

**KINDRED CITY COUNCIL MEETING MINUTES**  
**8-1-2018: 7:00pm at Kindred City Hall**

- **MEETING CALLED TO ORDER AT 7:00pm by Mayor DuBord**, with CMs Spelhaug, Amerman, and Stoddard present. Also present: City Engineer Brandon Oye, City Attorney Sarah Wear, Deputy Keegan Murphy, CPA Harold Rotunda, PWS Rich Schock, and City Auditor Tabitha Arnaud.

Mayor DuBord began the meeting with the Pledge of Allegiance.

- **APPROVE AGENDA** – Revised: Remove from 3C gaining site authorization and rental agreement, remove 5Ai and 5Aii, add Eagle Scout project.

**MOTION – To approve the agenda with revisions; Amerman moved and Stoddard seconded. RCV; Motion carried unanimously.**

- **EAGLE SCOUT PROJECT** – Jake Sherven approached Council regarding an Eagle Scout project he would like to complete. He had spoken with the Park Board and they made mention of possibly adding volleyball courts to City Park again since the originals were removed with the pool expansion. Mr. Sherven researched standard volleyball court sizes and determined one 59’x29.5’ court could be placed directly North of the pool. He put together quotes for materials, with Rustad Gravel being the best price, and is willing to donate his labor and tools for the project. Council thanked Mr. Sherven for his time and work already invested and said they would take his project into consideration and be in contact with him soon.

- **CONSENT CALENDAR**

**MOTION – To approve the minutes of 07-11-18 and 07-25-18; Amerman moved and Spelhaug seconded. RCV; Motion carried unanimously.**

**MOTION – To approve the financials; Spelhaug moved and Amerman seconded. RCV; Motion carried unanimously.**

**MOTION – To approve a Raffle Permit for Kindred Vikettes; Spelhaug moved and Stoddard seconded. RCV; Motion carried unanimously.**

- **COUNCIL BUSINESS**

a. Old Business

- i. No new information on Memorial Building/Pool parking lots
- ii. No changes on animal and junk ordinance revisions since 1<sup>st</sup> Reading on 7-11-18  
**MOTION – To approve 2<sup>nd</sup> Reading of Ordinances 2018-71 regarding animals and 2018-72 regarding nuisances/junk; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**
- iii. Elm Street sidewalks: Revisions were made to letters that will be sent to property owners. Discussed giving owners until June 1, 2019 to complete work, after that it will become the responsibility of the City and will be included in the project and costs assessed to property. The City will begin looking for bids in early 2019 so work can complete by end of June 2019.
- iv. Veteran’s Memorial lighting: have the solar lights on hand, need to coordinate with MLGC for use of bucket truck

b. New Business

- i. Tax Exemption Claim for New Home Construction  
**MOTION – To approve tax exemption for Dustin and Kristina Heinle at 488 Beechcraft Blvd; Spelhaug moved, Amerman seconded. RCV; Motion carried unanimously.**
- ii. Vacant Council Seat: Mayor DuBord and CM Stoddard interviewed the sole applicant for the position, Ozzie Peraza. Both felt the interview went well and Mr. Peraza is qualified for the position and is eager with work with the City. CM Stoddard made the recommendation to appoint Mr. Peraza to Council. Mayor DuBord did state that it is not necessary to fill the position immediately and Council would have the option to leave the seat open and advertise for an additional length of time, although, he also feels that Mr. Peraza is well qualified for the seat.  
**MOTION – To appoint Ozzie Peraza to the vacant City Council seat (term expires June 2020); Stoddard moved, Spelhaug seconded. RCV: Spelhaug – Yes, Amerman – No, Stoddard – Yes; Motion carried.** Mr. Peraza will take the oath of office and be sworn in at the next Council meeting.
- iii. Auditor Staff: Mrs. Arnaud stated that it is still difficult to get all the office duties completed in a timely manner, while still trying to complete training and stay on top of deadlines. Discussion regarding hiring a part time

administrative assistant to help with assigned work duties (data entry, water billing, filing, etc.). Could start at 15-20 hours per week and see where it goes. Mayor DuBord and Mrs. Arnaud will handle the hiring process.

**MOTION – To approve the office position at 15-20 hours/week at \$10-\$12/hour; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**

c. Police

Deputy Murphy presented the July report. There were 18 calls for service as follows: 3-medical; 1-animal call; 1-theft; 1-juvenile complaint; 1-public assist; 1-traffic complaint; 1-disturbance/verbal domestic; 1-welfare check; 2-suicidal persons; 5-suspicious persons; 1-reckless driving. Most notable were the suspicious persons calls. A truck had been stolen from Moorhead and was located in rural Kindred. Two people were trying to locate their stolen truck by asking people in the rural communities. The disturbance call was two people involved in a verbal domestic at the pool. The Cass County Sheriff's Office held an active shooter training for businesses in the City on 7/31/18. About 10 people attended and it was very informative. Discussed how Council would like to handle golf carts being driven on city streets and/or driving recklessly. Ordinance states vehicles should be registered and insured and driven by a licensed driver. Jesse Jahner spoke regarding contracted hours/rates, Active Shooter training, and requested the City share with its residents the CodeRED program offered by Cass County to receive alerts on emergency situations. The City will add the program information to the Summer newsletter and to the City website.

d. Engineering

- **Water Tower; Improvement District 2016-1:** Braun Intertec sampled the ground water, tested clear, gave approval to discharge into ditch. Will be back Fri or Mon to continue moving forward.  
**MOTION, passed – To approve Contractor's Application for Payment No. 6 for \$33,885.00; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**  
Approved quote from Earthwork Services, Inc of \$11,024.00 was for an estimated total of 94 tons of material. Actual material disposed was less than 25 tons. Savings of \$6,315.44  
**MOTION, passed – To approve Earthwork Services, Inc. Invoice #4422 for \$4,708.56 for contaminated soil mitigation; Amerman moved, Stoddard seconded. RCV; Motion carried unanimously.**  
  
**MOTION, passed – To approve LTP Enterprises, Inc. Invoice #25780 for \$2,035.00 for well abandonment; Spelhaug moved, Amerman seconded. RCV; Motion carried unanimously.**  
  
**MOTION, passed – To approve Moore Engineering Invoice #19066 for \$5,101.75 (includes \$1500 courtesy discount); Stoddard moved, Spelhaug seconded. RCV; Motion carried unanimously.**  
Contractor has submitted a revised schedule; foundation complete this year, erect tank Spring 2019, complete Fall 2019. Moore Engineering will review further before providing to Council.
- **Sewer, Water and Street District 2017-1; NPR Phase 3:** Final inspection was 7-31-18. Will set meeting with contractor and developer to finalize remaining items: dirt work, leveling, hydrants, mostly "clean up" work. Rich removed snake pits and rebar.  
**MOTION, passed – To approve Moore Engineering Invoice #19045 for \$3,175.00; Stoddard moved, Amerman seconded. RCV; Motion carried unanimously.**
- **GIS Webmap:** Updated record drawings.
- **Elm Street Curb Drainage:** CM Spelhaug, Rich, and Mr. Oye met on site of 500 block Elm St. to examine issue. The new Fire Hall sidewalk has made the neighboring drainage issue even worse. Fund balance of project 2014-1 can be used to assist with payment of project. Moore Engineering could handle survey and staking.
- **Lagoon –** CM Spelhaug and Rich went on the lagoon to assess the sludge depth. 4.5-5-foot depth. Bug treatment was for 2-3 feet; could possibly need more aggressive shock treatment. Dredging could be an option. Could also test and discharge if needed. This could potentially increase funding as it would show the City's trouble with capacity, as opposed to operating with no capacity issues. Will add to September agenda.

e. PWS

- Would like to get signage made for compost dumpster as residents are not using it properly. No branches larger than a soda can should be put into the compost roll offs. People are putting in very large branches and even entire tree stumps. Have found masonry bricks/cement blocks in there as well. If directions are given and rules are continually broken, may need to investigate penalties for misuse or remove the service entirely.
- Need to rent a scissor lift to seal up the City Shop. There is a 3' opening at the ridge cap that creates 3' snow drifts during the winter.
- Maple St and 1<sup>st</sup> Ave street sign had pocket bent up. Replaced those signs as well as adding additional crosswalk, no trucks, and stop signs around town.

f. Planning and Zoning:

- **Public Hearing Opened for Ordinance 2018-70 (storage containers)**
- P&Z ET Board Member Mark Erickson discussed the update to Ordinance 2018-70 that was approved by Planning and Zoning on 7-18-18. A definition for storage containers was added to SECTION 4-0610 ACCESSORY STRUCTURES IN RESIDENTIAL AND COMMERCIAL DISTRICTS and item #10 “The placement or use of any storage container as an accessory building, storage, building, or living unit on residentially zoned property is prohibited.” Residents from the ET district, rural homes within ½ mile of city limits, are unhappy with this addition. However, it was pointed out that the restriction falls within residentially zoned properties. Most rural residences are zoned agricultural, so they would be unaffected by this change.
- **Public Hearing Closed for Ordinance 2018-70 (storage containers)**  
**MOTION, passed – To approve the 1<sup>st</sup> reading of 2018-70; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**

g. Finance:

- Mr. Rotunda presented Council with fund balances and preliminary budget options. August 10<sup>th</sup> is the deadline to submit the 2019 preliminary budget with Cass County. The mill levy that is approved with the preliminary budget can be decreased with the final budget but cannot be increased. So better to approve a little high and lower if necessary. Discussion of funds, status of emergency funds for floods or snow removal, and adding Stacey Fett as Financial Consultant.  
**MOTION, passed – To approve the Preliminary 2019 Budget of 56.00 mills; Stoddard moved, Spelhaug seconded. RCV; Motion carried unanimously.**  
Budget Hearing Date for approval of Final 2019 Budget will be at October 3<sup>rd</sup>, 2018 City Council meeting.

h. Auditor Report:

- Discussion regarding ND Rural Water Systems recommendation for base water rates to be dependent on the size of the water meter. Some owners of multi-family units have questioned the base water rates they are charges. Currently, the base water rate of \$28.23 is used as a multiplier for multi-family units. So, if property is a 4-plex, their base water rate is \$112.92. However, if they have a 1” meter, the base water rate should be \$70.58 (according to ND Rural Water Systems Rate Chart). The Base Water Rates are calculated using our existing base water rate of \$28.23 for a standard 5/8” water meter.  
**MOTION, passed – To approve changing the base water rates to reflect the meter size; Stoddard moved, Spelhaug seconded. RCV; Motion carried unanimously.**
- Discussed City Park equipment and lawn care. Some pieces of the swing sets need replacing. Mayor DuBord asked to have the groundskeeper trim the trees around the City Park sign.

i. Mayor Report: Would like to encourage everyone to attend the Kindred Days activities and thanks everyone for the help they have already put forth as well as for their help during the event. Will also be planning to meet with Stacey Fett to get a handle on the finances and budget before scheduling a budget meeting with the full council.

• **ADJOURNMENT**

**MOTION, passed – To adjourn meeting at 9:25pm; Spelhaug moved, Stoddard 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