

CITY OF CASSELTON
Monday, July 3, 2017
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Mike Eberhardt, Charlie Francis, Kent Buss and Fred Wangler. Also present: Ed McConnell, Scott Mensing, Rob Schmaltz, Stephen Bartholomay, Michelle Rieniets, Randy Coon, Bill Marcks, Roy Thompson, Lee Fraase, Public Works Supervisor Kevin Mayer, City Auditor Sheila Klevgard, Deputy Jacob Longlet and Ben Longlet.

Minutes, Consent Agenda, Bills and Financial Report

Councilman Eberhardt made a motion, seconded by Councilman Buss to add Ed McConnell to the agenda. All voted aye on voice vote; **motion passed**. Councilman Eberhardt made a motion, seconded by Councilman Francis to approve the agenda. All voted aye on voice vote; **motion passed**. Nite to Unite will be held on August 1 from 5pm to 8pm with a barbeque chicken competition. Day and night shift switched so Deputy Longlet will now be on nights. Councilman Buss made a motion, seconded by Councilman Wangler to approve the minutes of June 5, 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 Eberhardt to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Aflac	\$19.80
Altel	\$75.00
Ameripride	\$156.58
Avesis Vision	\$92.17
Birch Communications	\$403.54
Camas Sand & Gravel	\$341.88
Cass County Electric	\$399.78
Cass County Reporter	\$878.52
Cass County Treasurer	\$12,451.50
Cass Rural Water Users	\$40,122.86
Casselton Cold Storage	\$800.00
Casselton Fire Dept	\$5,000.00
Casselton Parks & Rec	\$10,000.00
Central Sales Inc	\$236.21
City of Fargo	\$4,409.27
Comfort Inn	\$81.90
Sam DeMarais	\$106.43
Essentia Health	\$25.00
Guardian	\$781.84

Hardware Hank	\$44.13
Johnson Pest Control	\$85.00
Medica	\$4,188.79
Midnight Solutions	\$120.00
Municipal Govt Academy	\$25.00
ND Dept of Health	\$85.00
New Horizons Electric	\$561.96
Ohnstad Twichell	\$1,700.00
OK Tire	\$1,938.40
Ottertail Power	\$3,795.14
Paul Bunyan	\$1,416.35
Productivity Plus Account	\$12.40
Reardon Office Equipment	\$370.00
Harold Rotunda	\$9,600.00
Sanford Health Occ Med Clinic	\$60.00
Sanitation Products	\$5,005.80
Steve's Heating & A/C	\$336.00
Verizon Wireless	\$102.65
Xcel	\$96.67

Financial Statement

The Maple River Grain TIF Fund has sufficient funds to pay off the Starion bond for this fund. The next payment date is November 1, 2017. Councilman Francis made a motion, seconded by Councilman Buss to pay off the Starion bond in November. All voted aye on roll call vote; **motion passed**. Councilman Buss made a motion, seconded by Councilman Wangler to approve the financial statement. General Fund \$57,638.97; Special Revenue Funds \$1,172,513.06; Debt Service Funds \$2,008,197.68; Construction Funds \$496,894.39; Special Assessment Funds \$1,415,137.05; Enterprise Funds \$330,659.74; Trust and Agency Funds \$8,477.07; total \$5,489,517.96. All voted aye on voice vote; **motion passed**. Preliminary budget meeting was set for July 31, 2017.

Public Works

The State Health Department is requiring one more bac-t sample each month due to Casselton's increase in population.

CITY OF CASSELTON
Monday, July 3, 2017
REGULAR MEETING 7:00 P.M.
Council Chambers

Planning & Zoning Commission

The commission recommended approval of the East View 1st Addition plat which removed a utility easement from the south edge of lot 7 that will no longer be needed and the right of way for 14th Avenue. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the final plat. All voted aye on voice vote; **motion passed.**

Casselton Golf Course

They requested to sell beer and brats behind Agveris on Thursday during Summerfest; Cold Storage is taking this year off. Councilman Eberhardt made a motion, seconded by Councilman Wangler to approve the request. All voted aye on voice vote; **motion passed.**

Bar Sales during Summerfest

The bar owners requested to sell beer in front of their establishments on Thursday and Saturday to 1:00am Sunday for the car show and dance during Summerfest. Councilman Eberhardt made a motion, seconded by Councilman Francis to approve the request. All voted aye on voice vote; **motion passed.**

Raffle Permits

The school submitted an application for bingo, raffle and calendar raffle during the sport seasons to raise money for student activities. With no specific raffle dates listed on the application Councilman Eberhardt made a motion, seconded by Councilman Francis to approve the permit for Central Cass School pending attorney approval. All voted aye on voice vote; **motion passed.** Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve a 50/50 raffle permit with optional prize of a pickup for Swanks Car Club pending attorney approval. All voted aye on voice vote; **motion passed.**

Library Board Appointment

Councilman Buss made a motion, seconded by Councilman Wangler to appoint Mike Utt to the library board to June 2020. All voted aye on voice vote; **motion passed.**

Liquor License Fees

The new law allows bars to be open on Sundays without a special permit which will reduce income to the city from lost Sunday permit sales. It was estimated that rates were last increased fifteen years ago. Councilman Francis made a motion, seconded by Councilman Wangler to increase the fees 15% across the board. All voted nay on voice vote; **motion failed.** Councilman Eberhardt had trouble with charging that much to the bars that are never open on Sunday. Councilman Buss made a motion, seconded by Councilman Eberhardt to increase the fees 10% across the board. All voted aye on voice vote; **motion passed.**

Sales Tax Ordinance

The state tax department has instructed the city to add wording to the ordinance 1) use tax is imposed on tangible personal property not originally purchased for storage, use, or consumption in the city, 2) new farm machinery and new farm irrigation equipment are taxable. Councilman Francis made a motion, seconded by Councilman Eberhardt to approve the first reading of the sales tax ordinance. All voted aye on voice vote; **motion passed.**

Improvement District Agreement

This is an agreement with Steve Link to execute a promissory note for \$525,000 as security for payment of specials for the Sewer and Water Improvement District No. 2017-2. It provides for a 38% reduction in the principal amount once houses are built on all seven lots of East View 1st Addition, and full release of the promissory note upon 75% of the square footage of the total development property being Developed. Councilman Francis made a motion, seconded by Councilman Buss to approve the agreement. All voted aye on voice vote; **motion passed.**

Cass Rural Water

Councilman Francis would like a letter sent to Cass Rural Water asking if the city would have an increase in water

CITY OF CASSELTON
Monday, July 3, 2017
REGULAR MEETING 7:00 P.M.
Council Chambers

rates and water availability issues if the hog farm would connect to Cass Rural Water. Mayer spoke with Jerry at Cass Rural Water and he said if they connect to CRW, it would come off the Page phase and improvements would be charged to those users. The city is currently drawing 400 gallons per minute which is about twice as much as usual usage from the new water treatment plant and it's not being taxed by the additional draw. The other phases had potential issues with the dry weather so letters went out to the users requesting them to conserve water. Kindred, Leonard and Enderlin are all on the same connection as Casselton. McConnell stated that there's so much water in the Sheyenne Valley Aquifer that during the drought of 1988 and 1989 the aquifer was drawn down to three feet below the surface rather than six inches. CRW has an agreement with Enderlin to purchase water if needed and they are buying water from Fargo for the Hickson phase, so they have already prepared for drought. The Page phase is using a separate aquifer and Casselton's emergency two inch line comes from there. If ND State Water Commission doesn't approve the permit to drill an artesian well for the hog farm they would have to attach to CRW. If additional water was needed they would need to lay pipe to connect to another phase. Councilman Francis was satisfied that at least to affect the city it would take time to make a connection rather than just a flip of a switch and therefore agreed no letter was needed.

Landfilling Residential Homes

After some discussion as to where to draw the line for what is accepted at the landfill, this topic was sent to the sanitation committee for consideration. On another related topic, the state health department informed Mayer that he can no longer burn trade woods which include pallets and crates. They suggested hauling them to Pallet Pro or Dakota Bedding in Fargo or to bring in a grinder and grind them ourselves.

Tree Replacement Costs

An ash tree was removed from the boulevard at McConnell's home and he had asked for a hackberry tree to replace it. The forester planted a different type of tree without any communication that he no longer had any hackberries. McConnell requested to have it removed and bought his own replacement tree. He now wondered if he could get reimbursed for it. Councilman Buss made a motion, seconded by Councilman Francis to refund up to \$150 per boulevard tree purchased by the homeowner, up to two trees per lot, on a case by case basis if requested at a city council meeting and if the tree would normally be paid for and planted by the city. All voted aye on roll call vote; **motion passed.**

Junk vehicles

Gordy's has been moving vehicles the last couple weeks. Councilman Francis made a motion, seconded by Councilman Eberhardt to get clarification why the attorney feels he needs a signed complaint. All voted aye on voice vote; **motion passed.**

Engineer's Agenda

State Highway 18/2nd Street N – A punch list has been submitted but Mayer hasn't seen anything done yet.

State Highway 18/5th Street N – They will pour concrete on Thursday and switch lanes next week. The contractors for the school have been bypassing the street lights and taking their trucks down residential streets. They have been talked to by the deputies. Moore has been involved in quite a few revision requests for school sewer service, school approach and 5th Avenue North approach.

Industrial Park Storm Sewer Improvements – There's no grass growing yet on the berm that was constructed on the south side of the project this spring.

Water Tower Improvements – The Garrison Diversion Conservancy District gave clearance to call for bids but funds have not been released for payment. This project must be added to the Cooperative Agreement between the Bureau of Reclamation and Garrison Diversion first, but should be available within two months. The city can hold bids for 60 days or wait for the funds to be released before bidding. Mayer suggested waiting to bid out in November or

CITY OF CASSELTON
Monday, July 3, 2017
REGULAR MEETING 7:00 P.M.
Council Chambers

December since the project won't be completed this year either way and a later bid opening would still give the contractor plenty of time to complete the project next year.

Storm Sewer Lift Station and Pond – Still waiting to hear from the county for any cost share. They have the smaller pond about finished. Councilman Buss made a motion, seconded by Councilman Eberhardt to approve Contractor's Application for Payment #1 for \$14,400.00. All voted aye on roll call vote; **motion passed.**

Cass County Highway 10 – School Improvements – The County will replace this section of road in 2018 from Langer Avenue east to Drain 64. Jason Benson is the one to decide on city/county cost share. Storm sewer is the only city infrastructure in that project.

Casselton Farms – NDDOT plans to mill and overlay Highway 18 from the interstate to the bridge in 2021 but does not plan to widen the roadway. They will conduct traffic studies on the in-town and northern sections as highway rehabilitation or Safety projects are being developed for 2022 and beyond. As for a study for future interstate access alternatives, they recommend that the city consult with Metro COG. The developer for Casselton Farms plans to start the process on special assessments at the August city council meeting.

East View 1st Addition – The water main and sewer mains are both installed other than the water connection along 5th Street North where they are relocating fiber lines. The change order is to add water and sewer access to the Eracker and Muscha properties. Link is purchasing the properties but allowing them to keep the gardens for seven years. Councilman Wangler made a motion, seconded by Councilman Buss to approve Change Order #1 for 3,939.77 and add 10 days to the contract. All voted aye on roll call vote; **motion passed.** Councilman Wangler made a motion, seconded by Councilman Eberhardt to pay the Contractor Application for Payment #1 of \$169,561.58. All voted aye on roll call vote; **motion passed.**

Councilman Wangler made a motion to adjourn at 8:38 pm.

Next regular meeting August 7, 2017 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor