

KINDRED CITY COUNCIL – MEETING MINUTES

Wednesday, February 5, 2025 | 7:00 pm | Kindred City Hall

MEETING CALLED TO ORDER AT 7:02 pm by Mayor Kersting with CMs Sharp, Spelhaug and Peraza present. Absent: CM Johnson. Others present: City Attorney Sarah Wear, City Engineer Brandon Oye, PWS Rich Schock, Auditor Tabitha Arnaud, Deputy Justin Hanson, Sheriff Jesse Jahner, Mark Ottis, Matt Hall, Jan Russell, Jamie R. Swenson, Mike Blevins, Rick & Susan Nymark, Marty Johnson, Lydia Ronningen, Jeff Fuchs, Bryce Knowlen, David Braaten, Matt Prochniak, Mike Cebulla, Brian Jacobson.

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

NEW BUSINESS

Cass County Sheriff Jesse Jahner – 2024 Annual Report: Sheriff Jahner presented the 2024 CCSO report, discussed annual budgets, expenses, number of employees, and communities on contract for part/full time services: Kindred, one ½-time, Relies Acres, one ½-time; Mapleton, one ¼-time; Casselton, two full-time; Horace, three full-time). Review 3-year history in calls for service. Reviewed various CCSO task forces and certifications, like Forensic Science Certifications. Kindred currently contracts for ½-time employee, 20 hrs/wk; brief discussion on when to consider increasing contracted hours.

Rick Nymark: 491 Elm St: Rick Nymark, current owner of the old CCEC building at 491 Elm St, has a local interested buyer looking to purchase the west parcel containing about 10k sq ft. Owner would like to retain ownership of east parcels, about 6k sq ft for the existing use of personal storage. He noted that he owned the property prior to the parcels being rezoned to Downtown District (previously General Commercial – personal storage is a permitted use). Attorney advised that if current use is maintained as is, not expanded or changed, owner would be able to continue using space as-is. Once there is a change in use of the building, the Downtown zoning district applies and must be brought up to code. Nymark stated the interested buyers are aware of this. Discussed water & sewer services, noting each property will need to establish its own individual service (currently it is believed there is only one water/sewer connection to the entire building). Electrical services will need to be evaluated with the providers. Building Administrator Mike Blevins noted that the 2017 building permit for the interior firewall did not have a final inspection recorded. Nymark agreed. Blevins recommended it be inspected prior to closing of any sale.

Marty Johnson: Local/Raffle Permit for Brecken Johnson/Waylon Gast College Trust Fund: Applicant requested a raffle permit with chance to win a restored Ford tractor and cash prizes, to raise funds for his grandchildren's trust fund. Council discussion revolved around state requirements for eligible organizations and use of funds. Organization must be "public-spirited entity"; eligible uses must be for a public benefit. The council determined based on state rules that this raffle did not meet those criteria.

Resolution for 2025 Property Tax Exemption on New Home Construction: Annual resolution that allows first-time occupants of newly constructed residential homes to apply for a 2-year property tax exemption of \$150,000 on the building's value. **MOTION, passed – To approve the Resolution for 2025 Property Tax Exemption on New Home Construction. Spelhaug moved; Peraza seconded. RCV; MCU.**

Policy on Privately Designed Public Infrastructure: Previously discussed over the last few months, adopting this policy provides specific requirements and documentation for developer-led infrastructure projects. The policy also defines additional agreements necessary based on project financing, and an administrative fee charged by the City to help cover expenses for city engineering and legal expenses for the project (phases include planning, design, pre- and post-construction). Discussed editing the draft presented to change developer/engineer meeting requirements: remove "all", replace with "as necessary". **MOTION, passed – To approve the Policy on Privately Designed Public Infrastructure with edit. Peraza moved; Sharp seconded. RCV; MCU.**

Resolution for Adoption of Cass County Multi Hazard Mitigation Plan (MHMP): Cass Co renews the MHMP document every five years. This document identifies needs/projects to reduce or mitigate hazards in Cass Co communities; helps provide documentation should funding become available. **MOTION, passed – To approve the Resolution of the Cass County Multi Hazard Mitigation Plan. Sharp moved; Spelhaug seconded. RCV; MCU.**

PUBLIC HEARING: Preliminary Plat for Plains 3rd Addition (Meadow Trails): Mayor Kersting opened the Public Hearing. No comments from the public were provided prior to the hearing and no public comment tonight. P&Z recommended approval of

the preliminary plat at last month's hearing/meeting. Mayor Kersting closed the Public Hearing. **MOTION, passed – To approve the Preliminary Plat for Plains 3rd Addition. Sharp moved; Spelhaug seconded.** Discussion on change to lot 14 block 2, which will remain private property instead of an alley/ROW. **RCV; MCU.**

OLD BUSINESS

Utility Rate Study: Still in progress.

City Hall Improvements: Still working on creating list/estimates for projects most in need.

BOARDS & COMMITTEES

Renaissance Zone: Arnaud reported that board member Jamie Swenson's term expired; Swenson confirmed interest in continuing service. **MOTION, passed – To re-appoint Jamie R. Swenson to RZ for a term of 5 years, expiring Feb 2030. Peraza moved; Spelhaug seconded. RCV; MCU.** Additional board openings – one for RZC, one for Special Assessment, and one position open for Tree Board.

BUILDING INSPECTOR/CODE ENFORCEMENT

Information/update provided on the code enforcement at 20 4th Ave S property, defined as a "dangerous building" due to broken windows and openings creating hazards. Mike Blevins reported he completed a second inspection after the January 17 deadline (of the first notice sent to the property owner). No work had been completed by the January 17th deadline; however, CM Sharp noticed one window has since been fixed. Since there are still additional code violations and not all repairs have been completed, another notice will be mailed to the owner to schedule a hearing with City Council on March 5th. It was noted that there has been no contact from the property owner to Council, staff, or building inspector; but encouraging that some repair work was completed.

MARKETING & BEAUTIFICATION

CM Sharp shared he attended a meeting with KAAP regarding a community mural project. Looking at a downtown location. Once the location/size is determined, costs can be estimated. Looking to utilize grants to help fund the community project.

PARK & POOL

Kindred Park District Member Lydia Ronningen presented a letter/documentation and consideration to expand plans to include additional ADA compliant components and access to the previously approved City Park playground equipment upgrades – including a wheelchair accessible merry-go-round, accessible swing options, and poured in place rubber. The rubber surface still requires concrete below but would allow individuals with walkers/wheelchairs easier access the playground equipment. To reduce costs, a portion of the surface area will remain wood chips. Quotes provided for additional equipment and for necessary concrete work (sidewalk areas and poured-in-place rubber foundation at City Park and sidewalk pathway at Gilbertson Park) estimating about \$98k, skate park concrete is an additional \$33k. Discussed fundraising, sponsorships, and grant opportunities, as well as Park District support of \$11k-\$15k. Discussed using city sales tax fund, waiting on the skate park – hoping additional funds/sponsors/grants can be secured. **MOTION, passed – To allocate up to \$89,000.00 for additional city park playground expenses/concrete and concrete sidewalk for Gilbertson Park. Peraza moved; Spelhaug seconded. RCV; MCU.**

PLANNING & ZONING

Auditor Arnaud gave a Comp Plan update with the new interactive mapping survey that residents can use to provide feedback/opinions on the growth areas. The planners are still on track to present a draft plan to the community in April and completion in June.

SHERIFF

Deputy Hanson reported on the monthly calls. Deputy Hanson was participating in K9 training in Jan, so other deputies and Sgt McNamara covered the community. Reminders: 1) If you see something, say something. – Report suspicious activity. 2) Lock vehicles and secure property/buildings/sheds to prevent being targets of opportunity.

CITY ENGINEER

Dakota St Sidewalk, Spruce St and Elm St Drainage Improvements; District 2023-2: Preparing for Special Assessment process; possibly begin in March/April, to be certified before August.

Newport Ridge & 7th Ave Paving; District No. 2024-1 and 2024-2: Preparing for Special Assessment process, following the same timeframe as the Dakota St project. Reviewed CAP#7. The contractor requested retainage reduction from 5% (\$135k) to 1% (\$27k). Engineers recommended retaining \$50,000.00 for the project. **MOTION, passed – To approve CAP #7 for \$89,278.81, retainage reduced to \$50,000.00. Peraza moved; Spelhaug seconded. RCV; MCU.**

