

CITY OF CASSELTON
Monday, December 7, 2015
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Mike Eberhardt, Charlie Francis, Fred Wangler, Ed McConnell and Kent Buss. Also present: Dan Weber, Carol Weber, Angela Kolden, Dan Triller, Steven Stremick, Jeff Hoye, Evan Anderson, Jack Haines, Morgan Forness, Julie Nelson, City Auditor Sheila Klevgard, Deputy Mathew King, City Engineer Brandon Oye and City Attorney Del Losing.

Minutes, Consent Agenda, Bills and Financial Report

Councilman McConnell made a motion, seconded by Councilman Eberhardt to add State Water Commission to the agenda following the Engineers Agenda. All voted aye on voice vote; **motion passed**. Councilman Wangler made a motion, seconded by Councilman Buss to approve the order of the amended agenda. All voted aye on voice vote; **motion passed**. Sheriff's office reported a lower number of calls probably due to colder weather. Due to an error in the state fee recorded in TraCS, a ticket was issued for \$50 rather than \$100; this error has been fixed. The online version, TraCS Web, will automatically send violations where they need to go. The auditor will get a login and password to print the tickets once the system is up and running. King recommends that garage doors be closed and cars and residences locked to prevent easy access to thieves. Councilman Wangler made a motion, seconded by Councilman Francis to approve the minutes of September 30 and November 2, 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 made a motion, seconded by Councilman Francis to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Aflac	\$180.24
Ag Spray Equipment	\$85.68
Ameripride	\$187.94
Avesis Vision	\$123.01
Birch Communications	\$596.94
Blue Cross Blue Shield	\$4,980.90
Brenco Corporation	\$35.00
Cass County Electric	\$740.50
Cass County Reporter	\$344.80
Cass County Treasurer	\$11,261.35
Cass Rural Water Users	\$25,712.32
Casselton Ambulance Assoc	\$1,200.00
Casselton Lumber	\$633.47
Casselton Parks & Rec	\$5,000.00
Casselton Public Library	\$6,280.00
City of Fargo	\$4,838.42
Colonial Life	\$165.88
Curt's Lock and Key Service	\$105.00
Dakota Supply Group	\$332.50
Fargo Freightliner	\$113.20
Guardian	\$852.73
Hardware Hank	\$56.13
Johnson Pest Control	\$263.00

J.P. Cooke	\$95.50
Kaufman Construction	\$7,015.00
Mac's	\$60.50
Midnight Solutions	\$120.00
NDLC	\$120.00
North Dakota One Call	\$68.20
NDSU Extension Pesticide Program	\$65.00
New Horizons Electric	\$571.28
Northern States Supply	\$5.27
NorthStar Safety	\$94.70
ODB Company	\$2,276.44
Ohnstad Twichell	\$1,500.00
OK Tire	\$1,857.73
Ottertail Power	\$3,973.29
Petro Serve USA	\$8,952.98
Powerplan	\$54.58
Steve's Heating & A/C	\$105.00
Sturdevant's	\$310.80
Structural Materials	\$170.10
Swanston Equipment	\$132.56
Verizon Wireless	\$149.58
Xcel	\$103.87

Financial Statement

Councilman McConnell made a motion, seconded by Councilman Carvell to approve the financial statement. General Fund \$66,129.86; Special Revenue Funds \$812,138.69; Debt Service Funds \$1,427,869.41; Construction Funds \$211,236.97; Special Assessment Funds \$989,206.72; Enterprise Funds \$464,037.32; Trust and Agency Funds \$14,980.11; total \$3,985,599.08. All voted aye on roll call vote; **motion passed**.

Dog & Cat Ordinance

There were no changes from the first reading of the proposed addition that animal feces must be picked up by the person having

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custody or control of the animal. Councilman Francis made a motion, seconded by Councilman Eberhardt to approve the second reading of the ordinance. All voted aye on voice vote; **motion passed.**

Planning & Zoning

The commission recommended approval of a conditional use permit request from Fred Wangler, with a renewal review in six months, for retail sales including general merchandise, groceries and new and used equipment at 42 6th Avenue North. Councilman Buss made a motion, seconded by Councilman Francis to approve the permit as recommended. All voted aye on voice vote; **motion passed.**

Move Building into Town

Russell Muscha requested a moving permit to move a 15 x 24 foot wood frame granary to 21 13th Avenue N. Kevin Mayer inspected the building and recommends approval. Councilman Eberhardt made a motion, seconded by Councilman Wangler to approve the permit pending engineer's approval. All voted aye on voice vote; **motion passed.**

Sewer and Water to North Land

Stremick would like the city to look at adding infrastructure to help development of the ninety acres on the north side of town. The school may want to purchase land west of the school and does not want Langer Avenue to extend north and without knowing what is planned for the area the city cannot put in an appropriately sized lift station or roads. To help get things started Oye proposed five hours of work with Stremick to get a basic idea of road design at a cost of \$750.00. Councilman Buss made a motion, seconded by Councilman Eberhardt to approve the initial work for a road design at a cost of \$750.00. All voted aye on roll call vote; **motion passed.**

50 Foot Lots

Ordinance committee recommended an exception to the land use ordinance which would allow any already platted lot, a minimum of 50 feet wide, to be considered buildable, although construction must meet all lot coverage and setback zoning requirements. Another more restrictive option was also presented but Councilman Wangler made a motion, seconded by Councilman Buss to approve the first reading as recommended. All voted aye on roll call vote except for McConnell who voted nay; **motion passed.**

Library Board Appointments

Councilman Wangler made a motion, seconded by Councilman Eberhardt to appoint Wendy Mensing and Kristen Hackmann to three year terms. All voted aye on voice vote; **motion passed.**

Liquor Licenses

The Udder Bar failed two compliance checks in 2015 and Sergeant Dean Haaland recommended that their license renewal carry the requirement that all their employees take server training by March 1, 2016. Councilman Buss made a motion, seconded by Councilman Wangler to approve all the license renewals with the Udder Bar being approved on the condition that all their employees complete server training by March 1, 2016. All voted aye on voice vote; **motion passed.**

Salaries

Salaries had been reviewed at budget time and proposed rates were established at that time. Councilman Francis made a motion, seconded by Councilman Buss to approve salaries as proposed. 2016 wages are as follows: Auditor \$40,255.62; Administrative Assistant \$12.40 per hour; Public Works Supervisor \$53,780.30; Public Works Assistant Supervisor \$20.50 per hour; Laborer 1 \$19.72 per hour; Laborer 2 \$16.79 per hour; Laborer 3 \$14.95 per hour; Clerk of Court \$1,374.43; Janitor \$13.93 per hour; City Forester \$4,000.00; Landfill Operator \$11.00 per hour; Mosquito Sprayer \$13.00 per hour; Part-time Public Works Laborer \$10.00 per hour; Snow Removal \$15.00 per hour. All voted aye on roll call vote; **motion passed.**

Sheriff's contract

Councilman Francis made a motion, seconded by Councilman Buss to renew the sheriff's contract at the same annual rate of \$135,136. All voted aye on roll call vote; **motion passed.**

Engineer's Agenda

State Highway 18/2nd Street N – An award recommendation letter was received from the state. Northern Improvement was the low bidder at \$369,574.36 out of 5 bidders. The bid is less than the engineer's estimate but 10% higher than last year's low bid.

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Total project cost is \$523,827.90 including engineering fees. The total grant no longer covers 90% of the total cost so as of now anticipated city cost is \$168,453.90 Councilman Wangler made a motion, seconded by Councilman Francis to award the contract to Northern Improvement and request more funding from the state. All voted aye on roll call vote; **motion passed.**

Industrial Park Storm Sewer Improvements – Land survey is complete; visited with Maple River Grain & Agronomy about the plan and they are onboard although they would like to remove the trees on the north end since many of them are dead. Easements may be needed from the NDSU Agronomy Seed Farm, Maple River Grain & Agronomy, Red River Valley & Western and BNSF.

Water Tower Improvements – Councilman Francis made a motion, seconded by Councilman Carvell to submit the DWSRF questionnaire to keep the water tower on the priority list. All voted aye on voice vote; **motion passed.**

State Water Commission – Michelle Klose, the assistant state engineer, left a voice message for Mayer approving funding for 35% of preconstruction/design cost. The next biennium funding will be discussed shortly and they will only address projects that are shovel ready. Oye prepared a preliminary opinion of cost for the water tower which showed \$110,000 in preconstruction costs of which the local share would be \$71,500. \$1.89 million of construction costs with a 60% grant would cost the city an additional \$756,000 for the remainder of project. Councilman Francis made a motion, seconded by Councilman Eberhardt to send out a Request for Qualification to solicit for an engineer on this project. All voted aye on voice vote; **motion passed.**

Oye indicated Moore Engineering's appreciation of the long term relationship they have had with the city.

Executive session

Councilman McConnell made a motion, seconded by Councilman Eberhardt to hold an executive session to discuss the lawsuit with KPH by the authority of NDCC 44-04-19.1(2) and (9). All voted aye on roll call vote; **motion passed.** Present: Mayor Lee Anderson, Councilmen Joan Carvell, Mike Eberhardt, Charlie Francis, Fred Wangler, Ed McConnell and Kent Buss. Also present: City Auditor Sheila Klevgard and City Attorney Del Losing. Executive session was called to order at 9:03pm; Losing gave his opinions on the legal issues in the lawsuit and the status of negotiations. The executive session adjourned at 9:17pm.

Honor Kenny Habiger

On December 18 Senator Heitkamp plans to be at the Casselton Ambulance and Greg Kempel thought it would be a good time to honor Kenny Habiger for 60 years of service in emergency health care and as the local Veterans Service Officer. It was suggested that the city might want to do something also. Council members will consider something for the next meeting.

Councilman Wangler made a motion to adjourn at 9:23 pm.

Next regular meeting January 4, 2016 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor