

KINDRED CITY COUNCIL – MEETING MINUTES

Wednesday, October 4, 2023 | 7:00 pm | Kindred City Hall

MEETING CALLED TO ORDER AT 7:00 pm by Mayor Kersting with CMs Spelhaug (7:05 pm), Johnson, Stoddard, and Peraza present. Others present: PWS Rich Schock, City Auditor Tabitha Arnaud, City Attorney Sarah Wear, City Engineer Brandon Oye, Deputy Auditor Jackie Johnson, Marlowe Rud, Mark Ottis, Aaron Olson, Brian Ordahl, David Braaten, Mark Erickson, Lynn Overboe, Greg Moffett, Barb Rude, AJ Sommerfeld, Mike Blevins, Matt Prochniak, Joel Ronningen, Lydia Ronningen, Codie Zahradka, Jordan Swanson.

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

NEW BUSINESS

Public Hearing Preliminary Plat for Northview 2nd Addition: This is a public hearing to properly dedicate the right-of-way on Dakota St. in relation the sidewalk project for Northview 2nd Addition. Planning & Zoning approved the preliminary plat on 9-11-2023. Mayor Kersting opened the public hearing. No comments/discussion. Mayor Kersting closed the public hearing.

MOTION, passed – To approve the preliminary plat for Northview 2nd Addition. Peraza moved; Stoddard seconded. RCV, MCU.

Public Hearing Preliminary Plat & Rezone Request for Norman Acres 1st Addition: This is a public hearing for a preliminary plat and rezone request for Norman Acres 1st Addition. Planning & Zoning recommended approval of each. Mayor Kersting opened the public hearing. Matt Prochniak, ME for developers, reported the county is agreeable to access road location on Co Rd 15 pending City approval. Comment on the rezone – rezone from ag to a mix of SFR1 and SFR3; concerns about the smaller SFR3 lots that the developers want to allow shop/garages, but SFR3 technically, as ordinance allows, does allow for single family homes. Resident asked if the covenants can ever be changed. The city does not enforce/govern covenants, that is the developer's jurisdiction. Developers explained they do not wish to have single family homes on the SFR3 lots. The goal is to work with the city to create a new zoning district or revise the existing ordinances to allow a non-dwelling office/storage structure, rezoning the parcels prior to any sale of the properties later. Discussion also on the water service from Moffett's to Co Rd 15 (Cass Rural Water easement). Mayor Kersting closed the public hearing. **MOTION, passed – To approve the preliminary plat and 1st reading of rezone from Ag to SFR1 & SFR3 for Norman Acres 1st Addition. Peraza moved; Stoddard seconded. RCV, MCU.**

Petition for Annexation: The City has received a petition for annexation from Norman Acres developers, Ordahl Inc, Brian Ordahl. Comment/question on if annexation can be allowed and if the corner/point of contact is considered contiguous allowing for annexation. Sarah Wear/Brandon Oye explained yes, it is a valid contiguous annexation. Discussed considering annexation of additional properties; Oye reported that typically petitions are submitted and considered upon request.

MOTION, passed – To proceed with Public Hearing for annexation of Norman Acres 1st Addition into city limits. Spelhaug moved; Peraza seconded. RCV, MCU.

OLD BUSINESS

Boulevard/Right-of-Way Improvements at 195 Spruce St/Lucky Ducky: Lucky Ducky Childcare would like to make some boulevard improvements. Ordinance requires a hard surface, such as asphalt or concrete. Owners would like to use crushed concrete. Council has concerns about the material abutting the asphalt street; Spelhaug, Stoddard, and Peraza all noted that concrete/asphalt would be preferred. The owners were not present for discussion and CM Peraza shared he would like more info and to have a conversation with them. He will reach out to owner with further questions. **MOTION, passed – To table the boulevard/ROW improvements for 195 Spruce St until next meeting. Spelhaug moved; Stoddard seconded. RCV, MCU.**

Update on Purchase of Kindred Public Library Building at 330 Elm St: Purchase agreement closing date of 10/1/2023 has expired. Still need the survey to be completed, abstract rebuilt, and title opinion completed before sale can be final. **MOTION, passed – To amend the purchase agreement with a revised closing date of 12/31/2023. Peraza moved; Spelhaug seconded. RCV, MCU.**

BOARDS & COMMITTEES

Renaissance Zone: Application by J. Johnson for 241 Walnut St: City Council reviewed the RZ application for rehabilitation of a SFR property. Improvements include new windows, flooring after new HVAC system, lower-level bathroom addition, and

egress windows. RZC reviewed the application on 9/20/2023; the project scored well above the minimum requirement, and the board recommends approval. **MOTION, passed – To approve the RZ application for 241 Walnut St. Peraza moved; Johnson seconded. RCV, MCU.**

Kindred Tree Board: 2023 Tree City USA Proclamation: MOTION, passed – To approve the Official Proclamation announcing October 19th Arbor Day celebration in Kindred. Spelhaug moved; Peraza seconded. RCV, MCU.

BUILDING INSPECTION/CODE ENFORCEMENT – Mike Blevins provided the 2023 YTD building permits report, 16 total issued.

POOLS/PARKS – PM Member Lydia Ronningen will coordinate with Auditor Arnaud for a joint year end meeting.

PLANNING & ZONING – The regular October P&Z Meeting was rescheduled from Monday, October 9 to Thursday, October 12. PZ Member Joel Ronningen reported there had been some discussion regarding lowering the speed limit going north on Cty Rd 15 out of Kindred. Deputy Noonan said he could work with the county to inquire about reducing the speed limit and he can also patrol that area more. The city can also send a letter to the county requesting the reduction in speed limit.

MARKETING & BEAUTIFICATION – none

POLICE

Deputy Noonan gave the [September police report](#). Nothing noteworthy for calls for service. Wearing pink badges in October for Breast Cancer Awareness with funds going toward deputies experiencing hardships due to breast cancer. Deputy Noonan also had a couple of trainings. He talked further about speeding limit reductions and possibility of increasing fines for speeding.

CITY ENGINEER

Wastewater Collection and Treatment Improvements; District No. 2019-1: There is some disagreement for remaining punch list items. Contractor feels like they have no remaining items to project completion. The City may have to find alternative contractors for project completion. Contractor submitted application for payment No 12, ME provided justification on recommended adjustments and offsets. **MOTION, passed – To approve CAP#12 with offsets, reduced to zero payment. Johnson moved; Spelhaug seconded. RCV; MCU. MOTION, passed – To approve Invoice 35308 for \$13,784.95. Peraza moved; Spelhaug seconded. RCV; MCU.**

Dakota St Sidewalk, Spruce St and Elm St Drainage Improvements: PWS Schock working with Key Contracting on the project and received an updated schedule with work to begin the week of 10/9/23; notified the school and sheriff's office. The sidewalk closed signs were placed early by mistake and were removed today. Oye explained that Change Order No. 1 is for the revised sidewalk alignment along Dakota St. **MOTION, passed – To approve Change Order No. 1 for \$2,932.00. Spelhaug moved; Peraza seconded. RCV; MCU. MOTION, passed – To approve invoice 35310 for \$11,529.42. Peraza moved; Stoddard seconded. RCV; MCU**

Newport Ridge & 7th Ave Paving; District No. 2024-1 and 2024-2: Oye reported that the projects are complete thru the design phase. Reviewed the Engineering Agreement for services, with an estimate of \$385,100.00. The overall goal of the project schedule is to bid the project late winter, with substantial completion of construction in fall of 2024 and final completion in summer of 2025. **MOTION, passed – To approve Engineering Agreement for Improvement Districts 2024-1 & 2024-2. Stoddard moved; Spelhaug seconded. RCV; MCU.**

Norman Acres 1st Addition: Developers are privately funding/constructing the project, however, there will still be some city engineer services needed for plan reviews. With a typical city-project that is funded by special assessments, the engineering fees are incorporated into the project. Since the Norman Acres project will be privately funded, Oye and CM discussed consideration of the city implementing a fee (based on a percentage of the estimated project's construction cost) to cover engineering service invoices related to the project. The recommended percentage was 3-4%. Oye reviewed the Engineering Agreement for services with an estimate of \$27,000.00. **MOTION, passed – To set a 4% administrative fee to developers for engineering services. Stoddard moved; Peraza seconded. RCV; MCU. MOTION, passed – To approve Engineering Agreement for Norman Acres 1st Addition. Spelhaug moved; Peraza seconded. RCV; MCU.**

General City Engineer: Oye shared recommended ordinance updates regarding the right-of-way definitions and widths to reflect current/future growth. Council agreed to proceed with Chapter 4 right-of-way changes; will be shared with PZ at meeting next week.

PUBLIC WORKS REPORT – Clean up on lagoon project, damaged some equipment in the process so addressing those repairs. Getting other equipment maintenance and ready for snow removal season. Also attending meetings on and overseeing the Dakota St project.

AUDITOR REPORT

Consent Calendar: Auditor Arnaud reported the financial reports and bills for payment for September will be presented at the next special meeting. **MOTION, passed – To approve City Council meeting minutes of 9/6/2023, Raffle Permit for Kindred Wildlife Club, Tax Exemption for New Construction for 412 Cessna Ave, and Delinquent Utilities List. Johnson moved; Peraza seconded. RCV; MCU.**

Final 2024 Budget Hearing: Arnaud noted no changes have been made since the preliminary budget approval, aside from a couple typos. After receiving the estimated property tax statements, most properties saw a decrease in the impact of the City levy; possibly due to the City’s growth and increased total taxable valuations. Discussed payroll expenses; CM Johnson noted consideration to complete the annual employee reviews prior to the budget being finalized instead of end of the year.

MOTION, passed – To approve Final 2024 Budget of \$264,147.00. Spelhaug moved; Peraza seconded. RCV; MCU.

Certification of Special Assessment Balances: Arnaud reported that this will be completed by November 1.

COUNCIL & MAYOR REPORTS

CM Spelhaug: Red River Valley Western Railroad received a \$12 million grant for upgrades and it could be a good time to consider cooperation of expenses to do a quiet zone or other improvements.

CM Johnson: Still in process of researching other communities and councils for ideas and best practices. Took advise from last month’s meeting to attend other board meetings and learning more from that. Understand that residents also have a responsibility to attend meetings or request the information. Discussed considerations to update technology that would record/stream meetings and share information in a more streamline manner. Looking for overall improvement in all areas; feels we are already heading in the right direction. Mayor Kersting also encourages residents to reach out to board members to learn more. Guest Barb Rude thanked the council and staff for their time invested and also shared that residents need to attend meetings and ask questions to be informed. Guests Marlowe Rud and Mark Ottis noted that Kindred has had many good council members and the dedication has continued.

CM Stoddard: Verified the property owners present during the annexation discussion.

CM Peraza: Commenting on CM Johnson’s discussion letter, noting that the CMs do their due diligence with reviewing employee’s performances and considering wage increases accordingly.

Mayor Kersting: Expressed thanks to all in attendance and to Barb Rude for outstanding citizenship always going above and beyond!

ADJOURNMENT

MOTION, passed – To adjourn meeting at 9:26 pm. Spelhaug moved; Peraza second. 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