

CITY OF CASSELTON
Monday, June 1, 2015
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Charlie Francis, Kent Buss, Fred Wangler, Ed McConnell and Mike Eberhardt. Also present: Dan Triller, Lorne Sterner, Tanya Kahl, Pete Silbernagel, Jessica Heuer, Jerry Jordan, Diane Spoerl, Jonathan Warrey, City Auditor Sheila Klevgard, Corporal Jake Wiedenman, Deputy Mathew King, City Engineer Brandon Oye, Mark Housh, Tim McClean, 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 Buss to approve the minutes of April 14 and May 4, 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 Francis to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Aflac	\$235.24	John Deere Financial	\$7.90
James Albrecht	\$8.71	Johnson Pest Control	\$143.00
Ameripride	\$177.50	Richard Kjonaas	\$8.71
Avesis Vision	\$100.40	Mac's	\$10.59
Blue Cross Blue Shield	\$4,980.90	Marshall & Swift	\$339.95
Butler Machinery	\$419.25	Midnight Solutions	\$120.00
Bill Carlson	\$369.77	North Dakota One Call	\$52.80
Cass County Electric	\$554.91	ND Sewage Pump	\$1,222.00
Cass County Reporter	\$315.07	ND State Plumbing Board	\$25.00
Cass County Summerfest	\$12,000.00	NorthStar Safety	\$172.00
Cass County Treasurer	\$11,040.50	Northwest Visual	\$1,636.79
Cass Rural Water Users	\$26,763.28	Office of the State Auditor	\$225.00
Casselton Lumber	\$15.00	Ohnstad Twichell	\$1,500.00
Casselton Parks & Rec	\$5,000.00	Orbitcom	\$285.32
Central Sales Inc	\$261.06	Ottetail Power	\$4,039.96
City of Fargo	\$5,348.88	Paul Bunyan	\$1,889.15
Colonial Life	\$82.94	Petro Serve USA	\$2,757.66
D.J.'s Plumbing	\$231.50	RDO Equipment	\$604.25
Fargo Tire Service	\$599.53	Harold Rotunda	\$9,600.00
Fargo Water Equip	\$3,254.02	Sam's Club	\$96.02
Gordy's Inc.	\$22.65	Sweeney Controls	\$406.66
Guardian	\$852.73	Team Laboratory	\$3,693.25
Hardware Hank	\$195.75	Verizon Wireless	\$149.58
Todd Hochstetler	\$100.00	Xcel	\$119.68

Financial Statement

Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the financial statement. General Fund \$89,138.18; Special Revenue Funds \$748,491.09; Debt Service Funds \$1,466,839.41; Construction Funds \$108,949.28; Special Assessment Funds \$1,226,291.71; Enterprise Funds \$499,091.72; Trust and Agency Funds \$13,538.12; total \$4,152,339.51. All voted aye on roll call vote; **motion passed**.

Police Report

It was an average month with school out of session. Activity at the skate park is much tamer either due to different kids in attendance or improved interactions with the deputies.

Planning & Zoning

The commission recommends approval of Pete Silbernagel's request to split a residential lot under a plat of

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Cottonwood Eighth Addition. Councilman Eberhardt made a motion, seconded by Councilman Buss to approve the new plat. All voted aye on voice vote; **motion passed**. Sterner reported that a member resigned so they are looking for a new member to be appointed as soon as possible.

Request to Raise Hens

Tanya Kahl requested that she be allowed to raise two hens within a hen house for eggs. Per ordinance all adjacent property owners have given their written permission. Councilman Wangler made a motion, seconded by Councilman Francis to approve her request. All voted aye on roll call vote; **motion passed**.

Apartment Inspection Report

Fire chief McLean had concerns regarding the need for a second exit for the apartments at 6th Avenue and Front Street because it appears that there are additional tenants since the last inspection three years ago. According to Housh, the city building inspector, this type of inspection is not part of the regular services performed by Moore Engineering but they are doing it to assist the property owner and the city. The building will never be able to meet current building codes but there are improvements that can be made to help make it safer. A structural engineering inspection is the only way to see if there are any mold issues caused by the leaking roof which would be quite invasive including removal of drywall. McConnell was concerned that the city's position is eroded now due to having knowledge of the leak and if the city allows it to continue it could create potential exposure to the city. Jordan, co-owner of the building, said they have coated roof seams and made efforts to repair the roof however \$30,000 would be needed to replace the entire roof. They are currently working on other issues that have been noted by the inspector and an application has already been submitted for a building permit to rebuild the back exit landing and steps. Most of the wiring was done prior to his purchase, however all work has been done by certified electricians. Housh stated that the storage room doors should remain closed and locked due to the lack of any ceiling to prevent any fire from getting into the attic. Escape ladders are available in every room and fire alarms are interconnected so they all go off if one detects smoke or fire. Jordan also reported that Family Services has visited to verify safety for the family with children.

North side of town where trees were taken down is within city limits. Fire department will have an open house on Thursday, June 25th.

Raffle Permits

Applications have been received from Swanks Car Club for a 50/50 raffle and Friends of NRA for a gun raffle, both during Summerfest, and North Dakota Farm Bureau for a gun raffle in November. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve all three permits. All voted aye on voice vote; **motion passed**.

Gaming Site Authorization

Horse Race ND requested to set up a gaming site at Dusty's Tavern for pull tabs. Councilman Francis made a motion, seconded by Councilman Buss to approve the request. All voted aye on voice vote; **motion passed**.

Job Development Authority Appointment

Councilman Eberhardt made a motion, seconded by Councilman Francis to appoint Steve Link to a three year term on the Job Development Authority. All voted aye on voice vote; **motion passed**.

Sales Tax Collection Contract

Councilman Wangler made a motion, seconded by Councilman Buss to approve the new contract with the state for collection of city sales tax. All voted aye on voice vote; **motion passed**.

Auditor Bond

Councilman Buss made a motion, seconded by Councilman Eberhardt to set the auditor bond at \$1,000,000. All voted

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aye on voice vote; **motion passed.**

Residential Revaluation

The county has notified the city that the state has a new law requiring assessors to have 80 hours of education. It was also mentioned that the county may not offer the 50 percent share of a revaluation with the city's share paid over five years for much longer. This action would get all the property cards computerized and make them easier to access. Councilman McConnell made a motion, seconded by Councilman Buss to enter into an agreement with the county to revalue the residential properties also. Francis, Buss, McConnell and Anderson voted aye; Wangler, Carvell and Eberhardt voted nay on roll call vote; **motion passed.**

Sunset Clause on Variances

Councilman Buss made a motion, seconded by Councilman Carvell 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.**

Award Construction Engineering

Councilman McConnell made a motion, seconded by Councilman Carvell to award the construction engineering contract to Moore Engineering on the NDSTREET Langer & 2nd Street North project. All voted aye on voice vote; **motion passed.**

Engineer's Agenda

Sewer & Street Improvement District #25 – The goal is to complete city utility and GIS maps by the end of the month.

Levee Improvements – The initial eligibility inspection to bring in the new segment of levee on the southeast portion of town should be completed this summer. Councilman Wangler made a motion, seconded by Councilman Buss to pay invoice 10178 for \$487.50. All voted aye on roll call vote; **motion passed.**

East View 1st Addition – Sewer & Water Improvement District No. 2015-1 – This project is on hold as Link is working with FEMA on the floodway.

State Highway 18/2nd Street N – Without a construction engineer the contractor hasn't been able to get started so they are requesting a time extension equal to the number of days of delay for starting. If work can't be completed prior to Summerfest, then they would start after Summerfest and extend the deadline from there. Councilman Carvell made a motion, seconded by Councilman Buss to extend the contract to accommodate the late start. All voted aye on voice vote; **motion passed.**

State Highway 18/5th Street N – Moore is 50% complete with plans and specs that were approved at the last meeting. They are in the comment phase of the environmental report.

State Highway 18/County Highway 10 Improvements – The county will just do a mill and overlay now. The cost estimate for the proposed reconstruction with storm sewer upgrades is \$2.7 million plus inflation with a local share of 50-60% split with the county.

Industrial Park Storm Sewer Improvements – The consensus at the public meeting was that the project cost was too high and other options should be considered. The property owners would like to use a ditch along the east side of Highway 18 to the north so only a smaller detention pond would be needed. The current pond can't handle a two or three inch event and Moore's recommendation would be to design the project for a 100-year event of over six inches. The initial estimate to survey, review the feasibility and functionality of using the ditch to take the water to Swan Creek, updating the cost estimate and getting back with the landowners is \$7,700. Councilman Carvell made a motion, seconded by Councilman Buss to have Moore talk to the highway department about allowing a culvert under

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Highway 18 for drainage to the east along I-94. All voted aye on voice vote; **motion passed.**

Cottonwood estates – Still waiting for signed easements.

Oye presented a service report that listed work that had been done at no cost as part of work as city engineer. Council and employees were invited to the Moore Engineering golf scramble at Cottonwood Golf Club on July 29. The performance bond for KPH is being pursued.

Park Board Update

Summer programs 536 sessions for youth this summer. 130 in swimming lessons, 43 theatre, 68 softball, 33 in weights, 18 in tennis, remainder in baseball. Wednesday morning the board would be meeting to address the tennis court which has a dangerous bubble in the surface. The pool will open weather permitting but will be closed on Sundays due to low attendance. Nancy Sweep is managing the golf club house; hired three teachers and others for summer employment. Skate boarding and hoops are in use with less issues than three to four years ago. A subcommittee would be nice to head changes to the Skateboard Park and BMX. New bathrooms, grandstand and concessions at diamond one is planned. An \$80,000 donation was received from Tharaldsons; the remainder will be covered with fundraising and a split between the school, boosters and parks. Youth baseball ages 9-12 hosted a tournament last weekend with 16 teams from Bemidji, Devils Lake, Jamestown, Thompson and Fargo. The golf course has been set up with separate financials and with the park district running it they have access to some grants. There's been no advertising, but has been approved for print flyers and radio advertising.

Councilman Wangler made a motion to adjourn at 8:23 pm.

Next regular meeting July 6, 2015 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor