

**CITY OF CASSELTON**  
**Monday, January 5, 2015**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Charlie Francis, Kent Buss, Fred Wangler, Mike Eberhardt and Ed McConnell. Also present: Matt Thompson, Tim McLean, City Auditor Sheila Klevgard, Deputy Matt King, City Engineer Brandon Oye, Public Works Supervisor Kevin Mayer, Steve Link and City Attorney Del Losing.

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

Councilman McConnell made a motion, seconded by Councilman Wangler to approve the minutes of December 1, City Attorney's Report, Municipal Judge's Report, Police Report and the delinquent utilities list. All voted aye on voice vote; **motion passed**. Councilman McConnell made a motion, seconded by Councilman Eberhardt to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Aflac	\$235.24	Hardware Hank	\$160.94
Ameripride	\$206.25	Jerry's Excavating	\$5,673.28
Avesis Vision	\$100.40	John Deere Financial	\$22.18
Blue Cross Blue Shield	\$4,809.34	Johnson Pest Control	\$55.00
BNSF	\$5,206.74	Midnight Solutions	\$120.00
Bremer Bank	\$56.00	Motion Industries	\$6.20
Business Essentials	\$50.79	NDLC	\$1,810.00
Butler Machinery	\$39.95	ND Municipal Finance Assn	\$60.00
Cass County Electric	\$606.60	ND Municipal Judges' Assn	\$25.00
Cass County Reporter	\$783.46	North Dakota One Call	\$31.35
Cass County Treasurer	\$108,127.95	ND Rural Water Systems	\$225.00
Cass Rural Water Users	\$22,525.76	ND Water Users Assn	\$200.00
Casselton Bus Assn	\$30.00	Corey Nelson	\$38.52
Casselton Lumber	\$227.61	Ohnstad Twichell	\$2,042.00
Casselton Parks & Rec	\$1,896.36	Orbitcom	\$279.04
Casselton Public Library	\$722.00	Ottertail Power	\$4,488.11
City of Fargo	\$4,822.84	Petro Serve USA	\$1,411.08
D.J.'s Plumbing	\$195.14	Sturdevant's	\$357.48
Becky Dunker	\$19.58	Summit Group	\$7,068.00
Fargo Tire Service	\$849.30	Christina Tartaglia	\$19.15
Fargo Tractor	\$5,000.00	Team Laboratory	\$7,100.00
Fargo Water Equip	\$14,760.67	Titan Machinery (CNH Capital)	\$15.00
Gateway GM Parts	\$18.81	Verizon Wireless	\$148.26
Guardian	\$794.05	Xcel	\$369.78

**Financial Statement**

Councilman Wangler made a motion, seconded by Councilman Buss to approve the financial statement. General Fund \$104,004.76; Special Revenue Funds \$638,430.46; Debt Service Funds \$1,267,237.37; Construction Funds \$(107,117.56); Special Assessment Funds \$884,473.93; Enterprise Funds \$381,058.29; Trust and Agency Funds \$16,447.53; total \$3,184,534.78. All voted aye on voice vote; **motion passed**.

**Fire Department Annual Report**

The fire chief, Tim McLean, gave a verbal summary of 2014. They had 71 calls, down 30 calls from the average. Of these there were five structure fires, two mutual aid calls and seven grass fires. One of the big differences is that chimney fires were big in years past. There were many nuisance calls on carbon monoxide and fire detectors that just needed new batteries.

- The new parking lot design has been completed by Moore Engineering. They now need to approach the state

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- regarding cutting the curb along Langer Avenue and then they will put up a privacy fence for the neighbors.
- They are also working on getting a new engine and will decide in a few months what to order with a one year timeframe to get it built. This truck won't be a replacement since there is still room in the building for another truck. It will be similar to the last purchase but will have additional equipment. The other fire trucks are aged but are in good shape and maintained by running them a couple times each month just to keep them operating properly and preventing scale build up. The old city truck is good for Halloween but not much else.
  - Eight firemen went to the Colorado crude oil training. It was more of an awareness class but they were able to have hands-on with foam. Casselton firemen were the only ones in attendance who have responded to three train derailments. The railroad paid for the airline, hotel, meals and some spending money. BNSF is funding for 500 participants and the other rail lines are paying for more. The training facility has been in existence since 1985 but the crude oil training has only started this year. It was well worth the trip and he hopes they will have other firemen who can attend in the future.

