

**KINDRED CITY COUNCIL MEETING MINUTES:**  
**07-17-19 at 7:00pm at Kindred City Hall**

**MEETING CALLED TO ORDER AT 7:03pm by Mayor DuBord** with CMs Spelhaug, Amerman, Stoddard, and Peraza present. Also present: City Engineer Oye, City Attorney Wear, PWS Schock, and City Auditor Arnaud.  
Mayor DuBord began the meeting with the Pledge of Allegiance.

**APPROVE AGENDA** – Bump Police report when Cass Co Sheriff Jahner arrives.

**MOTION – To approve the agenda with revisions;**

**Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**

**CONSENT CALENDAR**

**MOTION – To approve the meeting minutes of 06-05-19 and revision to 05-03-19 CC minutes;**  
**Amerman moved, Spelhaug seconded. RCV; Motion carried unanimously.**

**MOTION – To approve the bills and reports as presented;**

**Spelhaug moved, Amerman seconded. RCV; Motion carried unanimously.**

**MOTION – To approve Kindred Wildlife Club raffle permit;**

**Peraza moved, Spelhaug seconded. RCV; Motion carried unanimously.**

**COUNCIL BUSINESS**

A. Police: Cass County Sheriff Jesse Jahner was present to inform the City that Deputy Joseph Koerber is Kindred's new assigned deputy, who was unable to attend this meeting. Sheriff Jahner also presented the June report. There were 27 calls for service, as follows: 1-medical; 3-welfare check; 4-animal call; 8-public assist; 1-domestic; 1-impaired person; 2-theft; 3-suspicious; 1-fire; 1-alarm; 1-fraud; 1-harassment.

B. Maquire Iron: Jeff Ballard and Tony Werder were present to provide an update on the water tower project. Presented a revised project schedule; showing paint/logo work completed by 7/22, the new tank online by 7/29, and demolition by 8/12. As the project is now past the contract completion date, there was discussion of liquidated damages. Likely the city will withhold LDs as contract allows and will reconsider total LD accrued upon project completion.

C. Old Business

i. Elm Street Sidewalks/Concrete Projects: Camrud Foss owner, Scott Persoon provided an update.

- Pool Deck is complete.

- Elm Street Sidewalks: CMs and Rich have been working with CF staff to resolve any issues with each property.
  - A section of NE Elm has been determined to have two layers of sidewalk. Resulted in 70 additional labor hours and 15 yards additional fill.

- Followup email from Scott Camrud on 7/18/19 summarizes the discussion (document attached):  
At the meeting held on 7/17 the following items were agreed upon by the City Council.

*All house sidewalks from the city sidewalk to the house or from the city sidewalk to the street will be removed and replaced if there are grade issues. The additional cost of the sidewalk will be assessed to each individual house.*

*If the house sidewalk does not have to be replaced due to grade issues but the homeowner would like it removed for cosmetic reasons we may remove and replace the sidewalk. This work can be added to the homeowner's special assessments if they choose to.*

**MOTION – To approve additional assessment for expenses related to home sidewalk replacement if needed or wanted; Stoddard moved, Spelhaug seconded. RCV; Motion carried unanimously.**

*All Camrud-Foss bills are to be billed to and paid by the City of Kindred. Each homeowner will then either pay the City of Kindred for the work or have it added to their special assessments.*

*If there are elevation issues with the city approach or driveway, we will remove and replace to the extent needed to correct the elevation issue. The added cost for the additional work will be billed to City. This work may also be added to the homeowner's special assessments.*

- 111 Elm and 171 Elm both have issues with driveways not matching the new sidewalk elevation. 171 Elm already agreed to quote and payment directly to Camrud Foss. 111 Elm had a two-foot section of driveway removed and replaced with gravel fill. This is temporary and will be completed before project completion.

If a homeowner would like their approach or driveway removed and replaced due to cosmetic issues, they may add this to their special assessments. In this situation before the work is done, the homeowner will need to sign an authorization agreement with the city agreeing to have the cost of the work added to special assessments.

**MOTION – To approve additional assessment for expenses related to driveways pending receipt of executed petition/waiver from property owner; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**

The \$/sf cost will vary for each property due to the amount of work done. For instance, the cost to remove and replace 400 sq ft of driveway will be a higher \$/sf cost compared to removing and replacing 1400 sq ft of driveway. Given this we will itemize the additional work done and the unit costs may not be similar on each property. The approximate unit cost that we have been telling homeowners are \$8.91/sf to remove and replace private sidewalk, \$9.00/sq ft to remove and replace 4" driveway and \$14.35/sq ft to remove and replace 6" city approach. Again, these are approximate costs.

Due to potential added work we will not be able to complete this project in the allotted time in our schedule. We will complete one block before starting the next block. We will not start work on the next block if we are not able to complete the entire block before Kindred Days which start on August 9th. All remaining work, including the work at City Hall, will be completed in the fall, if weather allows, or in the spring of 2020 after the spring thaw.

- Property owner of 101 Elm expressed concerns for drainage issues with the new/higher sidewalk elevations  
- Council discussed the decision to have the project driven by council with little engineering assistance to save on project costs. See it as a learning experience for everyone, given the time constraints and unconsidered issues that needed attention.

- City Hall sidewalk replacement is on hold until Elm Street is complete.

- ii. Quotes for Radio Read Meters: Ferguson Waterworks provided a revised quote after the June meeting, with a reduced amount of \$104,078.78 to install radio read meters in all the city's properties currently receiving water service. Ferguson's existing relationship with the city and vast list of references are a reason to consider them above the other companies that submitted quotes in April. About 150 homes/businesses already have newer Neptune meters and would only need a radio attachment added to the existing meter. Older meters will be changed out completely with a new Neptune meter that has a radio unit within the meter itself. Ferguson will handle all correspondence, scheduling, and installation. Council reviewed funding options as well as justification of the upgrade to city equipment that generates revenue. New updated equipment will reduce water loss and increase gain revenues with accurate readings collected monthly, eliminating the need for estimating due to weather or staffing issues.

**MOTION, passed – To purchase radio read meters as per Ferguson Waterworks quote dated 6/10/19 from the water fund. Spelhaug moved, Peraza seconded, RCV; Motion carried unanimously.**

- iii. Emergency Water/Sewer Repairs, Financial Assistance Options to Property Owners: Invoice from contractor received for work completed at 191 Maple St/Hill residence; came in less than estimated (thanks to Rich). Total \$10,449.90. Discussed assessment terms.

**MOTION, passed – To approve water/sewer repair assessments at 3% interest for 5 years. Peraza moved, Stoddard seconded, RCV; Motion carried unanimously.**

- iv. Junk Ordinance: There appears to be progress at the properties on SW Elm Street.

## B. New Business

- v. Newport Ridge 7th Addition: Existing Newport Ridge developers have been working with Brandon Oye and Moore Engineering to begin the next phase of development. Lot sales in Phase 3 of the 6th Addition have been good, with only 5 lots remaining of the 23 finalized in the fall of 2018. With funding options through the Bank of ND, developers jumped at the chance to help Kindred continue its growth. An application has been formally submitted to BND and are awaiting the results. Constructions could potentially begin in the spring of 2020. With the additional lots planned within this development, and the need for adequate flow and fire protection, completing a water looping project was discussed. The State Water Commission (SWC) cost share program is accepting applications for projects such as this.

**MOTION, passed – To approve submission of SWC application for water looping project contingent on receipt of BND funding for NPR 7<sup>th</sup> Addition. Spelhaug moved, Peraza seconded, RCV; Motion carried unanimously.**

C. Boards & Commissions

- i. Kindred Community Club: KCC members Dona Schock and Jamie Swenson were present to provide an update on Kindred Community Days. Tentative schedule was provided and items reviewed. City and council responsibilities were reviewed (barricades, parade signs, garbages at the park). City will have a booth at the park and will have merchandise for sale. Possibly have a spot in the parade. Tabitha has gotten a rolloff dumpster donated from Waste Management for the weekend. Portable toilets are reserved. Dona and Jamie both thanked Tabitha for all the extra work involved with the weekend's activities.
- ii. Kindred Area Economic Development and Renaissance Boards: Renaissance Zone project has begun with Lake Agassiz Development. Will look to more meetings later this fall.

D. Planning & Zoning: Sue Kersting's term on the P&Z board is expiring in August 2019. The topic was discussed at the July 10<sup>th</sup> P&Z meeting. Being that Ms. Kersting is interested in continuing, the board passed a motion for city council to reappoint Ms. Kersting to another 5-year term. Discussed process for publishing/posting when a board position would be expiring.

**MOTION, passed – To reappoint Sue Kersting for a 5-year term (expiring August 2024) to the Planning & Zoning board. Stoddard moved, Peraza seconded, RCV; Motion carried unanimously.**

E. Pool: Pool deck addition is complete. Shade structures have not been delivered yet. Chemical building complete.

F. Marketing: Mayor DuBord is still working with the Kindred school art department to develop a city logo. Summer vacation has slowed this progress.

C. Engineering:

- **Water Tower; Improvement District 2016-1**: Update provided by Maguire Iron earlier. DWSRF approved purchase of GPS equipment could be submitted for reimbursement through the project costs. Municipal discount lowered the original quote by \$600.00.  
**MOTION, passed – To accept quote of \$5,916.00 from Frontier Precision for GPS equipment; Spelhaug moved, Amerman seconded. RCV; Motion carried unanimously.**  
Copies of letters between Maguire Iron and Moore Engineering regrading change proposals were provided. These are formalities on contracts with changes on completion dates. Further discussion on liquidated damages. The next step is for the city to respond with written notice of withholding the liquidated damages until project is complete.  
**MOTION, passed – To approve Contract Change Order No. 6 for \$12,575.00; Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**  
**MOTION, passed – To approve Contractor's Application for Payment No. 13 retaining \$25,000.00 for liquidated damages; Amerman moved, Peraza seconded. RCV; Motion carried unanimously.**  
**MOTION, passed – To approve Moore Engineering Invoice 21326 for \$6,464.35; Amerman moved, Spelhaug seconded. RCV; Motion carried unanimously.**
- **Wastewater Treatment Improvements**: USACE is working on the NEPA process. Soil borings are scheduled to be completed. Need to assess possible crop damage.  
**MOTION, passed – To approve wetland delineation Invoice 1910602BR of \$2,085.00; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**  
Intend to review the 60% plans with Public Works Committee week of Aug 19-22.  
Woodlawn force main needs to be accurately located for the project; knowing the location of the service line and valves is vital.  
**MOTION, passed – To approve the resolution authorizing the issuance of \$1.4 million in SRF loan funds and authorizing the mayor and auditor to sign; Stoddard moved, Spelhaug seconded. RCV; Motion carried unanimously.**
- **GIS Web Map**: Continuing updates to adding site drawings, older sewer services, documents, etc.
- **City Standards and Specs**: Additional updates to document.  
**MOTION, passed – To approve City Standard & Specifications and details contingent on Rich's final review and the 1<sup>st</sup> reading on the ordinance update regarding such; Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.**
- **Pool Parking Lot Drainage**: Reviewed three options for correcting the drainage issues in this area.
- **Capital Improvements Plan**: Plan to set special meeting with Moore and Lake Agassiz Regional Development sometime this fall.

D. PWS

- Had a few skunks to tend. Have not had any reports recently.
- Tuesday, July 9<sup>th</sup> the main sewer lift station went into high alarm, likely as a result of the rapid influx of rain water from the storms that produced tornado warnings in our area.
- Sinkhole found between 160/170 Elm St, about 5'x5'x2' deep. It is located on private property, however, concerns expressed that it could be related to the lift station alarm. Jet Way estimate is about \$4,000 to televise sewer line. Brandon/Moore Engineering could also assist with a smoke test to check for service line weaknesses.
- Discussed erosion controls, storm water management, and street cleaner.
- Creating tool/equipment lists so budgeting/spending limits could be created. Review lists/needs with Dave and bring to council if needed.

E. Attorney:

**MOTION, passed – To approve 1<sup>st</sup> reading of ordinance 2019-76 (revising licensing fees); Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.**

F. Finance:

- Currently the city has an employee debit card system that is linked to a checking account that needs funds added on a regular basis. The city can utilize a CD held at Elm River Credit Union to secure a regular Visa style credit card.  
**MOTION, passed – To approve a CD-backed credit card at Elm River Credit Union with a \$3500.00 limit for authorized account users R.Schock and T.Arnaud; Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.**
- Stacey Fett assisted in comparing and outlining ending balances as of 12/31/18 as related to Harold's balances. Have identified multiple funds that can be consolidated due to no longer using the funds.  
**MOTION, passed – To approve the transfer of the highlighted (pale orange) funds to the general fund; Peraza moved, Spelhaug seconded. RCV; Motion carried unanimously.**

G. Auditor Report

- NPR 2017-1 assessment amortizations almost complete.
- Working on funds and budget items with Stacey.
- Deputy Auditor will begin September 1<sup>st</sup>. \
- Mowing/weed notices mailed.
- Kindred Days items/planning.

H. Council Reports:

- Spelhaug: Had complaints on lawns/weeds; that is now taken care of. Peterson Farm Seed has a Polaris Ranger with snowplow for sale, \$2,500.00. Rich has expressed interest in one for spraying weeds and landscaping work around town and at lagoon.  
**MOTION, passed – To purchase Polaris Ranger with snowplow from Peterson Farms Seed for \$2,500.00; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**
- Amerman: Fielded skunk calls; no longer an issue.
- Stoddard: Walked Elm St with Dwight/Ottertall regarding new light post installation. Ottertall will cover all expenses. Have identified some trees that will need to be removed for the additional posts.
- Peraza: Attended library meeting; need to promote the free little libraries that are located at the memorial building and Gilbertson park. Also attended the meet and greet with Miss ND International Ava Hill who presented her signed sash to the city.

I. Mayor Report

- Old Cass County Electric building owner has had discussions with MLGC who want to have a storefront location in Kindred.
- Will continue to work on the Kindred Days parade/booth options.

**ADJOURNMENT**

**MOTION, passed – To adjourn meeting at 10:47pm;  
Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.**

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

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Tabitha Arnaud, City Auditor

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Jason DuBord, Mayor

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Date approved