Norman Acres 1st Addition: Engineer reported water and sewer services are substantially complete; however, streets are not paved; and some items remain to be completed on the north end of the development. Developer's Engineer Matt Prochniak noted the operations and maintenance manual for sanitary lift station was received today and the punch list is prepared for the contractor once spring weather allows for construction continuing. It was noted that most punch list items are within areas of privately owned property; all the work within city ROW is complete. Discussed accepting substantial completion for underground utilities, except the north reach, as those are ready for its intended use but waiting on the roadway. The developers agreed to maintain roadway (snow removal, repairs) until it is paved, and substantial completion of road is confirmed. **MOTION, passed – To approve substantial completion on underground utilities, excluding services on the north reach, developer to maintain roadway until paved and accepted by City. Spelhaug moved; Peraza seconded. RCV; MCU.**

Water Reservoir Improvements: Engineer Oye reported meeting with Cass Rural Water District, discussed reservoir ownership, use, and costs to both CRW and the City at initial construction/installation – additional terms & details to be determined. Additional discussion on flow rates and option to incorporate west Elm St water main replacement into the reservoir project.

Meadow Trails Development: ME/City met with BND and SRF to discuss financing options. Until the City is current on financial audits, BND and SRF will not be able to process City loan applications. Should the City find interim financing, BND's low-interest infrastructure loan program will not allow "refinancing" of debt. SRF's program will allow refinancing if the project follows all SRF requirements/paperwork/studies. Both agencies require the lender to be a municipality, not a private developer. Until the developer's formally request city financing, the creation of the improvement districts are on hold. Oye will continue with review of preliminary plat and plans/specifications.

General City Engineer:

County Road 15 Shared Use Path: Grant application response is expected in March.

FEMA Floodplain Maps: The new updated flood plain maps are expected to be released early March. Once issued, the City will need to review/update the Floodplain Ordinance to ensure the most current effective flood maps are referenced.

PUBLIC WORKS

PWS Schock talked about snow removal processes, estimates for the remainder of the winter and preparing for the spring. Also discussed building improvements needed at the City Shop, mostly regarding roofing and electrical. Mayor Kersting shared that he had visited with CCEC President Matthys regarding the shop building the City leases from CCEC, whether to repair or consider new construction. The City's current lease expires on 10/31/25. Without commitment that the lease is renewed/extended, the City completing repairs at our own cost is risky.

CONSENT CALENDAR –

MOTION, passed – To approve consent calendar items: meeting minutes of 1/2/2025; off-site event permits for Uptown Eatery; delinquent utility accounts list; bills for payment and financial reports for January 2025. Peraza moved; Sharp second. RCV; MCU.

AUDITOR & FINANCE

2019-2020 Audit Update: Auditor Arnaud reported that she is still working with an accountant to complete the 2020 financials Widmer Roel needs to complete the 2019-2020 Audit. Also reported that the 2017-2018 Audit was officially accepted by the State Auditor's Office.

Software Transition Update: Go live date for the new utility billing software and online payment portal was postponed until some background software engineering programming is updated. Will communicate updates to residents via email, utility bills, website, and the app as available. Discussed new services charges under new billing platform; credit card fees

are comparable to previous system at 3.5% of total per transaction. ACH/autopay fees will now encounter a fee (was previously fee-free) because the vendor processes these payments, as opposed to previous in-office preparation. ACH fee structure – \$1.75 fee for transactions up to \$150.00; \$2.25 – transaction between \$150.01 - \$2,500.00. Discussed procedures, average customer transactions, estimated monthly fees, staff time. **MOTION, passed – For the City to absorb the ACH transaction fees, no charge to customers. Sharp moved; Peraza second. RCV; MCU.**

Outstanding Invoices: No current outstanding invoices, preparing to send – RDO & Norman Acres.

2024 Year End Financial Report: Auditor Arnaud is working on finalizing the 2024 YE financial report. With the 2017-2018 audit being accepted by the state, beginning balances need to be updated and carried forward for each consecutive year.

Health Insurance Renewal: Current BCBSND Health Plan policy renews March 1 with have a slight increase, about \$400/mo. The Section 125 POP annual paperwork allows employee health insurance deductions to be completed on a pre-tax basis. **MOTION, passed – To approve the Section 125 POP Adoption Agreement and Certificate of Resolution and re-enroll in BCBSND health insurance plan effective 3/1/2025. Spelhaug moved; Peraza second. RCV; MCU.**

COUNCIL & MAYOR REPORTS

CM Spelhaug: Will not be present for March meeting.

ADJOURNMENT

MOTION, passed – To adjourn meeting at 9:19 pm. Peraza moved; Spelhaug 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