

KINDRED CITY COUNCIL SPECIAL MEETING MINUTES
Monday, October 9, 2023 | 7:00 pm | Kindred City Hall

Present: Mayor Darrell Kersting, CMs Julie Johnson, Shad Stoddard, and Ozzie Peraza. Absent: CM Adam Spelhaug.
Others present: Auditor Tabitha Arnaud, Brian Schmidt, Jordan Wahl.

Mayor Kersting called the meeting to order at 7:00 pm.

Consent Calendar Items: Bills for Payment and Financial Reports for September 2023; Raffle Permit for Kindred Parks & Rec:
MOTION, passed – To approve the consent calendar items as presented. Stoddard moved; Johnson seconded. RCV (Roll Call Vote); MCU (Motion Carried Unanimously).

Boulevard/Right-of-Way (ROW) Improvements at 195 Spruce St: Peraza stated that he spoke with Skylar Schmidt regarding the ROW improvements to create additional parking for the daycare. Their plan was to install the ballards in concrete right away. Due to the weather/seasons changing soon, they were asking to use crushed concrete only temporarily. Their intent is to concrete the entire area next spring/summer as the weather would allow. Council was agreeable to temporary/seasonal use so long as a hard surface (concrete or asphalt) is installed before the end of the 2024 summer season. **MOTION, passed – To approve temporary use of crushed concrete and installation of a hard surface on or before August 31, 2024, for ROW improvements at 195 Spruce St. Peraza moved; Stoddard seconded. RCV; MCU.**

EXECUTIVE SESSION – Sewer Improvement District 2019-1; Claim filed by KPH

Mayor Kersting stated the next item on the agenda is regarding a Claim filed by KPH related to Sewer Improvement District 2019-1. This item may be discussed in an executive session. The legal authority for closing this portion of the meeting is North Dakota Century Code section 44-04-19.1. The topic or purpose of this executive session is to consult with the city attorney regarding and in anticipation of reasonably predictable or pending civil or criminal litigation or adversarial administrative proceedings or to receive its attorney’s advice and guidance on the legal risks, strengths, and weaknesses of an action which, if held in public, would have an adverse fiscal effect on the City of Kindred. **MOTION, passed – To move into executive session. Peraza moved; Johnson seconded. RCV; MCU.** Mayor Kersting noted there were no members of the public in attendance. The meeting minutes will show that the executive session began at 7:05 pm. City Council met in executive session to discuss a Claim filed by KPH related to Sewer Improvement District 2019-1. Present were Mayor Darrell Kersting, CMs Julie Johnson, Shad Stoddard, and Ozzie Peraza. Also present were Attorney Brian Schmidt, NDIRF Claims Adjuster Jordan Wahl, and City Auditor Tabitha Arnaud. The meeting minutes will show that the executive session adjourned at 7:48 pm. The public was invited to return to the to the meeting room with the open meeting session resuming at 7:48 pm. **MOTION, passed – To proceed in accordance with the instructions provided to the attorney. Peraza moved; Johnson seconded. RCV; MCU.**

MOTION, passed – To adjourn meeting at 7:50 pm. Peraza moved, Stoddard seconded. RCV; MCU.

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

Darrell Kersting, Mayor

Tabitha Arnaud, City Auditor

Date approved