

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

Present: Mayor Edward McConnell, Councilmen Steve Link, Mike Eberhardt, Fred Wangler and Joan Carvell. Also present: Public Works Supervisor Kevin Mayer, Lin Smithwick, City Auditor Sheila Klevgard, Deputy Keenan Zundel, City Engineer Kyle Meyer, Scott Mensing, Lorne Sterner, Diane Spoerl and City Attorney Del Losing.

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

Councilman Wangler made a motion, seconded by Councilman Link to approve the minutes of October 1 and October 29, 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 Wangler made a motion, seconded by Councilman Link to approve the following bills and refunds for the month of October. All voted aye on roll call vote; **motion passed.**

Aflac	\$115.50
Ameripride	\$388.20
Avesis Vision	\$87.35
Blue Cross Blue Shield	\$4,583.40
Bill Carlson	\$63.97
Joan Carvell	\$99.21
Cass County Reporter	\$616.33
Cass County Treasurer	\$21,350.00
Casselton Drug	\$3.69
Cass County Electric	\$400.68
Casselton Lumber	\$17.94
Casselton Parks & Rec	\$100.00
Cass Rural Water Users	\$30,748.24
City of Fargo	\$4,031.65
Cote Mechanical	\$23.00
Fargo Freightliner	\$366.01
Fargo Water Equip	\$3,366.22
Gordy's Inc.	\$137.66
Guardian	\$737.28
Char Gust	\$100.00
Hardware Hank	\$24.45
Haugen Cleaning	\$450.00
Hawkins Chemical	\$1,969.31
Johnson Pest Control	\$55.00
Kaufman Construction	\$15,772.00
Kindred Plumbing & Htg	\$338,046.96

Lake Agassiz Water Authority	\$250.00
Maple River Water Resource	\$500.00
April & Justin McGehee	\$5.94
Midnight Solutions	\$395.00
Moore Engineering	\$19,195.85
NDLC	\$210.00
North Dakota One Call	\$38.75
ND Sewage Pump	\$3,100.00
ND Water & Pollution Cntrl	\$150.00
Charlene Nelson	\$106.47
ODB Company	\$2,958.20
Ohnstad Twichell	\$1,450.00
OK Tire	\$314.95
Orbitcom	\$294.81
Ottetail Power	\$3,545.65
Paul Bunyan	\$138.95
Petro Serve USA	\$1,804.60
Sam's Club	\$52.32
Sanford Health Occ Med Clinic	\$30.00
Sensus Metering	\$370.00
Sturdevant's	\$508.28
Titan Access Account	\$188.28
Verizon Wireless	\$147.53
Wallwork Truck Center	\$233.59
Xcel	\$2.27

**Financial Statement**

Councilman Eberhardt made a motion, seconded by Councilman Link to approve the financial statement. General Fund \$126,314.65; Special Revenue Funds \$821,972.29; Debt Service Funds \$588,540.45; Construction Funds \$(185,631.46); Special Assessment Funds \$239,205.31; Enterprise Funds \$368,246.79; Trust and Agency Funds \$8,589.17; total \$1,967,237.20. All voted aye on roll call vote; **motion passed.**

**Police Report**

Several parking complaints for the area just off Front Street and the winter parking rules, but the people seem to be getting used to the change. There were several injury crashes including a fatality involving a pedestrian and a train.

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**Property Tax Exemption**

Ben Kaufman is requesting a property tax exemption for his new building in the renaissance zone. He is not applying for a renaissance zone project since he has already torn down the old building and is building the new one immediately. Statute provides that the school is an ex officio member since any exemption would affect their income. The school superintendent, Mark Weston, supports whatever the council decides on this request. The state allows a 5 year exemption on the increase in value, although the city is allowed to give him less, if desired. Kaufman will not benefit from the remainder of the renaissance zone program by getting the tax exemption in this manner. Councilman Eberhardt made a motion, seconded by Councilman Wangler **approve a resolution** to give Kaufman a 5 year exemption on the increase in value. All voted aye on roll call vote; **motion passed.**

**Planning & Zoning – Home Occupation**

Accessory structures are not currently allowed in a home occupation. Definitions are modified to include accessory structures and other unallowed uses are being added. A conditional use permit would be required in order to use an accessory structure. There may be a lot of home occupations that the city is unaware of because no applications for conditional use permits have been received. Councilman Eberhardt made a motion, seconded by Councilman Link to approve this 1<sup>st</sup> reading of the changes to the definition of Home Occupation in the Zoning Ordinance. All voted aye on roll call vote; **motion passed.**

**On-Sale Liquor for Thanksgiving Day**

The state allows on-sale and but not off-sale liquor sales on Thanksgiving Day. The city ordinance, however, does not allow on-sale on Thanksgiving Day. The state updated the prohibited days in 2007. Councilman Link made a motion, seconded by Councilman Eberhardt to amend the city ordinance to follow the same allowed days as the state permits. All voted aye on roll call vote; **motion passed.** This is a first reading.

**Raffle Permit Applications**

ND State Shooters Association and Casselton Business Association submitted raffle permit applications. Councilman Wangler made a motion, seconded by Councilman Link to approve the applications as long as all paperwork is in order. All voted aye on roll call vote; **motion passed.**

**City Hall Repairs**

Councilman Link made a motion, seconded by Councilman Wangler to accept the proposal from Sig Olson & Sons for \$2,240.00 to repair the drivit on city hall. All voted aye on roll call vote; **motion passed.** Councilman Eberhardt made a motion, seconded by Councilman Wangler to fix the library push bar as long as the cost remains below \$200.00. All voted aye on roll call vote; **motion passed.**

**Financing City Hall Improvement**

The City Hall Improvement project was financed from the Sales Tax Fund temporarily until the EECBG grant money was received. The full amount of the grant will not be received however, since the original grant request included asbestos removal which is not an approved use of the grant. The amount that will not be able to be reimbursed to the Sales Tax Fund is \$47,017.11. Councilman Wangler made a motion, seconded by Councilman Link to use money from the Major Projects Fund to reimburse the Sales Tax Fund. All voted aye on roll call vote; **motion passed.**

**Library Board Appointment**

Councilman Link made a motion, seconded by Councilman Eberhardt to appoint Sheila Christianson to another three year term. All voted aye on roll call vote; **motion passed.**

**Capital Improvement Plan Survey**

Adding two feet to the north dike would make it FEMA approved and therefore take property out of the flood plain; however the two feet does not make any real difference because water cannot physically go over the dike since it is already a foot higher than the road. The survey response options will be online or paper returns. This survey will not affect what project gets done in 2013 but will get a pulse of what the public feels is important. Councilman Link made a motion, seconded by Councilman Wangler to send the survey out with the December utility bills. All voted aye on roll call vote; **motion passed.**

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**Barking Dogs**

No action taken. Ordinance committee will review this topic.

**Engineers Agenda**

**Sanitary Sewer Improvement District #24**

All work has been completed; all manholes rehabilitated and sewer lines have been relined. There will be an inspection Thursday afternoon with the health department. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve change order #2 for \$1,350 for additional clean outs and an air release valve manhole barrel which was installed on the force main. All voted aye on roll call vote; **motion passed**. Councilman Link made a motion, seconded by Councilman Eberhardt to approve partial payment #2 for \$338,046.96. All voted aye on roll call vote; **motion passed**. The remaining 2% will be paid after the final inspection is approved. The total project cost is under budget. Councilman Carvell made a motion, seconded by Councilman Link to approve engineering invoice #4439 for \$18,195.85. All voted aye on roll call vote; **motion passed**.

There will be a meeting on Monday, November 12<sup>th</sup> to go over the scope of the next phase of the sewer and street project. Moore Engineering would like time to do some preliminary work which will be combined into the total project cost. Wangler asked how the cost of their preliminary work would vary if only a portion of the estimated project was completed. Meyer's response was that the city will end up paying for work that needs to be done again if the city waits too long to get the job done. The basic cost is laid out in the CIP and one can't start and stop a project without costing money. Meyer stated that this is a great opportunity to grab the good bidding environment this winter. McConnell requested a 3 phase, 2 phase, and single job estimates for relining & streets.

**Industrial Park I-94 Drainage**

Both drainage permits have been submitted; the DOT, Fargo district is reviewing the drainage permit. Councilman Wangler made a motion, seconded by Councilman Link to approve engineering invoice #4438 for \$1,000.00. All voted aye on roll call vote; **motion passed**.

Next regular meeting is December 3, 2012 at 7:00pm.

Councilman Wangler made a motion to adjourn at 8:43pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor