



Horace City Council Meeting Minutes

The Horace City Council met on February 7, 2022 @ 6:00 pm at Horace Fire Hall Event Center. Those present were Mayor Kory Peterson, Councilmember Naomi Burkland, Councilmember Jeffrey Trudeau, Councilmember Sarah Veit, and Councilmember Chelsey Johnson. Others present included: Brenton Holper, Jim Dahlman, and Lukas Croaker.

Mayor Peterson called the meeting to order at 6:03 pm.
Mayor Peterson forwent the Pledge of Allegiance.

Agenda Item #3: Approve Regular Agenda

Motion: Approve the Regular Agenda Removing Item #8 (Veterans Boulevard Corridor Study).

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Agenda Item #4: Approve Consent Agenda

- a. Vendor Invoices
- b. Pledge Reports
- c. Sanitary, Storm Sewer, and Street ID No. 2019-01 (Lakeview Drive and 79th Avenue) and Storm Sewer and Street Improvement District No. 2019-3 (63rd Street)
 - i. Progressive Estimate No. 16 FINAL to KPH Inc.

Motion: Approve the Consent Agenda.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Trudeau

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

Agenda Item #5: Approval of City Council Meeting Minutes from January 18, 2022

Motion: Approve the January 18, 2022, City Council Meeting Minutes.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

Agenda Item #6: Public Comment

A resident explained that a few Scouts were at the meeting. He added that they are currently working on their community award adventure.

Agenda Item #7: Sheriff's Update | Craig Keller/Jake Murray, Cass County Sheriff's Department & Brenton Holper, City Administrator

Deputy Sheriff Craig Keller summarized the 128 calls that were received during the month of January 2022. He explained that there were seven reports of attempted burglaries and four animal calls. He added that he worked on impounding a trailer that was left at a construction site. He will continue to contact owners of other construction trailers that were also left at different construction sites in Horace before he will impound the trailers.



Agenda Item #8: (Removed) Veterans Boulevard Corridor Study | Daniel Farnsworth, Metro COG

The item was removed from the agenda.

Agenda Item #9: Southdale Farms 4th Addition | Lukas Croaker, City Attorney & Jim Dahlman, City Engineer

Mr. Croaker presented the plat and rezone for the Southdale Farms Fourth Addition. He explained that the Planning Commission approved both applications. Mayor Peterson opened the public hearing for the plat at 6:12pm. The Council discussed the amended plans which include a bike path, and they were pleased to see that a variety of housing styles were added to counteract housing monotony. No additional comments were received. Mayor Peterson closed the public hearing at 6:19 pm.

Motion: Approve the Southdale Farms Fourth Addition Plat.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Mayor Peterson opened the public for the Southdale Farms Fourth Addition rezone hearing at 6:19 pm. Mr. Croaker explained that the rezone would change the land from AG (agricultural) to R6 (high density residential). No comments were received, and Mayor Peterson closed the public hearing at 6:20 pm.

Motion: Approve the Southdale Farms Fourth Addition Rezone.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

Mr. Dahlman summarized the preliminary engineering report for the Southdale Farms Fourth Addition which will add approximately 197 new single-family residences. He explained the improvements that will be made to the area which include sanitary sewer, fire hydrants, a storm water lift station, a shared use path, and concrete sidewalks.

Motion: Approve the preliminary engineering report for the Southdale Farms Fourth Addition.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Mayor Peterson explained that the next step would be to direct the engineer to prepare the plans and specifications.

Motion: Direct the Engineer to Prepare the Plans and Specifications for the Southdale Farms Fourth Addition.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

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

Agenda Item #10: 1080 7th Street E | Lukas Croaker, City Attorney

Mr. Croaker summarized the requests for the rezone and the conditional use permit for the property located at 1080 7th St. in the Visto Industrial Park. The rezone would change the property from light industrial to general commercial because the intended use of the property would fit better in a general commercial zone. The Council discussed the conditional use permit and the plans for the property.



Mayor Peterson opened the public hearing at 6:30 pm. Mr. Sahr explained why a rezone is necessary for the property. He added that without the rezone the City would have to issue several conditional use permits. No further comments or questions were received. Mayor Peterson closed the public hearing at 6:31 pm.

Motion: Approve the Rezone for the Property Located at 1080 7th St.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Johnson

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

Mr. Croaker explained that a conditional use permit would be needed for the planned shipping facility on the property located at 1080 7th St. Mayor Peterson opened the public hearing at 6:32 pm. Mr. Croaker explained that warehouse operations will be set up on the north side of the location. Councilmember Veit asked how trucks would be driving in and out of the property. Mr. Dahlman responded that only box vehicles not trucks would go to the property. He explained how the vehicles would pull in and out of the property. No further comments or questions were received. Mayor Peterson closed the public hearing at 6:35 pm.

Motion: Approve the Conditional Use Permit for the Property Located at 1080 7th St.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Agenda Item #11: City Hall Planning | Brenton Holper, City Administrator

Mr. Holper explained that there are three options on how the City of Horace could approach the construction management of a city hall building. The first option is the design-bid-build method (also called a low-bid method) which means the City of Horace would bid out the project and would award it to the lowest bidder. The second option would be the agency construction management method. The third option is construction management at risk which means the customer sets a budget and the contractor must deliver within the set budget. If the budget needs to be adjusted, the City Council would first have to approve it. The Mayor and Council discussed which option they each prefer. Most councilmembers agreed that the more transparent way to build a new city hall would be using the construction management at risk method because the budget would be set beforehand and any changes to the budget would need to be approved.

Motion: Approve the Construction Manager at Risk Method for the Construction of a New City Hall.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

Action taken: Three in favor, Councilmember Johnson opposed (3-1). Motion carried.

Agenda Item #12: Waiver Request - Special Assessment Interest | Liz Heisey, Finance Director

Ms. Heisey explained that the property owner at 6592 Visto St. tried to pay off the special assessment on his property but had encountered difficulties. The property owner paid some of his taxes to the County and some of his taxes to the City of Horace. There was interest charged on the payments, which prompted the property owner to request a refund of the interest that was charged (around \$350).

Motion: Approve the Waiver Request for the Special Assessment Interest that was Charged for the Property Located at 6592 Visto St.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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



Agenda Item #13: SSt ID No. 2022-3 & SSSt. ID No. 2022-4 (Wall Avenue) | Lukas Croaker, City Attorney & Jim Dahlman, City Engineer

Mr. Croaker explained that Interstate Engineering is currently working on the certificate of survey to determine how much property alongside the north and south side of Wall Avenue would be needed for the SSt ID No. 2022-3 & SSSt. ID No. 2022-4 projects. He added that the City Council would need to decide if any necessary property should be acquired by easement or in fee title. He recommended that the City would acquire property by fee title because a property owner would still be subject to special assessments and taxes if property was acquired by easement.

Motion: Approve the Land Acquisition in Fee Title for the SSt ID No. 2022-3 & SSSt. ID No. 2022-4 (Wall Avenue) Projects.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Veit

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

Mr. Dahlman explained that the City Council requested a report for the entrance to the Apple Orchard subdivision to determine how to improve the entrance. Mr. Dahlman summarized the existing conditions and how much property would be needed to realign the street entrance properly which will be approximately 35ft of right of way. The Council discussed the right of way needs and the impact that it would create for the property located east of the entrance. Councilmember Johnson explained the safety issues she has encountered when taking the entrance. The Council also discussed the safety concerns for school kids that are dropped off on the south side of Wall Avenue across from the entrance. Mr. Sahr proposed to install a four-way stop sign. A stop sign would slow down traffic and eliminate most of the safety concerns. Mr. Holper added that stopping on the Sheyenne River bridge when traveling from the west on Wall Avenue would not be advisable.

Agenda Item #14: 63rd Street from Wall Avenue to 82nd Avenue | Jim Dahlman, City Engineer

Mr. Dahlman explained the location of the planned Cub Creek Second Addition subdivision. He added that there is a gap of infrastructure from 63rd Street from Wall Avenue to 82nd Avenue that should be constructed before the incoming subdivision. By approving the improvement district and directing the engineer to prepare the preliminary engineering report, the City of Horace will be ahead of the curve. Mayor Peterson recommended to combine the two items into one motion.

Motion: Approve the Resolution to Create the 63rd St. and Wall Avenue to 82nd Ave. Improvement District and Direct the Engineer to Prepare the Preliminary Engineering Report and Cost Estimate.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Trudeau

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

Agenda Item #15: Water, Sewer, Storm and Street Improvement District 2021- (Lakeview Addition) | Jim Dahlman, City Engineer

Mr. Dahlman explained that the Cass County Highway Department owns the parcel north of the Casey's store on County Road 17 which will be deeded to the City of Horace. He added that there is a gap in the St. Benedict's Avenue which needs to be added and that the entrance to Casey's will need to be straightened. Mr. Dahlman asked if the Council preferred to add the costs for it as a change order item for the Lakeview Addition or if an improvement district should be created instead. Mr. Croaker pointed out that a change order can only be done if the costs of the change order are under 20% of the entire project costs for Lakeview Addition. The contract costs for the Lakeview Addition were approximately



\$6.3M. The Council agreed that a preliminary engineering report would be needed first to determine the cost of the project.

Motion: Direct the Engineer to Prepare the Preliminary Engineering Report for the Water, Sewer, Storm and Street Improvement District 2021- (Lakeview Addition).

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Agenda Item #16: 66th Street (from 76th Avenue to 64th Avenue) | Jim Dahlman, City Engineer

Mr. Dahlman presented a cost estimate and layout for the 66th Street project. He asked the Council if they would prefer a construction of a boulevard road. Councilmember Veit expressed that she does not like boulevards because they make snow removal difficult. The options for the width of the road and walking path were discussed. Mr. Dahlman added that the costs will be approximately \$8M which will include the roundabout on Christianson Boulevard. He added that the incoming subdivisions in the area are already being planned. He asked if the Council would like the 66th Street project to be constructed in two or three phases. Mayor Peterson asked if there was ever a traffic study conducted for the road which would be helpful to determine the traffic flow around the schools. He requested that the West Fargo School District would be contacted to see what their tentative plans are for the area.

Agenda Item #17: Maple Lakes Estates – Phase Two | Jim Dahlman, City Engineer

Mr. Dahlman explained the planned project (ID 2022-5 Maple Lakes Estates – Phase Two) which will include water, sewer, storm, and street improvements.

Motion: Approve the Preliminary Engineering Report for Maple Lakes – Phase Two.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Trudeau

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

Motion: Direct the Engineer to Prepare the Plans and Specifications for Maple Lakes – Phase Two.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Johnson

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

Agenda Item #18: Sanitary, Storm Sewer, and Street ID No. 2019-01 (Lakeview Drive and 79th Avenue) and Storm Sewer and Street Improvement District No. 2019-3 (63rd Street) | Jim Dahlman, City Engineer

Mr. Dahlman explained the Balancing Change Order No. 5 for the Sanitary, Storm Sewer, and Street ID No. 2019-01 (Lakeview Drive and 79th Avenue) and Storm Sewer and Street Improvement District No. 2019-3 (63rd Street). The balancing change order is in the amount of \$61,220.43.

Motion: Approve the Balancing Change Order No. 5 for the Sanitary, Storm Sewer, and Street ID No. 2019-01 (Lakeview Drive and 79th Avenue) and Storm Sewer and Street Improvement District No. 2019-3 (63rd Street).

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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

Agenda Item #19: Staff Positions | Brenton Holper, City Administrator

Mr. Holper summarized the job descriptions for the project manager and amended administrative



assistant position. The project manager position will replace the open City Engineer position that was already approved by the City Council. He added that a new job description for the utility billing assistant was created to cover all the duties the position is responsible for which includes utility billing, municipal court clerk duties and general administrative duties.

Motion: Approve the Job Descriptions for the Project Manager and Utility Billing/Court Clerk/Administrative Assistant Positions.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Veit

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

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

- a. Mr. Dahlman reminded everyone that there will be a public input meeting for the Visto Industrial Addition Street Paving project on February 8, 2022. The meeting will take place at 4:00 pm at the Horace Fire Event Center located at 413 Main Street.

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

- a. Mr. Holper explained that sheetrock is currently being hung at City Hall and that plumbing was installed. All new updates on the progress of the remodel are posted in the City's Team folder which Council has access to.

Agenda Item #22: Portfolio Reports

- a. Mayor Peterson explained that he spoke at the HBA event on January 27, 2022, in Fargo.
- b. Councilmember Veit – no updates.
- c. Councilmember Burkland – no updates.
- d. Councilmember Johnson – no updates.
- e. Councilmember Trudeau – no updates.

Agenda Item #23: Adjourn

Motion: Approve Meeting Adjourn at 8:04 pm.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

The next Horace City Council meeting is scheduled for **Tuesday, February 22, 2022, at 6:00 pm.**
The meeting will take place at the **Horace Fire Hall Event Center** located at 314 Main Street.