**Gaming Site Authorization**

The Vets Club has submitted a request for authorization to have pull tabs at The Udder Bar. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the gaming site authorization. All voted aye on voice vote; **motion passed.**

**Judge's Salary**

The ND Joint Procedure Committee prescribes rules for the state of North Dakota. Administrative Rule 30 contains recommended standards for municipal courts. The recommended compensation for municipal judges has been increased from \$1,800 to \$3,096 for cities with a population between 1,500 and 3,000. Municipal court meets twice a month although there usually isn't anyone challenging their ticket. The judge also attends annual training. There was discussion about getting rid of the court at the time the police department was disbanded, but it was kept to deal with issues such as junk cars and property that district court wouldn't want to deal with. Revenues from traffic fines which are at 1950's rates don't support an increase in salary; however, recent communication with deputies has been good and the city is working toward e-citations where non-Casselton deputies can write tickets into municipal court. Councilman McConnell made a motion, seconded by Councilman Carvell to approve the salary increase to \$258 per month for 2015. All voted aye on roll call vote; **motion passed.**

**Wells Fargo Property Donation**

Wells Fargo owns the property at 321 5<sup>th</sup> Avenue North in Casselton and is offering the property to the city with a \$10,000 cash donation. They will provide marketable title to the property, pay taxes up to the day of closing, pay all past utility bills and pay for closing costs to transfer the title. It is a 50 foot lot with \$2,500 in specials and the house is in pretty bad shape with the peak covered in plastic and shingles that should have been replaced long ago. It was suggested to accept the property and put it up for sale without doing anything to the property. Losing reminded everyone that there are restrictions as to how the city can dispose of property. If the value is over \$2,500 it must be put out for bid or as a multiple listing with real estate agents. The general public must be given the option to purchase it. Councilman Carvell made a motion, seconded by Councilman Eberhardt to accept the offer. All voted aye on roll call vote; **motion passed.**

**Johnson Property South**

Stremmick doesn't want to pay the 4% city engineering fees which are charged if they use their own engineers to design and manage the infrastructure development of the property. Oye pointed out that the contract states that they should budget for 4% of the total cost for additional engineering fees, although Moore will only do work as needed to inspect and review plans. Their scope of work is undefined and they would do work as needed to answer questions and sit in on meetings. The city maps will also need to get updated. Part of the whole process is that the city reviews the plans to protect city's standards and ND Department of Health also needs to review the sewer and water plans. Stremmick represents his interest and Moore will represent the city's interests. As long as they use a

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reputable professional engineer the city should be able to trust them to do the inspections. Councilman Carvell made a motion, seconded by Councilman Buss not to waive the 4% engineering fees. All voted aye on voice vote; **motion passed.**

**Engineer's Agenda**

*Sewer & Street Improvement District #25* – Mayer, Oye, Losing, Anderson and McConnell will have a meeting on Wednesday at 3pm to review the letter received from KPH. Construction administration fees charged by Moore is a lump sum for the project which was expected to be completed in November 2013. Moore is billing for additional time due to the delayed completion which should be covered by liquidated damages. The city is retaining over \$400,000 to cover the liquidated damages. Councilman Buss made a motion, seconded by Councilman Wangler to approve invoice 9375 for \$18,254.55. All voted aye on roll call vote; **motion passed.**

*Levee Improvements* – Moore responded to the Corps' questions about how the levee segments tie together along the east side from the old section to the new and along the southeast corner where it meets the diversion. Councilman McConnell made a motion, seconded by Councilman Carvell to approve invoice 9376 for \$1,273.94. All voted aye on roll call vote; **motion passed.**

*State Highway 18/2<sup>nd</sup> Street N* – The bids were rejected and new bids will be requested in March after a few changes in design are made. The salvaged asphalt millings mixed with virgin class 5 gravel will be used as part of the base material to decrease the cost of the project. Braun Intertec will do a sieve analysis on the millings for \$500 which will allow the bidders to know what type of material they will be dealing with. There's about 350 yards of millings stockpiled and 100 yards of blended base. The project will probably need use about 250 yards of millings to achieve the 50% blend. Councilman Buss made a motion, seconded by Councilman Francis to approve hiring Braun Intertec to run the analysis. All voted aye on roll call vote; **motion passed.**

*State Highway 18/County Highway 10 Improvements* – Moore submitted the feasibility study contract to the County Commission which was approved as a 50/50 cost share with the city. The estimated cost is \$24,500 to complete the study. Oye stated that Moore could hold the bill for the city's share and add it to the project cost. The work on the western section is to eliminate problems with culverts in the road and mosquito issues. Councilman Wangler made a motion, seconded by Councilman Francis to approve the feasibility study with the city's cost being added into the project when and if it gets done. All voted aye on voice vote; **motion passed.**

*Cottonwood Estates – Side Yard Storm Sewer Pipes* – Oye is still working on exhibits for the easements.

**Police Report**

There were 41 calls this month, with a small increase in burglaries. The deputy reminds everyone to take caution on the roads with snow now here. There have been some complaints for parking so they have been writing tickets.

Councilman Wangler made a motion to adjourn at 8:09 pm.

Next regular meeting February 2, 2015 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor