

CITY OF CASSELTON
Monday, July 6, 2015
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Charlie Francis, Fred Wangler, Ed McConnell and Mike Eberhardt. Also present: Dan Triller, Lorne Sterner, Jackie Wruck, Jessica Heuer, Jerry Jordan, Diane Spoerl, Dan Weber, Colleen Leitheiser, Keith Anderson, Mark Johnson, Erin Starhoff, Jessica Hoglund, Shannon Bueche, William Lipp, Patrick Stahl, Bruce Jorgenson, City Auditor Sheila Klevgard, Deputy Mathew King, City Engineer Brandon Oye, Public Works Supervisor Kevin Mayer and City Attorney Del Losing.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Wangler made a motion, seconded by Councilman McConnell to approve the minutes of May 28 and June 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 Carvell made a motion, seconded by Councilman McConnell to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Adapco	\$5,800.30	Mid America Meter	\$792.95
Aflac	\$212.62	Midnight Solutions	\$439.98
Ag Spray Equipment	\$139.42	MJ Dalsin	\$248.80
Ameripride	\$177.50	ND Dept of Health	\$100.00
Avesis Vision	\$100.40	North Dakota One Call	\$119.90
Blue Cross Blue Shield	\$4,980.90	ND Sewage Pump	\$13,875.00
Belling Tree Service	\$2,000.00	ND Solid Waste & Recycling	\$60.00
Bremer Bank	\$295.00	New Horizons Electric	\$905.21
Budget Blinds	\$195.00	Ohnstad Twichell	\$1,500.00
Cass County Electric	\$685.49	Orbitcom	\$283.56
Cass County Reporter	\$448.84	Ottertail Power	\$4,508.38
Cass County Treasurer	\$11,482.16	Paul Bunyan	\$1,757.68
Cass Rural Water Users	\$29,974.24	Petro Serve USA	\$624.61
Casselton Cold Storage	\$800.00	Ben Prather	\$100.00
Casselton Fire Dept	\$4,000.00	Ramada Bismarck Hotel	\$74.70
Casselton Lumber	\$14.26	RDO Equipment	\$59.39
Central Sales Inc	\$224.43	S & S Landscaping	\$884.95
City of Fargo	\$5,123.80	Sam's Club	\$24.84
Colonial Life	\$165.88	Sanford Health Occ Med Clinic	\$30.00
Dakota Supply Group	\$1,238.24	Sheyenne Gardens	\$941.00
Essentia Health	\$93.00	John Siverson	\$88.44
Ferguson Waterworks	\$1,000.83	Steve's Heating & A/C	\$96.00
Gordy's Inc.	\$31.65	Sturdevant's	\$275.45
Guardian	\$852.73	Team Laboratory	\$2,250.00
Hardware Hank	\$180.88	US Postal Service	\$114.00
Johnson Pest Control	\$55.00	Verizon Wireless	\$149.58
		Xcel	\$101.56

Financial Statement

Councilman Eberhardt made a motion, seconded by Councilman Carvell to approve the financial statement. General Fund \$89,347.92; Special Revenue Funds \$727,869.44; Debt Service Funds \$1,498,292.13; Construction Funds \$142,864.56; Special Assessment Funds \$1,230,130.43; Enterprise Funds \$499,491.63; Trust and Agency Funds \$11,030.48; total \$4,199,026.59. All voted aye on roll call vote; **motion passed**.

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Correspondence

The county plans to increase the city assessment values 10% and the county assessor is recommending the county sign a contract with Vanguard to do a citywide appraisal for Casselton with a 50% cost share paid by the city over five years. League of Cities requests city representation at a meeting to review the legislative changes.

Public Works

State Water Commission called a meeting with the cities after the state made changes to funding for water projects. There are \$125 million in requests and only \$80 million available. The ND cities will meet the 29th of July at the State Water Commission building in Bismarck to decide which projects get funded and for what amount. Legislature has made changes to allow loans as well as grants. Priority is on quality of water and reducing the number of water systems so the project to join Fargo and West Fargo is quite high and our water tower is low on the priority list. The rural water systems joined together to come to an agreement on how to spend the money available to them a couple of years ago so the fifteen cities represented at the meeting should be able to do the same.

Sunset Clause on Variances

This clause will require commencement of construction within one year of approval of a variance; if construction is not started they would need to reapply. Councilman Eberhardt made a motion, seconded by Councilman Francis to amend the land use ordinance to state that variances that are not acted upon within one year would expire. All voted aye on voice vote; **motion passed**. This is the second reading of this ordinance.

Planning & Zoning

The commission recommends approval of a conditional use permit for Sonshine Center to build a new daycare center and 10 parking places on the city boulevard. They expect nine to ten staff parking spots are needed. Councilman Wangler made a motion, seconded by Councilman Carvell to approve the daycare center. All voted aye on voice vote except Councilman Francis who voted nay; **motion passed**. Councilman Carvell made a motion, seconded by Councilman Wangler to approve additional diagonal parking in the boulevard. All voted aye on voice vote; **motion passed**. Janelle Stahl's daycare was reviewed with no opposition to continuing her permit. Councilman Eberhardt made a motion, seconded by Councilman Francis to approve renewal of the Class B Daycare permit for Janelle Stahl as recommended. All voted aye on voice vote; **motion passed**. Sonshine Center requested a letter of support from the city as part of their Rural Development loan application. Councilman McConnell made a motion, seconded by Councilman Carvell to authorize the mayor and auditor to sign the Certification of Significant Community Support as provided by Rural Development. All voted aye on voice vote; **motion passed**.

ICTC

Intercommunity Telephone Company is putting in fiber optic cable from Wheatland to a cell tower just west of Mapleton. They would like to use the streets and alleys of Casselton to bring cable into town. The planned route is to go south at the ethanol plant to the south side of the diversion then south on 18 and east again south of Gordy's. They will be boring under the paved roads and stay out of the bottom of ditches. Councilman Eberhardt made a motion, seconded by Councilman Francis to approve a first reading for a franchise agreement allowing access to streets and alleys. All voted aye on voice vote; **motion passed**. This action will allow them to expand into town in the future.

Alley Behind Reporter

A petition was presented to council from the residents on the block adjacent to the alley to have the city grade the alley after gravel is added. It was clarified that the road needs to be graded before adding gravel. John, owner of the apartments, has been in contact with Mayer.

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Summerfest

Beuche is finalizing plans for this year's event. She requested 6th Avenue to be swept for the Go Karts on Saturday and for parking on Thursday as they expect 400 cars. She has concern with parking on green spaces as they may be wet and wondering where to put the cars if they can't be there. Archery tag is planned for the lot where the daycare will build. She was looking for flexibility and talked with the sheriff's department to block off parking spots along Langer for the parade. She is contacting the downtown apartment renters to have them park in proper locations. As a courtesy to the Udder Bar she wanted to make sure they are included in the outdoor sales exemption. Councilman Eberhardt made a motion, seconded by Councilman Wangler to allow all bars to sell in front of their building during Summerfest. All voted aye on voice vote except Carvell who voted nay; **motion passed**. The only restriction is no glass.

Health Department Inspection Report

Jerry Jordan stated that the delay in construction of the fire exit was because he was required to use a structural engineer to design it and he finally received a response from Moore today that they need the original to finalize the permit. Francis is concerned about mold in the building on behalf of the tenants and requested approval from council to call the health department to come in and look it over. Jordan said he has had them and others come in and has not received any written reports for inspections. Francis will see if any reports are available.

Casselwood

Now that the trees have been removed north of Casselwood there is concern for snow and wind this winter. The property line is being investigated for a fence rather than trees.

Metro COG

Fargo wants to redo the railroad study to reroute the trains around the city. The new study would look at the area from Barnesville to Casselton.

Forestry Tree Deposit

A tree permit is paid to cover the cost of two boulevard trees for new construction. As the cost of trees, supplies and labor increase, \$200.00 is no longer enough to cover the cost. Councilman McConnell made a motion, seconded by Councilman Francis to increase the tree permit fee for new construction to \$300.00. All voted aye on voice vote; **motion passed**.

Fifty Foot Lot Ordinance

Currently if a house burns down on a 50 foot lot it can't be replaced. A variance could be requested, although that is not an assurance for new owners because it could be denied. Carvell suggested changing the ordinance to replace the house as long as the size and setback is maintained. Councilman Wangler made a motion, seconded by Councilman Francis to have Planning & Zoning bring a realistic plan to council for 50 foot lots with existing homes. All voted aye on voice vote; **motion passed**.

Financial Audit

Construction projects make financials vary greatly from year to year. To keep revenues flat means reduced net income because costs continue to increase. Utility revenues are used to help cover costs of equipment and repairs and the street department which does not have a lot of specified revenue. City share of specials can be levied all in one year if desired because it is not limited on mills or they could be paid off from other funds also. One budgeted item that is not discussed is how much cash should be in the bank. The answer depends on what the city wants to do with the money. Reserves are good to be able to purchase equipment. Councilman Wangler made a motion, seconded by Councilman Francis to approve the audit. All voted aye on voice vote; **motion passed**.

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Highway 18 & 10 NDSTREET Project

The state is requesting confirmation that the city is either going forward on this 2017 project or not. The concern has been how much it will cost and how much improvement is received as well as how will the city pay for it. Councilman Wangler made a motion, seconded by Councilman McConnell to proceed with the project and dedicate 75% of sales tax revenue as soon as the quiet zone is paid off. All voted aye on voice vote; **motion passed.**

Engineer's Agenda

Sewer & Street Improvement District #25 – There is a small amount left to complete on city utility and GIS maps.

State Highway 18/2nd Street N – Dakota Underground is concerned about being able to complete the project this year. They intend to keep the same price and would start and complete the project in the same construction year but they request a new completion date of July 2016. The state wants a letter from the contractor and from the city requesting that the project funding be extended to 2016. Councilman McConnell made a motion, seconded by Councilman Francis to allow the contractor to extend the completion date to July 2016 as long as the project is started and finished in the same calendar year. All voted aye on voice vote; **motion passed.**

State Highway 18/5th Street N – Moore is still working on environmental documents; no real changes since last month.

Industrial Park Storm Sewer Improvements – NDDOT is not in favor of an increased discharge flow into the I-94 ditch. The city has several options at this point: proceed to construct the ditch west of the tracks, proceed with a reduced size detention pond or do nothing. Councilman Carvell made a motion, seconded by Councilman Francis to schedule a public works meeting to make some decisions and hold on any additional work. All voted aye on voice vote; **motion passed.** Councilman McConnell made a motion, seconded by Councilman Eberhardt to pay invoice 10508 for \$3,594.58. All voted aye on voice vote; **motion passed.** Councilman Eberhardt made a motion, seconded by Councilman Francis to pay invoice 10185 for \$1,938.35. All voted aye on roll call vote; **motion passed.**

Water Tower Improvements – State Water Commission funding is available for a potential 75% grant but the priority right now is for shovel ready projects and distribution projects rather than storage projects. Oye recommended that a location for the tower be studied to get the project higher on the priority list.

Cottonwood estates – Still waiting for signed easements.

Councilman Francis made a motion to adjourn at 9:50 pm.

Next regular meeting August 3, 2015 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor