

## KINDRED CITY COUNCIL – MEETING MINUTES

Wednesday, May 3, 2023 | 7:00 pm | Kindred City Hall

**MEETING CALLED TO ORDER AT 7:00 pm** by Mayor Kersting with CMs Spelhaug, Johnson, Stoddard, and Peraza present. Others present: PWS Rich Schock, City Auditor Tabitha Arnaud, City Attorney Sarah Wear, City Engineer Brandon Oye and Anthony Sommerfeld, Cass County Sheriff Deputy Bryce Noonan, Lydia Ronningen, Mark Ottis, Mark Erickson, Marlowe Rud, Nate Opgrand, Lisa Anderson, Bethany Johnson.

**APPROVE AGENDA: MOTION, passed – To approve the agenda. Spelhaug moved; Peraza seconded. RCV (Roll Call Vote); MCU (Motion Carried Unanimously).**

### BOARDS & COMMITTEES

**Kindred Public Library:** Lisa Anderson and Bethany Johnson presented the [2022 Annual Report to City Council](#), noting it was another great year offering many resources “Beyond Books” and hosting community activities/events while serving over 2600 visitors with 384 memberships. The Library Director responsibilities are still shared among 5 volunteers. The Board of Trustees will have two openings with one member moving this summer; there are two residents currently interested. **MOTION, passed – To accept the Library’s 2022 Annual Report and the members of the 2023 Library Board of Trustees. Peraza moved; Stoddard seconded. RCV; MCU.** Discussed the purchase agreement for the purchase of the library building for \$170K. Trees on east side of property were removed by KARR; waiting for KARR to confirm the survey and authorized signers; the current closing date is May 1, could extend to July 31. Lisa Anderson shared that the library has raised \$48K of the \$50K goal for their share of the purchase. With their upcoming Rib & Sides To-Go event on May 13, they are hopeful to meet the goal and would be ready to enter the next phase of the building purchase. **MOTION, passed – To approve the Purchase Agreement for 330 Elm St at \$170,000.00 closing on or before July 31, 2023. Johnson moved; Peraza seconded. RCV; MCU.**

### OLD BUSINESS

**FM MetroCog:** Will discuss more with Planning & Zoning at next week’s meeting about future planning.

**2023 Flood Outlook:** PWS Schock reported that the flood season passed without much incident. Kindred Fire Department assisted one rural property with sandbagging. The city has some unfilled sandbag materials to keep on hand for future needs.

**Annual Garbage Rate Increase per Waste Management Contract:** Auditor Arnaud reported that per the WM contract, garbage rates increase 2.5% annually on May 1. Option 1 would add \$0.50/month/tote, \$0.30/month/extra tote. Also reviewed the additional costs incurred over the last year due to the contract’s allowance for fuel/environmental surcharges imposed by WM when diesel fuel reaches a price above \$4.00 per gallon. Over the last 13-months, the average fuel surcharge added was \$1.07 per service per month. Since these charges fluctuate based on current fuel prices, this expense was not factored into the annual rate increase in May 2022. This resulted in a loss in the garbage fund. Discussed including a portion of the past fuel surcharges along with the 2.5% increase in an effort to recover some of those expenses already paid. Option 2 would add \$1.50/month/tote, \$1.30/month/extra tote. **MOTION, passed – To approve garbage rate increase Option 2 effective May 1, 2023. Stoddard moved; Spelhaug seconded. RCV; MCU.**

### NEW BUSINESS

**Designate Official City Newspaper per NDCC 40-01-09: MOTION, passed – To approve Cass County Reporter as the official city newspaper. Spelhaug moved; Peraza seconded. RCV; MCU.**

### POOLS/PARKS

Park Board Member Lydia Ronningen said that the board approved the annual sublease agreement for management of the pool this 2023 season. Discussed scheduling another joint board meeting for other pool improvement updates. Ronningen shared that 8 previous lifeguards are returning and new lifeguards are going through the certification process; preparing to open in June. Summer activities with Parks & Rec are open for registration as well.

### PLANNING & ZONING

**P&Z board members changed the regular monthly meetings to the 2<sup>nd</sup> Monday of each month, effective May 8.** There is still one board member vacancy remaining. City Council has a special meeting scheduled with P&Z on May 8 at 7:00 pm.

## MARKETING

Arnaud reported that the summer light pole banners have been delivered.

## POLICE REPORT

Deputy Noonan presented the [April police report](#) with 19 calls for service as follows: 1 assist fire, 6 medical assists, 2 parking complaints, 3 suspicious, 7 traffic complaints, 2 disturbances. He reported that the flood operations are wrapping up, lost one drone during flight over the river, and have had many traffic related calls/concerns with the warmer weather arriving. Encourage everyone to be mindful of children/cyclists/pedestrians and practice safe driving of all vehicles!

## CITY ENGINEER

**Wastewater Collection and Treatment Improvements; District No. 2019-1:** City Engineer Brandon Oye reported that KPH is hoping to begin the reclamation of the old lagoon cells soon, that would be completed this fall. On-site inspections will be done in all areas of the project this spring to identify final punch list items. **MOTION, passed – To approve ME Invoice 33307 for \$6,208.00. Peraza moved; Johnson seconded. RCV; MCU.**

**Dakota St Sidewalk, Spruce St and Elm St Drainage Improvements:** Oye shared the team is working on the final design, will meet with the committee to review and complete a plan-in-hand inspection of the project area. Discussed the need to work with two property owners south of Dakota St to properly dedicate the right-of-way. CM Spelhaug will contact those owners to inform and see if the city can purchase the land. The land to be acquired includes the road and the ditch areas and would be used for installing the new sidewalk. There appears to be a 40' wide road easement already indicated in the legal descriptions, which makes the property unusable. The City would request the property be sold for \$1, but to allow CM Spelhaug some room for negotiation, discussed increasing that value to \$500.00. **MOTION, passed – To approve an offer up to \$500.00 per property for the purchase of land to be used for Dakota Street right-of-way. Peraza moved; Stoddard seconded. RCV; MCU.** Discussed funding options for the project. **MOTION, passed – To approve up to \$5,000.00 for Moore Engineering assistance with Bank of ND funding. Peraza moved; Stoddard seconded. RCV; MCU. MOTION, passed – To approve ME Invoice 33330 for \$13,189.18. Peraza moved; Stoddard seconded. RCV; MCU.**

**Storm Water Management Assistance:** **MOTION, passed – To approve the [Final Storm Water Management Policy](#). Peraza moved; Stoddard seconded. RCV; MCU.** Attorney Wear noted since the first reading of Ordinance No. 2023-101 the only change was the identification of "City Public Works Director or his/her designee" as the point of contact for the policy and applications. **MOTION, passed – To approve 2<sup>nd</sup> reading of [Ordinance 2023-101](#) regarding Storm Water Management. Johnson moved; Spelhaug seconded. RCV; MCU.**

**Floodplain Ordinance:** Oye and Arnaud met with the state regarding the draft FP ordinance. The state discovered some issues with their own state model ordinance and will be completing some revisions of their own. They should complete the review of Kindred's draft ordinance soon.

**Newport Ridge – Phase 5; District No. 2023-1:** Oye shared there have been additional meetings with the developers, dialing in the final concept to complete the Newport Ridge development with a final phase. Will have more to review in June.

## PUBLIC WORKS

PWS Schock shared spring season preparations are underway. Street sweeping has been scheduled. Compost dumpsters soon.

## AUDITOR REPORT

Consent Calendar: **MOTION, passed – To approve Meeting Minutes of 04-10-2023 (regular & special), Residential Tax Exemption on New Construction for 425 Skylane St, Gaming Site Authorization for West Fargo Rural Fire Department at Spring Brook Tavern, Raffle Permit Application for ND Muzzleloaders, Delinquent Utility Accounts List, Bills for payment and financial reports for April 2023. Peraza moved; Stoddard seconded. RCV; MCU.**

Arnaud shared that next month there will be a public hearing for snow removal assessments from the 2022-2023 winter season. Discussed two insurance claim updates: 1) Payment was received for a lightning damage claim to the previous main lift station in May 2022; 2) insurance investigation found no negligence by the city for a claim of vehicle damage due to a tree

branch falling from a boulevard tree. City newsletter will go out before end of the week. Met with Widmer Roel again regarding the 2017-2018 audit in progress; may consider closing City Hall offices for an afternoon or two so that the final document needs can be completed. CM Peraza, Auditor Arnaud, and Deputy Auditor Johnson met with representatives of the Living Local app; they are a ND sponsored company helping ND communities connect with their residents; the app is offered at no cost for the first two years (State of ND partnership), \$750 each year after if continued. More info to come on this soon!

**COUNCIL & MAYOR REPORTS**

Mayor Kersting: Discussed the recent clustered parking along County Hwy 15 and side streets due to overlapping athletic activities. It was noted that this is not typical, but encouraged drivers and pedestrians to slow down and use caution.

**ADJOURNMENT**

**MOTION**, passed – To adjourn meeting at 8:09 pm. Stoddard moved; Spelhaug second. RCV MCU.

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

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Darrell Kersting, Mayor

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Tabitha Arnaud, City Auditor

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Date approved