

KINDRED CITY COUNCIL - REGULAR MEETING MINUTES
04-07-2021 at 7:00pm – Kindred City Hall

MEETING CALLED TO ORDER AT 7:04pm by Mayor DuBord with CMs Spelhaug, Stoddard and Peraza (via MS Teams) present. Absent: Amerman. Others present: City Engineer Brandon Oye, City Attorney Sarah Wear, PWS Rich Schock, Auditor Tabitha Arnaud, Building Inspector Mike Blevins, Cass County Sheriff Jesse Jahner, Deputy Tyler Beckius, Emma Maddock (via MS Teams), Linda & Rick Davis, Sarah & Rocky Paul, Mark Ottis, Jan Russell.

APPROVE AGENDA

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

CONSENT CALENDAR

**MOTION – To approve the consent calendar items: City Council meeting minutes of 03-03-2021 & 03-26-2021; March 2021 financials and unpaid bills report; tax exemption on new construction for 405 Cessna Ave;
Peraza moved, Stoddard seconded. RCV; MCU.**

BOARDS & COMMISSIONS

- A. Kindred Community Days: CM Stoddard explained that Kindred Wildlife Club is looking at options to move their annual trap shooting event closer to or within Kindred city limits. After contacting various land owners, the event could be held at Cass Rural Water's property on west Elm St. However, state law does not allow discharging firearms within city limits. Discussion between council, sheriff's office, and attorney. City could issue an event permit to cover liability and would notify surrounding property owners of the event date so they are aware of the noises.

**MOTION – To approve Kindred Wildlife Club event permit for Kindred Days Trap Shoot contingent on receipt of completed application;
Stoddard moved, Spelhaug seconded. RCV; MCU**

COUNCIL BUSINESS

- A. Marketing: Emma Maddock presented and discussed five different variations of logo designs. Emma stated that various version of the same logo would be provided to accommodate many different uses; ie: website header, letter head, shirts, "merchandise", etc. Feedback from council, staff, and attendees focused on the styles of the first and second versions. Emma thanked everyone for the opportunity to present and for the input. She will work the feedback into an updated design to present at the May meeting.

B. Old Business

- 2nd Reading: Rezone Erickson Subdivision, Parcel 05-0000-09801-000

**MOTION – To approve 2nd reading of Rezone for Erickson Subdivision from Industrial to Agricultural;
Stoddard moved, Spelhaug seconded. RCV; MCU.**

Discussion. Plat error on missing utility easement: City Engineer Oye shared that he had been working with Jesse Erickson to get this corrected before signing off on the plat. Building Inspector Mike Blevins said a building permit has been requested at Lot 2 of this subdivision but no address will be assigned until the plat is recorded. To help expedite construction, an alternate permit form can be utilized until a 911 address is received from the county.

C. New Business

- PUBLIC HEARING – New Liquor/Beer License Application: Mayor DuBord opened the public hearing and opened the floor to Rick & Linda Davis and Sarah & Rocky Paul, owners of The Uptown Eatery at 460 Elm St. Sarah Paul shared that they have purchased the previous Morning Glory Café building effective April 1st and they are currently remodeling and prepping for the grand opening of their new restaurant on April 14th. They plan to keep similar hours as the previous business: 6am-2pm M-F, Wednesday evening supper hours, one additional weekday evening will be BBQ night, and Sunday brunch. They want to support Kindred's heritage and history and have printed old photos of downtown and surrounding area for display. They also want to host community events, car club, and teacher appreciation nights. The request for a "Restaurant on Premises" liquor/beer license is so patrons can enjoy a beer or glass of wine with lunch or evening meals or a mimosa with Sunday brunch.

Tabitha shared that the application was complete and Cass Co Sheriff Deputy Beckius found no concerns upon checking the applicant backgrounds. No other public comments or concerns were expressed to City Hall prior to this meeting or from attendees at the meeting. Mayor DuBord and council shared that keeping a café open after Morning Glory's decision to close is wonderful and that a new restaurant in Kindred is very exciting for the community!

Mayor DuBord closed the public hearing.

MOTION – To approve a Restaurant on Premises Liquor/Beer License for The Uptown Eatery effective for remainder of the application period, ending June 30, 2021; Stoddard moved, Spelhaug seconded. RCV; MCU.

- Airborne Vector Control 2021 Mosquito Control Contract: Tabitha contacted Airborne to update the spray area for Newport Ridge. The last two phases of the development were not fully included and coverage of spray applications were not guaranteed. This added 35 acres to the coverage area. Airborne's cost per acre and ferry fees did not change from previous years.

MOTION, passed – To approve the 2021 Mosquito Control Contract with Airborne Vector Control; Spelhaug moved, Stoddard seconded. RCV; MCU.

C. Planning & Zoning: April meeting will be the 28th not the 21st, due to absent board members.

D. Building Inspector/Code Enforcement: Building Administrator Mike Blevins stated that for 2021 he would like to implement a residential plan review fee to help cover the administrative costs for permit processing, fielding calls from contractors with zoning and design inquiries, creating city invoicing, zoning review, and meeting with contractors at our office to discuss design considerations during the submission process. This is similar to the commercial plan review fee that is already in place and used on commercial projects in the City of Kindred. Sarah Wear has helped with submitting the same request in Mapleton and mentioned that the City of Kindred has the same ordinance in place. The current adopted ordinance allows for a 50% fee to be collected for reviews. We are requesting 25% to help with administrative costs. This will allow us to not have any increase in the existing permit fee schedule that we adopted from Moore Engineering in 2019. For comparison, Mike provided neighboring jurisdictions in the FM area that use residential plan review fees to help with administrative costs: City of Mapleton and Moorhead 25% of the BP fee; City of Horace 65% of the BP fee (will be changing to 35% in 2021); City of Barnesville 40% of the BP fee; City of Hillsboro 40% of the BP fee.

MOTION – To approve a 25% plan review fee to residential building permits; Stoddard moved, Spelhaug seconded. RCV; MCU.

Mike Blevins discussed the code enforcement property at 190 5th Ave N for Kent Burner. The building permit is set to expire in May if there is no contact from Mr. Burner before then. Mike shared that he does not want to force the issue on Mr. Burner but there are still safety concerns that need to be addressed. Mike and Sarah stated there are additional legal courses the City can take. Council agreed to continue to move forward. A notice will be sent with a new deadline, failure to comply will result in the City proceeding with the next steps.

E. Pool/Park Board: Scheduled council/park co-meeting is next week, April 14th @ 6:30pm.

F. Police: Deputy Beckius was present at the council meeting for discussion and shared the March 2021 report with 30 calls for service; 1-abuse; 2-disturbance; 1-field contact; 1-gass drive off; 1-juvenile complaint; 4-medical assist; 1-narcotics; 4-public assist; 1-reckless driving; 3-suspicious; 1-theft; 2-treats; 2-traffic complaints; 3-warrants; 1-welfare check. Discussion on extra patrol and enforcement in response to last month's concerns with traffic. Extra deputy presence has calmed the traffic issues, though Deputy Beckius said there is still room for improvement. Mayor DuBord thanked the department for the response and actions! CM Peraza thanked Sheriff Jahner for the well written letter to residents and for stepping up when requested. Deputy Beckius also stated that the sheriff's department would like to attend the co-meeting with the school regarding the crosswalk and intersection improvements. CM Stoddard shared he discussed briefly with Steve Hall and he is interested in meeting on this. Sheriff Jahner shared that the department is adding body cameras to their officers. The added technology will increase security and training, can dispatch additional deputies via GPS locating, and even be used to capture citizen surveillance uploading it to the County's data base instantly. He also shared two new programs that will be promoted by their department: ProtechDNA that allows personal property to be forensically marked and can only be identified with a special pen providing identification on possible stolen property; Neighbors App that allows a person to share unanimous reports of crime or suspicious activity. They will have some educational materials on these programs to share with the community soon.

F. Engineering:

- **Wastewater Treatment Improvements; Sewer Improvement District 2019-1:** Project is out for bids; they are due by April 27th. Bid opening will be electronic and opened at 2:30pm via MS Teams. Provided current plan holders list. Update on purchase agreements for force main routes. Working with USACE on EA doc.
MOTION, passed – To approve Cass County Highway Utility Permit Application;
Stoddard moved, Spelhaug seconded. RCV; MCU.

MOTION, passed – To approve Maple River WRD Access Agreement for Legal Drain 34;
Spelhaug moved, Stoddard seconded. RCV; MCU.

MOTION, passed – To approve Southeast Cass WRD Utility Permit for Legal Drain 60;
Spelhaug moved, Stoddard seconded. RCV; MCU.

MOTION, passed – To approve RRV&W Railroad License Agreement with \$750 processing fee;
Stoddard moved, Spelhaug seconded. RCV; MCU.

MOTION, passed – To approve Normanna Township Road Crossing Deposit of \$2,000;
Spelhaug moved, Stoddard seconded. RCV; MCU.

MOTION, passed – To approve Beaver Creek Archaeology Inv CRM4096 for \$7,160.00;
Stoddard moved, Spelhaug seconded. RCV; MCU.

MOTION, passed – To approve Moore Engineering Inv 26418 for \$118,758.55;
(includes voided invoices for Phase 2 of original project)
Spelhaug moved, Stoddard seconded. RCV; MCU.
- **Newport Ridge Phase 4; Improvement District 2020-1 & Water Looping Project 2020-2:** Final completion date is 6/19/21, final punch list items remaining.
- **Capital Improvements Plan:** Held follow up meeting on March 5th with Cass Rural Water; reservoir control procedure is in the works.
MOTION, passed – To approve Moore Engineering Inv 26408 for \$1,897.50;
Spelhaug moved, Stoddard seconded. RCV; MCU.
- **Downtown Improvements:** This study began with the consideration of new sidewalks in the downtown area, which directed attention to the underground infrastructure needs and street improvements as well. The goal is to create a vision of what the future of the downtown area could look like. The preliminary vision plan is a collaboration of the committee considering pedestrian safety but widening sidewalks, shortening crosswalks by adding “bump outs”; adding trees and streetlights; discussing a mix of parallel and angled parking; “Parklets” could be utilized by downtown businesses to provide outside seating for patrons; creating a community green space or “plaza” that could be used for events or leisure, and elimination of 5th Ave S could increase that space. Discussion on parking options, pros/cons of parallel, lane/sidewalk widths. The next step will be to present the plan to the Park Board at the April 14th meeting. Meeting with downtown property owners sometime in late April. A pop-up demonstration (painting the bump outs and crosswalks) would be set up during Kindred Days at Council tent so the community could see the vision plan and get a “feel” for how it could look in the future. Vision boards and possible “virtual” views could be set up around downtown as well. Having these plans in place opens up the option to apply for grant and funding opportunities as they are made available, much like the lagoon project plans provided the large funding received from the USACE and state. Another of the next steps will also be televising and reviewing the underground infrastructure: water and sewer services, storm water drainage.
MOTION, passed – To approve Moore Engineering Inv 26409 for \$1,497.14;
Stoddard moved, Peraza seconded. RCV; MCU.
- **Viking Addition De-Watering Well (2nd Ave S):** PWS Rich said that the project is on the contractor’s list to be completed this season.
- **General City Engineer Services:** Brandon is working with a Moore marketing agent to schedule a ribbon cutting ceremony for the water tower project.

G. PWS

- Compost dumpster service has been moved to Waste Management and materials now go to the Fargo Landfill. Rules are different so trees/branches cannot be mixed with leaves/grass. Considered creating a space for branches/trees, then working with the Fire Dept to burn them. This year's current drought situation could cause issues with that option. Requesting an additional dumpster to be used for only branches seems the most efficient option, but would be more costly. Planning to educate residents with newsletters and signage at the site. If materials are properly separated, Waste Management said there could be extra discounts on rates.
- Taking time off from April 18th-23rd. Still planning on time off in September as well.

H. Auditor Report

- Shared the following dates: May 1st will be Community Rummage Sale Day, can contact City Hall to have sale address listed on website and flyers; May 8th will be Spring Curbside Cleanup Day; Pet Clinic at City Hall will be scheduled for mid-May but date yet to be determined.

K. Council Reports

- Spelhaug: Will not be able to attend the PB meeting next week.
- Stoddard: Jim Person does the accounting for the Kindred Area Rural Recovery board that owns the library building. The board has lost many members and they are considering the future of the building, inquired about the City purchasing it. Discussion that Frank Person brought the same idea to the City a few years ago, before his passing. The remaining KARR board can present something to the City if they'd like to explore the options.

ADJOURNMENT

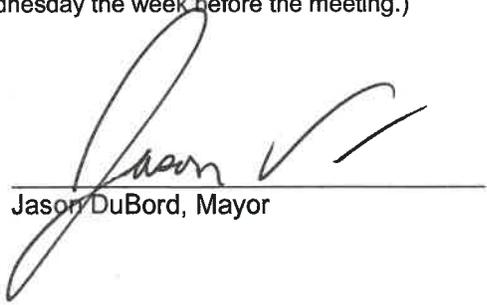
**MOTION, passed – To adjourn meeting at 9:45pm;
Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**

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

Attest:



Tabitha Arnaud, City Auditor



Jason DuBord, Mayor

Date approved: _____

5-5-2021