

**CITY OF CASSELTON**  
**Monday, October 3, 2016**  
**REGULAR MEETING 7:00 P.M.**  
**Council Chambers**

Present: Mayor Lee Anderson, Councilmen Joan Carvell, Mike Eberhardt, Charlie Francis, Char Gust, Kent Buss and Fred Wangler. Also present: Erwin Fischer, Angela Kolden, Jonathan Warrey, Public Works Director Kevin Mayer, City Auditor Sheila Klevgard, City Attorney Del Losing and City Engineer Brandon Oye.

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

Councilman Wangler made a motion, seconded by Councilman Francis to approve the agenda. All voted aye on voice vote; **motion passed**. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the minutes of September 6 and 14, City Attorney's Report, Municipal Judge's Report, Police Report and the delinquent utilities list. All voted aye on voice vote; **motion passed**. Sweeney Controls invoice was for an operator interface on one of the sewer lift stations. Councilman Carvell made a motion, seconded by Councilman Francis to approve the following bills and refunds. All voted aye on roll call vote; **motion passed**.

3D Specialties	\$949.92
Aflac	\$19.80
American Welding	\$300.00
Ameripride	\$262.89
Avesis Vision	\$112.10
Birch Communications	\$309.46
Cass County Electric	\$483.05
Cass County Reporter	\$281.22
Cass County Treasurer	\$11,261.33
Cass Rural Water Users	\$32,533.24
City of Fargo	\$4,507.82
Colonial Life	\$80.92
Dakota Supply Group	\$1,968.30
Earl's Repair	\$67.55
Fargo Tractor	\$77.70
Gordy's Service Center	\$18.14
Guardian	\$833.38
Hardware Hank	\$301.17
Hawkins Chemical	\$14.55
Johnson Pest Control	\$143.00
J.P. Cooke	\$140.50

Ken's Sanitation	\$276.11
Medica	\$3,757.67
Midnight Solutions	\$120.00
NDLC	\$225.00
New Horizons Electric	\$8,647.23
Ohnstad Twichell	\$1,700.00
Ottertail Power	\$4,087.70
Petro Serve USA	\$1,312.44
Ramkota Hotel	\$218.00
S & S Landscaping	\$607.46
Clifford South	\$100.00
Starion Bond Service	\$66,830.75
St Paul Stamp Works	\$30.71
Summit Group	\$263.50
Sweeney Controls	\$2,993.15
Team Laboratory	\$8,586.50
Uline	\$54.90
Verizon Wireless	\$151.38
Wisnewski's Top Cut	\$2,600.00
Xcel	\$92.24

**Financial Statement**

Councilman Francis made a motion, seconded by Councilman Gust to approve the financial statement. General Fund \$54,081.61; Special Revenue Funds \$761,649.40; Debt Service Funds \$1,627,313.23; Construction Funds \$(95,947.87); Special Assessment Funds \$1,095,204.10; Enterprise Funds \$463,096.57; Trust and Agency Funds \$16,711.50; total \$3,922,108.54. All voted aye on roll call vote; **motion passed**.

**Sidewalk Removal**

Erwin Fischer would like to remove the old and broken sidewalk on the south side of his house at 631 4<sup>th</sup> Street South. One house to the west has a sidewalk and the other does not. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the removal with the caveat that the city reserves the right to require the sidewalk to be replaced at a future date. The decision as to whether sidewalk is replaced immediately has been on a case by case basis. All voted aye on voice vote; **motion passed**.

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**Gaming Permit**

Central Cass School requested a gaming permit to have bingo, raffles and calendar raffles to fundraise for student activities. Councilman Francis made a motion, seconded by Councilman Buss to approve the permit. All voted aye on voice vote; **motion passed.**

**Assessments for Unpaid Bills**

Councilman Wangler made a motion, seconded by Councilman Francis to assess an unpaid utility bill of \$304.47 to the property at 321 Langer Avenue South. All voted aye on voice vote; **motion passed.** Councilman Buss made a motion, seconded by Councilman Eberhardt to assess an unpaid mowing bill of \$600.00 to the large unplatted parcel on the south side of town owned by Ken Johnson. All voted aye on voice vote; **motion passed.**

**Empty/Neglected Homes**

Last month the Ordinance & Property committee met with Dan Weber who had a question on a property at the end of his block at 362 2<sup>nd</sup> Avenue North. The house is empty and the bank has someone hired for mowing but there have been lights on and doors open at night and the house has been spray painted. Weber is concerned about the condition of the home and contacted US Bank who says they don't own it although that is what shows on the county website. He wants to know what can be done. Klevgard informed council of the basic procedures used by Beulah to start cleaning up buildings in their city. They started with the building code and written policies and procedures for identifying buildings that needed to be demolished or repaired followed by committing funds to the process. Councilman Wangler made a motion, seconded by Councilman Gust to have the Ordinance Committee do further research and come up with a plan. All voted aye on voice vote; **motion passed.**

**Park Board Update**

- A \$200,000 80/20 grant was received from Outdoor Trails Fund at the state for the trail around Tinta Tawa Park. Due to federal dollars being tied to it an engineering survey and soil sampling was required delaying the project so it probably won't get done this fall. A \$10,000 donation has been received from a Durbin resident who used to use the trail when they lived here.
- Shelly Sauer will offer youth and adult classes this fall in her house and Parks will help with marketing.
- Mrs. Kensok will continue doing art classes next summer.
- Resolution of support for school project and a contingent pledge over 20 years with the school getting the bond and Parks repaying it with \$30-35,000 annually. The Parks' ability to pay for it without fundraising is dependent on development and city valuations.
- The Park District has finished the second year of running the golf course and it is now solidly in the black. They've raised \$9,000 in pledges for the tee box project and may get a second bid. They've been advised to come up with a reserve fund to support bad weather years. The current bid included a significant asphalt extension for low \$50,000 and around \$45,000 if they don't include the asphalt. The project could also be done in phases.

**Bremer Proposal**

Bremer Bank is the sole owner of bonds from the 2013 \$3,460,000 bond sale. This is the same bond that Amko presented for refinancing last month. Bremer has presented a proposal to waive the call date on those bonds and refinance directly with them thereby avoiding advisor fees and paying agent fees which are currently paid to Starion with each payment. Unlike the Amko proposal which had the majority of the savings realized in the last year of the bond, the annual savings with Bremer are fairly steady and only dropping off in the last 5 years of the new bond. Klevgard had requested the bond counsel costs not be included in the new bond proposal and instead be paid directly from the special assessment fund balance. Councilman Francis made a motion, seconded by Councilman Buss to authorize proceeding with the refunding. All voted aye on roll call vote; **motion passed.**

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**Library Board**

The auditor voiced concern about not getting new board members for the library. Century code states that one member of the council or a designated city resident representative must be a member of the library board.

**County Commission Candidate**

Jim Kapitan is running for county commissioner in District 3. He has worked for the City of Fargo in several positions, is retired from the US Air Force and Air National Guard, has been an instructor for the incident command system with Homeland Security and worked for the State of ND as an independent contractor for flood issues. He believes candidates shouldn't be elected on name recognition but rather on what they have done. He has been endorsed by five present and past commissioners and five department heads and has been to every commission meeting for the past two years. County commissioners must live in the district they are running for but the entire county votes on all of them. Commissioners represent the entire county and he would come out any time to hear how the county could help rural residents.

**Engineer's Agenda**

*State Highway 18/2<sup>nd</sup> Street N* – Areas that weren't growing have been reseeded. Councilman Buss made a motion, seconded by Councilman Wangler to approve semi-final payment estimate #4 for \$28,057.03. All voted aye on roll call vote; **motion passed**.

*State Highway 18/5<sup>th</sup> Street N* – The bid date has been pushed back to February 3, 2017 due to needed certifications from utilities. They are trying to get an agreement with NDDOT for how the storm sewer is set up lower than the outlet east in front of the school. DOT also wants to approve the pump specifications.

*Industrial Park Storm Sewer Improvements* – Contractor is still doing cleanup in the mid section of the drain. Councilman Francis made a motion, seconded by Councilman Wangler to pay the Cass Rural Water invoice of \$2,760.00 for lowering their 1 ½" line. All voted aye on roll call vote; **motion passed**. Maple River Grain put in a section of culvert to make the area of drainage from under their road easier to maintain. Councilman Eberhardt made a motion, seconded by Councilman Francis to deny the request for reimbursement of the cost of the culvert. All voted aye on roll call vote except Wangler who voted nay; **motion passed**. Change Order No. 2 was to extend the contract deadline six weeks due to the Century Link line needing to be moved. Councilman Wangler made a motion, seconded by Councilman Francis to approve Change Order No. 2. All voted aye on voice vote; **motion passed**. A substantial amount of water was seen in front of the north culvert and could be caused by dammed water. Councilman Buss made a motion, seconded by Councilman Francis to pay Contractor's Application for Payment No. 3 of \$131,863.87 for excavation and installation of pipe. All voted aye on roll call vote; **motion passed**. Final cleanup and placement of rip rap is about all that is left for the project; seeding will be done in the spring. Councilman Wangler made a motion, seconded by Councilman Carvell to pay Moore invoice 13809 for \$10,614.15. All voted aye on roll call vote; **motion passed**.

*Water Tower Improvements* – Moore revised the Facility Plan to include a component on range of fire flow and storage needs. The level of storage needed for a higher protection level is unfeasible for most small communities. Casselton's fire rating will potentially improve because of increased volume and raising the tank in a tower rather than in the ground. Councilman Wangler made a motion, seconded by Councilman Francis to approve the amendment to the facility plan. All voted aye on voice vote; **motion passed**. Mayer and Oye will continue working with Cass Rural Water to finalize the connection plans. An archaeological survey must be done due to federal funding and can no longer be done by the Bureau of Reclamation so the city must hire out. Councilman Gust made a motion, seconded by Councilman Carvell to hire Juniper Environmental Consulting for \$5,450.00. All voted aye on roll call vote; **motion passed**. DWSRF priority list questionnaire needs to be approved by council to be sent in. Interest rates will drop as of the first of the year from 2.5% to 2% so this project will be under the lower rate. Councilman Francis made a motion, seconded by Councilman Buss to authorize the mayor to sign the priority list questionnaire. All voted

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aye on voice vote; **motion passed.** Councilman Wangler made a motion, seconded by Councilman Francis to pay Moore invoice 13814 for \$10,630.00. All voted aye on roll call vote; **motion passed.**

**Cottonwood Estates Easements**

Letters will go out from the city signed by the mayor for the last four easements for back yard storm sewer pipes.

**Casselton Farms First Addition**

The developer agreement has been signed and the plat has been filed.

**Sales Tax Increase**

The sales tax motion will need to be revised for the referendum/advisory vote. There will be a meeting on October 14 with John Shockley, who works with municipal finance, and leaders from the city, school and parks to sort out details. Losing suggested working out the sales tax motion such as what it will be used for and when it is effective after that meeting.

Councilman Wangler made a motion to adjourn at 8:52pm.

Next regular meeting November 7, 2016 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard  
City Auditor