

**CITY OF CASSELTON**  
**Monday, May 6, 2013**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Edward McConnell, Councilmen Lee Anderson, Kent Buss, Paul Spooner, Fred Wangler, Joan Carvell and Mike Eberhardt. Also present: Ben Kaufman, Karen Breiner, Lorne Sterner, Jonathan Warrey, Kevin Schauer, Jesse Hagen, Dean Johnson, City Auditor Sheila Klevgard, Deputy Keenan Zundel, City Engineer Brandon Oye, Public Works Supervisor Kevin Mayer and City Attorney Del Losing.

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

Councilman Anderson made a motion, seconded by Councilman Wangler to approve the minutes of April 1 and 9, 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 Eberhardt made a motion, seconded by Councilman Spooner to approve the following bills and refunds. All voted aye on roll call vote; **motion passed.**

Aflac	\$115.50
Ameripride	\$129.40
Avesis Vision	\$87.35
Blue Cross Blue Shield	\$4,846.20
Bremer Insurance	\$20,218.00
Business Essentials	\$36.84
Bill Carlson	\$110.00
Cass County Reporter	\$1,253.35
Cass County Treasurer	\$10,931.25
Cass County Electric	\$561.73
Cass Rural Water Users	\$27,938.28
Casselton Lumber	\$34.73
Casselton Parks & Rec	\$13,122.28
City of Fargo	\$3,861.55
Choice Financial	\$201.40
Dakota Tire Service	\$233.96
Earl's Repair	\$24.62
Essentia Health	\$44.00
Expressway Suites	\$334.02
Fargo Water Equip	\$361.04
Gordy's Inc.	\$9.00
Guardian	\$810.32
Hardware Hank	\$55.44
Haugen Cleaning	\$450.00
Hawkins Chemical	\$1,176.65
Hintz Fire Equip	\$156.00
Johnson Pest Control	\$55.00

King Farms Trucking	\$250.00
Mac's	\$189.15
Ed McConnell	\$668.79
Midnight Solutions	\$120.00
MJ Dalsin	\$220.94
Motion Industries	\$85.26
Municipal Govt Academy	\$160.00
North Dakota One Call	\$16.25
ND Sewage Pump	\$4,879.75
New Horizons Electric	\$65.46
Ohnstad Twichell	\$1,500.00
OK Tire	\$3,739.24
Orbitcom	\$611.45
Ottertail Power	\$5,128.27
Petro Serve USA	\$17,887.95
Powerplan	\$497.61
Railroad Mgmt Co III	\$132.87
Sam's Club	\$49.84
Sanitation Products	\$11,548.00
Lisa Seely	\$80.63
St Paul Stamp Works	61.12
Sturdevant's	\$1,177.46
Sweeney Controls	\$147.50
Titan Access Account	\$217.45
Verizon Wireless	\$146.20
Xcel	\$159.60

**Financial Statement**

Councilman Spooner made a motion, seconded by Councilman Buss to approve the financial statement. General Fund \$128,119.63; Special Revenue Funds \$864,884.32; Debt Service Funds \$894,111.56; Construction Funds \$27,042.49; Special Assessment Funds \$479,723.06; Enterprise Funds \$429,563.68; Trust and Agency Funds \$6,188.53; total \$2,829,633.27. All voted aye on roll call vote; **motion passed.**

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**Correspondence**

Arbor Day Foundation congratulates the city on earning recognition as a 2012 Tree City USA. This honor is thanks to the hard work of the city forestry. Casselton Business Association is holding its annual community service award banquet on Wednesday, May 15<sup>th</sup> honoring Lucille Kingsley.

**Budget Amendment**

The sewer rate increase of ten dollars per month was added to the revenue budget item bringing it to \$336,000. However, the revenue from the up charge has been posted to the Sanitary Sewer #24 Debt Service Fund. The auditor requests that the sewer department budget be adjusted back to \$226,000 reflecting the revenues which are actually going into that line item. Councilman Anderson made a motion, seconded by Councilman Carvell to approve the budget change. All voted aye on roll call vote; **motion passed.**

**Gaming Site Permits**

Plains Art Museum is requesting a site authorization at Governors' Pub and Veterans Inc is requesting sites at Vets Club and Red Baron. Councilman Wangler made a motion, seconded by Councilman Spooner to authorize the gaming sites as requested. All voted aye on roll call vote; **motion passed.**

**Raffle Permits**

Permit requests have been received from Cottonwood Golf Course and American Cancer Society (Relay for Life). Councilman Buss made a motion, seconded by Councilman Eberhardt to approve the raffle permits. All voted aye on roll call vote; **motion passed.**

**Conditional Use Permits**

Linda Wendel wants to have 13 children in her home daycare at 521 9<sup>th</sup> Avenue S which requires her to obtain a class B daycare conditional use permit. The Planning & Zoning Commission recommends a fence be installed partly due to the fact that children are going into Ben Kaufman's yard and he has dogs with an underground fence. The fence keeps the dogs in, but does not keep the kids out. The smaller kids are usually in the front yard and driveway with Wendel while the older kids play alone in the backyard. Wendel does not want to put up a fence. Since Kaufman's back yard is also her front side yard, he is wondering if he can put up a six foot fence. By ordinance, Kaufman can put up 6 foot fence and there isn't any traffic visibility issue. Councilman Anderson made a motion, seconded by Councilman Wangler to approve the permit with the condition that the entire back yard is fenced and does not include the rented cemetery land. All voted aye on roll call vote; **motion passed.**

Jesse Hagen requests a conditional use permit for 112 Langer Ave N. The corner lot and this lot will be treated as one for construction of the dental office. Councilman Anderson made a motion, seconded by Councilman Wangler to approve the permit which changes the land use from residential to commercial. All voted aye on roll call vote; **motion passed.**

**Zoning and Tax Exemption**

Abbiamo Pasta Company has requested a zoning change from general commercial to light industrial for Lot 1, Block 1, Heartland 4<sup>th</sup> Addition. Councilman Carvell made a motion, seconded by Councilman Anderson to approve the zoning change. All voted aye on roll call vote; **motion passed.** Abbiamo Pasta has also requested a 10 year tax exemption at 100% for the first 5 years followed by a 20% decrease each year for the next 5 years. The exemption applies only to the improved value. Superintendent Weston says school's opinion has been to trust the council to make the decision as to what is fair and equitable. Councilman Wangler made a motion, seconded by Councilman Buss to approve the exemption as requested. All voted aye on roll call vote; **motion passed.** Concern was raised that the land owner had indicated that the north half of the lot was available for sale. This potential sale creates the need

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to install the private driveway to street specifications, expecting that at some point in the future it will be converted to a city street in order to provide access to the north property. It is expected that this may cost an additional \$15 to \$20 per foot. Councilman Wangler made a motion, seconded by Councilman Buss to amend the motion to approve the exemption as requested with the condition that they maintain dust control of the gravel driveway and install curb and gutter as concrete is laid. All voted aye on roll call vote; **motion passed.**

**Tax Exemption**

Owen Industries requested a tax exemption of 100% for five years on the entire value of the existing building and property. This exemption would be for years 2014-2018. Councilman Anderson made a motion, seconded by Councilman Eberhardt to approve an exemption of 100% for three years followed by 75% in year four and 50% in year five. All voted aye on roll call vote; **motion passed.**

**Website Improvements**

The Casselton Business Association maintains the city website. An upgrade is planned to show new postings on the home page allowing users quick access to new information. The expected cost of the improvement project is \$350 and the CBA requests that the city share in the cost. Councilman Buss made a motion, seconded by Councilman Wangler to approve the cost share. All voted aye on roll call vote; **motion passed.**

**Designate City Newspaper**

Councilman Anderson made a motion, seconded by Councilman Spooner to designate Cass County Reporter as the official city newspaper. All voted aye on roll call vote; **motion passed.**

**Assessor-in-training Pay**

The mayor recommended paying Schneider during his time in training to keep him interested. The only other applicant was someone from Minnesota and consensus is that a local person would have the best interest of the city. Councilman Anderson made a motion, seconded by Councilman Eberhardt to pay Schneider \$100 per month while he is in training. All voted aye on roll call vote; **motion passed.**

**Garbage Truck**

The cost of a new garbage truck is over \$200,000 and will take nine to ten months to get built. Due to the cost, it must be purchased through the bid process. Once Public Work Supervisor Mayer gets the specs, the city should be able to award the bid in a couple of months putting it right on target to receive the truck in May or June of 2014. It can be paid through financing or directly from Major Projects, which unless interest rates change drastically, the city might as well use the cash on hand. Mayer also noted that he is applying for an Ergonomic Grant for \$10,000 from Workforce Safety and Insurance. Councilman Eberhardt made a motion, seconded by Councilman Carvell to direct Mayer to put together the specs for a new truck. All voted aye on roll call vote; **motion passed.**

**Braun Intertec**

The originally authorized quote was for the Ground Penetrating Radar option which they were unable to perform due to the compacted snow on the roads which produces false readings, so they spot cored instead. The change order for pavement recommendations brings the cost to \$16,187.50, although the submitted invoices don't add up to that total. Oye will research the second invoice. Councilman Buss made a motion, seconded by Councilman Wangler to pay the first invoice for \$15,854.00. All voted aye on roll call vote; **motion passed.**

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**Engineers Agenda**

*Sanitary Sewer Improvement District #24 –*

The air release valve in the main lift station is being replaced under warranty. There is one other casting adjustment that needs to be fixed and some street work on Front Street. Oye anticipates closing out this project next month. Councilman Wangler made a motion, seconded by Councilman Buss to pay invoice 5250 for \$142.50 All voted aye on roll call vote; **motion passed.**

*Sewer & Street Improvement District #25 –*

The plans are almost complete; Oye is reviewing the reconstruction areas in front of city hall, on 1<sup>st</sup> Street S in front of First State Bank and west of Langer on 1<sup>st</sup> Street N to be sure they are correct. He would like to try to fix any drainage issues since most of the streets are very flat. The bid open date has been set back to the 16<sup>th</sup> although Oye would like to move it back another week to May 23<sup>rd</sup> so they have two weeks before the opening. In order to apply for SRF funding, they city must pass a resolution authorizing the application to be filed. Councilman Wangler made a motion, seconded by Councilman Anderson to adopt a resolution authorizing the filing of the application to the Department of Health for a loan under the Clean Water Act. All voted aye on roll call vote; **motion passed.**

*Levy improvements –*

All work has been done to identify the right-of-way for those sections of the dike where easements have been found. There are sections where no easement has been found filed at the county or with the city. They will identify which areas still need easements. Councilman Buss made a motion, seconded by Councilman Eberhardt to pay invoice 5247 for \$2,235.85 All voted aye on roll call vote; **motion passed.** This invoice brings the project to 75% of budget.

*Ditch block – Industrial Park I-94 Drainage –*

Moore made inquiries with the Water Resource District which has triggered them to call the state water commission to find out what progress has been made on the application that was made last October. No answer yet.

*State Highway 18 Improvements –*

Auditor should send an invoice to the county for their share of the cost. The county discovered after agreeing to share in the cost that they have no ownership of that section of road from Langer to 4<sup>th</sup> Street. Councilman Carvell made a motion, seconded by Councilman Eberhardt to pay invoice 5265 for \$3,500.00 All voted aye on roll call vote; **motion passed.**

*Fletschock Water and Sewer Connection –*

Jerry Fletschock needs sewer and water at their new location on 15<sup>th</sup> Avenue North in the SB&B Addition. Since they want to install it themselves, an agreement needs to be drafted between the city and Fletschock providing that they install everything to city specs and agree to inspections by Moore Engineering. Moore would work with them to prepare plans which are to be approved by council. Fletschock will pay any costs and be responsible for liability while working on the public right of way. The draft of the agreement will be presented for approval at the next meeting.

**Water Loss**

The water loss is up to 33% and has been on the increase since November. There have been two breaks lately, of which the latest break was on a ten inch line and appears to have been leaking for a while. The city has previously had a leak detection company come in and test for loss and didn't find any major leaks. If anything has been leaking, it has been going into the soil since it has been so dry. There have been no indications from the pumping stations of any physical leaks but public works is constantly looking for signs.

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**Housing Lots**

A quick survey of available lots to build on in town has produced about nine still available for sale. Three building permits have already come in for Morningside.

**Veterans Monument**

The garden club has requested authorization to put up a sign in the boulevard at Governors' Park honoring the Veterans. They have put up these monuments, approximately four foot by four foot, around the state along state highways. City ordinance does not allow signs in the boulevard, so the park district is suggesting putting it in the park across the street from the Vets' Club; however, the garden club wants it along Highway 18. Another suggestion was to put it in the school's lot where the community garden is located. Warrey said the park district will talk with the school to see if that is a viable location.

**Park Board Update**

- Diamond 1 at Tinta Tawa Park is being renovated into a regulation size girls fast pitch softball field. The work may be done next week with the score board already up. They will be hosting the regional tournament on May 20<sup>th</sup>. A water line has been laid from the old bathrooms to a central location between the diamonds to be available for a full service concession stand in the future. They also received a \$10,000 grant from the Minnesota Twins Foundation to help with the cost of the project. Men's softball will be using diamond 2.
- In Willow Bend park, treated rubber will be installed for ground protection prior to Memorial Day. Mayor Ed McConnell will be invited out for a ribbon cutting once it has been completed. It was their goal to make the park enjoyable for kids up to the age of ten or eleven.
- Randy Buntrock is researching a gardening club for some non-sports related park activities.
- Casselton is joining the Metro League, which is a Kindergarten through 8<sup>th</sup> grade non-travel basketball league similar to FM athletics which gives equal play time to everyone. It is for boys and girls and runs from November through January. The school is still evaluating another practice facility on campus to help with court time availability.

Dean Johnson wondered if anyone did a walk around through the alley. He says it's a mess and feels the city needs to find a way to address it. He wants the garbage trucks to go away from the residential neighborhood. The mayor suggested a brainstorm at the next public works committee meeting which probably won't be until June. There is also a bore hole in the asphalt north of the shed that Braun Intertec will need to come back to fill in.

Next regular meeting June 3, 2013 at 7:00pm.

Councilman Wangler made a motion to adjourn at 8:29pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor