and 9<sup>th</sup> Avenue this Saturday from 5:00 pm to 10:00 pm for a block party. Councilman McConnell made a motion, seconded by Councilman Buss to allow the street closure. All voted aye on voice vote; **motion passed.**

**Metropolitan Council of Governments**

In 2013 they expanded their area to include Casselton, Kindred, Oxbow, Barnesville, and Hawley. There is no cost to the city to become an associate member and allows the city to sit on the policy board as a non-voting member and to receive federal planning money which is available with a 20% city match. They are working on a land use study in Horace, Heartland Trail from Moorhead to Park Rapids and up to Itasca as well as other projects. Major projects have included a metro transportation plan from 52<sup>nd</sup> Avenue to 100<sup>th</sup> Avenue S in Fargo which is where they expect significant growth in the next 20 to 30 years and a downtown underpass in Moorhead to allow traffic movement while a train is passing through town. They are also working on a Sheyenne corridor study which would expand Sheyenne Street from two to four lanes from 13<sup>th</sup> Avenue South to 52<sup>nd</sup> Avenue South. Their normal process is go to the city and ask what they need every two years for the unified planning program although cities are always welcome to approach them any time. They are requesting the city to accept or decline the invitation to participate with a deadline of August 13<sup>th</sup> as well as appoint one person and one alternate to voice an opinion at the board meetings on the third Thursday each month at 4:00 pm. There are only six paying members that vote including Fargo, West Fargo, Moorhead, Dilworth, Cass County and Clay County. Councilman McConnell made a motion, seconded by Councilman Carvell to send a letter of intent. All voted aye on voice vote; **motion passed.**

**Sewer Surcharge**

One of the residents had suggested that the surcharge should be changed to a special assessment and intended to put a petition out to get it changed. The payment for the bond was set up this way so that all new water users would help pay for the bond rather than billing only the current property owners. As a fee with additional users also paying into the fund, it may be paid off earlier than the planned 15 years.

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**Junk Car Letters**

Gunderson is concerned about the fact that the ordinance on junk cars is from 1966 with no updates. He also feels that as a business dealing with junk cars and parts a 60 day turnover is too short. The Car Doctor also has issues with unfinished projects such as taking a motor from one vehicle and placing it in another and owners who drop off a vehicle and then take a long time to decide if they want the repairs made to their vehicle. Council stated that it is an eye sore to see all the junk vehicles when a person first arrives in town but indicated that as long as progress is made to clean up, the city will not actively pursue the issue. Gunderson requested that the ordinance be reviewed.

**Front Street Repairs Between 5<sup>th</sup> and 6<sup>th</sup> Avenue**

Buchholz complained that the construction crews had damaged his private road driving back and forth on it while storing their equipment on BNSF property to the west of Car Doctor. City engineers took pictures of the street comparing 2011 photos to 2014 and found no noticeable difference. The street was originally on the street and sewer project for complete replacement since it is in bad condition and an overlay would not improve the road's integrity but Buchholz strongly opposed having it included. There was a verbal agreement between KPH and John Woell to repair any damage but nothing has been done yet. Buchholz will contact KPH again and let council know if they don't do anything.

**Udder Bar Requests**

Kramlich has established a patio area behind the bar with access from the back door and enclosed with a fence and a gate with an exit only lock. He would like to be allowed to serve liquor out there although the open container ordinance which applies to the downtown area now prohibits it. It was also indicated that other bars allow patrons to drink outside. Councilman Eberhardt made a motion, seconded by Councilman McConnell to turn the issue over to the ordinance committee for amendment to allow bar patios. All voted aye on voice vote; **motion passed.**

**Fire Department Update**

The firemen are receiving training on train disasters and train hazardous situations including crude and other toxic elements that BNSF will pay for. The fire hall is getting new windows to make it more energy efficient and the department would like to make the empty lot north of the fire hall a gravel parking area for the firemen, to prevent them from having to cross the highway. They will need to speak to NDDOT if they are going to cut the curb or they could just use the alley for access. They also intend to put up a fence next to the house to the north for privacy. It was indicated that they should expect to lay fabric with six inches of gravel on top and that drainage may be an issue, so Moore will work with them to determine the grade. The department would like the city to help with the cost of gravel since it is a shared venture. Councilman Carvell made a motion, seconded by Councilman McConnell to allow them to pursue adding the parking lot. All voted aye on voice vote; **motion passed.**

**Central Sales**

Romsdal has complained that the paved alley behind their building was not included in the mill and overlay. Only the west end of the alley is paved. There are a couple possible options including asking if it could be tagged onto the Tinta Tawa parking lot project or adding it to the KPH bridge project. A commitment from Romsdal is needed with a measurement of how much is to be done before it can be presented to KPH. Anderson will check with Romsdal and get back to Oye.

**One-man Train Crew**

BNSF wants to change from a two-man crew to one-man on trains that are not hauling hazardous materials. The NTSB has also identified 46 high urban areas where trains are recommended to run at 40 mph, but the trains are not required to follow this advisement. Councilman Francis feels that a letter should be sent to BNSF and will write something up to present to the council for approval.

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**Engineer's Agenda**

*Sewer & Street Improvement District #25 –*

Chip sealing is almost complete and sweeping will occur on Thursday and Friday. The question was asked if aphid honeydew is causing issues with the chip seal. An email went out to the public requesting them to call in any punch list items. As of today, if damages are assessed all the way through the winter, the total damages would be \$393,000 and if damages are suspended through the winter it would be \$130,500. Oye stated that it seems more common that winter suspensions are allowed although inspector and financing costs are actual financial damages when a contract is delayed. Also, if a contractor doesn't feel they can meet the deadline they have the option to not bid the contract, request a change in deadline prior to bidding or build the damages into the bid price. Councilman McConnell made a motion, seconded by Councilman Buss to approve change order #7 for \$22,254.00 which added chip seal to the cemetery and adjustments on 1<sup>st</sup> Street North. All voted aye on roll call vote; **motion passed**. Councilman Carvell made a motion, seconded by Councilman Eberhardt to pay KPH partial payment request #8 for \$384,844.68. All voted aye on roll call vote; **motion passed**. After going to a few seminars on fog seals, it was originally recommended to include it on this project; however, there is a possibility of tracking the black rubber into the driveways and therefore that recommendation is being withdrawn. Councilman McConnell made a motion, seconded by Councilman Carvell to remove the fog seal from the project. All voted aye on voice vote; **motion passed**. Councilman Carvell made a motion, seconded by Councilman Eberhardt to pay Moore Engineering invoice 8256 for \$40,519.95. All voted aye on roll call vote; **motion passed**.

*State Highway 18/County Highway 10 Improvements*

This reconstruction of 5<sup>th</sup> Street North between 4<sup>th</sup> Avenue and Langer is estimated to cost around \$2,000,000 with net cost to the city of \$200,000 for construction only after the Small Town Revitalization Grant plus engineering fees. This project would be slated for 2017 after the radial T improvement in 2015. The state is requesting the city to sign a document stating whether to go ahead with the project or not. The mayor requested that the total cost be presented to council before a decision is made. It was noted that the county also wants to meet with the school, city and other interested parties regarding improvements on Highway 10 east of Langer and the school board is talking about selling the superintendants' house and putting in a closed street for school access.

*Industrial Park Drainage*

Maple River Grain will contact Moore Engineering when they come to a decision.

If a resident questions a vehicle that is parked longer than 72 hours, they should contact dispatch.

Councilman Francis made a motion to adjourn at 9:30 pm.

Preliminary budget meeting August 13, 2014 at 7:00pm.

Next regular meeting September 2, 2014 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor