

KINDRED CITY COUNCIL – MEETING MINUTES

Wednesday, October 2, 2024 | 7:00 pm | Kindred City Hall

MEETING CALLED TO ORDER AT 7:02 pm by Mayor Kersting with CMs Spelhaug, Johnson, Sharp and Peraza present. Others present: City Attorney Sarah Wear, City Engineer Brandon Oye, Engineer Brandon Smith, PWS Rich Schock, Auditor Tabitha Arnaud, Building Official Mike Blevins, Sergeant McNamara, Ricky Schatz (MDU), Larry Oswald (MDU), Jeremy Fischer (MDU), Randy Cramer, Steve and Dawn Wenlund, Mark Ottis, Lydia Ronningen, Joel Ronningen, Bruce and Joyce Hendrickson, Marlowe Rud.

APPROVE AGENDA: Bruce Hendrickson asked to be added to discuss downtown property improvements. **MOTION, passed – To approve the agenda with revisions; Spelhaug moved; Peraza seconded. RCV (Roll Call Vote); MCU (Motion Carried Unanimously).**

NEW BUSINESS

Gaming Site Authorization Application: West Fargo Rural Fire Dept for 701 Spirits Bar and Grill LLC: With the sale of the bar, the Gaming Organization must reapply for a Gaming Site Authorization ending 6/30/2025. **MOTION, passed – To approve the Gaming Site Authorization for West Fargo Rural Fire Department at 701 Spirits Bar and Grill LLC (441 Elm St).** Spelhaug moved; Peraza seconded. RCV; MCU.

Bruce Hendrickson: Downtown Property Improvements/Plans: Hendrickson informed Council that he is planning improvements to his downtown commercial property at 440 Elm St and would like to see other property owners to follow suit; wondered if the City has a plan in place for improvements or the types of businesses that are wanted downtown. Discussed the previous Downtown Vision Plan that includes water/sewer, streets, and sidewalks/curb/drainage; this plan will likely see more traction in coming years. Also discussed the currently-in-progress Comprehensive and Transportation Plan, which will include public input that could help determine the types of businesses the community would like to see available. Hendrickson said he is willing to work with the City to improve the downtown.

OLD BUSINESS

MDU Natural Gas Update: MDU representative Jeremy Fischer reported the project is planning to begin construction within the City around October 14; resident communications are going out and people can still submit applications to sign up for natural gas service connections. The original estimated service date of November 1 has been pushed back slightly, along with the main transmission line from Mapleton to Wahpeton; both are now estimated to be ready to provide service effective December 1. MDU's service line installation contractor, ECI, will be mobilizing to the area October 14 with additional crews arriving the first week of November. They currently have about 50k feet of main line and 20k feet of service line to install for an estimated 160 connections. They intend to televise sewer connections for documentation before and after crossing, they will prioritize connections that require fall services and will restore the boulevards/roadways to existing conditions upon completion of the project.

KPH, Eric Merhiy: Response to letter requesting replacement of Lagoon Project force main couplings: Discussion on previously presented agreement offering extended warranty on force main joints/couplings: CM Spelhaug talked with Eric Merhiy, who agreed that the \$25k deposit would be replenished to that threshold should it be needed for repairs. **MOTION, passed – To approve the warranty agreement with KPH Inc for the force main couplings with the revision to replenish the \$25,000 deposit each time it is used within the warranty period. Spelhaug moved; Peraza seconded. RCV; MCU.**

BOARDS & COMMITTEES – no updates

BUILDING INSPECTOR/CODE ENFORCEMENT

Midwest Inspection Services Building Permit Fee Schedule: Mike Blevins provided the monthly building permit report with four new single family residential dwellings and one new shed/accessory building. Blevins also provided an updated building permit fee schedule for review that combines both residential and commercial fees. A slight increase is factored in, as rates have not changed since Midwest Inspection Services took over the building inspector contract from Moore

Engineering in 2019, however, Blevins notes the fees are about 30% less than newer jurisdictions in the area. Fee schedule will be reviewed and considered next month.

MARKETING & BEAUTIFICATION – no updates

PARK & POOL

Fall Joint Board Meeting with Park Board: Scheduled for Oct 9 at 6:30pm with the regular PB meeting to follow afterward. Discussion on bike path along CR15; Cass Co submitted improvement project for a grant, was not received but trying again.

PLANNING & ZONING

Comprehensive & Transportation Plan (CTP): City Tour and Study Review Committee (SRC) Workshop with Bolton & Menk is scheduled for tomorrow, Oct 3.

FM Metro COG Associate Member Designation: As a non-voting associate member, the City can designate representatives to the policy board and to remain informed of meetings/studies. **MOTION, passed – To designate Darrell Kersting as Primary and Adam Spelhaug as Alternate Policy Board Members. Johnson moved; Sharp seconded. RCV; MCU.**

SHERIFF

Deputy Hanson was out responding to a call, so Sergeant McNamara attended and presented the Sheriff's monthly report for September – 30 total calls for service, 6 traffic stops, and 188 dispatches. He noted that several calls for service were regarding a homeless sex offender in town. The registered sex offender is an acquaintance of an apartment tenant and was sleeping in his vehicle parked at the property. McNamara noted that Cass County Housing Authority advised the offender that they could not park at their property. CCHA is looking into their rules for visitation and whether the tenant is in violation of their lease. CCSO is aware of the situation and are happy to take any calls from concerned citizens/residents. McNamara shared that all reports create documentation for a case.

CITY ENGINEER

Wastewater Collection and Treatment Improvements; District No. 2019-1: Still some items remaining on the punch list. Will discuss with Public Works on next steps.

Dakota St Sidewalk, Spruce St and Elm St Drainage Improvements; District 2023-2: Punch list is mostly complete. Establishment of grass remains but can be verified ahead of the final inspection in the spring. Spruce St drainage was reviewed again and there is still a need to address a drainage issue on Spruce Street west of the new curb; quote from Northern Improvement to do this is \$1600.00 since they are already working in town. **MOTION, passed – To approve Northern Improvement quote of \$1,600.00 for asphalt mill & overlay. Peraza moved; Spelhaug seconded. RCV; MCU.** Discussed CAP request and retainage for establishment of grass. Watering was included in the contract (\$6k) but it was not completed, so seeding has not taken to establish growth effectively. **MOTION, passed – To approve CAP5 for \$43,000.43, includes retainage of \$4,000.00. Sharp moved; Johnson seconded. RCV; MCU. MOTION, passed – To approve Moore Engineering Invoice 40542 for \$3,895.57. Peraza moved; Spelhaug seconded. RCV; MCU.**

Newport Ridge & 7th Ave Paving; District No. 2024-1 and 2024-2: Contractor has most of the work completed in the NPR area; 7th Ave needs a little gravel/seeding work. They are on track to be ready for substantial completion inspection in October. Last month there was discussion and approval to allow the issuance of building permits in the Eighth and Ninth Addition lots ahead of the LOMR-F (Letter of Map Revisions with Fill) were received back from FEMA. Discussed the flood proofing requirement for basements: code has been in effect, however, it is newly enforced; current SFR properties do not have this additional requirement implemented. Also discussed proposed builds that are considering constructing the home outside the area that was already removed from the flood plain via the LOMR-F submittals. A portion of the lots were already built up with fill, surveyed, and LOMR-F documents submitted to be out of the flood plain. Permitting construction outside this area is a higher risk to the City if the new flood maps are not released/adopted soon, as a portion of the home would be in the flood plain. FEMA had previously stated the Letters of Final Determination would be mailed on Oct 9, and that would start the 6-month review period allowing them to be officially adopted in April 2025. Will wait to see if the LFD is received next week. Reviewed two invoices submitted for repairs to sprinkler heads that were damaged with boulevard

work. Technically, these were installed in the City's right-of-way, outside the property lines. There were a few others damaged that Northern Improvement was able to repair, but this property owner wanted the repairs handled by their own contractor. **MOTION, passed – To approve Aqua Lawn Invoices 46411 & 77478 total of \$220.00. Spelhaug moved; Peraza seconded. RCV; MCU. MOTION, passed – To approve CAP4 for \$760,612.14. Peraza moved; Sharp seconded. RCV; MCU. MOTION, passed – To approve Moore Engineering Invoice 40630 for \$55,284.50. Johnson moved; Spelhaug seconded. RCV; MCU.**

Norman Acres 1st Addition: PWS Schock discussed the private sewer inspection but the sewer main is not installed in the street yet. Discussed the force main ownership for the City taking over a portion of the Braaten Addition service line. According to the service agreement, the ownership began the date the agreement was approved (June 5) even though the connection has not been made. Braaten Association submitted bills for locates (ND One Call and their locating contractor) that they feel should be the City's responsibility, the estimate was about \$389.00. Arnaud reported that due to time, it was not yet determined if the City also received locates and marked these same tickets; noting that each utility is responsible for updating their mapped area for their service lines. **MOTION, passed – To approve up to \$389.00 for locating expenses on the Braaten Addition force main if they are not already in Kindred's locate system. Peraza moved; Sharp seconded. RCV; MCU. MOTION, passed – To approve Moore Engineering Invoice 40544 for \$798.75. Peraza moved; Spelhaug seconded. RCV; MCU.**

Water Reservoir Improvements: ME met with PWC, beginning data collection, reviewing the Cass Rural Water and City agreement, along with water usage, pressures, and capacity needs. **MOTION, passed – To approve Moore Engineering Invoice 40543 for \$2,323.40. Peraza moved; Spelhaug seconded. RCV; MCU.**

Plains 3rd Addition Development: Oye reported he has had additional meetings with the developers. Discussed needs for project financing; due to the City's still working on backlogged audit reports, there are concerns that the City can get financing in place to meet the developer's timeline of bidding the project in Feb/March 2025. The developer could chose to finance the project independently, which would not allow the option to special assess the project costs to the lots benefiting. The City's two lending options are BND/SRF (lowest interest rate) or bonding the debt with Collier's Securities. Arnaud reported that talks with both lenders led to the need for current audit reports. **MOTION, passed – To approve Moore Engineering Invoice 40545 for \$2,430.00. Peraza moved; Spelhaug seconded. RCV; MCU.**

County Road 15 Shared Use Path: Oye reported that Cass County is resubmitting the project to the Transportation Alternatives grant. P&Z Member Joel Ronningen asked if any lighting was included or an extension of the path to the north. Oye said he could inquire with the County engineer on that.

West Metro Perimeter Highway Study: Oye and Spelhaug discussed notes on the last meeting, shared examples of preliminary road alignment options. Still considering this to be about 10-years out from action.

PUBLIC WORKS

PWS Schock and CM Spelhaug discussed research to trade in the Case skid steer since it has continued to have fuel/service issues. Quotes for a replacement skid steer were collected. The best value is a 2024 Cat skid steer from Butler Machinery for \$60,357.44, with trade in of the 2017 Case skid steer (value \$29k) and municipal discounts. As a track machine, it will be easier to on the streets. Discussed the alley rake options; previously approved up to \$7k for one but need something more heavy duty which the new skid steer could handle; estimate \$10k for that. CM Peraza discussed financing options, noting that some reserves are available but conservatively don't want to drain them. He'd recommend a \$20k down payment from the equipment reserve and financing 5 years with KSB (competitive interest, estimate about \$1k/month or \$12k per year). **MOTION, passed – To purchase 2024 CAT skid steer, with \$20k down with equipment reserve and KSB to finance remaining. Peraza moved; Sharp seconded. RCV; MCU. MOTION, passed – To revise previous motion to include the power box rake in the purchase contract. Peraza moved; Sharp seconded. RCV; MCU.** Schock reported there have been many semi-trucks parking along the shoulder of CR 15 by Express Lane and the softened shoulder is feeling the pressure, causing some safety concerns. Schock will try to contact Cass County about this too. Schock asked to support Deputy Auditor Jackie Johnson and her family after her husband's recent work accident. He would like to gift Johnson 80 PTO hours and asked Council for that consideration, noted he still has plenty of hours in reserve. **MOTION, passed – To transfer 80 hours PTO from R. Schock to J. Johnson effective Oct 2024. Peraza moved; Spelhaug seconded. RCV; MCU.**

CONSENT CALENDAR – removed from agenda, will be moved to Oct 9 special Council meeting agenda.

AUDITOR & FINANCE

Final 2025 Budget Hearing: No public comments were heard. No changes were made since the preliminary budget was presented and approved at the Aug 7 Council meeting. A General Fund total of \$255,650.00, Airport levy \$1,450.00, Share of Specials \$6,000.00, and Library levy \$13,000.00. **MOTION, passed – To approve the final budget for the year 2025 with a total City levy of \$276,100.00. Spelhaug moved; Peraza seconded. RCV; MCU.**

Municipal Infrastructure Fund Reporting Requirement: Also known as the Prairie Dog Funds, Arnaud reported that the City received \$246,988.92 in the 2021-2023 biennium and that reporting requirements are due by Nov 30, 2024 on the use of those funds. Reviewing the list of eligible projects, water/sewer projects are included but the money cannot be used to pay down existing debt. Discussed saving the funds to use for a future project such as the water reservoir improvements that are currently being studied. **MOTION, passed – To report the 2021-2023 biennium Municipal Infrastructure Fund revenues as “Reserved for future infrastructure project”. Peraza moved; Spelhaug seconded. RCV; MCU.**

gWorks Software Update: Arnaud shared that all contracts have been signed and conversion of the utility billing software is scheduled to begin Dec 1, with the payroll and fund accounting software to be implemented Jan 1.

Outstanding Invoices and Pending Miscellaneous Special Assessments: Arnaud provided a list of these items.

Ottertail Power Company 2024-2025 Lease Agreement: Annual agreement for OTPCO to lease office and storage space from the City. **MOTION, passed – To approve the 2024-2025 Ottertail Power Company Lease Agreement. Peraza moved; Spelhaug seconded. RCV; MCU.**

Additional Auditor/Finance Items: Arnaud noted that work has been a bit busy with Johnson out of the office most of Sept to handle her family’s needs. The pressing needs and regular monthly duties are handled. The website updates and newsletter are on hold, but not forgotten. Working through insurance needs and roofing repairs with CCEC for the City Shop building. Made it to the NDLC conference in Grand Forks, connected with financing agents, and learned a few new tidbits about reporting regulations.

COUNCIL & MAYOR REPORTS

CM Peraza: Thank you to Tabitha for extra coverage while Jackie is out and thank you to the community for supporting the Johnson family during their time of need.

ADJOURNMENT

MOTION, passed – To adjourn meeting at 9:05 pm. Spelhaug moved; Sharp 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