

KINDRED CITY COUNCIL MEETING MINUTES
9-5-2018: 7:00pm at Kindred City Hall

- **MEETING CALLED TO ORDER AT 6:58pm by Mayor DuBord**, with CMs Spelhaug, Amerman, Stoddard, and Peraza present. Also present: City Engineer Brandon Oye, City Attorney Sarah Wear, Deputy Keegan Murphy, PWS Rich Schock, and City Auditor Tabitha Arnaud.

Mayor DuBord began the meeting with the Pledge of Allegiance.

- **SWEAR IN NEW COUNCIL MEMBER** – Mr. Peraza read the Oath of Office and was sworn in as Kindred City Council member for the remainder of the 4-year term, expiring June 2020.
- **APPROVE AGENDA** – Revised: Move 6Aiii Elm Street sidewalks directly after approval of agenda.
MOTION – To approve the agenda with revisions; Amerman moved and Stoddard seconded. RCV; Motion carried unanimously.
- **ELM STREET SIDEWALKS PROJECT** – A few Elm Street residents have expressed concerns and proposed questions with the Auditors office and a few were present at this meeting. Will all residents on both the North and South side of Elm Street be required to replace their sidewalks? Yes. What about residents who have sidewalks that are in decent condition? If residents feel their sidewalk is not in need of replacement, they would need to submit a request to City Council to be excluded from the project. What width will be required? Ordinance states the minimum sidewalk width is 42” however, the current sidewalk width is about 36”. If the city requires the 42” width, all residents would be required to replace their sidewalks, even those in decent condition. This also brought on the discussion of what direction the extra width would be extended. Would the resident lose additional green space to the property side of the sidewalk or would the extra sidewalk width go towards the city street? It was discussed that the city could revise the ordinance to require only the minimum ADA width requirement of 36” so the replacement of sidewalks would be the same as the existing sidewalks. This would save the potential of some properties losing large trees close to the boulevard. Other areas of town will be considered as this project progresses. The City will be requesting contractor bids for the project in early 2019 so work can complete by end of June 2019. The City would like to encourage property owners to take advantage of the City handling the project; rates, budgeting, etc. The cost for each parcel’s share could be paid in full or assessed to the property.
- **CONSENT CALENDAR**
MOTION – To approve the minutes of 08-01-18; Amerman moved and Peraza seconded. RCV; Motion carried unanimously.

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

MOTION – To approve a Raffle Permit for Kindred Firefighters Association; Spelhaug moved and Amerman seconded. RCV; Motion carried unanimously.
- **COUNCIL BUSINESS**
 - a. Old Business
 - i. Eagle Scout Project: Mr. Jack Sherven visited with the City last month on a scout project to build 1-2 volleyball courts in City Park. Reviewing other possible projects, Mayor DuBord contacted Mr. Sherven and they spoke of creating a sign to direct traffic from County Highway 15 to the business district. Mr. Sherven will verify with scout leader.
 - ii. Memorial Building/Pool parking lots: could request bids at same time as the Elm Street sidewalks bids.
 - b. New Business
 - i. Utility bill responsibility on rental properties: Discussion on rental properties and whether the tenant or the landlord is responsible for any past due City utility bills. Due to individual contracts varying, each rental property may differ slightly. Although, any past due City utility bills incurred to the property by any occupant of the property is ultimately the responsibility of the property owner. Currently, property owners are notified at the same time as the tenant if the tenant is issued a past due or disconnect notice. Property owners will see the same rules apply to those notifications. Reviewed current notification periods: Currently residents at 60 days past due receive a past due notice with disconnect date provided if no payment is received. At 90 days past due, the property is disconnected. Discussion on the length of this policy.

MOTION – To change the past due notices be mailed at 30 days past due, the property be disconnected at 60 days past due, and the account be paid in full to reconnect services; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.

- ii. Requests for Qualifications for City Engineer and City Attorney: Follow-up on this topic from January 2018 meeting regarding the appointment of these two city positions. RFQs will be mailed in October, interviews scheduled for November and December 2018, and the appointment to be made at the first council meeting in January 2019.

c. Police

Deputy Murphy presented the August 2019 report. There were 11 calls for service as follows: 3-medical; 1-disturbance; 1-animal call; 1-fireworks; 1-aircraft crash; 2-alarm; 1-impaired person; 1-traffic complaint.

d. Engineering

- **Water Tower; Improvement District 2016-1:** Foundation should be complete soon. Plan for remaining contaminated soil north of the foundation excavation: Remove or leave it in place? Leave it in place. Review of Contractor Change Order No. 2 included and updated schedule to a new substantial completion date of October 4, 2019 and completion date of November 1, 2019. Council questioned whether a 4 month delay this year translates to a full year on the completion of the project and expressed concerns with the new completion being so close to the winter season again. Mr. Oye stated that one reason for the length of time on the new completion was due to contractor crews not being available earlier in the year. Mr. Oye will review the schedule again and visit with the contractor to see what options they have.
MOTION, passed – To approve Contractor’s Application for Payment No. 7 for \$175,383.00 (includes 10% contingency) and Moore Engineering Invoice #19228 for \$7476.65 (includes \$3800.00 discount for 100% of additional services); Stoddard moved, Amerman seconded. RCV; Motion carried unanimously.
- **Sewer, Water and Street District 2017-1; NPR Phase 3:** Project is now complete as the punch list is done. Final payment may now be issued to contractor. Correction period inspection prior to November 3, 2018. Marlowe Rud extended a personal thanks to PWS Rich Schock for his “dynamite” attention to detail.
MOTION, passed – To approve Moore Engineering Invoice #19224 for \$7,000.00; Amerman moved, Spelhaug seconded. RCV; Motion carried unanimously.
- **Lagoon –** CM Spelhaug and PWS Schock had an initial check on sludge at about 3 feet. Moore Engineering did a sludge survey on the lagoon cells as well with results of less than 2 feet. Anything over 2 feet affects storage capacity. Ideal is around ½ foot. The lagoon system has been run much higher than should be, discharging more often would help lower levels, begin sure to test and monitor for NDDoH. Last formal NDDoH discharge was 2015. Samples of sludge material are being tested, results in 1-2 weeks.
- **GIS Webmap:** Discussed proposal to link the water/sewer/storm record drawings to Webmap. Estimate \$2100.00.
MOTION, passed – To approve linking record drawings to GIS Webmap; Amerman moved, Spelhaug seconded. RCV; Motion carried unanimously.
- **Ordinance Revisions:** Draft to Rich to include with city specs versus changing ordinance.
- **Elm Street Drainage Improvements:** Curb and sidewalk improvements in downtown district on Elm Street to improve drainage and install ADA sidewalk ramps at intersections of Elm Street and 5th Avenue North.
MOTION, passed – To approve Moore Engineering Project No. 20388 at proposed cost of \$9,300.00; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.

e. PWS

- Have been updating posts and signage. New 3-way stop at Sheyenne St. and 2nd Ave S.
- Working on winter and snow removal plans.
- Street sweeper is still sitting here, needs to be taken into Fargo again. There were large shards of metal found in the hydraulic lines. Will ask them to look it over again. Will plan to meet with Mayor DuBord and CM Amerman to discuss the equipment.
- Found an old stove/oven in the compost area and landscape bricks in the compost roll offs. Vendor could pull the compost service if the roll offs continue to be misused. Need to get signage installed and set fines for illegal dumping. Discussed installing cameras at the city shop as well.

f. Planning and Zoning:

- **2nd Reading for Ordinance 2018-70 (storage containers):** No proposed changes since 1st reading.
- **MOTION, passed – To approve 2nd Reading for Ordinance 2018-70; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**

g. Finance:

Reminder that the Budget Hearing Date for approval of Final 2019 Budget will be at 7:00PM on October 3rd, 2018 City Council meeting. Will meet with Financial Consultant Stacey Fett and special meeting with council to review prior to October 3rd meeting.

h. Auditor Report:

- Held three interviews for the Part Time Administrative Assistant. Bringing two back for second interviews and clerical tests. Would like to offer candidate \$11/hour.
MOTION, passed – To approve Administrative Assistant not to exceed \$11/hour and 15 hours per week; Amerman moved, Spelhaug seconded. RCV; Motion carried unanimously.
- Currently tracking vacation and sick leave separately, would like to ease accounting by combining and tracking just as Paid Time Off (PTO). Yes, OK.
- NDLC Annual Conference is in Grand Forks, ND on Sept. 13-15. Possible that registration cost will be covered by NDIRF, so lodging would be only additional cost. Hoping to utilize new administrative assistant to cover office while gone.

i. Council Report:

- Spelhaug: Employee reviews have previously been completed in November/December each year by the entire council. Offered to do the reviews along with Mayor DuBord and bring recommendations to Council.
- Stoddard: Will continue to work on the Elm Street sidewalk project and get the requests for bids ready.

j. Mayor Report:

- Kindred Days seen the largest vendor turnout in quite a few years. Would like to have a City booth or location in the park next year.
- Spoke with the Kindred FFA teacher on possible projects that students could complete. Asked Rich to put together a list of things that could be done.
- Would like to create a City logo or brand for Kindred. Spoke with the school art teacher to consider opening the idea up to students and staff. Looking for any suggestions from council or any city residents.
- Dakota Hills Electric is constructing a new building and will be moving out of existing location. The city is currently not planning to buy but expresses great interest in promoting new businesses. Would like to look at different offerings that the City can offer to new business. Possible tax incentives and economic development.

• **ADJOURNMENT**

MOTION, passed – To adjourn meeting at 9:55pm; 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