

CITY OF CASSELTON
Monday, July 2, 2012
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Edward McConnell, Councilmen Steve Link, Lee Anderson, Mike Eberhardt, Fred Wangler, Joan Carvell and Paul Spooner (who arrived late). Also present: Public Works Supervisor Kevin Mayer, Lin Smithwick, City Auditor Sheila Klevgard, Rich Hawkins, Dan Weber, DeAnn Grommesh, Diane Spoerl, Woody Gunderson, City Engineer Brandon Oye, Scott Mensing, Deputy Joe Hedin and Robert Schmaltz.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Link made a motion, seconded by Councilman Wangler to approve the minutes of June 4, 7 and 26, City Attorney's Report, Municipal Judge's Report, Police Report and the delinquent utilities list. All voted aye on roll call vote; **motion passed**. Councilman Spooner arrived. Bills from BNSF were reviewed; more bills are expected from them. Invoice 3038 regarding Sanitary Sewer #24 from Moore Engineering was reviewed which includes \$60,000 in Studies & Report costs. The project took two years of review prior to finalizing the scope of the project causing this cost to be quite high. Councilman Eberhardt made a motion, seconded by Councilman Wangler to approve the following bills and refunds for the month of July. All voted aye on roll call vote; **motion passed**.

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|--------------------------|--------------|
| Ameripride | \$258.30 |
| Avesis Vision | \$74.09 |
| Blue Cross Blue Shield | \$4,583.40 |
| BNSF | \$123,326.23 |
| Cass County Reporter | \$1,372.11 |
| Cass County Electric | \$427.36 |
| Casselton Cold Storage | \$800.00 |
| Casselton Fire Dept | \$4,000.00 |
| Casselton Lumber | \$37.50 |
| Casselton Parks & Rec | \$5,050.00 |
| Casselton Public Library | \$20,000.00 |
| Cass Rural Water Users | \$29,677.89 |
| City of Fargo | \$3,134.60 |
| City of Grand Forks | \$50.00 |
| Guardian | \$671.08 |
| Hardware Hank | \$147.83 |
| Haugen Cleaning | \$450.00 |
| Hawkins Chemical | \$2,020.46 |
| Jayhawk Software | \$1,246.00 |
| John Deere Financial | \$188.10 |
| Johnson Pest Control | \$55.00 |
| Kaufman Construction | \$1,830.00 |

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|---------------------------|--------------|
| Mid America Meter | \$442.50 |
| Midnight Solutions | \$240.00 |
| Moore Engineering | \$119,852.50 |
| ND Dept of Health | \$60.00 |
| Ohnstad Twichell | \$5,250.00 |
| Orbitcom | \$304.99 |
| Ottertail Power | \$3,557.91 |
| Paul Bunyan | \$132.80 |
| Petro Serve USA | \$1,012.94 |
| Powerplan | \$311.58 |
| Karen Peterson | \$200.00 |
| Scheels Home & Hardware | \$89.98 |
| Sheyenne Gardens | \$689.50 |
| State Fire & Tornado Fund | 3613.37 |
| Sturdevant's | \$197.06 |
| Structural Materials | \$505.20 |
| Team Laboratory | \$2,404.75 |
| Titan Access Account | \$316.15 |
| Verizon Wireless | \$152.45 |
| Weber Insurance Agency | \$11.00 |
| Wisnewski's Top Cut | \$1,100.00 |
| Xcel | \$61.57 |

Financial Statement

Street department is over budget on vehicle repairs, mostly due to the front differential going out on the payloader. It is a 1993 model with 6800 hours and should have 40% of its life remaining. The road time for moving recycling containers could have something to do with it. Health insurance is over budget which was expected. Councilman Wangler made a motion, seconded by Councilman Anderson to approve the financial statement. General Fund \$125,142.88; Special Revenue Funds \$651,117.71; Debt Service Funds \$669,419.70; Construction Funds \$(19,452.10); Special Assessment Funds \$402,384.35; Enterprise Funds \$426,633.08; Trust and Agency Funds \$27,291.02; total \$2,282,536.64. All voted aye on roll call vote; **motion passed**.

Correspondence

The \$100,000 annual payment from Maple River Water Resource District for the Swan Creek Diversion Reconstruction Project was received.

