



Horace City Council Meeting Minutes

The Horace City Council met on September 6, 2022, at 6:00 p.m. at the Horace Fire Hall Event Center.

Those present were Mayor Kory Peterson, Councilmember Stephanie Landstrom, Councilmember Naomi Burkland, Councilmember Sarah Veit, and Councilmember Jeffrey Trudeau. Others present included: Brenton Holper, Jace Hellman, Jim Dahlman, and Lukas Croaker.

Mayor Peterson called the meeting to order at 6:05 p.m.

The Pledge of Allegiance was recited.

Agenda Item #3: Approve Regular Agenda

Motion: Approve the Regular Agenda with Progressive Estimate No. 1 for the Sanitary Sewer Improvement District No. 2021-4 (Lift Station SA-14) to the Regular Agenda as Item No. 19b

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Landstrom

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #4: Approve Consent Agenda

- a. Vendor Invoices
- b. Pledge Reports
- c. Water, Sewer, and Street Improvement District No. 2022-1 (Visto Industrial Addition Paving)
 - i. Progressive Estimate No. 1 to All-Finish Concrete
- d. Water Improvement District No. 2020-6 (Water Replacement)
 - i. Progressive Estimate No. 7 to KPH Inc.
- e. Water, Sewer, Storm, and Street Improvement District No. 2022-2 (Lost River Seventh Addition)
 - i. Progressive Estimate No. 3 to Dakota Underground Co.
- f. Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition)
 - i. Progressive Estimate No. 8 to Dakota Underground Co.
- g. Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fourth Addition)
 - i. Progressive Estimate No. 2 to Dakota Underground Co.
- h. Sanitary Sewer Improvement District No. 2021-6 (Lift Station SA-13)
 - i. Progressive Estimate No. 2 to CC Steel, LLC

Councilmember Trudeau requested letter i, Water, Sewer, Storm, and Street Improvement District No. 2021-2 (Terra Gardens Third Addition), be removed from the consent agenda and added to the regular agenda as a separate item.

Motion: Approve the Consent Agenda with the Water, Sewer, Storm, and Street Improvement District No. 2021-2 (Terra Gardens Third Addition) Project added as Agenda Item #19.5

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Veit

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #5: Approval of the City Council Meeting Minutes from August 15, 2022

Councilmember Landstrom requested a revision to Agenda Item #18 to reflect the number of lots available as 246 rather than the number of lots owned by developers. Councilmember Trudeau requested that Agenda Item #10 be revised to reflect that the second motion was made by Councilmember Burkland.

Motion: Amend the Consent Agenda to Reflect the Number of Lots in Agenda Item #18 and a Correction to Agenda Item #10



1st Motion: Councilmember Landstrom

2nd Motion: Councilmember Burkland

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #6: Public Comment

Agenda Item #7: Sheriff's Update | Craig Keller and Jake Murray, Cass County Sheriff's Department

Deputy Murray presented the August dispatch log of 182 calls for service. He also shared that the Sheriff's Department now has a K9 dog named Griggs and that he was working on a combined Night to Unite and Trunk-Or-Treat with Horace Lutheran Church. Deputy Keller shared that he is considering a Bike with a Cop program.

Agenda Item #8: 2020 Penalty and Interest Waiver Request | Brenton Holper, City Administrator

a. 774 Prairie Ave.

Mr. Holper presented the 2020 Penalty and Interest Waiver Request for 774 Prairie Avenue. Resident Ryan Thayer was unable to attend the meeting but sent an email stating his request, which was read to Council. Councilmembers were in agreement that this was a civil issue between the homeowner and the developer and not the City.

Motion: To Deny the Request for the 2020 Penalty and Interest Waiver

1st Motion: Councilmember Veit

2nd Motion: Councilmember Landstrom

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #9: ISR Homes Extension Request No. 3 (7880 Cottonwood Boulevard) | Lukas Croaker, City Attorney

Mr. Croaker presented an email from the attorney for ISR Homes regarding Extension Request No. 3 (7880 Cottonwood Boulevard) to ensure proper curing of concrete. The new requested completion date is September 15. Mayor Peterson stated that further extension requests would result in penalties.

Motion: Approve the ISR Homes Extension Request No. 3 (7880 Cottonwood Boulevard)

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #10: Sewer, Storm and Street Improvement District No. 2022-10 (Chestnut/Ironwood Street Rehab) | Jim Dahlman, City Engineer

a. City Contribution

b. Review Bids and Consider Award

Mr. Dahlman presented information regarding the Sewer, Storm and Street Improvement District No. 2022-10 (Chestnut/Ironwood Street Rehab) project. The City will contribute 25% to the project. Councilmember Landstrom requested another letter be sent to residents. Bid review and award consideration were tabled until the next meeting.

Motion: Approve the City Contribution for the Sewer, Storm and Street Improvement District No. 2022-10 (Chestnut/Ironwood Street Rehab) Project

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

Action taken: Roll call. All in favor, none opposed. Motion carried.

Agenda Item #11: Wall Avenue Project | Lukas Croaker, City Attorney

a. Appraisal Report

Mr. Croaker presented the Appraisal Report for the Wall Avenue Project and stated that he will provide Council with a new invoice.



Agenda Item #12: Southdale Farms 7th Addition | Jace Hellman, Community Development Director

- a. Plat
- b. Rezone

Mr. Hellman presented the Plat and Rezone for the Southdale Farms 7th Addition project. The Planning and Zoning Commission met on August 9 and recommended that the lot be zoned as C1. Chris Mack, New Horizon, was present and stated that he accepts the change to C1. Discussion was had regarding a traffic study and Mr. Dahlman explained that warrants must be met before a roundabout is created or a signal is installed. Mayor Peterson opened the public hearing at 6:55 p.m. and closed it at 7:09 p.m.

Motion: Approve the Plat and Rezone for the Southdale Farms 7th Addition Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #13: Rivers Edge 2nd Addition | Jace Hellman, Community Development Director

- a. Plat
- b. Rezone

Mr. Hellman presented the Plat and Rezone for the Rivers Edge 2nd Addition project, in which Don Dabbert of Dabbert Homes is requesting to subdivide approximately 82.08 acres into a total of 121 lots, in addition to requesting to rezone approximately 13.35 acres from its current zoning district classification of A to R-4 and PF. Mayor Peterson opened the public hearing at 7:22 p.m. The Planning and Zoning Commission recommended to approve the Plat and Rezone. Discussion was had regarding Lot 11, Block 8 with the Horace Park District requesting either a deed or approval to use the lot for development purposes. Councilmember Landstrom expressed concern regarding traffic and Councilmember Veit expressed concern regarding a pond being so near to a playground. A resident who resides south of the project expressed concern regarding the extreme density, but Councilmembers reassured her that the map was not final and could change. Mayor Peterson closed the public hearing at 7:42 p.m.

Motion: Approve the Plat for the Rivers Edge 2nd Addition Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Burkland

Action taken: All in favor, none opposed. Motion carried.

Motion: Approve the Rezone and Deed of Lot 11, Block 8 for the Rivers Edge 2nd Addition Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #14: Water, Sewer, Storm and Street Improvement District No. 2022-12 (Rivers Edge 2nd Addition) | Jim Dahlman, City Engineer

- a. Resolution Approving Preliminary Engineering Report
- b. Resolution Directing the Engineer to Prepare Plans and Specifications

Mr. Dahlman presented the second Engineer's Report for the estimated \$16.7 million Water, Sewer, Storm and Street Improvement District No. 2022-12 (Rivers Edge 2nd Addition) project.

Motion: Approve the Preliminary Engineering Report for the Water, Sewer, Storm and Street Improvement District No. 2022-12 (Rivers Edge 2nd Addition) Project

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

Action taken: All in favor, none opposed. Motion carried.



Motion: Approve the Resolution Directing the Engineer to Prepare Plans and Specifications for the Water, Sewer, Storm and Street Improvement District No. 2022-12 (Rivers Edge 2nd Addition) Project

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #15: Water, Sewer, Storm and Street Improvement District No. 2022-11 (Cub Creek Second Addition) | Jim Dahlman, City Engineer

- a. Resolution Approving Plans and Specifications
- b. Resolution Directing the Auditor to Advertise for Bids

Mr. Dahlman presented the Plans and Specifications for the Water, Sewer, Storm and Street Improvement District No. 2022-11 (Cub Creek Second Addition) project.

Motion: Approve the Plans and Specifications for the Water, Sewer, Storm and Street Improvement District No. 2022-11 (Cub Creek Second Addition) Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Motion: Approve the Resolution Directing the Auditor to Advertise for Bids for the Water, Sewer, Storm and Street Improvement District No. 2022-11 (Cub Creek Second Addition) Project

1st Motion: Councilmember Landstrom

2nd Motion: Councilmember Burkland

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #16: Southdale Farms 6th Addition | Lukas Croaker, City Attorney

- a. Rezone – Second Reading

Mr. Croaker presented the Second Reading for the Rezone for the Southdale Farms 6th Addition project.

Motion: Approve the Second Reading for the Rezone for the Southdale Farms 6th Addition Project

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #17: ND League of Cities Annual Business Session – Appointment of Two Delegates | Brenton Holper, City Administrator

Mr. Holper presented information regarding the ND League of Cities Annual Business Session and requested the appointment of two delegates. Councilmember Burkland stated that she would likely not attend the NDLC. Councilmembers Landstrom and Veit were appointed as delegates.

Motion: Approve the Consent Agenda

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #18: Fire Hall Event Center Audio and Visual Improvements | Brenton Holper

- a. Installation Proposal

Mr. Holper presented the Installation Proposal for Fire Hall Event Center Audio and Visual Improvements. Discussion was had regarding cost and other options. Councilmember Veit asked whether Horace Park District would contribute, and Mayor Peterson stated that he would ask at his upcoming meeting with them.

Motion: Approve up to \$7,500 for Fire Hall Event Center Audio and Visual Equipment Installation



1st Motion: Councilmember Burkland

2nd Motion: Councilmember Landstrom

Action taken: Roll call. All in favor, none opposed. Motion carried.

Agenda Item #19: Monument Signs | Kory Peterson

- a. Discussion and Action
- b. Water, Sewer, Storm, and Street Improvement District No. 2021-2 (Terra Gardens Third Addition)
 - i. Progressive Estimate No. 6 to Fox Underground Co.
- c. (Added) Sanitary Sewer Improvement District No. 2021-4 (Lift Station SA-14)
 - i. Progressive Estimate No. 1 to Dakota Underground Co.

Mayor Peterson presented options for City of Horace monument signs, stating that he preferred the Haycreek or Starcrest versions. Councilmember Veit stated that she would like quotes from Hebron for this project.

Councilmember Burkland shared that she would be meeting with resident Alex Mitchell regarding fundraisers.

Councilmember Landstrom stated that she could not support such a large amount of spending, as it is taxpayer money and bills should be lowered instead. The item was tabled pending further bids and prices.

Agenda Item #19.5: Water, Sewer, Storm, and Street Improvement District No. 2021-2 (Terra Gardens Third Addition) Project | Jim Dahlman, City Engineer

Mr. Dahlman presented Progressive Estimate No. 6 to Fox Underground. Councilmember Veit expressed concern regarding reports that people are not receiving payment and requested written affidavits from Fox Underground stating that payments have been issued. Councilmember Trudeau requested that LDs not be listed under the Consent Agenda in the future. Mayor Peterson recommended approval.

Motion: Approve Progressive Estimate No. 6 to Fox Underground with Written Affidavits

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

Action taken: All in favor, none opposed. Motion carried.

Agenda Item #20: Engineering/Public Works Report | Jim Dahlman, City Engineer

- a. Construction Project Status

Mr. Dahlman presented the Construction Project Status for the Engineering / Public Works Report. Visto's paving is underway with consideration of cement or lime stabilization being discussed with contractor. Lost River 7th Addition pavement is complete. The Shared Use Path is complete. Maple Lakes will likely request an extension for next year. Councilmember Trudeau requested that Mr. Dahlman ensures contractors are doing what they are saying they are doing.

Agenda Item #21: City Administrator Report | Brenton Holper, City Administrator

Mr. Holper reminded the Council about the ND League of Cities Conference in September and the Budget Hearing on September 20.

Agenda Item #22: Portfolio Reports

- a. Mayor Peterson welcomed Blake Crosby, former NDLC leader, to the meeting. He also stated that he would be meeting with schools as well as attending an NDLC Policy Committee meeting. He will be out of town from September 26-30.
- b. Councilmember Veit stated that she would like to talk about tax increases and asked staff to assist with ending project extensions.
- c. Councilmember Burkland: No update
- d. Councilmember Landstrom stated that she attended a District meeting and asked about July Inspection numbers, which Mr. Holper provided.



- e. Councilmember Trudeau thanked all who helped with Bean Days.

Agenda Item #23: Executive Session held pursuant to NDCC § 44-04-19.1(9) to discuss negotiating strategy or provide negotiating instructions to its attorney or other negotiator regarding a contract for the purchase of real property.

- a. Discussion
- b. Action (after executive session)

Agenda Item #24: Adjourn at 10:03 p.m.

Motion: Councilmember Veit

Action taken: All in favor, none opposed. Motion carried.

The next City Council Meeting is scheduled for **Monday, September 19, 2022, at 6:00 pm.**