

CITY OF CASSELTON
Monday, September 15, 2014
SPECIAL MEETING 7:00 P.M.
Council Chambers

Present: Mayor Lee Anderson, Councilmen Charlie Francis, Joan Carvell, Kent Buss, Fred Wangler, Ed McConnell and Mike Eberhardt. Also present: Troy Klevgard, Char Gust, Lorne Sterner, Becky Dunker, Diane Spoerl, Gary Spoerl, Tim Masset, Steve Link, City Engineer Brandon Oye, Dave Roedel, Public Works Supervisor Kevin Mayer, City Attorney Del Losing and City Auditor Sheila Klevgard.

Future Land Use

Planning & Zoning Board was asked to look into development of the Johnson property on the north and south end of town and any other potential land that may be developed. There once was discussion of developing land by the vet clinic for commercial property which would then transition to residential. There are possibilities on all sides of the city although the dike system may need to be expanded to incorporate land that is currently outside city limits. Not only should land owners be contacted to see if they would be interested in developing or selling land but a developer should also be found. The developer in Mapleton is from Bismarck and has taken on the project as a starting point to get into Fargo. Questions came up on where to advertise that the city is looking for a developer and whether the city wants to look at expanding if the current land is not developed within a certain timeframe. As to the land on the north side, there was a master street plan from about ten years ago that had access from Highway 18 just south of the dike and another along the south side near 5th Avenue. The city may also be able to trade land with the school to extend Langer Avenue north as an access to this area. If a developer self-finances a project, the city engineer would review all work done by the developer's hired engineer. Supervision of the contractor and additional engineering fees would also be spelled out in the developer's agreement. For now, the mayor will contact Stremmick to see what their planned timeline is for development.

Highway 10 Project

This project is a NDSTREET grant project that involves replacing the road and improving storm sewer drainage west of Langer on 5th Street North. The goal would be to make sure the drainage capacity would include the Johnson property to the north even after it is developed. The county would also like to make improvements to 5th Street North east of Langer simultaneously with the NDSTREET project to lower the storm sewer to a depth that will prevent any future heaves from the thaw/freeze cycle and prevent pavement failure. Development design of the Johnson property will need to include storm water management with a detention area to limit the discharge and manage flow into the storm system. Flow is much faster off residential land than agricultural so the pond will control discharge allowing the pumps to catch up. The pond will need to be of sufficient size to hold a 100 year event of 6.2 inches in 24 hours and then to drain it in the next 24 hours. A pond would probably need to be included in the first phase in case the second portion doesn't get built for several years.

The immediate decision is whether the city should go ahead with the west 18 project and how it will be funded. The auditor suggested using 75% of the sales tax funds after the quiet zone is paid off next year which would provide enough money to pay it off by the end of 2019. However since both projects should be done concurrently to get the storm drain fixed correctly, the larger issue is how much the county project will cost. The county will pay for a feasibility study although a cost share will need to be negotiated with the county for the actual project which combined with the NDSTREET project will possibly reach \$3,000,000. It was suggested that Cass County sales tax could be used to pay for the lift station as flood control and possibly the state would share in the cost since drainage of the ditch is in their best interest also. Roedel will inform the state that the city is waiting to get numbers from the county and that a meeting is planned with the county in the next couple of weeks. The council can expect some answers for the November meeting.

4th Street North Temporary Street Closure

Masset is finalizing an adoption of four children on Thursday with party on Saturday. He requests to have the street closed to outside traffic between 8th Avenue and 9th Avenue from 3:30pm to 10:00pm. Councilman McConnell made

CITY OF CASSELTON
Monday, September 15, 2014
SPECIAL MEETING 7:00 P.M.
Council Chambers

a motion, seconded by Councilman Wangler to approve the request. All voted aye on voice vote; **motion passed.**

KPH Pay Request

Oye did not realize that the chip seal had not been on the previous pay request so this request is mainly the seal coat and includes topsoil and seeding. There was concern over how much of the remaining contract should be paid in order to retain sufficient funds for liquidated damages. The calculation at this time is \$416,000 if they are assessed damages through the winter and the project is completed by this Friday; with a winter suspension of damages it comes to \$153,500. If the city does not pay the pay request in full, a statement from the city should be submitted with the payment stating what amount is being paid and why it is less than the request. Consensus of the council is that KPH didn't put pressure on their subs to get the work done. There were two months last year when nothing happened and it has taken three weeks to get punch list items addressed. Councilman Eberhardt made a motion, seconded by Councilman Bus to pay \$268,093.50 which will bring the retainage up to \$416,000. All voted aye on roll call vote; **motion passed.**

Raffle Permits

Central Cass Dollars for Scholars is holding a fundraiser with live and silent auctions for scholarships. Councilman Wangler made a motion, seconded by Councilman Francis to approve the permit. All voted aye on voice vote; **motion passed.** A benefit for Ember Rayne Carey will be held on Thursday at St. Leo's to help pay for her medical expenses. Councilman Wangler made a motion, seconded by Councilman Eberhardt to approve the permit. All voted aye on voice vote; **motion passed.**

Councilman Wangler made a motion to adjourn at 8:37pm.

Next regular meeting October 6, 2014 at 7:00pm.

Respectfully Submitted,

Sheila K Klevgard
City Auditor