

**KINDRED CITY COUNCIL MEETING MINUTES**  
**Wednesday, April 6, 2022 ~ 7:00pm ~ Kindred City Hall**

**MEETING CALLED TO ORDER AT 7:01pm** by Mayor DuBord, CMs Spelhaug, Stoddard, and Peraza present. Absent: CM Amerman. Others present: City Engineers Brandon Oye & Anthony Sommerfeld, PWS Rich Schock, Auditor Tabitha Arnaud, Building Administrator Mike Blevins, Nate Weber, Megan Glasow, Tyler Kilde (MLGC), Nate Opgrand, and Cass County Sheriff Jesse Jahner.

**APPROVE AGENDA**

**MOTION – To approve the agenda with revisions (move Police to Item B);  
Stoddard moved; Peraza seconded. RCV (Roll Call Vote); MCU (Motion Carried Unanimously)**

**COUNCIL BUSINESS**

A. Boards & Committees

- Renaissance Zone Committee: RZC Member Nate Weber spoke to council about the new RZ Development Plan and shared that the committee has met to review the application process, has its first meeting for a project application next week, and has two additional interested board members. RZC was started with three members with a goal to appoint a total of five. One interested resident is Sue Kersting, who is currently the chair of Kindred Planning and Zoning, has been on this board for many years and was a city council previously as well. Megan Glasow is the other interested resident. Ms. Glasow shared that she was inspired by the progress and development that she experienced in downtown Fargo when she lived and worked there, prior to moving to Kindred. She stated that “community is what the residents make it”; as Downtown Fargo has been revitalized and made vibrant it is exciting to see new entrepreneurs and businesses make use of the space, this would be great for Kindred. CM Spelhaug said the RZC is a great asset to promote the program to the community and those owners within the RZ district. Mr. Weber said there is indeed a financial benefit to the property owners but is also an incentive to update buildings to keep them from further deterioration or demolition, often helping to retain character of the building and community.

**MOTION, passed – To appoint Megan Glasow & Sue Kersting to Kindred Renaissance Zone Committee;  
Spelhaug moved, Peraza seconded. RCV; MCU**

- B. Police: Cass County Sheriff Jesse Jahner attended instead of Deputy Bryce Noonan. Sheriff Jahner presented the March 2022 calls for service with 15 total calls including 9 parking/traffic complaints and 3 suspicious. He also presented the Cass County Sheriff’s Office annual report reviewing the 2022 budget, employees, programs, and the newest deputy K9 Deputy Kota will be one of two new K9s thanks to Scheels contribution. All CMs and Mayor expressed their thanks for the officers and department’s dedication to Kindred and putting safety first. Thank you!!

C. Old Business

- 2<sup>nd</sup> Reading Ordinance 2022-93: Chapter 9-0218 Private Fire Hydrants: No changes since 1<sup>st</sup> reading.  
**MOTION, passed – To approve 2<sup>nd</sup> reading of Ord 2022-93 relating to private fire hydrants;  
Spelhaug moved; Peraza seconded. RCV; MCU.**
- 2<sup>nd</sup> Reading Ordinance 2022-94: Chapter 10-0113 Hours of Sale of Liquor: No changes since 1<sup>st</sup> reading.  
**MOTION, passed – To approve 2<sup>nd</sup> reading of Ord 2022-94 relating to the hours of sale of liquor;  
Stoddard moved; Peraza seconded. RCV; MCU.**

D. New Business

- Public Hearing: Preliminary and Final Plat of MLGC Addition: Mayor DuBord opened the public hearings. MLGC President Tyler Kilde shared that they are presenting a plat to combine the two parcels they own on 7<sup>th</sup> Ave S, removes of city right-of-way (ROW) for Maple St that is between the two current parcels, but includes an easement for the existing water main that is located there. Council asked PWS Schock if there were any concerns; Schock said the plat looks acceptable as MLGC has been responsive to requests and needs that were noted with earlier versions of the plat. Auditor Arnaud stated that the city attorney’s recommended changes to legal language was updated and the P&Z public hearings were held and final plat approved at the March 16, 2022 meeting. Brandon Oye noticed that the ROW for 53<sup>rd</sup> St SE (south end of the plat/parcel) was only 33’ and should be greater, possibly 50’-100’ depending on ordinance and future plans for that main arterial road. He apologized that Moore accidentally overlooked this ROW dedication with most of the focus being on the Maple St vacation. He reminded council that the City Engineer plat approval is separate from P&Z and Council. Mayor DuBord suggested that council approve the preliminary plat, allow Moore to review the plat and address the ROW concerns with MLGC, then add the final plat to the special meeting agenda next week

(scheduled with Park District) allowing more time to address the corrections. Mayor DuBord closed the public hearings.

**MOTION, passed – To approve the preliminary plat of MLGC Addition; Spelhaug moved; Stoddard seconded. RCV; MCU.**

- Ordinance Revision to Highway Commercial Chapter 4-0507: Auditor Arnaud shared that P&Z had the request to review this ordinance and consider adding the allowance of residential dwellings above a commercial or retail space. Arnaud said that this is already a permitted use in the General Commercial and Downtown Districts. So, the addition of “single and multiple residential dwelling units above commercial businesses” into the permitted uses of the Highway Commercial District could be incorporated. P&Z has already reviewed this and was in agreement that the revision could be made. Arnaud noted that the parking requirements within the HC district may need to be adjusted to ensure off-street parking is included for the residential occupants. Discussion on upkeep of exterior balcony and presentation of the dwelling spaces; keeping them tidy, clear of debris, and aesthetically pleasing would be ideal. It was suggested that between property maintenance code and property owner lease documents these items could be regulated. CM Spelhaug stated that P&Z should review the parking requirements and provide input to council on that.

- Airborne Vector Control 2022 Mosquito Control Contract: No changes to rates or coverage area since 2021.

**MOTION, passed – To approve the Airborne Vector Control 2022 Mosquito Control Contract; Spelhaug moved; Stoddard seconded. RCV; MCU.**

- Annual Garbage Rate Increase per Waste Management Contract: Auditor Arnaud presented various options for the annual 2.5% increase on residential garbage rates under the City’s contract with Waste Management. The minimum recommended charge would match the 2.5% WM increase and would be an additional \$0.50/month/tote. Discussed the garbage fund and considered the annual loss in 2021 of \$2200, partly due to the one-time curbside “spring clean-up” fees of \$4100. CM Stoddard asked what the impact would be to residents if the loss was incorporated into the monthly rates; Arnaud estimated an additional \$0.59/month/user. It was suggested a review of an updated calculation could be done at the special meeting next week. CM Spelhaug said it is good practice for the city to cover some of the expense for the curbside cleanup and this helps residents dispose of bulky garbage that could otherwise remain in yards and become unsightly nuisances.

**MOTION, passed – To approve \$0.50/month/tote garbage rate increase effective May 1, 2022; Stoddard moved; Peraza seconded. RCV; MCU.**

E. Pool/Parks: Special Council and Park Board meeting scheduled next week, April 13.

F. Building Inspector/Code Enforcement: No new building permits issues, although a foundation only permit is in progress for 931 Elm St and the structure permit will be issued separately once plans are completed. Discussed code enforcement for 190 5<sup>th</sup> Ave N: City received one quote for roofing at \$10,810 and siding at \$17,730, soffit/fascia is not indicated on quote as included so need to verify this. Council also wants to request additional quotes for comparison.

G. Engineering:

- **Wastewater Treatment Improvements; Sewer Improvement District 2019-1**: The force main west of the railroad tracks is complete. KPH plans to start work east of the railroad tracks next month so more activity will be taking place in town, Moore will keep in contact with City Hall to send notices on project updates and affected street closures to the community.

**MOTION, passed – To approve ME Invoice 29540 for \$5,331.75; Peraza moved; Stoddard seconded. RCV; MCU.**

- **Newport Ridge Phase 4 and Water Loop, District 2020-1**: Waiting for ditch seeding to be established, then final inspection will be completed.

- **Dakota St & 5<sup>th</sup> Ave N Sidewalk Improvements**: ME met with Cass County to discuss the sidewalk tie-in and traffic concerns at Dakota St and County Hwy 15. Site evaluation planned as soon as weather allows.

**MOTION, passed – To approve ME Invoice 29542 for \$4,895.00; Peraza moved; Stoddard seconded. RCV; MCU.**

- **Drain 60 Enclosure**: Reviewing engineer recommendations for pipe sizing and impacts; more next month.

**MOTION, passed – To approve ME Invoice 29544 for \$690.00; Peraza moved; Stoddard seconded. RCV; MCU.**

- **General City Engineer:** Moore is working with Public Works Committee to help create a storm water management policy and ordinance. Will likely have a proposal for next month. Mayor DuBord shared he had a resident request to review the drainage at Linden St and Rustad Dr (by Road Runner Auto). The ditches have had some build-up of sediment from runoff so the grades do not match, this causes the pooling. Installing a drain at that intersection would not be feasible because the drain would need to be above the payment to match the grade for proper drainage. Will keep this area on the improvement list for further evaluation.
- **Additional discussion on the preliminary and final platting process:** Oye stated that when right-of-way and easements are considered on a plat, separate hearings would be recommended. Oye apologized for not closing up the engineering review discussion on their end previously, after their initial review was completed. Arnaud shared that the process is typical to complete the hearings separate, especially of the plat is to break up a parcel into multiple parcels. City attorney suggested publishing the MLGC preliminary and final plats together since it was combining two parcels under the same owner. Arnaud noted that moving forward all plats will have the hearings separately to avoid any confusion. The “silver-lining” on the MLGC plat is that the public hearings for the final plat were already published/completed so reviewing again in one week is feasible, whereas typically the final plat hearings would have required another round of publishing which can take a minimum of 2-3 weeks depending on publishing dates.

H. PWS:

- Preparing for yet another storm system, then maybe spring will arrive.
- Compost dumpsters are likely going to need to be pushed out to May for the lot to dry up enough.
- Have had a few complaints on alleys with potholes and water standing. Spend about \$7K on gravel each season to rehab the alleys, but need to wait for them to dry up before any work can be done.

I. Auditor Report

- Consent Calendar:

**MOTION, passed – To approve City Council meeting minutes of 03-02-2022; March 2022 financials and bills reports; Tax Exemption for New Home Construction 416 Cessna Ave; Bingo Permit for St. Maurice Catholic Church; Raffle Permit for Kindred Parks & Rec; Peraza moved; Spelhaug seconded. RCV; MCU.**

- Delinquent Utility Bill Accounts: Only two accounts are on the list, one is a landlord account making payments on a tenant balance that was unpaid, one account was issued a disconnect notice. Largest balance from last month’s list was paid in full after PW cleared the snow in the yard to locate the curbstop prior to disconnect date.
- Audit Firm Review: Mayor DuBord, CM Peraza, and Auditor Arnaud met with one auditing firm, Widmer Roel, who submitted a proposal for auditing services. All shared their confidence that this firm would be great and that the staff was personable and approachable. Since the city needs to start with the tax year 2017, the overall 5-year audit proposal is a bit expensive, estimated not to exceed \$56K. However, the average is about \$12K/year which is comparable to what other communities are paying. The city’s previous audit fees were about \$2500/year, but it has been discovered that was not the full audit process as required by the State of ND. Arnaud noted that the city has not paid for any audit expense since the 2016 audit was completed and approved by the state, so there is some savings to be considered. There are two other firms that expressed interest but were unavailable to meet until after the tax season was complete. We will follow up with those firms and request proposals from them before making a decision.

J. Council & Mayor Reports:

- Stoddard: Will be attending additional meetings on the Dakota St and 5<sup>th</sup> Ave N sidewalks.
- Mayor DuBord: Shared that request has been made for frisbee golf somewhere in town and he will be working with the Park District to explore possibilities.

**ADJOURNMENT**

**MOTION, passed – To adjourn meeting at 9:18pm; Spelhaug moved; Stoddard second. RCV; MCU.**

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

\_\_\_\_\_  
Jason DuBord, Mayor

Attest: \_\_\_\_\_  
Tabitha Arnaud, City Auditor

Date approved: \_\_\_\_\_