

## **KINDRED CITY COUNCIL MEETING MINUTES: 06-05-19 at 7:00pm at Kindred City Hall**

- **MEETING CALLED TO ORDER AT 7:00pm by Mayor DuBord** with CMs Spelhaug, Stoddard, and Peraza present. Absent: Amerman. Also present: City Engineer Brandon Oye, PWS Schock, and City Auditor Arnaud. Mayor DuBord began the meeting with the Pledge of Allegiance.
- **APPROVE AGENDA**
  - MOTION – To approve the agenda with additions/revisions;**  
Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.
- **CONSENT CALENDAR**
  - MOTION – To approve the meeting minutes of 05-01-19 CC & SP and 05-03-19;**  
Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.
  - MOTION – To approve the bills and reports as presented;**  
Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.
  - MOTION – To approve the audit agreements from H. Rotunda;**  
Peraza moved, Spelhaug seconded. RCV; Motion carried unanimously.
  - MOTION – To approve a Gaming Site Authorization for West Fargo Hockey Association at Spirits;**  
Stoddard moved, Spelhaug seconded. RCV; Motion carried unanimously.

Kindred Spirits Owner, Jason Campbell, asked that the annual liquor license fee of \$1000.00 be reduced or waived. Discussion regarding the support that Kindred Spirits provides our community, the rates and regulations, business and city requirements, and reductions of the annual liquor/beer license fee. Council stated they would consider such requests with each application period.

**MOTION – To reduce the \$1000.00 annual liquor/beer license fee for Kindred Spirits to \$500.00 for the current application period (07-01-19 to 06-30-20); Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.**

- **BOARDS & COMMISSIONS**
  - A. Kindred Park Board: 12-foot shade structures for the pool deck addition were discussed and approved at the 5-1-19 special meeting; the city purchasing one structure at \$7200, the park board purchasing a second at \$7200 each, and a third structure (currently \$7200) planned for the 2020 season to be split between the city and park board. Resulting in a total expense of \$22,200. Park Board Director Mike Brown had worked with his board, Mayor DuBord and Tabitha after the last meeting to change that due to a deal on larger shades, reducing the need for a third one. The purchase of two 16-foot shade structures at the total cost of \$18,300, saving \$3900 total. Red and yellow shades with blue posts were ordered; if products have not shipped, will see if we can get orange and yellow instead. The City and Park Board each paid \$6740 per shade. This leaves a total of \$4820 to be paid for the installation costs, discussion to share cost with park board; bringing each entity's total cost to \$9150.
    - MOTION – To approve \$2410.00 for the shade structure installation quote; Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.**
- **COUNCIL BUSINESS**
  - A. Old Business
    - i. Elm Street Sidewalks/Concrete Projects: Camrud Foss owners Scott Persoon and Toby Christensen were present to review the projects and discuss the contract. CM Stoddard walked thru each project with CF.
      - Elm Street Sidewalks (Option #1)
        - Original Bid was based on 3-foot sidewalks, actual width is 4-foot. Additional charges added accordingly. Intersections have drainage problems. If new ADA ramps are installed as is, it is likely they will sit under water.
        - Council decided to wait until next year to install these so a drainage or storm sewer plan can be addressed. Some driveway crossing plates are in good condition and will not need replacing, others will. Council agreed to replace three sections at the City Park that were originally going to be withheld from the project.
        - Some larger trees have been identified as too large to stay in the boulevard and not disrupt the new sidewalk. CM Stoddard quoted out the removal of 2 trees and stumps.
          - MOTION – To approve Carr's Tree Service quote of \$2950.00; Peraza moved, Spelhaug seconded. RCV; Motion carried unanimously.**
        - Ottetail will replace and install additional street lights on Elm St at no cost. Will run conduit under sidewalks.

- Memorial Building and Pool Parking Lot (Option #3)
    - Due to the large surface area, drainage is an issue in this area. Camrud Foss completed an initial survey but a grading plan should be completed to determine the true scope of this project. With the bid for this project at \$68,530.00, council decided it is best to remove this project until a survey and grading plan can be completed. This means there is potential that this project could be held back until next season.
    - MOTION – To approve Moore Engineering to complete a survey of the MB/pool parking areas; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**
  - City Hall (Option #2)
    - Reduction to original bid of \$11,528.00 was made due to sizing; now \$8,920.00.
    - MOTION – To approve Camrud Foss Option #1 and #2 price changes as presented; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**
  - Pool Deck (Option #4)
    - The drainage pipe will be extended by Rich and Mike Brown, not CF. The light pole at this location is City owned not Ottertail, so will be left as is.
  - Contract Review
    - Discussed liquidated damages and that they were not part of the request for bids. Bonding is available, but the cost is not included in these bids. CF can provide quote if needed. They have completed other projects in Kindred, including the sidewalk work at the high school (not the parking lot). Some pitting and popping are common, more so if the material used is not the correct mix. Council agreed to remove liquidated damages from the contract and add in the updated proposals.
- ii. Kindred Area Economic Development and Renaissance Boards: Planning and Zoning has been looking to revise/create a separate downtown business district and in connection with a renaissance zone (RZ) needing to be created, P&Z member Mark Erickson contacted Lake Agassiz Regional Council. Amber Metz, LARC Executive Director, provided a Proposal for creating a RZ and updating the city’s zoning as it relates to the downtown area. LARC just completed this work for the City of Hankinson. Council discussed the time and effort involved for city staff to accomplish these tasks on their own versus the cost of the proposal, as well as the benefit of having LARC’s knowledge and experience on the tasks.
- MOTION – To approve the Lake Agassiz Regional Council proposal for services to create a renaissance zone and update the downtown zoning ordinances for \$6300.00; Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**
- iii. Quotes for Radio Read Meters: Ferguson Waterworks representative Karen Olsen was present to answer questions about products, services, and quotes for drive-by (AMR) meters. Decision tabled to next meeting so further review of finances can be done.
- iv. Emergency Water/Sewer Repairs, Financial Assistance Options to Property Owners: 191 Maple St/Hill residence signed a petition and waiver for services/assessments. Repairs were completed, waiting on invoice from contractor so assessment can be calculated and brought to board for approval.
- v. Auditor Staff: Position was published, CM Peraza and Tabitha interviewed sole applicant. Feel she is the perfect candidate with her financial background; is available to start part-time.
- MOTION, passed – To Emily Teberg as Deputy Auditor at \$15.00/hour. Peraza moved, Stoddard seconded, RCV; Motion carried unanimously.**

**B. New Business**

- i. Tax Exemption on New Home Construction:

**MOTION, passed – To approve Tax Exemption Claims for New Home Construction for 531 Piper St and 527 Piper St; Stoddard moved, Spelhaug seconded, RCV; Motion carried unanimously.**
- ii. Private Water/Sewer for Agassiz Additions: Mark Erickson and City Engineer Brandon Oye discussed Erickson’s existing addition of town homes to the area West of Lil Buckaroo’s Childcare/Educational Center. He is now looking to develop six additional twin homes on his empty lots there and would need to establish water and sewer connections for those homes at the developer’s expense. This w/s would be privately owned and managed thru a homeowner’s association for those homes that are connected.
- MOTION, passed – To approve private water/sewer services for Agassiz Additions; Peraza moved, Stoddard seconded, RCV; Motion carried unanimously.**
- iii. KSB Loan for 2016 John Deere Tractor: Two regular payments have been made against this loan. With three years remaining, discussed paying the loan off to save the additional interest and free up about \$28,000/year.
- MOTION, passed – To pay the remaining balance due as of 6-5-19 on KSB Loan #89527, total \$78,202.91 from the street fund; Peraza moved, Spelhaug seconded, RCV; Motion carried unanimously.**
- iv. Junk Ordinance: There is a farmland owner SW of town that has many adjacent residential property owners that have, over time, began placing their personal property across their property lines, leading to an

encroachment of property. The farmland owner has completed a survey and sent notices to those encroaching properties with deadlines to remove their items. There has been some activity from the residents but not much. Discussed at what point the City should be involved, as it is a civil matter between property owners. Some of the items to be removed could fall within the “junk” definition of the City’s ordinances. Reviewed the process of sending notices for ordinance violations once complaint has been issued to City Hall.

- v. **Disposal of Property: 521 Elm St:** City owns this General Commercial zoned property that Dakota Hills Electric currently leases from the City. As a result of them building a new shop just outside of Kindred on Hwy 46, they will be vacating this property and terminating their lease possibly by the end of the summer. Discussion whether to continue to lease the property to another user or to sell it. City ordinance requires property valued at more than \$2,500.00 to be sold by public auction or bids. Using a realtor is also allowed. Council agreed selling is ideal and would list the property with a realtor once we receive notice of lease termination from Dakota Hills Electric. Realtor inspected property and provided estimated value of \$40,000.00.

- C. **Marketing:** Mayor DuBord present three options that the Kindred school art department developed for a city logo. Council would like to see additional idea/options.

- D. **Police:** Deputy Murphy presented the May 2019 report. There were 19 calls for service, as follows: 2-medical; 1-welfare check; 2-reckless driving; 3-animal call; 3-public assist; 2-domestic; 1-abuse; 2-impaired person; 1-accident; 1-theft. Most notable calls were theft (tools stolen from back of trailer and employee theft from a business) and animal calls, two were dog bite calls. Remind residents that dogs need to be leashed while out. Deputy Murphy also reported that his last day with the sheriff’s department will be June 21<sup>st</sup>, as he has taken a new job position elsewhere. THANKS DEPUTY MURPHY!

E. **Engineering:**

- **Water Tower; Improvement District 2016-1:** Update on schedule: paint work to begin June 17<sup>th</sup>, contractor’s schedule shows completion in September. Change Request would reduce ACP water line replacement.  
**MOTION, passed – To approve Contractor’s Application for Payment No. 12 of \$19,050.00; Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**  
  
**MOTION, passed – To approve Moore Engineering Invoice 21080 for \$6,401.70; Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**
- **Wastewater Treatment Improvements:** Moore Engineering completed the user rate study and reviewed the initial results with CM Peraza and Tabitha today. USACE offers the opportunity for an official “photo op” for the City’s receipt of grant funding. Wetland delineation has begun. Appraisal proposal has been submitted for the land to be purchased for the expansion, estimate \$4,275.33.  
**MOTION, passed – To approve appraisal proposal for RM Hoefs & Associates; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**  
  
**MOTION, passed – To approve Braun Intertec Geo Technical Report Proposal of \$21,385; Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.**
- **Flood Fight Assistance:**  
**MOTION, passed – To approve Moore Engineering Invoice 21116 for \$10,925.25; Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**
- **GIS Web Map:** GPS receiver equipment quotes provided. Both sub meter and sub foot GPS receivers require a \$42/month Arc Online subscription. The sub foot GPS receiver also requires a \$125/month VRS subscription. Prices do not include a tablet. Rich would recommend the Sub foot GPS receiver. Brandon will see if the cost for purchasing the equipment could be included in the DWSRF funding for water tower project since it would be used for locating water curb stops.
- **City Standards and Specs:** Working on builder checklist, yard grades, and possible ordinance updates.
- **Capital Improvements Plan:** Would like to set special meeting with Moore and Lake Agassiz Regional Development to collaborate on this project. CIPs assist with prioritizing the city’s needs; having project plans in place allow for greater potential funding sources.
- **Building Inspections Agreement:** Looking to schedule a meeting in June to review.
- **Pool Parking Lot:** Requested Moore to investigate drainage options for new concrete parking lot. Moore estimated \$4,500 to provide a topographic survey and some drawings with proposed solutions.

F. PWS

- May 23 & 24 the sewer main on west Elm St was blocked. Had to call in Jet Way. Luckily, they were able to get in around the blockage and remove it without digging up the street. Discovered a large piece of concrete foundation, possibly from the 1970's. Since it is a foreign object, assuming it was intentionally placed into a manhole. It shows signs of being in there for quite some time, possibly a few years.
- Street sweeper has been in twice for repairs. Works occasionally, gets too warm and then needs time to cool down before running again. Swanston Equipment's estimate is \$10-\$15K if consigned. Council agreed the City should try to consign/sell it and hire out Pro-Sweep for street cleaning 2-3 times per year.
- Looking at possibly renting an excavator to dig out ditches for drainage work.
- Summer part time help: Last season's we had one groundskeeper and one younger part-timer helping in all areas. The grounds keeper is unable to work this summer, but the other part-timer is able to take over the groundskeeping and also help with all other PW items as needed. Would like to negotiate higher wage with more responsibilities. Council in agreeance.
- Women's Auxiliary would like to take over care of the flowers at City Park.
- Will be gone on vacation June 18<sup>th</sup>-21<sup>st</sup>. Have arrangements made for someone to check the reservoir and lift stations/pumps, and to check in with Tabitha for anything that comes up.
- Tabitha helped draft up wordage and get quotes for a compost rules and city shop signs. Council would like to wait until we have a City logo to add for graphics.

G. Planning & Zoning – June meeting will have two public hearings for variances.

H. Finance – Harold Rotunda has been working on the 2018 audit and presented 2018 ending balances for review. In an effort to "clean up" the fund summary, multiple accounts that are not used any more are highlighted and can be moved to the General Fund, just need to make a motion at the July meeting to do so.

I. Auditor Report

- Will work on nuisance notices for junk and fencing.
- Meeting with Kindred Community Club for Kindred Days items. Will arrange for the City to have a booth at the City Park.
- Working with the North Dakota Forest Service (NDFS) Community Forestry and the Tree City USA program to complete a public tree inventory and become a Tree City USA.
- Will be gone on vacation from June 20<sup>th</sup>-30<sup>th</sup>. Tawnia will be covering regular office hours.

J. Council Reports:

- Spelhaug: Met James Leiman, ND Department of Commerce Director of Economic Development and Finance Division at a work conference and going to try to see if he will visit Kindred.
- Stoddard: Would like to replace the large trees being removed on Elm St with smaller trees.  
**MOTION, passed – To approve putting in two new trees on Elm St; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**
- Peraza: Will continue to work with Tabitha on the sewer rate study, deputy auditor position, retirement and policy book.

K. Mayor Report

- Will work on city logos.
- Otertail would like to meet with a City rep next week to discuss placement of new and additional light poles on Elm St. No cost to the City (thanks to grant programs within their company), just the electric bill which should be lower with LED lights installed.
- MLGC has shared that they are looking to have storefront office in Kindred. Expressed interest in old Cass County Electric building. Contacts have been made and conversation has begun on the possibility.

• **ADJOURNMENT**

**MOTION, passed – To adjourn meeting at 11:16pm;  
Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**

(Minutes subject to council approval.)

(Agenda deadline is noon Wednesday the week before the meeting.)

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Tabitha Arnaud, City Auditor

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Jason DuBord, Mayor

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Date approved