

KINDRED CITY COUNCIL MEETING MINUTES
11-06-19 at 7:00pm at Kindred City Hall

MEETING CALLED TO ORDER AT 7:02pm by Mayor DuBord with CMs Spelhaug, Peraza, and Stoddard present. Absent: Amerman. Also present: City Engineer Brandon Oye, City Attorney Sarah Wear, PWS Schock, and City Auditor Arnaud. Guests: Mark Ottis, Marlowe Rud. Mayor DuBord began the meeting with the Pledge of Allegiance.

APPROVE AGENDA – Remove 10-24-19 meeting minutes, add two additional raffle permit applications.

CONSENT CALENDAR

MOTION – To approve the Agenda and Consent Calendar: council meeting minutes of 09-26-19 and 10-02-19, October 2019 bills and reports, and four raffle permits (K.Public Library, K.Post Prom, St. Maurice Church, & K.Firefighters Association.

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

BOARDS & COMMISSIONS

- Kindred Economic Development and Renaissance Boards: Mitch Calkins, Lake Agassiz Regional Council is finishing up on a draft document for the Renaissance Zone Development Plan, as well as a draft for the downtown zoning. Will be scheduling meetings with P&Z and CC in November & December 2019 to begin reviewing drafts.

COUNCIL BUSINESS

A. Old Business

- Elm Street Sidewalks/Concrete Projects Update: An error was discovered in the calculations for the 2019-2 Sidewalk Improvement Assessment worksheets that were mailed to property owners on September 30th, 2019. The price per linear foot (LF) was questioned by a resident, which prompted us to further review the invoices and breakdowns that were provided by the contractor, Camrud Foss, who then returned and remeasured all the work they completed. They verified all the invoices and that the personal work was not double billed within the contract work. It was determined that the breakdowns provided to us did not include 180 LF for panels completed within the city easements at intersections. Making this adjustment resulted in each property seeing a reduction in the price per linear foot; originally \$35.02/LF, reduced to \$32.80/LF.

A special assessment breakdown worksheet was updated and provided the original, corrected, and total difference. Five property owners pre-paid the assessments in full, so refunds will be issued to those owners. Notices will be mailed to all property owners.

For the City, the City Park sidewalk was reduced by (\$886.29), while the additional 180LF city easement is \$5905.01; the net change for city-owned property is \$5,018.72; total city-owned property expense is \$19,026.21. Total amount assessed to residential property is \$80,657.23. This document was sent to the county to be added to the parcels with the 2019 tax year, so the city will begin seeing assessment revenues in 2020.

- Radio Read Meter Update: All meters and updates were completed by October 12th. UBMax utility billing software IT staff assisted with transfer of all data into our program. Ferguson Waterworks IT staff spent the day with Rich and Tabitha on October 23rd to train on new software and reading systems, and help with the first reading. Out of over 330 meters only 2 were not providing a signal (likely defective radios, need replacing) and one meter was installed backwards (reading flagged as “reverse flow”. Will work with Ferguson to remedy these accounts. Next reading will take place on 11/12/19.
- Viking Addition Sump Pump Update: City Engineer Oye reported that with the lagoon project is was confirmed by the State of ND that the main city dewatering well does not need to be permitted, and as such, the Viking Addition dewatering well would not need a permit either. Moore will work on drainage options over the winter and will review with council before by March. The current property owners should continue care for the pump until then.
- NDPERS Retirement Update: Tabitha has filed all paperwork with the state and the first employee payroll deductions were withheld with this week's payroll. The first liability deposit will be due by December 15th for the November contributions. Discussed the option to provide back pay to Rich and Tabitha for when their employment began. No retirement plan was in place when their employment began in September 2017 and so

no city contributions were ever paid out. Current city contribution is 8.26% for up to 40 regular/PTO hours/week. Spreadsheet provided breakdown of wages earned in 2017, 2018, Jan-Sept and Oct-Dec estimates for 2019, at a rate of 8.26% and 10% to consider potential interest earnings that were lost.

MOTION – To approve retirement backpay to R. Schock and T. Arnaud for 10% of regular earned wages from starting employment September 2017 to October 2019; Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.

B. New Business

- Additional Public Works Staff: Discussion was had regarding Rich's position as PWS and the large list of responsibilities and requirements, as well as noting the list of things that need yet to be done. There are many things in the public works field that would be more efficient with another full-time employee. Our current part-time snow removal employees all have full-time day jobs and so are only available to move snow in the evening; if Rich had daytime help, snow removal could potentially be done quicker. It would be good for the city to have a back-up person in place and trained on the city's infrastructure and procedures, so Rich could take time off without the constant worry and need to answer phone calls. Discussion best suited employee requirements, part-time vs full-time. Council is in support, while questioning Rich's ability to actually step away from responsibilities and reduce the overtime he currently receives. Council chose to table the decision until the December meeting so they could review Rich's current job descriptions/duties and come up with a PW assistant job description, wages/benefits, and look at our budget and funds.

- C. Police: Deputy Koerber presented the October 2019 report with 22 calls for service, as follows: 4-medical; 3-traffic complaint; 1-animal call; 5-public assist; 1-domestic; 3-disturbance; 2-juvenile complaint; 1-stolen vehicle; 1-suspicious; 1-fraud. Held an active shooter informational training with the local fire department, EMS, Cass County Sheriff's Department, and school officials.

F. Engineering:

- **Water Tower; Improvement District 2016-1:** Site has been graded and mulched, final punch list items remain. Moore will climb the tower tomorrow to confirm items were completed. Full liquidated damages are to be assessed and determined by spring. Referring to Casselton's decision to withhold LDs based on when the tower went online, council determined that was fair as the tower was operational.
MOTION, passed – To approve Contractor's Application for Payment No. 17 requesting \$161,477.25, retaining \$109,000.00 for liquidated damages, total payment \$52,477.25. Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.

MOTION, passed – To approve Moore Engineering Invoice 22335 for \$11,114.79; Spelhaug moved, Stoddard seconded. RCV; Motion carried unanimously.

- **Wastewater Treatment Improvements:** Waiting for appraisal of land to begin negotiations with current owner. USACE had a change in staff for the project manager which resulted in a delay in the email request for the cultural resources survey; obtained verbal approval from Mayor DuBord due to time constraints so the project was not delayed or halted due to the required environmental study.

MOTION, passed – To approve Beaver Creek Archaeology cultural resources survey quote, not to exceed \$10,000; Stoddard moved, Peraza seconded. RCV; Motion carried unanimously.

MOTION, passed – To approve Moore Engineering Invoice 22345 for \$71,195.00; Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.

- **Newport Ridge Phase 4:** Developers have begun preliminary work with Moore and Ohnstad to create a parcel map and create a new residential zone (SFRA-3: Single Family Residential Airpark 3) that may permit some additional items that the other zones in NPR currently do not allow.

- **7th Avenue Improvements:** Asplin Excavating wanted assistance with staking. Moore will look at costs for aligning and staking the road and possible drainage concerns.

MOTION, passed – To approve Moore Engineering Invoice 22320 for \$1,537.50; Peraza moved, Stoddard seconded. RCV; Motion carried unanimously.

- **Viking Addition Dewatering Well (2nd Ave S):** discussed earlier in Old Business.

- **Capital Improvements Plan:** Will schedule meeting soon.
- **Building Inspections Agreement:** Moore Engineering just briefed employees today that West Fargo is possibly looking to start their own building inspection department and if that is so, Moore would likely dissolve the BI department due to the costs of staffing for work that is not necessarily a full-time position. Kindred, Casselton, and Mapleton would all be affected. Moore will continue as Kindred's BI until December 16th. One other option would be to look at hiring the city's own building code administrator/inspector or adding the work to the current city staff. Brandon will continue to keep us updated on possible options with other companies or if Moore is able to sub-contract or retain the position within their company.

G. PWS

- ProSweep contacted Rich regarding a fall street cleaning for leaves. Council said pass.
- Would like to create a policy that would require new construction to provide the city with the location of new water and sewer service lines. Could request an engineered site plan that identifies the infrastructure within the lots. This would be an added expense to the developer, but a benefit to the city. Could limit it to being required on commercial, industrial, and multi-family, or anything other than single family residential.
- Compost dumpsters have seen heavy use this month. Expenses for the year will likely be up from past. Some residents are taking care of removing trees and/or cutting them back greatly. Possibly some rural residents are using the dumpsters as well. Council suggested getting quotes for security camera systems and signage for the area. Also discussed the clean up of the large tree stumps from the Elm St sidewalk project currently acting as a barricade to prevent people from driving across the lawn. Will look at installing guardrails or another form of barricade.
- Reviewed the snow removal policy and met with part-time staff to review.
- 2018 Erskine snow blower was damaged on the 10/11/19 snow event when it hit an uneven manhole cover in Newport Ridge. There are 3 of these that have since been repaired to prevent equipment damage again. A new snow blower was ordered as soon as filed the claim and determined our insurance would cover it as a total loss. Not sure when the replacement will arrive.
- Maintenance performed on all city equipment. Working on list of possible upgrades/reductions.
- Graded alleyways again. Will continue to be a recurring issue unless the city were to look at paving them, which can be quite costly. Will request some quotes to see what that expense would be.

I. Auditor Report

- Office closures for November: Veteran's Day – Mon. 11th, Thanksgiving – Thurs & Fri 28th-29th.
- Will be calling in our tech support to help set up the second computer to access the accounting software so Emily can begin helping in that area. Would also like to get new monitors for her desk and few more file cabinets.
- Memorial Building and City Hall "renters" now have a new application and checklist form when using the building. Users over the weekend removed tape from the floor that Just for Kix usually leaves in place during their school year use, and it damaged one of the floor tiles. Ok to no withhold any of the damage/cleaning deposit from user.
- Attended the Main Street ND Summit in Bismarck last week. Very informative, networked, and learned of many funding/grants opportunities that can hopefully be researched further soon.
- Discussed shut off policy on utility accounts. October presented yet another property that requested the service shut off at the curb stop so that they don't have a bill to pay while the house is empty and for sale. Advised the owner of the winter "no shut off" policy that occurs from Nov. 1st thru May 1st, and that if they sold the home over the winter, there could be a possibility that we would not be able to turn the service back on. There are a handful of properties that have chosen this process to reduce their expenses and not have a monthly bill. Some "snowbird" residents choose to shut the water off at the valve inside the home, and so they are billed for only the minimum charges and no usage; garbage service is stopped so those charges are removed. The minimum water, sewer, and the three service fees equals \$41.74/month, for locations with a standard 5/8" water meter. There are three commercial properties on our downtown block that have had the service disconnected, do not see a bill, and they are only being used for car storage. If policy changed, the city would continue to receive revenue for the existing infrastructure that is always subject to regular maintenance and repairs.

MOTION, passed – To approve charging minimum monthly utility fees on properties that have the utility services available regardless if the service is disconnected or requested to be shut off at the curb stop, effective 11/6/19.

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

J. Council Reports: Peraza: Have had some discussions with rental property owners regarding the city's current ordinance that the property owner is responsible for the city utility bill if the tenants do not pay. Property owners may be calling to speak to other council members as well.

K. Mayor Report

- Learned of additional downtown improvement funding. Would like to continue to keep an update to the downtown area a priority.

ADJOURNMENT

**MOTION, passed – To adjourn meeting at 9:23pm;
Spelhaug moved, Peraza seconded. RCV; Motion carried unanimously.**

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

Tabitha Arnaud, City Auditor

Jason DuBord, Mayor

Date approved