



Horace City Council Meeting Minutes

The Horace City Council met on November 21, 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, Councilmember Naomi Burkland, and Councilmember Jeffrey Trudeau. Others present included: Brenton Holper, Jace Hellman, Jim Dahlman, and Lukas Croaker.

Mayor Peterson called the meeting to order at 6:01 p.m.

The Pledge of Allegiance was recited.

Agenda Item #3: Approve Regular Agenda

Motion: To Approve the Regular Agenda with Agenda Item #18b – Tundra Insurance - Special Event Permit Application / December 11, 2022 Added

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Agenda Item #4: Approve Consent Agenda

- a. Vendor Invoices
- b. Pledge Reports
- c. Water, Sewer, Storm, and Street Improvement District No. 2019-7 (Maple Lake Estates)
 - i. Progressive Estimate No. 12 (Semi-Final) to KPH Inc.

Motion: To Approve the Consent Agenda

1st Motion: Councilmember Veit

2nd Motion: Councilmember Burkland

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

Agenda Item #5: Approval of the City Council Meeting Minutes from November 7, 2022

Motion: To Approve the City Council Meeting Minutes from November 7, 2022

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

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

Agenda Item #6: Public Comment

No public comments received.

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

No update was provided.

Agenda Item #8: Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) | Brenton Holper, City Administrator and Lukas Croaker, City Attorney

- a. Resolution of Necessity
 - i. Protest Hearing
- b. ID Agreement
- c. Bid Review and Consider Award



Mr. Croaker presented the Resolution of Necessity for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) project. Mr. Holper stated that only two residents attended the meeting that was held on November 10, 2022. Councilmember Burkland expressed concern, stating that residents were being told by realtors that they wouldn't be put into a special assessment district. Mr. Croaker stated that insufficient protests were received. No residents that protested were present. Mayor Peterson opened the public hearing at 6:07 p.m. and closed it at 6:23 p.m.

Motion: To Approve the Resolution of Necessity for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Mr. Croaker presented the ID Agreement for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) project. The dollar amount in Section 5 changed to \$21,414,000.00.

Motion: To Approve the ID Agreement for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) Project

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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

Mr. Dahlman presented the Bid Review for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) project. Moore Engineering, Inc. recommended the project be awarded to KPH Inc. for their low Base Bid + Alternate 1B + Alternate 2B + Alternate 3B of \$16,995,229.35. Alternate 1B was for Floating Asphalt Castings (\$52,700.00); Alternate 2B was for Fiber Concrete Sidewalk Reinforcement (\$769,433.00); and Alternate 3B was for Pond Landscaping (\$62,010.00). Councilmembers expressed concern regarding the contractor's ability to complete projects in a timely manner. Mr. Croaker stated that the contractor would be required to comply with the agreement.

Motion: To Award the Project to KPH Inc. with the Condition that the City of Horace Can Withhold the Contract for 60 Days with Acknowledgement from KPH Inc. for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek 2nd Addition) Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Landstrom

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

Agenda Item #9: 2022b Temporary Refinancing Improvement Bond (TRIB) | Lukas Croaker, City Attorney and Mike Manstrom, Colliers

a. Parameters Resolution

Mr. Manstrom presented the Parameters Resolution for the 2022b Temporary Refinancing Improvement Bond (TRIB). This resolution authorizes the city to proceed with temporary bonding process at or below the identified interest rate within the resolution. If higher, the interest rate will be brought back to council. The bond is not to exceed \$26 million.

Motion: To Approve the Parameters Resolution for the 2022b Temporary Refinancing Improvement Bond (TRIB)

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Agenda Item #10: Responsible Bidder Policy | Lukas Croaker, City Attorney and Brenton Holper, City Administrator



Mr. Croaker presented a draft of the Responsible Bidder Policy. The policy will be implemented to ensure that public infrastructure projects are completed in a timely manner while receiving a high quality product in the most efficient, economic use of the funds. Mayor Peterson reminded council members to be careful about scaring away future contractors, further stating that the policy should be reviewed in a year to determine if it should become an ordinance.

Motion: To Approve the Responsible Bidder Policy with a \$2.5 Million Threshold

1st Motion: Councilmember Veit

2nd Motion: Councilmember Burkland

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

Agenda Item #11: 10204 72nd St S Flood Plain Permit | Jim Dahlman, City Engineer and Joel Luing, Project Manager

Mr. Luing presented the Flood Plain Permit for 10204 72nd Street South. The permit ensures the new residential structure will meet the ordinance pertaining to floodplain. It was advised to construct all buildings at a top of wall elevation of 920.0'.

Motion: To Approve the 10204 72nd St S Flood Plain Permit

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

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

Agenda Item #12: Sewer, Storm, and Street Improvement District No. 2022-4 (Wall Ave. – West) | Jim Dahlman, City Engineer

a. Preliminary Cost Estimate and Project Boundary Discussion

Mr. Dahlman presented the Preliminary Cost Estimate and Project Boundary for the Sewer, Storm, and Street Improvement District No. 2022-4 (Wall Ave. – West) project. He stated that the project was discussed at the November 3, 2022 Design Review meeting. The cost of asphalt is \$7.5 million and the cost of concrete is \$9 million.

Agenda Item #13: Water, Sewer, Storm, and Street Improvement District No. 2022-9 (63rd St.) | Jim Dahlman, City Engineer and Brenton Holper, City Administrator

a. Engineering Services Agreement

Mr. Dahlman presented the Engineering Services Agreement for the Water, Sewer, Storm, and Street Improvement District No. 2022-9 (63rd St.) project. The agreement states that Interstate Engineering will prepare a Preliminary Engineering Report, provide design engineering services, furnish descriptions for easements, and prepare the construction contract for the 82nd Avenue to Wall Avenue project. It also outlines compensation.

Motion: To Approve the Engineering Services Agreement for the Water, Sewer, Storm, and Street Improvement District No. 2022-9 (63rd St.) Project

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Agenda Item #14: CR-17/64th Ave. Roundabout | Jim Dahlman, City Engineer

a. Project Overview

b. Cost Share Discussion for Detours

Mr. Dahlman presented the overview of the CR-17/64th Avenue roundabout project and discussion was had regarding cost and communication with residents. Jason Benson and Tom Soucy, County Engineers, were present. Mr. Benson stated the County is spending \$17 million in Horace, which is two years' of road and bridge budget. The road will be a three-lane with a roundabout at 64th Avenue, with temporary access between 64th Avenue and the bridge. Mr. Benson also discussed the possibility of graveling 9th Street, 62nd Street, and 57th Avenue. He stated that the County will provide cost estimates for turning 45th Street from dirt to gravel based on past projects.



Agenda Item #15: Water Shut-Off Ordinance | Brenton Holper, City Administrator

- a. Second Reading

Mr. Croaker presented the Second Reading for the Water Shut-Off Ordinance. The ordinance states that residents have a minimum of 60 days prior to shut-off and will receive a 10-day notice.

Motion: To Approve the Second Reading for the Water Shut-Off Ordinance

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Trudeau

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

Agenda Item #16: Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fourth Addition) | Jim Dahlman, City Engineer

- a. Change Order No. 2

Mr. Dahlman presented Change Order No. 2 for the Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fourth Addition) project. This extends the project completion date to July 15, 2023 and decreases the contract amount by \$162,112.16.

Motion: To Approve Change Order No. 2 for the Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fourth Addition) Project

1st Motion: Councilmember Landstrom

2nd Motion: Councilmember Trudeau

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

Agenda Item #17: FM Metro Bicycle and Pedestrian Plan | Dan Farnsworth, MetroCog

- a. Presentation
b. Resolution in Support

Mr. Farnsworth presented the FM Metro Bicycle and Pedestrian Plan along with the Resolution of Support. The plan was guided by a committee and also involved public engagement through two surveys. The plan will also serve as a guide, not an expectation. The Resolution of Support states that the Horace City Council will adopt the plan in the development of the transportation system.

Motion: To Approve the Resolution of Support for the FM Metro and Bicycle and Pedestrian Plan

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Agenda Item #18: Transportation Alternatives Grant Applications | Jace Hellman, Community Development Director

Mr. Hellman provided an update of the Transportation Alternatives Grant Applications. The City of Horace applied for grant funding for the County Road 17 Shared Use Path Phases 4 and 5. Phase 5 will be receiving the full 80% Federal Funding in Federal Fiscal Year 2024, while Phase 4 was not recommended to receive any funding.

Agenda Item #18b: Tundra Insurance | Brenton Holper, City Administrator

- a. Special Event Permit Application / December 11, 2022, Event at the Senior Center

Mr. Holper presented the Special Event Permit Application for TundraMania. TundraMania is a wrestling event fundraiser hosted by Tundra Insurance and Below Zero wrestling that will take place at the Horace Senior Center on December 11, 2022 at 4:30 p.m. Approximately 200 attendees are expected and alcohol sales from Wild Rice Bar and Grill will take place.

Motion: To Approve the Special Event Permit for TundraMania Wrestling Event

1st Motion: Councilmember Burkland



2nd Motion: Councilmember Landstrom

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

Agenda Item #19: Engineering / Public Works Report | Jim Dahlman, City Engineer

- a. Construction Project Status

Mr. Dahlman provided an update on Arrowwood Third, the Visto Addition, and remaining projects that are in final stages.

Agenda Item #20: City Administrator Report | Brenton Holper, City Administrator

Mr. Holper provided an update on lot inventory mapping, the new Living Local app, and the new Finance Director. He stated that staff will be creating an interactive lot inventory map to present to Council in December. He gave an overview of the Local Living app, which the City will be rolling out for residents to receive notifications, and he announced that Matt Voltz has accepted the Finance Director position and will be starting on Monday, November 28.

Agenda Item #21: Portfolio Reports

- a. Mayor Peterson stated that he had attended the ReadITech Open House that was held on November 9, and that he is engaged in ongoing discussions with Judy Lee regarding childcare in Horace.
- b. Councilmember Veit was thrilled to get Cub Creek 2nd Addition off her plate and thanked the Horace Lions and City staff for the Christmas lights and banners.
- c. Councilmember Burkland: No update was provided.
- d. Councilmember Landstrom stated that she was working on the upcoming Holly Days in Horace event, the 150th celebration group meetings, and would have a meeting with the Horace Park District on November 22, 2022.
- e. Councilmember Trudeau: No update was provided.

Agenda Item #24: Adjourn at 9:01 p.m.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

The next City Council Meeting is scheduled for **Monday, December 5, 2022, at 6:00 pm.**