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Ottertail Power Poles on Residential Lot

Dan Weber presented photos showing the Ottertail poles located on the residential lot along 1st Ave N and 5th St N west of his home. These poles are quite close to the 1st Ave N road and in his opinion present a safety issue. There are supposed to be vertical bars on the cement bunkers supporting the poles to prevent the poles from rolling off. Most of these vertical bars are missing creating a safety issue to neighborhood children. The poles also appear to be on the city right of way property. He also believes that all the poles should be moved to Ottertail's commercial lot east of town where they are already storing some poles. This will make the residential lot safer and create a green space making it esthetically pleasing. He requested the city to send a letter to Ottertail requesting them to move the poles within 12 months although the safety issues should be addressed immediately. The mayor is concerned that Ottertail may move the poles closer to Weber's lot since they really don't want to move them to the new site until it has been graded properly. The city would be able to get the poles off of the right of way but not off of the residential property since the poles were there prior to the lot being zoned residential. Ottertail's expected timeframe to move the poles is 5 years. The \$100,000 for dirt work was in their budget for this year but got bumped. Councilman Spooner made a motion, seconded by Councilman Link to send a letter from the city attorney to Ottertail Power regarding this issue. All voted aye on roll call vote with Councilman Carvell abstaining from the vote; **motion passed.**

Summerfest

DeAnn Grommesh requested a waiver of the open container ordinance to allow alcohol in the streets during Summerfest on Thursday, July 26 through Sunday, July 29 at 1am and to close streets as needed for the Summerfest events. Councilman Link made a motion, seconded by Councilman Spooner to approve the request. All voted aye on roll call vote; **motion passed.**

Beer Sales on Sidewalks

Scott Mensing requested the city to allow the bars to sell beer on the sidewalks and the Vets Club to sell under their canopy during Summerfest to improve the flow of people in the downtown area. Deputy Hedin spoke with Sergeant Nitschke who said it has been done in the past with no issues, and Deputy Sprecher said selling outside was better for keeping the building occupancy within fire code. They do request however that no bottles are allowed on the streets. The only concern the mayor had heard about was that large crowds around the tanks may make it more difficult to make sure those getting beer were of legal age. Last year the sheriff's department said it was easier to contain sales within the buildings. Councilman Wangler made a motion, seconded by Councilman Anderson to approve the sale of beer on the sidewalk and outside the building at the Vets Club. Councilmen Anderson, Wangler, Eberhardt and Link voted aye on roll call vote; Councilmen Carvell and Spooner voted nay; **motion passed.**

Raffle Permits

Councilman Link made a motion, seconded by Councilman Spooner to approve the permit application from ND Farm Bureau provided all paperwork was in order. All voted aye on roll call vote; **motion passed.**

Engineers Agenda

DOT put a **ditch block** north of the interstate on the east side of Highway 18 causing a wetland on the west side. Brandon suggested hiring Jetway to televise the culvert under Highway 18 to verify the culvert is still good, because it would cost quite a bit to replace it. The mayor requested a quote for the next meeting.

Sanitary Sewer #24 preconstruction meeting was held on June 27 with KPH, ND Department of Health, Kevin Mayer and Brandon Oye in attendance. Work will be starting on the force main and Front Street replacement in mid August by KPH with a deadline of October 15th, while the relining and manhole rehabs will start in September with a due date of November 1st. Sewer rates were increased \$10 per month to pay for this project with a 2.5% 20 year loan from SRF. Trenching will be done 20' wide on Front Street, 14'-16' deep from 8th Avenue to 10th Avenue to gain a uniform grade and larger capacity. The relining is to address infiltration from ground water. Cold patches in the alley between 8th and 9th will need to get done to improve access to the businesses. The contractor will work with business owners to allow traffic if possible. Sidewalks will be closed for service line connections, but will need to get backfilled if they can't get cement quickly. They will try to keep one lane open.

The **Quiet Zone** was finished up last month. Payment request #3 for final payment to Key Contracting was presented for \$25,739.44. The contractor issued a warranty to reseed the grass. It may take a few weeks to get the train engineers adjusted to

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not blowing their horns. Councilman Wangler made a motion, seconded by Councilman Link to approve the final payment. All voted aye on roll call vote; **motion passed.**

Councilman Anderson made a motion, seconded by Councilman Spooner to approve Moore Engineering invoice #3478 for Sanitary Sewer #24 of \$3,185.00. All voted aye on roll call vote; **motion passed.**

Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve Moore Engineering invoice #3497 for Quiet Zone Street Improvements of \$2,838.80. All voted aye on roll call vote; **motion passed.**

The League of Cities annual conference is September 20-22nd. Mayor McConnell recommends attendance by all council members.

Kevin Mayer recommends street patches at seven sites. The estimate from Hubert Oye is a total of \$54,301. A finance and public works committee combined meeting will be scheduled for some time during the week of July 16th.

Next regular meeting is August 6, 2012 at 7:00pm.

Councilman Link made a motion to adjourn at 8:10pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor