

**CITY OF CASSELTON**  
**Monday, March 5, 2012**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Edward McConnell, Councilmen Pete Silbernagel, Phil Spooner, Steve Link, Fred Wangler, Paul Spooner, and Craig Tillisch. Also present: Public Works Supervisor Kevin Mayer, Diane Spoerl, City Engineer Brandon Oye, Matthew Walsvik, Lin Smithwick, City Auditor Sheila Klevgard, Deputy Joe Hedin, Bruce Jorgenson, Jonathan Warry, Jason Holland and Dell Arneson

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

The sheriff's department is hosting a public forum on March 13<sup>th</sup> at 7:30pm at the school to discuss any concerns with the public.

Councilman Paul Spooner made a motion, seconded by Councilman Craig Tillisch to approve the minutes of February 6 and 15, City Attorney's Report, Police Report, Municipal Judge's Report, and the delinquent utilities list. All voted aye on roll call vote; **motion passed.**

BNSF has started working on the 6<sup>th</sup> Street crossing. Councilman Craig Tillisch made a motion, seconded by Councilman Pete Silbernagel to approve the following bills, refunds and salaries for the month of March. All voted aye on roll call vote; **motion passed.**

3D Specialties	\$1,198.32	Medica	\$4,601.34
Advanced Business Methods	\$706.00	Mid America Meter	\$555.00
Aflac	\$115.50	Midnight Solutions	\$120.00
Ameripride	\$122.47	Moore Engineering	\$960.00
Avesis Vision	\$67.97	North Dakota One Call	\$1.30
BNSF	\$42,763.99	NorthStar Safety	\$106.95
Cass County Reporter	\$462.68	Ohnstad Twichell	\$1,450.00
Cass County Treasurer	\$10,675.00	Ottertail Power	\$4,556.80
Cass County Electric	\$419.02	Overhead Door Co	\$625.20
Casselton Lumber	\$4.98	Powerplan	\$612.37
Cass Rural Water Users	\$19,187.59	Sam's Club	\$35.00
City of Fargo	\$2,704.80	Sanitation Products	\$45.53
Becky Dunker	\$21.50	Sturdevant's	\$155.02
Fargo Tire Service	\$451.88	Titan Access Account	\$21.89
Guardian	\$680.15	US Bearings and Drives	\$37.64
Hardware Hank	\$36.51	Verizon Wireless	\$152.58
Haugen Cleaning	\$450.00	Weber Insurance Agency	\$809.00
H&H Coatings	\$659.00	Wisnewski's Top Cut	\$120.00
Innovis	\$170.00	Workforce Safety	\$5,039.69
Jerry's Excavating	\$862.50	Xcel	\$351.34
Johnson Pest Control	\$135.00		

**Financial Statement**

Councilman Craig Tillisch made a motion, seconded by Councilman Pete Silbernagel to approve the financial statement. General Fund \$123,835.12; Special Revenue Funds \$457,349.88; Debt Service Funds \$568,201.81; Construction Funds \$271,044.89; Special Assessment Funds \$309,477.37; Enterprise Funds \$425,865.60; Trust and Agency Funds \$34,832.01; total \$2,190,606.68. All voted aye on roll call vote; **motion passed.**

**Correspondence**

The NDDOT is holding a meeting of stakeholders on March 27, 2012 in Fargo to obtain input for future development of transportation infrastructure. The mayor encouraged all council members to attend. NDDOT is requesting projects to be constructed in 2016 for the ND STREET program. Deadline is May 1, 2012. No city projects are planned at this time.

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**Second Reading of Sinner-Bresnahan Annexation**

The Planning and Zoning committee recommended annexation of the property owned by Sinner-Bresnahan Land Partnership along 15<sup>th</sup> Avenue North, just north of F-M Ready Mix on Front Street. First reading was approved at the February meeting. Councilman Craig Tillisch made a motion, seconded by Councilman Pete Silbernagel to approve the second reading of the petition for annexation. All voted aye on roll call vote; **motion passed.**

**Fireworks Ordinance**

The question of limitation on which days and what time of day fireworks can be shot off was addressed. It was suggested that any limitation should be put on the permit rather than through an ordinance change. This item will be added to the 5 year plan survey to get feedback from the public. Councilman Phil Spooner made a motion, seconded by Councilman Fred Wangler to leave the ordinance as it is written. All voted aye on roll call vote; **motion passed.**

**Curb Stop Repair Bill**

Jason Holland had a pipe break at his home on Cottonwood Drive. There was a break on the line a couple years ago on one side of the curb stop and was now on the other side of curb stop. Both repairs were done by Jerry's Excavating. The curb stop was turned to one side 22" at the time of the first repair because it was apparently installed incorrectly by the contractor. During the second repair Jerry's Excavating put the curb stop back to its original position. Although the homeowner is responsible for the line from the main to the home, Jason doesn't feel justified in paying for the same repair twice since he claims Jerry's Excavating didn't repair the pipe properly the first time. If he had hired them directly he would not pay for the second repair; however, the city contracted it out so he does not want to pay the city for the repair. Councilman Pete Silbernagel made a motion, seconded by Councilman Steve Link to table the issue until the city talks with Jerry Fletschock. All voted aye on roll call vote; **motion passed.**

**New Park in Cottonwood Estates Addition**

Jonathan Warrey of the park board presented their plan for a new park on the south side of town. Dell Arneson has set aside a piece of land in the southeast corner of the Cottonwood Estates Addition for a park; however, it is not accessible by car and does not allow for any parking other than directly in front of homes. The park board is requesting a larger lot on the northeast corner of the pond which would be accessible by car with a parking area and by bike/walking trail. In exchange for this property Dell Arneson would like to have his letter of credit released and a personal guarantee set up in its place. Councilman Pete Silbernagel made a motion, seconded by Councilman Fred Wangler to waive the letter of credit and request a personal guarantee contingent on the park board and Dell Arneson agreeing on mutually beneficial property. All voted aye on roll call vote except for Councilman Phil Spooner who voted nay; **motion passed.** The legal description will need to be worked out prior to next meeting in order to finalize the deal before the letter of credit expires.

**Martins Letter of Credit**

Councilman Pete Silbernagel made a motion, seconded by Councilman Craig Tillisch to release the Martins letter of credit. All voted aye on roll call vote although Councilman Steve Link abstained; **motion passed.**

**Employee Insurance and City HSA Contribution**

The city funded \$1500 in 2010 and \$1000 in 2011 to the employee Health Savings Accounts. The question presented was whether the city should contribute for 2012, and if the percentage paid by the city on other insurance renewals should remain the same at 100% of single premium and 70% of the family premium for the 2012 renewals. The annual expenditure is \$40,000 per year. Councilman Pete Silbernagel made a motion, seconded by Councilman Craig Tillisch to table the decision and send it to the Finance Committee for recommendation. All voted aye on roll call vote; **motion passed.**

**Vision & Dental Insurance Renewals**

Councilman Steve Link made a motion, seconded by Councilman Fred Wangler to approve the renewal of the vision and dental insurance plans. All voted aye on roll call vote; **motion passed.**

**Retirement Plan Resolution**

Councilman Steve Link made a motion, seconded by Councilman Fred Wangler to follow the employee handbook with eligibility starting after six months employment. All voted aye on roll call vote; **motion passed.**

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**Dirt and Clay Pile**

Councilman Pete Silbernagel would like to actively promote the sale of the dirt and clay piles to be able to sell the land. There is probably \$360,000 in asset sitting there. It was also considered that some of the clay should be left to improve the land to make it salable. Cost of hauling it is the problem in selling it. Mayor Ed McConnell suggested that we send emails out to contractors to remind them that we have dirt and clay available.

**Sidewalk Permit Fee**

The city currently charges \$100 for each permit and Moore Engineering is charging the city \$2.00 per lineal foot. Moore's charge is to set the line and grade on new sidewalks. Councilman Steve Link made a motion, seconded by Councilman Phil Spooner to change the city permit fee to \$2 per lineal foot. All voted aye on roll call vote; **motion passed**.

**Engineers Agenda**

An amended cost was presented for relining the northwest quadrant and installing air release valves and pigging the force main at \$620,000. An option to reline Front Street from 6<sup>th</sup> Avenue to 8<sup>th</sup> Avenue and replace the line from 8<sup>th</sup> Avenue to 10<sup>th</sup> Avenue was presented at a cost of \$367,398.75 with a potential Hazard Mitigation Grant and State Fund match bringing the city's potential share down to \$152,127.75. After much discussion Councilman Pete Silbernagel requested a cost estimate for the next meeting to reline Front Street from 6<sup>th</sup> Avenue to 10<sup>th</sup> Avenue.

Councilman Pete Silbernagel made a motion, seconded by Councilman Craig Tillisch to approve the engineer's report and authorize the engineer to prepare plans and specifications of the Sanitary Sewer Improvement District #24 project. All voted aye on roll call vote; **motion passed**. Councilman Pete Silbernagel made a motion, seconded by Councilman Steve Link to table approval of the engineering agreement until reviewed by council. All voted aye on roll call vote; **motion passed**. Councilman Fred Wangler made a motion, seconded by Councilman Steve Link to authorize the engineer to prepare the CWSRF loan application for funding and approve the resolution as presented. All voted aye on roll call vote; **motion passed**. An open meeting will be needed before filing the application.

Next meeting is April 2, 2012 at 7:00pm.

Councilman Fred Wangler made a motion to adjourn at 9:25pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor