

KINDRED CITY COUNCIL - REGULAR MEETING MINUTES
01-06-2021 at 7:00pm – Kindred City Hall

MEETING CALLED TO ORDER AT 7:01pm by Mayor DuBord with CMs Spelhaug, Amerman, Stoddard and Peraza present. Also present: City Engineer Brandon Oye & Anthony Sommerfeld, City Attorney Sarah Wear (via MS Teams), PWS Rich Schock, City Auditor Tabitha Arnaud, City Building Administrator Mike Blevins (via MS Teams), Deputy Tyler Beckius, Mark Ottis, Mark Erickson, Jan Russell.

APPROVE AGENDA

MOTION – To approve the agenda; Peraza moved, Spelhaug seconded. RCV; MCU

CONSENT CALENDAR

MOTION – To approve the consent calendar items: City Council meeting minutes of 12-02-2020 & 12-09-2020; December 2020 financials and unpaid bills report; Tax Exemption on New Construction for 102 Sheyenne St & 513 Beechcraft Blvd; Amerman moved, Peraza seconded. RCV; MCU.

BOARDS & COMMISSIONS

A. Renaissance Zone Development Plan: We received the letter of support from Kindred Public School in December 2020. Mitch Calkins of Lake Agassiz Regional Council has submitted all required document to the ND Department of Commerce. When the state gives final approval, the plan will be to contact those interested in filling RZC vacancies, setting meetings to review the RZDP with them. Once City Council formally appoints those interested, the committee and city can begin promoting the RZDP to the community.

COUNCIL BUSINESS

A. Old Business

- City Hall Rental Lease for Steve Stine: A one-year lease has been created for Steve Stine to rent a garage stall at City Hall. Upon further discussion of the internet services available, the City looked at upgrading from coax internet service to fiber internet service with MLGC. Steve has fiber service at home currently and stated a monthly rent increase would be understood if the fiber internet could be installed at City Hall. As per the “Utilities” clause, tenant is responsible for upgrades. However, the City will benefit directly from the fiber upgrade as well, now hosting more virtual meetings as needed. The monthly lease payment for Steve will remain at \$400/month.

MOTION – To approve City Hall lease agreement with Steve Stine for \$400/month; Spelhaug moved, Peraza seconded. RCV; MCU.

- MDU Proposed Natural Gas Capacity Update: A letter of support from City Council was sent to Larry Oswald as per discussion last month. Tabitha contacted Mr. Oswald, who is available for a Kindred meeting next week. Discussion on council availability. Tabitha will reach out to schedule a meeting for Thursday, January 13th.
- CARES Act: Sub-Allocation from Cass County Commission for Policing Contract: At their December 7th meeting Cass County Commission approved to sub-allocate 71% of the monthly contract cost over a 10-month period to their policing contract communities. Kindred’s 10-month contract cost was \$34,911.67; received a deposit of \$24,787.29. Casselton, Horace, & Mapleton received funds as well. This was put into the General Fund.
- 2021 Employee Health Insurance Policies: Tabitha has found a company that will quote out various health insurance options for a city insurance plan that can be offered to all full-time employees at 50% of the cost. Consolidated Benefits & Insurance Services returned the quotes just this afternoon. Full review is still needed, but it appears the cost for the same plan that each employee has currently would be reduced. Review of the quotes will be completed and presented at the February meeting. These plans would begin March 1. In the meantime, Tabitha and Shelton should still receive the benefit of 50% paid by the city for their personal health insurance plans. This can be completed with payroll deductions, of which a 2021 schedule was provided.

MOTION – To approve 2021 Payroll Health Insurance Deductions for Arnaud & Tronnes; Peraza moved, Spelhaug seconded. RCV; MCU.

B. New Business

- Public Hearing – Rezone Request by Four E Holdings LLC: Mayor DuBord opened the Public Hearing. Property owner Mark Erickson shared that he is requesting Parcel 04-0350-00020-000 be rezoned from SFR-2 to General Commercial. This is a vacant parcel (approx. 200’x300’) located directly West of the current MLGC office/shop buildings on 7th Ave South. Mr. Erickson stated that with the MLGC property zoned Industrial, he views GC as a better fit for this parcel, as it would also create an additional buffer between the Industrial land

and the potential residential development to the West. Discussion on the intended use of the property, Mr. Erickson shared that he envisions business-type condos for purchase. Discussed ordinance allowance for lot sizes, setbacks, building height, and required screening. Mr. Erickson had spoken to surrounding property owners and none had provided any negative feedback on the request; MLGC's Tyler Kilde, Mayor Jason DuBord, and Mark Ottis were all in attendance for the public hearing at the December 16, 2020 P&Z meeting; the P&Z board had no concerns and approved the recommendation to rezone the parcel as requested. Hearing no further comments, Mayor DuBord closed the public hearing.

MOTION – To approve the Rezone Request by Four E Holdings LLC for Parcel 04-0350-00020-000 from SFR-2 to General Commercial; Spelhaug moved, Peraza seconded. RCV; MCU.

- C. Planning & Zoning: At their meeting on December 21, 2020, Cass County Commission officially appointed Christina Woller-Cornog as the Planning & Zoning ET Representative. This will fill Mark Erickson's term; expiring July 31, 2023. She is ready to begin attending P&Z meetings.
- D. Building Inspector/Code Enforcement: Building Administrator Mike Blevins discussed code enforcement property 190 5th Ave N, owned by Kent Burner. The city received a call of concern regarding the length of time the construction appears to be idle and the safety hazard of the extended scissor lift without workers present regularly. Blevins shared that a building permit is valid for a 180-day activity period, which renews with each inspection. As long as the applicant is diligent about scheduling inspections, the building permit would not expire. However, Mr. Burner's building permit was only for electrical, plumbing, and HVAC work, not the addition of rafters or structural work on the West side of the building. The rafters are being constructed onsite, which is not illegal and can be done per building code, but this additional work is outside the scope of his current building permit. According to Blevins, this type of work is not typical and could be dangerous, especially with the use of the scissor lift as support to install/construct the rafters. He would recommend a structural evaluation on the west side of the garage. Attorney Sarah Wear stated that enforcement could be increased to siting the owner to municipal court if needed. City Council provided Mike Blevins direction to send another notice asking Mr. Burner to lower the scissor lift and update the building permit to reflect the new work or remove the addition and keep work within the existing building permit.
- E. Pool/Park Board: The Park Board is going to begin using City Hall for their monthly meetings. Mayor DuBord shared that PB member Kimbra Amerman approached him last month to share that their board is beginning discussions to bring Mike Brown on as a full-time employee, instead of seasonal. She asked if the City may entertain the idea of shared wages if Mike Brown could be part-time help for the City, possibly clerical at City Hall or with Public Works. Will discuss further at April 2021 PB mtg.
- F. Marketing: Mayor DuBord provided an update on the city logo. He had been working with Derrick Morin at the school but his schedule just did not allow time to work on the project. He recommended a Kindred alumni Emma Maddock, who expressed great interest in creating a new city logo. She provided a Graphic Design Service contract with a one-time fee of \$500. She would present 5 options and have multiple feedback discussions thru mid-February, with final options that could be presented in March. Discussed uses of a logo: street banners, letterhead, signs, website, promotional/marketing items.
- MOTION, passed – To approve Emma Maddock Design contract for City logo at \$500; Peraza moved, Amerman seconded. RCV; MCU.**
- G. Police: Deputy Beckius was present at the council meeting for discussion and shared the December 2020 police report via email the following day with 32 calls for service as follows: 1-field contact; 1-animal call; 2-medical; 1-fire; 1-alarm; 2-suspicious; 18-public assist; 2-traffic complaint; 1-fraud; 2-warrant; 1-welfare check.
- F. Engineering: Brandon Oye first shared the holiday gift from Moore Engineering to the city - a 75" TV that can be used for virtual meetings or sharing documents/maps during meetings. THANK YOU to Moore Engineering!!
- **Wastewater Treatment Improvements; Sewer Improvement District 2019-1**: Updates: Purchase agreements have been mailed out to property owners on the force main route going west of town. The cultural resource report is still pending, this is needed to submit to USACE. The Woodlawn force main has not yet had its exact location determined. The HOA is not moving on the locating too fast. The city has two options: A) can allow the HOA more time to locate on their own, providing a hard deadline of Aug 15th or B) The city could take over before the deadline, locate the line ourselves, and expenses to do so would be assessed to those properties thru increased user fees. Brandon shared that knowing the location of the Woodlawn force main is important because currently the service line feeds directly into the lagoon and the project will need to include extending their service line further north to a new connection point to route the waste water to the new lagoon site. Council agreed to Option A and asked if waiting until August 15th would allow Moore enough time to make any project changes that would be needed. Brandon felt comfortable with that deadline. Discussed over

estimating the length of new force main needed for the Woodlawn force main and if it is located closer than expected, a change order would be completed to revise the project, potentially reducing the expenses as well. Discussed the city's comfort to cover the costs of the additional force main from the Woodlawn line to the connection point further north. Council is ok to include this expense in the overall project as this line will be a benefit to future development/properties that would be able to connect to sewer services with the city. Discussed annexation of the Woodlawn and Evergreen developments. This has been discussed a few times with their property owners and at committee meetings. These properties are connected to the city's sewer services only. Attorney Sarah Wear provided two ways that property is annexed: 1) the property owners or HOA can petition to the city to be annexed; this is the easiest way. 2) the city can pass resolution and move through legal recourse (notices, public hearings, etc). The council had no opinion on moving forward with annexation of property at this time, unless the property owners prompt further discussion. Meeting with PW Committee will review plans. Looking to stake out the force main route and evaluate with "boots on the ground" perspective. Could possibly bid the project around March-April, if ER is approved and plans completed. Engineering Agreement for design will be provided next month.

MOTION, passed – To approve Aquatic EcoSolutions Inv #20I1105BR for \$4750.00; Peraza moved, Spelhaug seconded. RCV; MCU.

- **Newport Ridge Phase 4; Improvement District 2020-1 & Water Looping Project 2020-2:** ME provided a Certificate of Substantial Completion effective November 30, 2020. Final completion including punch list items, would be June 19, 2021.
MOTION, passed – To approve Certificate of Substantial Completion for Project 2020-1 & 2020-2 effective 11-30-2020; Stoddard moved, Peraza seconded. RCV; MCU.
- **Viking Addition Dewatering Well (2nd Ave S):** Moved to PW responsibility. Bid to complete work was \$13,800 and will begin next spring.
- **Lift Station and Force Main Improvements – Phase 2 Wastewater Improvements:** Officially moving to the Wastewater Treatment Improvements; Sewer Improvement District 2019-1.
- **Capital Improvements Plan:** Waiting for draft agreement from Cass Rural Water, meeting scheduled Jan. 15.
- **Water Tower; Improvement District 2016-1:** No further work from Moore. Waiting on final closeout from funding agencies.
- **Downtown Beautification & Sidewalks:** Will be meeting with committee to present study thus far, soon to full council. Then will move to input from "stakeholders" (school, park board, businesses, etc).

G. PWS

- Moved snow a few times now; payloaders work very well!
- With new equipment making it easier, the city is no longer stockpiling snow on vacant lots (east of City Hall, "triangle" lot south of grocery store). Moving the snow to ditch/drainage areas to prevent less issues with snow melt. And to consider infill on vacant lots, treating them as if development there has already occurred. Will work with Tabitha to send notice to downtown businesses regarding this and to ask that snow removal on sidewalks be completed on the full width of the sidewalk, not just a portion. Discussed the city assisting with snow removal on sidewalks, especially for those properties that have no side yard or parking area to put the snow. It typically ends up in the street, but if PW has already cleaned the area, this can be problematic. Discussion of snow removal fees for properties that do not clear sidewalks. City can send notice, and if the clearing is not done by the deadline provided in the notice, the city can clear it and assess the fees to the property. Notice only needs to be provided once.
MOTION, passed – To set a flat fee of \$100 per occurrence for sidewalk snow removal on downtown properties after issued notice; Peraza moved, Amerman seconded. RCV; MCU.
- Obstruction light is out on water tower. Need to order special bulbs.
- Annual employee reviews were completed. Rich evaluated Shelton who has been on staff full-time for about one year. He is taking on more responsibility s and is very reliable. CM Spelhaug and Mayor DuBord completed Rich's review. They are very grateful for Rich's eye for detail, attentiveness, and going above and beyond. Thank you for your hard work!
MOTION, passed – To approve wage increase of \$0.75/hr for S. Tronnes & \$1.25/hour for R. Schock effective 1-1-2021; Spelhaug moved, Stoddard seconded. RCV; MCU.
- Would like to meet with CM Spelhaug regarding the Insight program for the reservoir and water tower. Have had multiple "communication" error alarms and it could be related to network servers in NY failing. Could look at local internet connection versus utilizing cellular networks.

H. Finance: Harold Rotunda presented the 2018 audit report. He stated that 2018 was a relatively normal year with increased revenues, as well as increased expenses, resulting in a net change of (\$773.05) as per Comparison worksheet. 2019 audit is not yet complete, but draft financials show more increased expenses, largely under the "repairs & maint" which was some pool costs and the water meter upgrade. Revenues increased as well. Tabitha has done a wonderful job working with the financials and it shows in her comfort level from a few years ago.

**MOTION, passed – To approve 2018 Audit Report as presented by H. Rotunda;
Stoddard moved, Peraza seconded. RCV; MCU.**

I. Auditor Report

- Potential dates discussed for scheduling a special city council meeting with MLGC on their further development in the community. Will schedule between Jan. 11th-13th after 1pm.
- Since City Hall now has fiber internet service, upgrading the phone system would be ideal so hosting meeting attendee via speaker phone could be more efficient. Quote for 3 new PBX phones, install, and monthly fees is about \$700. We could remove our fax line service, which is \$30/mon and never used besides spam faxes. Council agreed upgrade is needed.
- Public Works is also in need of two new computers. With influx of virtual meetings, this is becoming a necessity. Rich has laptop that is moved from place to place and Shelton uses the old desktop from City Hall (pre-2015?). Would like to get two new desktop setups for them. Council agreed to upgrade.
- Discussed rental properties and responsibility of property owner for unpaid tenant utility bills. Council agreed to stick with the ordinance. One option property owners could explore is paying for the installation of a Bluetooth-activated shut off valve that could be used year round to disconnect service for non-payment.
- Annual employee review was completed by CM Peraza and Mayor DuBord. Tabitha has done a great job staying on top of the work load and presenting materials as needed each month, while working through staff changes and many "monkey wrenches". Thank you for your hard work!

**MOTION, passed – To approve wage increase of \$1.25/hour for T. Arnaud effective 1-1-2021;
Stoddard moved, Peraza seconded. RCV; MCU.**

K. Council Reports

- Spelhaug: Shared that Kindred Public School sent a letter of support to MDU as well and hopes to attend the meeting we schedule. Reminder to Westbrook Development to meet with the Public Works Committee soon.
- Peraza: Compliments on snow removal efficiency with the payloader in action; was fun to watch the snow team! Thanks again to Rich and Tabitha for all you do!

L. Mayor's Report: Will be scheduling a meeting with CM Peraza and Tabitha on finances and potential funds for improvements and projects.

ADJOURNMENT

**MOTION, passed – To adjourn meeting at 9:34pm;
Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**

(Minutes subject to council approval.)
(Agenda deadline is noon Wednesday the week before the meeting.)

Tabitha Arnaud, City Auditor

Jason DuBord, Mayor

Date approved