

**CITY OF CASSELTON**  
**Monday, June 2, 2014**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Edward McConnell, Councilmen Lee Anderson, Joan Carvell, Paul Spooner, Fred Wangler, Kent Buss and Mike Eberhardt. Also present: Charlie Francis, Matt Thompson, Corey Hunkelman, Shannon Erickson, Keri DeVries, Craig Goodman, Lorne Sterner, Scott Mensing, City Auditor Sheila Klevgard, Deputy Keenan Zundel, Corporal Tim Briggeman, Rich Hawkins, City Engineer Brandon Oye and Public Works Supervisor Kevin Mayer.

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

Councilman Anderson made a motion, seconded by Councilman Wangler to approve the minutes of May 5 and 22, 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 Buss made a motion, seconded by Councilman Eberhardt to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

3D Specialties	\$1,312.60	Haugen Cleaning	\$420.00
Adapco	\$10,806.40	Hawkins Chemical	\$88.46
Aflac	\$135.52	Holt Landscape	\$95.00
Ameripride	\$195.23	Johnson Pest Control	\$158.98
Avesis Vision	\$100.40	Mac's	\$53.99
Bank of North Dakota	\$4,809.34	Municipal Govt Academy	\$425.00
Camas Sand & Gravel	\$1,503.01	ND Dept of Health	\$207.13
Cass County Electric	\$546.85	North Dakota One Call	\$20.90
Cass County Summerfest	\$10,000.00	ND State Plumbing Board	\$25.00
Cass County Treasurer	\$11,040.50	ODB Company	\$1,230.80
Cass Rural Water Users	\$28,123.04	Ohnstad Twichell	\$1,500.00
Casselton Lumber	\$5,944.87	Ottertail Power	\$4,365.48
Casselton Parks & Rec	\$5,000.00	Petro Serve USA	\$1,064.64
Central Sales Inc	\$456.30	Powerplan	\$1,162.37
City of Fargo	\$5,159.30	Rush River Construction	\$4,202.00
Cote Mechanical	\$96.00	Sam's Club	\$73.89
Essentia Health	\$23.00	John Siverson	\$39.59
Fargo Freightliner	\$238.36	Structural Materials	\$23.85
Fargo Tire Service	\$486.68	Titan Access Account	\$103.56
Fargo Water Equip	\$326.94	US Postal Service	\$112.00
Gordy's Inc.	\$46.11	Verizon Wireless	\$146.36
Guardian	\$794.05	Xcel	\$96.26
Hardware Hank	\$335.38		

**Financial Statement**

Councilman Anderson made a motion, seconded by Councilman Carvell to approve the financial statement. General Fund \$130,825.82; Special Revenue Funds \$583,337.51; Debt Service Funds \$1,229,512.38; Construction Funds \$1,270,011.36; Special Assessment Funds \$1,026,527.09; Enterprise Funds \$422,532.27; Trust and Agency Funds \$10,967.50; total \$4,673,713.93. All voted aye on roll call vote; **motion passed**.

**Police Report**

Deputy Zundel is being replaced by Deputy Eric Swenson at the end of the month as a city-designated deputy. There was a burglary arrest, two DUI arrests and a couple of car prowler incidents. Once again the public is asked to lock their cars and homes. Zundel appreciates the three years he has been primary in town. He has taken drug recognition expert training causing him to be called out to assist in evaluating once an arrest is made and reducing his

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available time to be in Casselton.

**Parking Ordinance**

There was discussion regarding the limitation of any vehicle parked on the street to 72 hours. Pros included reduced parking on narrow streets, cons included guests visiting for a week and needing to move their car to comply. Councilman Buss made a motion, seconded by Councilman Spooner to approve the second reading of the ordinance. Eberhardt, Buss and Spooner voted aye on roll call vote; Wangler, Carvell, Anderson and McConnell voted nay; **motion failed**. Councilman Buss made a motion, seconded by Councilman Carvell to table the parking ordinance for language clarification by the attorney. All voted aye on roll call vote except for Councilman Spooner; **motion passed**.

**Fireworks Ordinance**

The point of discussion on this ordinance was the allowance of fireworks displays for New Years Eve. Councilman Wangler made a motion, seconded by Councilman Buss to approve the second reading of the ordinance. Wangler, Spooner and Buss voted aye on roll call vote, Carvell, Anderson and Eberhardt voted nay, McConnell abstained; **motion failed**. The mayor asked for the ordinance to go back to committee for recommendation.

**Conditional Use Permit**

Planning & Zoning committee recommended approval of the applications by Wayne Kramlich for a bar/restaurant at 610 Front Street contingent upon obtaining a liquor license from the city and Roger Stroh to operate a business to provide physical therapy, occupational therapy and other health-related and medical-related services at 602 1<sup>st</sup> Street North. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the permit to Rehab4Life. All voted aye on roll call vote; **motion passed**.

**Sidewalk Removal Request**

Keri DeVries is requesting to remove the sidewalk at 132 12<sup>th</sup> Avenue North. Normally residents are allowed to remove the sidewalk if it goes nowhere with the understanding that if the city ever does a sidewalk project in the area the owner is responsible for reinstallation. Councilman Wangler made a motion, seconded by Councilman Spooner to approve the removal as stated above. All voted aye on roll call vote; **motion passed**.

**Red Baron Outdoor Event**

A wedding reception for an employee is planned on June 28<sup>th</sup> from 7pm to midnight with karaoke outside behind the Red Baron within a fenced off area of the alley. Mensing requested that the open container law be suspended for this event and the alley to be blocked to traffic on both ends. Councilman Wangler made a motion, seconded by Councilman Anderson to approve the request. All voted aye on roll call vote except Councilman Eberhardt who abstained; **motion passed**.

**Raffle Permits**

Permit applications were received from Lois Huschka for the Connie Bakken Benefit, Cottonwood Golf Course and Swanks Car Club. Councilman Buss made a motion, seconded by Councilman Anderson to approve all three raffle permits. All voted aye on roll call vote; **motion passed**.

**Gaming Site Authorization**

An authorization request was received from Horse Race North Dakota to have pulltabs at Dusty's Tavern. Councilman Wangler made a motion, seconded by Councilman Anderson to approve the request. All voted aye on roll call vote; **motion passed**.

**Bektrom Foods Tax Exemption**

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A ten year tax exemption request was received for the new packaging business. Eligible businesses for the extra five year exemption are those that are part of a process that produce or manufacture product from agricultural commodities. As a packaging only business, they do not qualify for exemption in years six through ten. Bektrom is running two shifts and packages pasta for other companies besides just Abbiamo so they are running out of room in Abbiamo's building. They plan to purchase the portion of the lot north of Abbiamo Pasta and build a separate building. The plan is to install the stub onto the highway this season and gravel has been ordered to fill in the driveway. Once the area is established as a development it was to be changed to concrete. There are several things that need to be investigated before approving this exemption. The access stub is currently set for three properties. When replatting for the land sale the driveway should change to city right-of-way. The mayor recommended tabling the exemption request. Councilman Buss made a motion, seconded by Councilman Eberhardt to approve the exemption. All voted nay on roll call vote; **motion failed**.

**Sales Tax Grants**

Requests were received from the city for \$17,000 for banners and Christmas decorations and Parks and Recreation for \$20,000 to resurface the parking lot and walking path at Tinta Tawa Park. Councilman Wangler made a motion, seconded by Councilman Buss to approve both requests. All voted aye on roll call vote; **motion passed**.

**Set Auditors Bond**

Councilman Eberhardt made a motion, seconded by Councilman Spooner to set the auditor's bond at \$1,000,000.00. All voted aye on roll call vote; **motion passed**.

**Records disposal request**

The auditor presented a list of documents disposed of in the last year. Councilman Carvell made a motion, seconded by Councilman Buss to approve disposal of the records. All voted aye on roll call vote; **motion passed**.

**Tourism appointment**

Councilman Eberhardt made a motion, seconded by Councilman Anderson to appoint Robert Anderson to the Tourism Committee to complete a term ending in 2016. Anderson lives in an apartment and has been in town for over a year. All voted aye on roll call vote; **motion passed**.

**Board of Adjustments**

Councilman Anderson made a motion, seconded by Councilman Wangler to reappoint Dan Madsen to a term ending in 2016, Mike Rieniets and Lorne Sterner to terms ending in 2017. All voted aye on roll call vote; **motion passed**. Bill Radermacher has requested to step down leaving an opening on this board.

**Engineer's Agenda**

*Sewer & Street Improvement District #25 –*

Concrete is almost finished on Front Street in front of Earl's Repair, they're working on 1<sup>st</sup> Street North between 6<sup>th</sup> and 8<sup>th</sup> Avenue and will be getting pipe in to establish drainage, the first layer of asphalt has be put down on 1<sup>st</sup> Street South in front of the lumberyard but they will need to repair a soft spot, finishing manhole rehabs with only a few left as of last week. This week they will work on the main lift station rehab, the Langer Avenue sewer will start next week and chip seal will be done in late June. Moore hasn't received a schedule as of yet. Change order #6 is for replacing the bottoms of four manhole inverts and using gravel in the subgrade like what was done on Front Street. When they were doing the subgrade work railroad ties were removed which were most likely used to support the road over the poor soil. This is a net increase in cost of \$41,869.25 and a time extension of an additional 16 days for the completion date on work related to 1<sup>st</sup> Street South and 1<sup>st</sup> Street North between 6<sup>th</sup> Avenue and 8<sup>th</sup> Avenue. Replacing the clay with gravel and adding drain tile will reduce the frost action because it won't hold water. Braun

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Intertec recommends the gravel on the west 70 feet of 1<sup>st</sup> Street North on the west side of Langer. Overall the contract costs have gone up \$100,000 from the original contract. A lot of work has not had to be done that was originally called up reducing some costs. Councilman Buss made a motion, seconded by Councilman Wangler to approve change order #6. All voted aye on roll call vote; **motion passed**. This is first pay request of the season and includes work completed as of May 23<sup>rd</sup>. Councilman Wangler made a motion, seconded by Councilman Buss to approve pay request #6 and hold payment until a schedule is received. All voted nay on roll call vote except for Wangler; **motion failed**. Councilman Anderson made a motion, seconded by Councilman Spooner to approve engineering invoice 77866 for \$25,231.00. All voted aye on roll call vote; **motion passed**. 6<sup>th</sup> Avenue South in front of the golf course will be replaced. It was originally set to be removed and replaced but after it was milled it looked good so it was just overlaid. Now they will go back and patch it as originally planned. The landscaping rock on the south side of city hall will remain in place but will be narrower allowing the sidewalk to be wider; the cement pad in front of the auditor's door will be recut straight.

*Industrial park drainage*

Moore completed the preliminary survey and looked at both splitting drainage north and south, and bringing all the water to the north. Although it is pretty flat, it will move water. If Maple River Grain decides to bring all the water to the north, it will benefit the city and the city may help with the cost. If they only split the drainage, it will only help their property and city will not help with costs.

- DOT project for highway18 / 10 west of Langer is to be completed in 2017. There will be a meeting planned in the next month with an invitation to the school, city and county to participate.
- County equalization board plans to raise Casselton assessments by 5%. \$290,000 is collected in taxes for the general fund with a \$1.2 million total budget. If it could be documented that house sale prices have remained the same, there would be argument not to raise the assessed values.
- The airport is selecting a new engineering firm, McConnell and Eberhardt will help in making that selection.
- Carvell and Eberhart attended the open house held by Northern Plains Steel.

Councilman Wangler made a motion to adjourn at 8:36pm.

Next regular meeting July 7, 2014 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor