

**CITY OF CASSELTON**  
**Monday, December 5, 2011**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Ed McConnell, Councilmen Pete Silbernagel, Phil Spooner, Steve Link, Fred Wangler, Craig Tillisch and Paul Spooner.

Also present: Public Works Supervisor Kevin Mayer, City Attorney Del Losing, Auditor Sheila Klevgard, City Engineer Brandon Oye, Lin Smithwick, Deputy Keenan Zundel, Doug Howard, Harvey Morken, Chad Engels, Bill Hejl, Bob Runck, Rich Hawkins, Diane Spoerl and Dan Leino.

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

Councilman Steve Link made a motion, seconded by Councilman Craig Tillisch to approve the minutes of November 7 and 14, City Attorney's Report, Police Report, Municipal Judge's Report, and the delinquent utilities list. All voted aye on roll call vote; **motion passed.**

**Police Report**

There have still been some burglaries although they have some confessions too. There were less calls this month but there are many minors out drinking and doing drugs. Curfew is being enforced and residents are asked to lock their doors to discourage thefts. There has been only one vehicle theft and the keys were left in it. They are hitting the easy targets.

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

Aflac	\$115.50	Kaufman Construction	\$4,347.50
Ameripride	\$155.47	King Farms Trucking	\$266.00
Arrowhead Transport	\$876.80	Medica	\$3,461.71
Avesis Vision	\$62.27	Mid-States Wireless	\$95.00
Cass County Reporter	\$595.37	Municipal Govt Academy	\$15.00
Cass County Treasurer	\$10,164.66	ND DOT	\$304.06
Cass County Electric	\$469.55	North Dakota One Call	\$24.70
Casselton Ambulance Assn	\$1,200.00	ND Sewage Pump	\$450.00
Casselton Lumber	\$3.98	NorthStar Safety	\$78.65
Casselton Parks & Rec	\$5,000.00	NW Tire	\$530.48
Cass Rural Water Users	\$23,195.07	Ohnstad Twichell	\$4,450.00
City of Fargo	\$3,123.25	OK Tire	\$674.58
Fargo Water Equip	\$2,500.00	Ottertail Power	\$3,567.27
Fargo Freightliner	\$139.74	Paul Bunyan	\$300.00
Gast Construction	\$46,057.70	Powerplan	\$506.79
Gordy's Inc.	\$135.94	Sam's Club	\$93.90
Guardian	\$558.69	Scheels Home & Hardware	\$28.97
Hardware Hank	\$345.17	St Paul Stamp Works	\$99.15
Haugen Cleaning	\$420.00	Sturdevant's	\$292.09
Hawkins Chemical	\$821.11	Verizon Wireless	\$146.41
Jerry's Excavating	\$2,000.00	Weber Insurance Agency	\$173.00
Johnson Pest Control	\$55.00	Xcel	\$62.88

**CITY OF CASSELTON**  
**Monday, December 5, 2011**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

**Financial Statement**

Councilman Steve Link made a motion, seconded by Councilman Craig Tillisch to approve the financial statement. General Fund \$123,676.90; Special Revenue Funds \$814,126.04; Debt Service Funds \$504,999.43; Construction Funds (\$430,730.93); Special Assessment Funds \$26,355.24; Enterprise Funds \$365,243.60; Trust and Agency Funds \$12,312.02; total \$1,415,982.30. All voted aye on roll call vote; **motion passed.**

**Correspondence**

Moore Engineering is having a Customer Appreciation Open House on Wednesday, December 14 from 4 to 10pm. A man in Spain requests a police patch for his collection. A city police patch or sheriff's patch will be sent out.

**Traffic Ordinance**

This is the second reading of the amendment to Ordinance #173 which incorporates any changes in state traffic laws into our ordinance. Councilman Steve Link made a motion, seconded by Councilman Pete Silbernagel to adopt this amendment. All voted aye on roll call vote; **motion passed.**

**Engineers Agenda**

*Quiet Zone* – A cost estimate of \$16,000.00 for the 8<sup>th</sup> Avenue crossing has been received from BNSF. Councilman Pete Silbernagel made a motion, seconded by Councilman Fred Wangler to approve the BNSF crossing installation agreement for 8<sup>th</sup> Avenue. All voted aye on roll call vote; **motion passed.**

*Street & sewer improvement project* – The main sanitary sewer pumps were tested and are fine. The issue appears to be blockage in the force main at the lagoon. The Public Works Committee will look into the cost of installing a "pig" to clean the line to reduce pressure. There appears to be a substantial increase in the amount of wastewater in the spring due to infiltration of pipes and sump pump discharge into the sanitary sewer when they should be discharged outside. The extra water from sump pumps can double the flow in the sanitary sewer lines. Brandon Oye and Kevin Mayer will give a presentation at a meeting of the CBA with options and costs for improvements along Front Street in order to get their input on how and when improvements should be made.

*194 ditch block and wetland* – According to ND DOT, a wetland delineation must be done followed by an application to the US Army Corp of Engineers to remove the ditch block to increase drainage from the northwest corner of the interchange. Councilman Pete Silbernagel made a motion, seconded by Councilman Fred Wangler to contact the Natural Resource Conservation Service to test the soil to see if it is indeed a wetland. All voted aye on roll call vote; **motion passed.**

*Capital improvement plan* – The list of projects for the survey will be looked at for additions and deletions.

*Clean water state revolving fund* – Councilman Phil Spooner made a motion, seconded by Councilman Steve Link to complete the questionnaire for potential financial assistance in order to keep the sewer rehabilitation and the storm water detention pond in the industrial park projects on their priority list. All voted aye on roll call vote; **motion passed.**

**Mark Wurzer water bill**

The water bill for one of his apartments has been billed the wrong number of gallons since 2005 due to an incorrect multiplier. Council would like to know how many other accounts are incorrect before deciding how far back to make corrections in his bill. Councilman Pete Silbernagel made a motion, seconded by Councilman Phil Spooner to table the decision on this account. All voted aye on roll call vote; **motion passed.**

**CITY OF CASSELTON**  
**Monday, December 5, 2011**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

**Upper Swan Creek Channel Improvements**

Chad Engels, with Moore Engineering, presented proposed improvements to the upper Swan Creek channel on behalf of Casselton Township. This last phase will update the original channel reconstruction from the 1950's to 1960's and the natural channel which has erosion problems. The Maple River-Rush River Joint Water Resource District is not financially prepared to pay for it at this time, however the township could vote to tax themselves. It is expected that this improvement would bring water back into Swan Creek rather than around the northeast side of town. They are looking at financing options such as adjusting the assessment district to include the City of Casselton. Councilman Paul Spooner made a motion, seconded by Councilman Fred Wangler to add this project to the 5-year plan survey. All voted aye on roll call vote; **motion passed.**

**Bond Issue**

Mike Manstrom of Dougherty & Company presented the \$595,000 Refunding Improvement Bonds to cover the special assessment debt from the Storm Sewer District #23 & Safe Routes to School projects. Net of bond discount, \$587,342.63 will be received via wire on December 21, 2011. Councilman Fred Wangler made a motion, seconded by Councilman Craig Tillisch to pass the financing resolution to lock interest rates for 15 years at 2.885% on the \$595,000.00 bond. All voted aye on roll call vote; **motion passed.**

**Days Inn/Governor's Conference Center**

Lowell Gunderson came in to update the council on changes in their business. Two months ago they signed on with Days Inn and are officially online with the Days Inn website. They will continue to use the Governor's name for the RV park, water park and conference center. They will be adding more rooms in the next 2 years including 4 rooms where T's Shamrock is currently located. A bar, Governor's Pub will be set up next to the restaurant where one of the meeting rooms is currently located. Country Kitchen and Governor's Pub will be set up as dba's under the same legal name of L&L LLC. Gordy's will continue to add more cement to the north to increase their parking lot size. He would like the council to consider an off-sale license for the convenience of hotel guests. T's Shamrock lease will be terminated at the end of January. The four billboards on the interstate will be updated with Country Kitchen, Days Inn, Subway and Tesoro.

**Liquor License renewals**

All renewal applications have been received. The application from John Taylor did not disclose all criminal convictions. At least one of the convictions is over 20 years old and did not show up on the initial background check at the time of his initial application. According to Casselton Ordinance it is up to the discretion of the council in this situation whether the application is approved. Councilman Pete Silbernagel made a motion, seconded by Councilman Steve Link to approve all liquor license applications except for Casseltap. All voted aye on roll call vote; **motion passed.** Discussion continued and it was suggested that Del talk to the state to confirm that they knew about the felony at the time of the initial application and whether the state questionnaire was answered correctly. Councilman Paul Spooner made a motion, seconded by Councilman Pete Silbernagel to deny renewal of the Casseltap liquor license. Councilmen Pete Silbernagel, Paul Spooner and Fred Wangler voted aye; Councilmen Craig Tillisch, Phil Spooner and Steve Link voted nay; Mayor Edward McConnell voted nay to break the tie; **motion did not pass.** Councilman Phil Spooner made a motion, seconded by Councilman Steve Link to approve the Casseltap liquor license. Councilmen Steve Link, Craig Tillisch, Phil Spooner and Fred Wangler voted aye; Councilmen Paul Spooner and Pete Silbernagel voted nay; **motion passed.**

**CITY OF CASSELTON**  
**Monday, December 5, 2011**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

**Law Enforcement Center**

A coat rack and shelf will be installed in the closet and the front door shaved to make it easier to open. The broken window will be replaced with a white vinyl energy glass window for an estimated \$175.00 and \$150.00 labor.

**Council Salaries**

Currently pay is based on regular meeting attendance only. Councilman Phil Spooner made a motion, seconded by Councilman Paul Spooner to amend the ordinance and make this the first reading to not required meeting attendance to be paid, effective upon the 2<sup>nd</sup> reading of the amendment. Councilmen Phil Spooner, Craig Tillisch, Steve Link and Paul Spooner voted aye; Councilmen Fred Wangler and Pete Silbernagel voted nay; **motion passed**

**Board Appointments**

Councilman Steve Link made a motion, seconded by Councilman Fred Wangler to appoint Virgil Schulz for another 5 years to the Planning and Zoning Committee. All voted aye on roll call vote; **motion passed**. Councilman Steve Link made a motion, seconded by Councilman Craig Tillisch to appoint Dan Weber, Paul Roster and Jaci Sullivan for another 2 year term to the Sales Tax Committee. All voted aye on roll call vote; **motion passed**. It was noted that there is still a vacancy on the Cemetery Board and on the Tourism Committee.

**Investment option**

Councilman Craig Tillisch made a motion, seconded by Councilman Pete Silbernagel to table this discussion. All voted aye on roll call vote; **motion passed**.

**2012 Salaries & benefits**

The city currently pays 70% of the family and 100% of the single insurance premium. The contribution to the pension plan is 9% of the employees' gross pay. Council will review employee benefits in March after looking at the area study put out by ND League of Cities in order to stay competitive. Councilman Fred Wangler made a motion, seconded by Councilman Pete Silbernagel to increase employee salaries 1.5%. All voted aye on roll call vote; **motion passed**. 2012 salaries are as follows: Auditor \$35,525.00; Administrative Assistant \$12.50 per hour; Public Works Supervisor \$48,084.30; Assistant Public Works Supervisor \$17.39 per hour; Laborer 1 \$14.65 per hour; Laborer 2 \$13.30 per hour; Laborer 3 \$14.17 per hour; Laborer 4 \$16.89 per hour; Assessor \$3,706.13 plus building permit fees; Clerk of Court \$1,239.19.

**Snow removal**

Snow in the cul-de-sacs will be windrowed and removed immediately rather than pushing it into the yards and removing it once there are large piles.

Meeting adjourned at 9:33pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor