



Horace City Council Meeting Minutes

The Horace City Council met on July 18, 2022, at 6:00 p.m. at the Horace Fire Hall Event Center.

Those present were Mayor Kory Peterson, Councilmember Stephanie Landstrom, Councilmember Sarah Veit, and Councilmember Jeffrey Trudeau. Others present included: Brenton Holper, Jace Hellman, Jim Dahlman, and Lukas Croaker. Councilmember Naomi Burkland was not present.

Mayor Peterson called the meeting to order at 6:09 p.m.

The Pledge of Allegiance was recited.

Agenda Item #3: Approve Regular Agenda

Motion: Approve the Regular Agenda with addition of Agenda Item #22.5: Assignment of City Council President and Vice President

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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

Agenda Item #4: Approve Consent Agenda

- a. Vendor Invoices
- b. Fund Balances & Income Statement
- c. Checks Written in June 2022

Motion: Approve the Consent Agenda

1st Motion: Councilmember Veit

2nd Motion: Councilmember Landstrom

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

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

Motion: Approve the City Council Meeting Minutes from July 5, 2022

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Landstrom

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

Agenda Item #6: Public Comment

Resident Lowell Johnson of Country Acres stated that he would like to build a 14' x 20' utility shed behind his garage, but according to the building inspectors, if the accessory structure is larger than 10' x 12', he needs to place four feet of dirt under the shed. Mr. Dahlman stated that he will further research with the building inspectors what is defined as an accessory structure.

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

Deputy Murray presented the June dispatch log of 224 calls which included two thefts and continued parking concerns. They stated that there were several fires that involved assistance from the Fire Department. They are continuing to implement the I Got Caught Program, in which kids who are wearing helmets are stopped and given a coupon for ice cream. Deputy Keller further emphasized the importance of bike safety.

Discussion was had regarding the upcoming Night to Unite event and the reminded residents that if police presence is needed, to request it.



Agenda Item #8: Water Improvement District No. 2020-6 (Horace Proper Water Replacement) – Update | Jim Dahlman, City Engineer

- a. Time extension
- b. Unit Price Increases

Mr. Dahlman stated that three requests for a unit increase were made for the Water Improvement District No. 2020-6 (Horace Proper Water Replacement) project. He requested to defer these to the councilmember who oversees the infrastructure portfolio for further discussion with the contractor. The item was tabled.

Agenda Item #9: Storm, Sewer, and Street Improvement District No. 2022-10 (Chestnut Ironwood) | Jim Dahlman, City Engineer

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

Mr. Dahlman presented the Resolution Approving Plans and Specifications for the Storm, Sewer, and Street Improvement District No. 2022-10 (Chestnut Ironwood) project. The rehab project has been pursued since 2017. Residents were given special assessment costs and will have the opportunity to weigh in. Mr. Holper stated that residents were notified of its addition to the agenda and that they would hear more details in approximately one month.

Motion: Approve the Resolution Approving Plans and Specifications and the Resolution to Direct the Auditor to Advertise for Bids for the Storm, Sewer, and Street Improvement District No. 2022-10 (Chestnut Ironwood) Project

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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

Agenda Item #10: Lakeview Heights 5th Addition & Lakeview Heights Apartments | Jace Hellman, Community Development Director

- a. Plat
 - i. Public Hearing
 - ii. Discussion & Action
- b. Rezone
 - i. Public Hearing
 - ii. Discussion & Action
- c. Planned Unit Development
 - i. Public Hearing
 - ii. Discussion & Action

Mr. Hellman presented the Plat, Rezone, and Planned Unit Development (PUD) for the Lakeview Heights 5th Addition & Lakeview Heights Apartments. These items were unanimously approved by the Planning and Zoning Commission on June 14 with a recommendation for Council to approve with an additional provision requesting the planner to present a design that includes elevators. The PUD would be to amend height, setbacks, signage, and building aesthetics. Mr. Croaker explained that this is not a legal requirement, just a desire to provide elevators, which is a C2 classification.

Chris Mack of Christianson Companies and architect Kim Madison were present and provided alternate designs of the building they are proposing for the New Horizon Homes LLC. They explained that if elevators were added to the apartment buildings, tenant costs would increase and apartment sizes would decrease. If they constructed the first



four buildings, they could meet the height requirement and adjust to fit with a new ordinance for the fifth building in 2023.

Councilmember Landstrom expressed concern regarding the potential for increased traffic on County Road 17, while Councilmember Veit expressed concern regarding the redesign of the building to look less attractive with a flat roof if it were to include elevators.

Mayor Peterson opened the public hearing at 7:03 p.m. Residents expressed concern regarding the building being located across from the school, being located in a commercial area, if construction workers would be residing in the buildings as a man camp, and if there would be parking issues. Chris Mack explained there would be sufficient garage space for residents and that the location would provide walkability for residents to access stores and the upcoming clinic. Further discussion was had regarding access for those who required assistance, and it was stated that there would be 60 main level apartments to address that. Councilmember Veit stated that she would like for the City to create a building code and start working with the Planning and Zoning Commission to avoid similar situations in the future. Mayor Peterson closed the public hearing at 7:28 p.m.

Motion: Approve the Plat for the Lakeview Heights 5th Addition & Lakeview Heights Apartments

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

Action taken: Roll call. Councilmembers Veit, Burkland and Trudeau in favor. Councilmember Landstrom opposed. Motion carried.

Motion: Approve the Rezone to PUD for the Lakeview Heights 5th Addition & Lakeview Heights Apartments

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Veit

Action taken: Roll call. Councilmembers Veit, Burkland and Trudeau in favor. Councilmember Landstrom opposed. Motion carried.

Motion: Approve the Planned Unit Development (PUD) as Submitted Removing the Elevator Requirement and Directing City Staff to Create an Addendum for the Lakeview Heights 5th Addition & Lakeview Heights Apartments

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

Action taken: Roll call. Councilmembers Veit, Burkland and Trudeau in favor. Councilmember Landstrom opposed. Motion carried.

Agenda Item #11: Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) | Jim Dahlman, City Engineer

a. Change Order No. 3 – Saint Benedict Avenue

Mr. Dahlman presented the Change Order No. 3 for Saint Benedict Avenue for the Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) project, with a recommendation to approve the cost estimate provided by Dakota Underground of \$585,738.18. Mr. Dahlman stated that he believes the pricing is reasonable considering the economy.

Motion: Approve the Change Order No. 3 for Saint Benedict Avenue for the Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) Project

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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



Agenda Item #12: Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fifth Addition) | Jim Dahlman, City Engineer

- a. Change Order No. 1 – Sanitary Sewer Depth

Mr. Dahlman presented the Change Order No. 1 – Sanitary Sewer Depth for the Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fifth Addition) project. He stated that unfavorable soil condition caused developer concern, and a recommendation to raise the sanitary sewer approximately 6 feet was made. He stated that another lift station would have to be constructed, as Adelman Addition would not be able to use the Southdale Farms Fifth sewer. The deduct in price would be approximately \$390,000.00.

Councilmember Veit expressed concern regarding all the change, asking that other areas with bigger lots aren't overlooked.

Motion: Approve the Change Order No. 1 – Sanitary Sewer Depth for the Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fifth Addition) Project

1st Motion: Councilmember Landstrom

2nd Motion: Councilmember Veit

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

Agenda Item #13: Water, Sewer, Storm, and Street Improvement District No. 2022-5 (Southdale Farms Fourth Addition) | Jim Dahlman, City Engineer

- a. Change Order No. 1 – Borrow Material
b. Construction Status

Mr. Dahlman presented the Change Order No. 1 – Borrow Material for the Water, Sewer, Storm, and Street Improvement District No. 2022-5 (Southdale Farms Fourth Addition) project. The project will require approximately 80,000 CY of borrow material with a price bid of \$15.00. He stated that the developer has sourced borrow material and would like to supply the material to the contractor, which would result in a unit price decrease which would be \$12.00 per CY.

Mr. Dahlman explained that raising the entire area would ensure proper drainage and that the area was 100% special assessed. He also explained that the cost covers hauling and spreading. Chris Mack explained that they can obtain cheaper material but will pay more to get it on the dates that they need it, and that the price will be reduced to \$1,600.00 per lot.

Motion: Approve the Change Order No. 1 – Borrow Material for the Water, Sewer, Storm, and Street Improvement District No. 2022-5 (Southdale Farms Fourth Addition) Project

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

Agenda Item #14: Meadowlark Park | Brenton Holper, City Administrator

- a. Waiver of Principle and Interest

Mr. Holper presented the Waiver of Principle and Interest for Meadowlark Park.

Motion: Approve the Waiver of Principle and Interest for Meadowlark Park.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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



Agenda Item #15: Lot 1, Block 6, Cub Creek Addition | Lukas Croaker, City Attorney

a. Rezone – Second Reading (AG to PF)

Mr. Croaker presented the Rezone – Second Reading (AG to PF) for Lot 1, Block 6, Cub Creek Addition with no changes.

Motion: Approve the Rezone – Second Reading (AG to PF) for Lot 1, Block 6, Cub Creek Addition

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Landstrom

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

Agenda Item #16: Domestic Fowl Ordinance | Lukas Croaker, City Attorney

a. Second Reading

Mr. Croaker presented the Second Reading for the Domestic Fowl Ordinance. He stated that the City had nothing regarding bees and that the Century Code was not very specific. Councilmember Veit expressed concerned keeping bees posed to residents. Mr. Croaker explained that the owner of bees and not the City would be held liable. He also suggested to leave it silent. It was also stated that honey bees aren't aggressive because the queen is in the hive, and that bees are raised to be docile and replaced if aggressive.

Motion: Approve the Change Order No. 3 for Saint Benedict Avenue for the Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) Project

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

Agenda Item #17: Horace Sesquicentennial History Books | Kory Peterson, Mayor

a. Friesens Agreement

Mayor Peterson presented the Friesens Agreement for the Horace Sesquicentennial History Books. Signing the agreement would reserve a spot for publishing.

Motion: Approve the Friesens Agreement for the Horace Sesquicentennial History Books

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

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

Agenda Item #18: Big Erv's Special Event Permit | Brenton Holper, City Administrator

a. August 12, 2022 – Benefit

Mr. Holper presented a request for a Big Erv's Special Event Permit to be held on August 12, 2022 for a Benefit for Aaron Erickson, a high school student.

Motion: Approve the August 12, 2022 – Benefit – Big Erv's Special Event Permit

1st Motion: Councilmember Landstrom

2nd Motion: Councilmember Burkland

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

Agenda Item #19: FY 2023 Budget Discussion | Brenton Holper, City Administrator

Mr. Holper presented the FY 2023 Budget Discussion. Councilmember Veit requested more police assistance, which would equal 3 mils.



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

a. Construction Project Status Report

Mr Dahlman presented the Construction Project Status Report:

1. The shared use path will start tomorrow until middle of August
2. Southdale Farms Fourth Addition started today
3. Lost River Seventh Addition pipework should be done this week then moves out to lift station in the Lakeview Addition
4. Lift station 13 is set
5. Lakeview Addition completion end of month

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

Mr. Holper stated that Brenda Sagert began as the City Receptionist on Monday, July 11. He also shared a reminder that the North Dakota League of Cities would be held in Grand Forks on September 22-24, with the mayor encouraging councilmembers to attend.

Agenda Item #22: Portfolio Assignments | Brenton Holper, City Administrator

Mr. Holper and Mayor Peterson presented new portfolio assignments for City Councilmembers as follows:

Councilmember Veit: Infrastructures

Councilmember Burkland: Planning and Zoning and Law Enforcement

Councilmember Trudeau: HR and MetroCOG

Councilmember Landstrom: Events and Parks

Mayor Peterson asked Councilmember Landstrom to work with Councilmember Burkland and Communications Specialist Sally Showalter on events. He also stated that he would work with Councilmember Burkland on City Hall.

Agenda Item #22.5: Assignment of President and Vice President of Council

Mayor Peterson assigned Councilmember Veit as President and Councilmember Trudeau as Vice President.

Motion: Approve Assignment of President and Vice President of Council

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Landstrom

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

Agenda Item #23: Portfolio Reports

- a. Mayor Peterson stated that he was able to attend the St. Benedict's Groundbreaking Ceremony. He also met with Matt from League of Cities and Mayor Mahoney on the Flush to Fargo Project. He provided an update regarding a city monument sign, which would cost around \$40,000-60,000, but which would add to city beautification. Lastly, he shared that VHS tapes from 1987 were shared with him that would be a great addition for the 150th, so he is converting them to digital.
- b. Councilmember Veit stated that she had the opportunity to monitor traffic on 64th and to view progress on the overpass, stating that she will head south at end of this week.
- c. Councilmember Burkland had 150th meeting last week and was virtual due to COVID. She extended an invitation to the community to volunteer. She will also set up meeting with the Parks and Daniel.
- d. Councilmember Landstrom thanked Mr. Holper and the Council for the time they have spent assisting her.
- e. Councilmember Trudeau stated that he would be meeting with MetroCOG this week after the last meeting was canceled due to the holiday.



25. Adjourn

The next City Council Meeting is scheduled for **Monday, August 1, 2022, at 6:00 pm**