

CITY OF CASSELTON
Monday, October 5, 2015
REGULAR MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Charlie Francis, Fred Wangler, Ed McConnell, Kent Buss and Mike Eberhardt. Also present: Bernie Sinner, Jessica Heuer, Sue Quittschreiber, Dan Triller, Dan Weber, Carol Weber, Rory Petersen, Kathy Nelson, Denny Buchholz, Jim Hornecker, Lorne Sterner, Greg Kempel, Gary Gunderson, City Auditor Sheila Klevgard, Deputy Mathew King, Deputy Nathan Boerboom, Gary Spoerl, Evan Anderson, Nancy Kramlich, Jeff Sauer, Shellee Sauer, Steve Link, City Engineer Brandon Oye, Jay Forthun, 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 Eberhardt to approve the minutes of September 8, 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 Buss to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

Aflac	\$180.24	Hawkins Chemical	\$2,348.78
Ameripride	\$177.50	H&H Coatings	\$16,500.00
Avesis Vision	\$100.40	Independent Delivery Serv	\$200.00
Birch Communications	\$296.89	Jerry's Excavating	\$7,579.86
Blue Cross Blue Shield	\$4,980.90	Johnson Pest Control	\$143.00
Brenco Corporation	\$351.90	Mac's	\$13.84
Business Essentials	\$41.79	Kevin Mayer	\$17.83
Butler Machinery	\$1.81	Midnight Solutions	\$120.00
Cass County Electric	\$739.27	Minnkota Recycling	\$534.00
Cass County Reporter	\$419.55	NDLC	\$950.00
Cass County Treasurer	\$11,261.34	Donald Nilles	\$1,143.00
Cass Rural Water Users	\$28,543.88	Ohnstad Twichell	\$1,500.00
Casselton Fire Dept	\$38,000.00	Ottertall Power	\$3,993.15
Casselton Lumber	\$17.71	Paul Bunyan	\$1,113.12
The Chamber	\$25.00	Petro Serve USA	\$777.45
City of Fargo	\$3,591.64	Sheyenne Gardens	\$160.00
Colonial Life	\$165.88	Starion Bond Service	\$87,464.25
Dakota Supply Group	\$323.65	Sturdevant's	\$310.86
Essentia Health	\$25.00	Summit Group	\$565.50
Guardian	\$852.73	Verizon Wireless	\$149.64
Hardware Hank	\$813.49	Xcel	\$92.72

Financial Statement

Councilman Buss made a motion, seconded by Councilman Francis to approve the financial statement. General Fund \$55,319.18; Special Revenue Funds \$766,772.06; Debt Service Funds \$1,434,893.59; Construction Funds \$196,012.02; Special Assessment Funds \$1,037,667.67; Enterprise Funds \$463,087.32; Trust and Agency Funds \$14,551.55; total \$3,968,303.39. All voted aye on roll call vote; **motion passed**.

Planning & Zoning

A quorum was not present at the planning & zoning meeting where a preliminary plat was presented for Marian Schmidt to split the trailer court and single family home into two separate lots and change lot lines with Sue Quittschreiber. A final plat will be presented next month. Jeff and Shellee Sauer have applied for a Class B home occupation conditional use permit to have an art studio at 521 9th Avenue South. Dave Ratchenski was concerned about parking issues for eight to ten people. Sauers plan for four vehicles in the driveway and the remainder on the road north of the pump station. Councilman McConnell made a motion, seconded by Councilman Francis to approve

CITY OF CASSELTON
Monday, October 5, 2015
REGULAR MEETING 7:00 P.M.
Council Chambers

the conditional use permit. All voted aye on voice vote; **motion passed.**

Alley band

The Udder Bar would like to have Blind Joe perform in the parking lot behind their location on Thursday, October 15th from 7 pm to 10 pm. They request to have the alley blocked with a snow fence to contain the area from their drive up back into their parking lot. Performance would be on a trailer in the back facing west and would extend behind the Law Enforcement with approval from Cold Storage. If over 250 people are expected paperwork will need to be completed with the sheriff's office to have a deputy present. Councilman Eberhardt made a motion, seconded by Councilman McConnell to allow the performance with the alley to be blocked and suitable fencing as long as it is within the stipulations of the county sheriff's office. All voted aye on voice vote; **motion passed.** Councilman Eberhardt made a motion, seconded by Councilman Wangler to waive the open container law from 7 pm to 11 pm within the fenced area. All voted aye on voice vote; **motion passed.** Councilman Francis made a motion, seconded by Councilman Eberhardt to approve outside sales of alcohol within the fenced area from 7 pm to 10 pm. All voted aye on voice vote; **motion passed.**

Oppidan and Shopko

As the land developer for Shopko, Oppidan requested tax incentives to develop the land south of the Vet Clinic. Their request for a TIF would use the increment in tax to pay off eligible costs of the project including development cost, drainage, parking lot, water and sewer. The maximum term is 25 years financed with municipal bonds and backed by special assessments. Hornecker felt that the TIF would not be sufficient if the road north of the lot needed to be improved, so he also suggested a sales tax rebate agreement where some of the city sales tax collected on their sales would also be used to pay for the bond. Council members voiced concern over the initial site plan which showed access from Highway 18. Local business representatives were also concerned about giving them tax benefits not available to other businesses, the shortage of job applicants and whether the local market could support current businesses as well as the new Shopko. Hornecker stated that at this time he was only looking for support from city, not a specific agreement. If council showed interest he would return with a more specific plan. Councilman Eberhardt made a motion, seconded by Councilman Carvell to pursue discussion with Oppidan. Carvell, Eberhardt, McConnell and Anderson voted aye on roll call vote; Francis, Wangler and Buss voted nay; **motion passed.**

Raffle Permits

Councilman Eberhardt made a motion, seconded by Councilman Buss to approve permits for Knights of Columbus and 2016 Junior Class Post Prom. All voted aye on voice vote; **motion passed.**

Special Assessment

A water bill in the amount of \$65.53 has not been paid by the former tenant or the landlord. Councilman Buss made a motion, seconded by Councilman Francis to assess the unpaid water bill if it is not paid by October 21, 2015. All voted aye on voice vote; **motion passed.**

ND Cares

This program is designed to create support for veterans and families of veterans. A city must pass a resolution in support, create a three member steering committee, hold at least one event per year such as students interviewing veterans or inviting veteran discounts at local businesses and would have a sign at the entrance to the city. If the county has a committee the city would not need to have one. Councilman Buss made a motion, seconded by Councilman Eberhardt to have Francis check out the particulars on the program. All voted aye on voice vote; **motion passed.**

Engineer's Agenda

Sewer & Street Improvement District #25 – Pursuit of the performance bond is not a viable option. Losing requests authorization to go forward on a lawsuit. Several Ohnstad employees would help Losing with this endeavor.

CITY OF CASSELTON
Monday, October 5, 2015
REGULAR MEETING 7:00 P.M.
Council Chambers

Arbitration and mediation are also possible. It was indicated that since Moore is culpable, they should be involved as a co-defendant or help pay for legal expenses. Oye stated he didn't believe it would be a problem for Moore to help with legal expenses. Councilman McConnell made a motion, seconded by Councilman Eberhardt to sue KPH. All voted aye on roll call vote; **motion passed.**

East View Addition – Link presented a proposed plan for more of a rural development model changing from eight lots to four lots so there would be no need for a frontage road with only two accesses. Lot 2 would still not be buildable until the new FEMA map comes out. The people who have called him want bigger lots and these would all be over one acre. Water would be special assessed and would be brought in either from the city or directly from the north connecting to rural water. With this plan the homeowners would need to install their own septic system estimated at \$8,000-\$10,000 each. Cass County regulates septic systems and most in the county are not mound systems. Horace is using this method and has \$500,000-\$600,000 homes and the septic isn't visible which should be a benefit to the city. City ordinance requires connection to city sewer so if the council is interested the ordinance would need to be changed. Councilman Buss made a motion, seconded by Councilman Wangler to look at possibilities in support of his plan including amending the ordinance. Wangler, Carvell, Francis and Buss voted aye on roll call vote; McConnell and Eberhardt voted nay; **motion passed.**

Industrial Park Storm Sewer Improvements – The public meeting was held last week with very few property owners present which seemed to indicate the owners are impartial and not specifically against the project. Oye recommends proceeding to set up an improvement district. The city's cost is down to \$242,500 after the 50% sales tax grant. McConnell stated that the engineering fees listed were too high. Councilman Wangler made a motion, seconded by Councilman Buss to proceed with setting up an improvement district as long as the 50% county sales tax grant still applies. All voted aye on roll call vote; **motion passed.** Councilman Francis made a motion, seconded by Councilman Carvell to approve Moore's invoice 11260 for \$2,236.35. All voted aye on roll call vote; **motion passed.**

Water Tower Improvements – The State Water Commission is meeting tomorrow and funding will be decided at that point. Mayer will be attending. Moore has prepared the Drinking Water Priority Questionnaire indicating a potential request for financial assistance through the Drinking Water State Revolving Fund. Councilman Wangler made a motion, seconded by Councilman Francis to submit the questionnaire as presented. All voted aye on voice vote; **motion passed.**

Councilman Francis made a motion to adjourn at 9:40 pm.

Next regular meeting November 2, 2015 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor