

KINDRED CITY COUNCIL - REGULAR MEETING MINUTES
12-01-2021 at 7:00pm – Kindred City Hall

MEETING CALLED TO ORDER AT 7:01pm by Mayor DuBord, CM Spelhaug, Amerman, Stoddard present.
Absent: CM Peraza. Others present: City Engineer Anthony Sommerfeld, City Attorney Sarah Wear, PWS Rich Schock, Auditor Tabitha Arnaud, Building Administrator Mike Blevins, Kelly Rustad, Barbara Rude, Nate Opgrand, Kent Burner, Erika Tommeraus, Jan Russell.

APPROVE AGENDA – Add Purchase Agreement Review for Rustad’s Linden St Lots to Old Business, Add Raffle Permits for Kindred Wildlife Club & St. Maurice’s Church to Consent Calendar

**MOTION – To approve the agenda with revisions;
Stoddard moved, Amerman seconded. RCV; MCU**

COUNCIL BUSINESS

A. Building Inspector/Code Enforcement: Updates on code enforcement on Kent Burner properties.

- 931 Elm St: After last month’s meeting and order of demolition of the structure by Council, Nate Opgrand worked with Kent Burner to purchase the property. Nate is requesting the city to hold on the demolition and he will complete it next spring. Attorney Sarah Wear shared that the “offense” (of Dangerous Buildings ordinance) is against the property and not the specific owner, so the Order & Findings Reports transfers with any sale of the property. She added that council can extend the order if they so choose. Nate said he could complete the demolition in about 6-7 months and would work with Building Inspector Mike Blevins to get the property “water tight” for the winter. Mike said that the property should be sealed up for the winter to prevent unwanted harboring of pests/rodents and/or mischievous persons. This would include boarding up any openings and wrapping any exposed areas without siding. Utilities should also be disconnected. PWS Schock stated that Kent already requested the water service off; it has since been turned off at curb stop, verified internally, and water meter removed.

**MOTION, passed – To approve demolition extension to July 1, 2022 and request exterior wrapping be completed by December 20, 2021;
Stoddard moved, Spelhaug seconded. RCV; MCU.**

- 190 5th Ave N: Mike Blevins shared that he has had no further contact with Mr. Burner on this property. The deadline provided last month was December 3, 2021 to complete the exterior repairs (roofing, soffit, fascia, and siding). At this point, Council can order the repairs to be completed. Mr. Burner stated that he did remove the 3rd stall of the garage as requested earlier this year, and said that he has had little time to get to the exterior repairs needed at this property as he was tied up with moving items out of his other property that sold. Blevins said that the roof/fascia/soffit is in need of the most attention to maintain structural integrity. Mayor DuBord said the city could hire out the roofing repairs to ensure this is completed.

**MOTION, passed – To get estimates for roofing/fascia/soffit at 190 5th Ave N;
Spelhaug moved, Stoddard seconded. RCV; MCU.**

Spelhaug and PWS Schock will help get estimates. Mr. Burner will still have the options on colors/materials. Council discussed the need to set a deadline for Mr. Burner to complete the siding work; he said he could do it within the new few days. Spelhaug suggested setting the deadline to next month’s council meeting.

**MOTION, passed – To extend the completion deadline for siding/door repairs at 190 5th Ave N to January 4, 2022;
Spelhaug moved, Amerman seconded. RCV; MCU.**

B. Old Business

- Grand Farm Proposal: Reviewed email update received today. Emerging Prairie is hosting a workshop in Fargo next week on the visioning and requirements of a Grand Farm Campus. Spelhaug stated he is unavailable for the workshop but would be interested in filling other roles the boards are looking for. Mark Ottis and John Hertsgaard are possibly able to attend.
- Purchase Agreement Review for Rustad’s Linden St Lots: Kelly Rustad shared that as the oldest family in the community, he is very pleased that these properties are going to the City, adding that the lots have remained vacant for too long. The Rustad owners have signed the purchase agreement as prepared. They are agreeable to contract moving of old American Legion building off the lot, removing the building foundation and sidewalk, cap utility services, and backfill by end of 2022. Mr. Rustad also noted that the trees currently on the lot will remain. Mayor DuBord thanked the Rustad family for their community friendship

and flexibility to expedite the building move if it were needed. CM Amerman asked what liabilities the city would have should the rumors of contaminated soil issues at these properties be confirmed. Mr. Rustad said that he could not confirm or deny any fuel station being on the lots; if soil borings are requested, the sale offer would be off the table. PWS Schock stated that there have been multiple open digs in this area with by KPH for the sewer force main installation along Linden St. Having some prior experiences with contaminated soils, he checked the sites while work was ongoing. Dig depths were close to 13 feet, light sandy soils with no smells. Mr. Rustad said that the lots did have an above-ground tank by the barn that was used for liquid feed supplies. Livestock trailers and gravel trucks were also left on the lots, along with about 1 foot of gravel across the lots. Review of 1962 GIS Webmap imagery. Amerman noted the water tower site and the contaminated soil that was found there, when it was assumed the lot was clean. Engineer Anthony Sommerfeld shared that soil borings can vary greatly, sometimes in as little as 6 inches of each other. He added that sandy soils with a high water table would have likely allowed contaminations to migrate. Mayor DuBord said that he has confidence that if contamination is found, that a city entity is the right owner to seek funding or resources necessary for mitigation. Mr. Rustad shared that the lot is appraised at \$140,000 and are offering the city a sale price of \$120,000 which includes removing the American Legion building. He also shared that they have all abstracts in possession and will update them upon purchase.

MOTION, passed – To approve the purchase agreement for the Linden Street lots as presented; Stoddard moved, Spelhaug seconded.

RCV: No = Amerman; Yes = Stoddard, Spelhaug. Motion Carried.

C. New Business

- Public Hearings: Proposed Westbrook 1st Addition – Parcel 04-0300-000979-070: Public Hearings opened for preliminary plat and rezone from Agricultural District to SFR-3. Developers are preparing an updated preliminary plat. Hearings can stay open, topic tabled to next meeting.
- Utility Billing Pool Operations Surcharge: CM Spelhaug stated that he'd be in support of removing the \$5.00 monthly pool operations utility bill fee and using another source for the funding of the pool. He said that this would be a way to assist users with the extra expenses recently added to the monthly bills; and that the pool isn't used by only residents. Council should be diligent with use of funds, considering sales tax revenues. Spelhaug also noted that when this surcharge was implemented 5-6 years ago, it was intended to be temporary until the new pool operations and Kindred Park District were established. CM Amerman said that he agreed.

MOTION – To remove the Pool Operations fee from utility bills effective with December billing; Spelhaug moved, Amerman seconded.

Discussion on revenues/expenses. Meeting with Park District next week, should review with them on operations and sub-lease agreement. Add this item to that agenda. No vote.

MOTION RESCINDED by Spelhaug, Amerman

- Cass County Election Joint Powers Agreement: Review Joint Powers Agreement received from Cass County to facilitate City elections in conjunction with County elections and assist with special elections if needed. This agreement is for many other small communities in the county.

MOTION – To approve the Cass County Election Joint Powers Agreement; Spelhaug moved, Amerman seconded. RCV; MCU.

D. Park District: Special Council meeting scheduled for December 6, 2021 at 7pm for post-season pool review.

E. Planning & Zoning: The board has an upcoming meeting scheduled on December 13, not December 15. The Variance Application by Lance Nokleberg was denied at the November 17, 2021 meeting and Mr. Nokleberg called today to ask about appealing their decision to city council. Discussed possible meeting dates. Once date is determined Public Hearing notices must be published/mailed.

F. Marketing: Tabitha shared that winter streetlight banners and brackets have been ordered and arrived. Kindred Senior Citizens member Barb Rude told council that the group was looking for ways to support the community and asked Tabitha for recommendations on projects that the city was working on. They chose to support the purchase of these banners to help beautify the community and welcome all residents and visitors. The Senior Citizen Club donated \$3500.00 to help pay for 30 new banners and bracket systems. Thank you, Kindred Senior Citizens!! PW is working to schedule a bucket truck to get the banners up soon.

G. Police: Deputy Beckius was not present but sent the November 2021 report with 27 calls for service.

H. Engineering: Anthony Sommerfeld presented in Brandon Oye's absence.

- **Wastewater Treatment Improvements; Sewer Improvement District 2019-1**: Force main installation is about 90% complete. Top soil stripping is taking place at the new pond site, some winter cleanup items. Rich shared that the directional boring is expediting progress. Televising the sewer services was in the project to be completed before force main installation, however, KPH chose to proceed and televise after installation. Slight plan deviation at Linden St by RDO caused excavation into the street and now there is a concern for snow removal with gravel area versus asphalt. Anthony said he would discuss with Brandon to be sure that this area is addressed with the contractor.

MOTION, passed – To approve Contractor's Application for Payment #4 for \$265,483.23 and Moore Engineering Inv 28635 for \$43,681.08; Stoddard moved, Spelhaug seconded. RCV; MCU.

- **Newport Ridge Phase 4; Improvement District 2020-1 & Water Looping Project 2020-2**: Manufacturer rep for tracer wire came and inspected the installed tracer wire that was not working. He was able to locate the area that was disconnected so all areas can now be located. Seeding of the airport ditch/drainage areas will be completed next spring. Final payment is recommended to be held until grass establishment in 2022.
- **Capital Improvements Plan**: Held a meeting on the water system, populating the CIP document with estimates for projects. Intend to review the CIP in full with all council in January or February.
MOTION, passed – To approve Moore Engineering Inv 28626 for \$3,587.96; Spelhaug moved, Stoddard seconded. RCV; MCU.
- **Downtown Improvements**: Reviewed the final details of the Vision plan, Preparing hi-level cost estimates for improvements.
MOTION, passed – To approve Moore Engineering Inv 28628 for \$2,067.50; Stoddard moved, Spelhaug seconded. RCV; MCU.
- **Dakota St & 5th Ave N Sidewalk Improvements**: Project is on hold but the school has contacted ME to discuss options that could be completed along with the construction of the middle school expansion. CM Stoddard will meet along with ME and KPS to explore shared improvements.

I. PWS:

- Parts to repair the snowblowers are in Erskine, MN. \$500 to ship to RDO or can arrange pickup if someone is headed in that direction.
- Catholic church had to deal with an overwhelmed sewer system; want to assess connection to the city sewer system and to eliminate their septic system.
- Met with RR/VW rep on possibility of rehabbing the Sheyenne St railroad crossing. Will be setting additional meetings with them to discuss further.
- Moved snow a few weeks ago and ready for snow event this coming weekend.
- Arranging installation of streetlight banners.
- CM Stoddard asked about the County 15 letter to request reduced speeds and no engine breaks. Tabitha shared she would get the letter mailed out this week.
- Discussed resident request to install additional stop signs at Beechcraft Blvd and Cessna Ave. Council said they would drive the area and consult with Rich afterwards.

J. Auditor Report

- Consent Calendar

MOTION, passed – To approve City Council meeting minutes of 11-03-2021; November 2021 financials and bills reports; Tax Exemption for New Home Construction at 526 Piper St; Raffle Permits for Kindred Wildlife Club & St. Maurice's Church; Stoddard moved, Amerman seconded. RCV; MCU.

- Finalizing the new utility rates for sewer increases, will be creating a separate billing line item for the 2019-1 Wastewater Project that was passed last month to generate revenues for the lagoon project loan.
- Upcoming observed holidays for city staff are Dec 24 for Christmas Day and Dec 31 for New Year's Day.

- Review of 2022 City Council Meeting Calendar, upcoming 2022 City election and expiring terms: (1) Mayor, (2) City Council seats, (1) Municipal Judge, and (3) Park District seats. Filing deadline, forms, and required number of signatures will be provided by Auditor's Office as soon as it is confirmed with County.

K. Council Reports:

- Spelhaug: Employee reviews should be completed prior to January 2022 council meeting. Tabitha will email the evaluation forms to Council.

L. Mayor Report:

- On the topic of the election, Mayor DuBord shared that he will not be running for reelection. He has loved being mayor and part of this team! With some concerns on conflicts of interest regarding the Westbrook development, he feels separation is key. This will also allow him to spend more time with family. He is looking forward to the future and would be willing to speak to anyone who is willing to consider running for the mayor position or hear of any suggestions from the community on who they would like to see as mayor.
- Christmas gifts will be ready in the next week or two as well. Hope everyone has a very Merry Christmas!

ADJOURNMENT

**MOTION, passed – To adjourn meeting at 9:17pm;
Spelhaug moved, Amerman seconded. RCV; Motion carried unanimously.**

(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: _____