

KINDRED CITY COUNCIL – MEETING MINUTES

Wednesday, November 6, 2024 | 7:00 pm | Kindred City Hall

MEETING CALLED TO ORDER AT 7:00 pm by Mayor Kersting with CMs Johnson and Sharp present. Absent: CMs Spelhaug and Peraza. Others present: City Attorney Sarah Wear, City Engineer Brandon Oye, Engineer Brandon Smith, PWS Rich Schock, Auditor Tabitha Arnaud, Building Official Mike Blevins, Sheriff Deputy Justin Hanson, Mark Ottis, Paul Kvislen, Jan Russell.

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

OLD BUSINESS

Hawk Properties LLC Payment Agreement for Previous Private Water Service Repairs (441 Elm St): Discussed 10/16/2023 at which time Council approved a 5-yr special assessment at 3% interest upon the LLC showing active status with ND Secretary of State Business Search. LLC now in good standing but owners have sold the property where the repairs were completed and still have the outstanding invoice. Made \$1,000.00 payment on 10/22/24, remaining principal balance is \$10,792.50, requested to pay \$1,000.00 per month until balance is paid. LLC is still owner of grocery store property. Discussed new terms, payment agreement, billing account, and failure to pay options. **MOTION, passed – To approve \$1000.00 monthly payments at 5% interest for Hawk Properties LLC (\$11,792.50 original balance 10/16/2023), with non-payment resulting in one-time special assessment to property (511 Elm St). Sharp moved; Johnson seconded. RCV; MCU.**

Recording of Documents for Kindred Youth Baseball Addition Plat & Annexation: Discussed final plat and annexation was finalized 9/4/24 and typically documents are routed for signatures and recording withing 30-60 days of final approval. Owner Mark Ottis expressed the request of KYBA to hold on signing/recording until additional fundraising efforts can be completed, ensuring their ability to proceed with the purchase of the property and begin the construction. They are requesting to wait until February to do this. Concerns were noted on waiting to sign/record the plats: ownership changes, staff changes, etc, could result in documents needing to be updated prior to signing/recording; overlooking/forgetting to follow up on the documents is another concern Arnaud noted, as well as the additional time needed at the state level for annexation boundary changes. Board directed staff to hold on signing/recording the documents, to set a reminder for Feb.

BOARDS & COMMITTEES

Kindred Mater Gardeners 2024 Year End Report: Reviewed the report submitted for the City Park flower beds. THANK YOU, Master Gardeners, for your efforts!!

Kindred Renaissance Zone Extension Request-Project 4-KIN (Johnson, 241 Walnut St): Council reviewed the 6-month extension request due to medical issues. **MOTION, passed – To approve a 6-month extension for Renaissance Zone Project 4-KIN. Sharp moved; Johnson seconded. RCV; MCU.**

BUILDING INSPECTOR/CODE ENFORCEMENT

Midwest Inspection Services Building Permit Fee Schedule: Mike Blevins reported no changes were made to the proposed BP Fee Schedule since it was presented last month. **MOTION, passed – To approve the MIS building permit fee schedule as presented. Johnson moved; Sharp seconded. RCV; MCU.**

MARKETING & BEAUTIFICATION – New American flags were put up downtown; winter flags/banners to be swapped out soon. CM Sharp reported he is working on some new “welcome” sign concepts.

PARK & POOL

Mayor Kersting reported on behalf of Kindred Wildlife Club and Joel Ronningen that they are working on the plans for the warming house to be constructed in the downtown lot where the ice rink will be placed this season. PWS Schock has helped to make the arrangements for electrical service as well. Discussed Auditor Arnaud’s temporary PB clerk services, the 2025 pool sublease agreement and financials.

PLANNING & ZONING – New regular monthly meeting date set as the THIRD MONDAY, beginning Nov 2024.

SHERIFF

Deputy Hanson presented the Sheriff's monthly report for October – 32 total calls for service, 14 traffic stops, and 177 dispatches. Discussed the County Burn Ban, speed radar down for winter, directive patrol around the schools and additional efforts north/south CR15.

CITY ENGINEER

Wastewater Collection and Treatment Improvements; District No. 2019-1: City Engineer Oye reported Moore will complete one more follow up with the contractor on unfinished items and will then pass the project over to the City.

Dakota St Sidewalk, Spruce St and Elm St Drainage Improvements; District 2023-2: Asphalt work is complete, waiting on grass establishment. Change Order requested to extend time for grass establishment; adjusts completion date to 6/15/2025. **MOTION, passed – To approve Change Order No. 3 for time extension. Johnson moved; Sharp seconded. RCV; MCU.** Discussed CAP6 request, ME adjusted application for presentation, \$4k is now retainage not liquidated damages. **MOTION, passed – To approve CAP6 for \$360.00. Johnson moved; Sharp seconded. RCV; MCU. MOTION, passed – To approve Moore Engineering Invoice 40990 for \$5,797.63. Johnson moved; Sharp seconded. RCV; MCU.**

Newport Ridge & 7th Ave Paving; District No. 2024-1 and 2024-2: Engineer Smith provided the project update, noting substantial completion inspection was completed in Oct; waiting on electricity for pump station panel. Reviewed Change Order request for fence elevation revision between airport and SFR lots and sprinkler repairs in the Phase 5 area (many sprinkler systems are installed in the city right-of-way/boulevard, instead of on private property, and were damaged with roadway/curb work). **MOTION, passed – To approve Change Order No. 3 for \$5678.20. Johnson moved; Sharp seconded. RCV; MCU. MOTION, passed – To approve Ferguson Waterworks Quote for 22 water casting boxes. Sharp moved; Johnson seconded. RCV; MCU. MOTION, passed – To approve CAP5 for \$276,541.44, including retainage. Johnson moved; Sharp seconded. RCV; MCU. MOTION, passed – To approve Moore Engineering Invoice 40991 for \$32,257.42. Johnson moved; Sharp seconded. RCV; MCU.**

Norman Acres 1st Addition: PWS Schock shared progress has been slow but contractors are continuing project work.

Water Reservoir Improvements: ME is progressing on the WR study, reviewing data, designs, CRW agreement, and replacement of a portion of ACP water main on Elm St. **MOTION, passed – To approve Moore Engineering Invoice 40992 for \$9,516.39. Sharp moved; Johnson seconded. RCV; MCU.**

Plains 3rd Addition Development: Discussed project financing options, limited due to delinquent audit reports currently in progress. Oye shared an example for a policy on privately designed public infrastructure, which would help identify use of the 4% administrative fee and timing of when the payment is due. Will review again next month. **MOTION, passed – To approve Moore Engineering Invoice 40993 for \$630.00. Sharp moved; Johnson seconded. RCV; MCU.**

County Road 15 Shared Use Path: ME met with PB Member Hoffarth and County engineers to discuss plans for upgrading the multi-use path; 8" asphalt to 10" concrete, crossing at Sheyenne St. Cass County is submitting for a Transportation Alternative grant. Since the path is in the CR right-of-way, Cass County should be involved in upgrades and consider a cost-share for improvements.

West Metro Perimeter Highway Study: Oye noted that a new alternate for this has been identified and, as of now, Kindred is out of the scope for the improvement area.

Comprehensive Plan – City Engineer Assistance: Oye shared that ME is spending a bit more time than anticipated on helping Bolton & Menk with providing data/documents for the new comp plan. Discussed when/how ME assistance should be used and if BMI should help to pay for some of those services if they are needed.

PUBLIC WORKS

PWS Schock reported an increase in locates and working with contractors for the MDU project, noting MDU and/or their subcontractors will be responsible for reestablishment of the boulevards/roadways upon completion of their project. The

Norman Acres and NPR/7th Ave projects are wrapping up. The new skid steer was delivered in Oct and the alley/Harley rake was received last week, so alley rehabbing will begin soon.

CONSENT CALENDAR –

MOTION, passed – To approve consent calendar items: 2025 Cass County Sheriff’s Policing Agreement; meeting minutes of 10/2/24, 10/9/24, 10/21/24; raffle permit applications for Kindred Public Library and Kindred Wildlife Club; delinquent utility accounts list; bills for payment and financial reports for October 2024. Sharp moved; Johnson second. RCV; MCU.

AUDITOR & FINANCE

2024 Miscellaneous Special Assessments: Arnaud provided a list of two misc special assessments for mowing/weed care.

2019-2020 Audit Update: CM Peraza and Arnaud met with Widmer Roel to discuss the next two-year audit. WR reported a courtesy discount of approximately \$46k on the 2017-2018 audit. They noted there was much more time spent for the initial engagement and set up to help get the trial balance worksheets in order. They do not anticipate the following reports to take as much time, so costs will be much closer to the proposal quotes. CM Peraza and Arnaud also engaged local CPA Stacey Fett to help with building the financial statements/balances needed for both the audit reports and the upcoming transition from QuickBooks to gWorks fund accounting software.

Additional Auditor/Finance Items: Arnaud noted that the funds from KPH were received for the lagoon project extended warranty and recommended a separate checking or savings account for the \$25k deposit so that it can be more easily tracked, especially interest earnings. **MOTION**, passed – To open a new checking account with Kindred State Bank for the lagoon project deposit funds. Sharp moved; Johnson seconded. RCV; MCU. Arnaud also reported that two CDs are maturing this month and will make calls to ensure the rates stay competitive. One is at KSB, one is at FCCU. CM Johnson noted that rates are running around 4.25%-4.75% right now, so that would be a good goal.

COUNCIL & MAYOR REPORTS

Mayor Kersting: Reported he worked with Arnaud to review laptop specs with his IT specialists and may be able to get quotes thru his contacts as well.

ADJOURNMENT

MOTION, passed – To adjourn meeting at 9:03 pm. Sharp moved; Johnson 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