



## **Horace City Council Meeting Minutes**

The Horace City Council met on October 3, 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 6:02 p.m.

The Pledge of Allegiance was recited.

### **Agenda Item #3: Approve Regular Agenda**

**Motion:** Approve Regular Agenda with Agenda Item 4c from the Consent Agenda moved to the Regular Agenda Item #20b

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Veit

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

### **Agenda Item #4: Approve Consent Agenda**

**Motion:** Approve Consent Agenda without Item 4c

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

### **Agenda Item #5: Approval of the City Council Meeting Minutes from September 6, 2022**

**Motion:** Approve City Council Meeting Minutes from September 6, 2022

**1<sup>st</sup> Motion:** Councilmember Veit

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

### **Agenda Item #6: Approval of the City Council Meeting Minutes from September 19, 2022**

**Motion:** Approve City Council Meeting Minutes from September 19, 2022

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

### **Agenda Item #7: Approval of the City Council Special Meeting Minutes from September 20, 2022**

**Motion:** Approve City Council Meeting Minutes from September 20, 2022

**1<sup>st</sup> Motion:** Councilmember Veit

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

### **Agenda Item #8: Public Comment**

No public comments received.

### **Agenda Item #9: Sheriff's Update | Craig Keller and Jake Murray, Cass County Sheriff's Department**



Deputy Keller presented the dispatch log of 217 calls for service. The number of calls has increased and included construction trailer burglaries. Deputy Murray is working on cohosting Night to Unite and Trunk or Treat with Horace Lutheran Church. Deputy Keller stated that he will be moving to days for the next six months. Discussion was had regarding speeds at the 76<sup>th</sup> Ave. / CR-17 roundabout, with a request to possibly reduce the speed limit west on CR-6 (76<sup>th</sup> Ave.). Deputy Murray introduced the new K9, Griggs. Councilmember Trudeau thanked the deputies for assisting a resident with a flat tire.

**Agenda Item #10: 5502 Co. Rd. 17 | Jace Hellman, Community Development Director**

**a. Variance**

Mr. Hellman presented a summary of the variance for 5502 County Road 17. A request from the resident was made to allow an accessory structure to be built in the front yard setback due to the constraints caused on the site by the watercourse setback. Mayor Peterson opened the public hearing at 6:21 p.m. and closed the public hearing at 6:23 p.m.

**Motion:** Approve the Variance for 5502 Co. Rd. 17

**1<sup>st</sup> Motion:** Councilmember Veit

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

**Agenda Item #11: 253 Chestnut Drive – Sanitary Sewer | Brenton Holper, City Administrator and Jim Dahlman, City Engineer**

Mr. Holper presented a request for the City of Horace to pay for the \$20,000 repair at 253 Chestnut Drive completed by Skooters Plumbing. Skooters Plumbing discovered a deformed and obstructed pipe during a service call and contacted the City of Horace. City staff was unable to determine if the pipe, which was installed approximately 20 years ago, was a faulty connection from the home builder or the contractor. Mr. Dahlman stated that a resolution could not be found regarding this sort of circumstance. Mr. Holper requested that the City Council consider design standards where this and other issues can be addressed. Councilmember Veit requested that staff develop a resolution to clarify the responsibilities of residents and the City for similar circumstances in the future.

**Motion:** Approve City to Pay \$20,000 to Skooter Plumbing for Repairs at 253 Chestnut Drive

**1<sup>st</sup> Motion:** Councilmember Veit

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

**Motion:** To Direct Staff to Develop a Resolution Identifying Resident Responsibility for Sewer Lines

**1<sup>st</sup> Motion:** Councilmember Veit

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

**Agenda Item #12: FY 2023 Budget | Brenton Holper, City Administrator**

Mr. Holper presented the FY 2023 Budget, stating that an additional cost increase would not be necessary for cardboard recycling. The Council approved a 3% COLA in the budget and Mr. Holper stated that the mill rate would stay about the same.

**Motion:** Approve the FY 2023 Budget and Authorize a 3% COLA

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Veit

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



**Agenda Item #13: Utility Rate Resolution Amendment | Brenton Holper, City Administrator**

Mr. Holper presented the Utility Rate Resolution Amendment. The amendment updates the solid waste rate from \$24/month to \$25.20/month effective January 1, 2023 and to delay the approved water rate increase to February 2023. If the water line project and connection to Cass Rural Water are not complete by February 2023, staff will propose additional delays to the water rate increase. Councilmember Landstrom requested a chart for residents be created to show water, sewer, and garbage increases.

**Motion:** Approve the Utility Rate Resolution Amendment as Proposed

**1<sup>st</sup> Motion:** Councilmember Veit

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

**Agenda Item #14: Fund Balance Policy | Brenton Holper, City Administrator**

Mr. Holper presented the Fund Balance Policy. This provides guidance for the city on targeted minimum fund balances.

**Motion:** Approve the Fund Balance Policy

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Landstrom

**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 and Lukas Croaker, City Attorney**

Mr. Croaker presented the Resolution of Necessity and a project update for the Water, Sewer, Storm, and Street Improvement District No. 2022-11 (Cub Creek Second Addition).

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

**1<sup>st</sup> Motion:** Councilmember Landstrom

**2<sup>nd</sup> Motion:** Councilmember Veit

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

**Agenda Item #16: Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) | Jim Dahlman, City Engineer**

Mr. Dahlman presented the Change Order No. 4 – Babbling Brook Landscaping for the Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) project. The developer was dissatisfied with the babbling brook and requested to rebuild it for the amount of \$51,700.

**Motion:** Approve the Change Order No. 4 – Babbling Brook Landscaping for the Water, Sewer, Storm, and Street Improvement District No. 2021-3 (Lakeview Addition) Project

**1<sup>st</sup> Motion:** Councilmember Landstrom

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

**Agenda Item #17: Water, Sewer, Storm, and Street Improvement District No. 2021-2 (Terra Gardens Third Addition) | Jim Dahlman, City Engineer**



Mr. Dahlman presented an update for the Water, Sewer, Storm, and Street Improvement District No. 2021-2 (Terra Gardens Third Addition) project, stating that it would hopefully be cleaned up within the next week and that there were \$242,000 in remaining work to be completed (seeding, landscaping, fences, etc.).

**Agenda Item #18: Center Avenue Multi-Modal Improvements (TAC-0009(056) 23242) | Jim Dahlman, City Engineer**

Mr. Dahlman presented the Engineering Services Agreement for the Center Avenue Multi-Modal Improvements (TAC-0009(056) 23242) project.

**Motion:** Approve the Engineering Services Agreement for the Center Avenue Multi-Modal Improvements (TAC-0009(056) 23242) Project

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

**Agenda Item #19: County Road 17 Shared Use Path (TAC-0009(055) 23241) | Jim Dahlman, City Engineering**

Mr. Dahlman presented the Engineering Services Agreement for the County Road 17 Shared Use Path (TAC-0009(055) 23241) project.

**Motion:** Approve the Engineering Services Agreement for the County Road 17 Shared Use Path (TAC-0009(055) 23241) Project

**1<sup>st</sup> Motion:** Councilmember Landstrom

**2<sup>nd</sup> Motion:** Councilmember Veit

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

**Agenda Item #20: Water, Sewer, and Street Improvement District No. 2022-1 (Visto Industrial Paving) | Jim Dahlman, City Engineer**

Mr. Dahlman presented Change Order No. 1 for the Water, Sewer, and Street Improvement District No. 2022-1 (Visto Industrial Paving) project, which proposed a subcut in areas that are yielding roughly 25 yards.

**Motion:** Approve Change Order No. 1 for the Water, Sewer, and Street Improvement District No. 2022-1 (Visto Industrial Paving) Project

**1<sup>st</sup> Motion:** Councilmember Landstrom

**2<sup>nd</sup> Motion:** Councilmember Veit

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

**Motion:** Approve the Progressive Estimate No. 2 for the Water, Sewer, and Street Improvement District No. 2022-1 (Visto Industrial Paving) Project

**1<sup>st</sup> Motion:** Councilmember Trudeau

**2<sup>nd</sup> Motion:** Councilmember Landstrom

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

**Agenda Item #21: Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fourth Addition) | Jim Dahlman, City Engineer**

Mr. Dahlman presented Change Order No. 1 for the Water, Sewer, Storm, and Street Improvement District No. 2022-6 (Southdale Farms Fourth Addition) project, which decreased the contract amount by \$238,120.

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



**1<sup>st</sup> Motion: Councilmember Veit**

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

**Agenda Item #22: 7880 Cottonwood Blvd. | Lukas Croaker, City Attorney**

Mr. Croaker provided an update on 7880 Cottonwood Blvd, stating that the project is now complete, and the house has been moved.

**Agenda Item #23: Wall Ave. Appraisal Report Invoice | Lukas Croaker, City Attorney**

Mr. Croaker presented the Wall Ave. (west of the bridge) Appraisal Report Invoice.

**Motion:** Approve the Wall Ave. (West of the Bridge) Appraisal Report Invoice for \$10,500

**1<sup>st</sup> Motion: Councilmember Landstrom**

**2<sup>nd</sup> Motion:** Councilmember Veit

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

**Agenda Item #24: Vehicle and Equipment (Vac Trailer) Purchases | Brenton Holper, City Administrator**

Mr. Holper presented information regarding Vehicle and Equipment (Vac Trailer) Purchases. The vehicle that had been approved prior was sold to another buyer while the City was seeking approval for a 1–2-year warranty. Mr. Holper presented two vehicles at \$72,500, and Councilmember Veit stated that she would like to approve \$75,000 to ensure all costs are covered.

**Motion:** Approve the Purchase of the Vac Trailer Unit in Stock with Jib Boom and 2-Year Warranty As Proposed and 2 Ford Explorers Up To \$75,000

**1<sup>st</sup> Motion: Councilmember Veit**

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

**Agenda Item #25: Engineering / Public Works Report | Jim Dahlman, City Engineer**

Mr. Dahlman provided the Construction Project Status.

**Agenda Item #26: City Administrator Report | Brenton Holper, City Administrator**

Mr. Holper provided the City Administrator Report. He stated that he had gone to the North Dakota League of Cities the weekend prior to the meeting; he announced that there would be a City Council Special Meeting on October 10 to discuss the 100<sup>th</sup> Avenue sewer line; and he stated that there were four Finance Director candidates who would be scheduled for interviews.

**Agenda Item #27: Portfolio Reports**

- a. Mayor Peterson expressed his condolences for the passing of resident Bobby Bensen, who was a source of great history for the City. He also stated that he attended NDLC and learned that Williston accepts cryptocurrency payments, which he found interesting. He shared that he will be meeting with state legislators to discuss the Flush to Fargo project.
- b. Councilmember Veit stated that she had also attended NDLC and had a lot of good meetings with legislators. She stated that she is excited to see the projects as she works within the Infrastructure portfolio.
- c. Councilmember Burkland: No update
- d. Councilmember Landstrom stated that she will be planning some upcoming Horace 150th meetings as well as working on the Halloween in Horace event on October 28. She asked Mr. Dahlman if it was worth putting



more dust control on Wall Avenue, to which he said it would not be at this time of year. She thanked him for the Orchard street patching.

- e. Councilmember Trudeau stated that hopefully there will be more interviews for Public Works and the Finance Director positions and that the MetroCOG meeting earlier in the day had been canceled.

**Agenda Item #24: Adjourn at 8:30 p.m.**

**1<sup>st</sup> Motion:** Councilmember Landstrom

**2<sup>nd</sup> Motion:** Councilmember Trudeau

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

The next City Council Meeting is scheduled for **Monday, October 17, 2022, at 6:00 pm.**