



### **Horace City Council Meeting Minutes**

The Horace City Council met on February 21, 2023 @ 6:00 pm at the Horace Fire Hall Event Center. Those present were Mayor Kory Peterson, Councilmembers Sarah Veit, Naomi Burkland, and Stephanie Landstrom. Councilmember Trudeau was absent. Others present included: Brenton Holper, City Administrator; Matt Voltz, Finance Director; Sally Showalter, Communications Specialist; Jim Dahlman, City Engineer; and Lukas Croaker, City Attorney.

Mayor Peterson called the meeting to order at 6:03 pm.  
The pledge of allegiance was recited.

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

**Motion:** Approve the Regular Agenda Removing Agenda Item #10 (Water, Sewer, Storm, and Street Improvement District No. 2022-12 – River’s Edge Second Addition).

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

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

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

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

- a. Vendor Invoices
- b. Balance Sheet & Income Statement
- c. FY 2022 Annual Fiscal Statements (unaudited)
- d. Checks Written in January 2023

**Motion:** Approve the Consent Agenda.

**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 #5: Approval of City Council Meeting Minutes from February 6, 2023.**

**Motion:** Approve the February 6, City Council Meeting Minutes.

**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: Public Comment**

Resident Russ Sahr voiced concern about the expired Tax Abatement Resolution. He explained that he used to be against the tax abatement until the numbers were explained to him during a past City Council meeting. He summarized that a new homeowner would continue to pay taxes and specials during the tax abatement period. Mr. Sahr added that the decision of letting the Tax Abatement Resolution expire will put developments at risk. If new developments fail, every property owner in Horace will be on the hook for the bonds that were issued. He said that Horace currently has a very good bond rating, and he hopes that the rating will not drop. Mr. Sahr stated that waiting five months until the Tax Abatement Resolution is discussed again is too long. In his opinion, the Tax Abatement Resolution should be reinstated as soon as possible, before too much damage is done. He concluded that the City’s Council’s decision to slow growth could cost Horace millions of dollars.



Resident James Post, who lives on 2<sup>nd</sup> Ave. stated that he is concerned about the water quality in town. He explained that he has lived in many places in the United States, but Horace has some of the worst water he has ever seen. He asked that the City Council work on water improvements so that his water heater does not continue to clog up. Mayor Peterson explained that some parts of Horace are receiving Cass Rural Water service and that the City is currently working on connecting the rest of the residents to Cass Rural Water. He added that the water from Cass Rural will still be hard, but that it will not be discolored like Horace's water.

**Agenda Item # 7: Sheriff's Update | Craig Keller & Jake Murray, Cass County Sheriff's Department**  
No update.

**Agenda Item #8: Visto Industrial Addition | Jace Hellman, Community Development Director**

Mr. Croaker presented the Visto Industrial Addition Street Name Change Resolution. Mr. Croaker explained that the north-south road parallel to County Road 17 and the east-west road immediately adjacent to and parallel with County Road 14 were platted as frontage roads. Visto Industrial 2<sup>nd</sup> Addition, which was a replat of Visto Industrial Addition, still reflected Industrial Drive running east-west, and the two frontage roads paralleling County Roads 17 and 14. However, when the addressing for the properties was completed in 2017, Industrial Drive addresses were assigned to the properties fronting the frontage roads, which extended the Industrial Drive street name down the north-south frontage road and approximately 650 feet down the east-west frontage road paralleling County Road 14.

Mr. Croaker added that the addressing for those properties should have been assigned off County Road 17 and County Road 14, as reflected in the addressing of Visto Industrial 3<sup>rd</sup> Addition; however, at that time when Visto Industrial 2<sup>nd</sup> Addition was platted and addressed, there was no access to County Road 14, and according to the County, that is why Industrial Drive was extended. He concluded that staff received a request to change the name of the section of Industrial Drive that runs parallel to County Road 17 to Erwin Drive and that only one property owner (Mr. Cooper Anderson of Prairie Scales) would be affected by the suggested name change, but that the property owner was not in favor of the proposed name change.

Mr. Anderson was in the audience and explained to the City Council that he would prefer that instead of changing the street name to Erwin Dr., the road be divided into Industrial North and South. This way, he would not have to change his business address or the marketing that has been done, which included the Industrial Dr. address. The City Council discussed several options for how to rename the road and which of the options would make the most sense, also for the incoming property owners.

Mayor Peterson suggested tabling the street name change until City staff can work with the property owner and the incoming business owners to find a solution that will work for everyone involved. Mayor Peterson said that the item would be brought back to the City Council during the next meeting. The City Council agreed, and the item was tabled.

**Agenda Item #9: Storm and Street Improvement District No. 2022-3 (Wall Avenue - Sheyenne River to Cass County Highway 17) | Jim Dahlman, City Engineer**

Mr. Dahlman presented the plans and specifications for Storm and Street Improvement District



No. 2022-3 (Wall Avenue – Sheyenne River to Cass County Highway 17). He summarized the timeline for the project’s next steps and explained that the bid advertising would be posted in the local paper for the next three weeks. The bid opening will take place on March 23, 2023. The project’s completion date is set for September 20, 2023.

**Motion:** Approve the Plans and Specifications for Storm and Street Improvement District No. 2022-3 (Wall Avenue - Sheyenne River to Cass County Highway 17) Contingent on the Public Works Department’s Review.

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

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

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

**Motion:** Authorize the Auditor to Advertise for Bids for Storm and Street Improvement District No. 2022-3 (Wall Avenue - Sheyenne River to Cass County Highway 17).

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

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

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

**Agenda Item #10: Water, Sewer, Storm, and Street Improvement District No. 2022-12 (River’s Edge Second Addition) | Jim Dahlman, City Engineer**

The item was removed from the agenda.

**Agenda Item #11: Engineering/Public Works Report | Jim Dahlman, City Engineer**

No update.

**Agenda Item #12: City Administrator Report | Brenton Holper, City Administrator**

Mr. Holper summarized two house bills, HB 1328 and HB 1330, that were presented during the 2023 legislative sessions. Both bills would have impacted Horace’s special assessment procedures. Mr. Holper concluded that both bills failed on Thursday, February 16, 2023.

**Agenda Item #13: Portfolio Reports**

1. Mayor Peterson explained that he traveled to Bismarck to attend events that were hosted by the FMWF Chamber of Commerce. The attendees had a chance to meet with legislators and attend a breakfast with the Governor. Mayor Peterson got a chance to discuss Horace with the Governor, which included funding for the new sewer line that the City is working on as well as the shortage in childcare that effects residents.
2. Councilmember Veit said that she attended several City project bid openings and follow-up meetings. She added that it will be a very busy spring when it comes to upcoming construction projects.
3. Council Burkland has been working through the new Land Use Ordinance and has requested that the City Council schedule a special meeting with the Planning Commission to work on the ordinance together.
4. Councilmember Landstrom continues to work with staff on upcoming events, including the Horace 150<sup>th</sup> sesquicentennial.



**Agenda Item #14:** Executive session held pursuant to N.D.C.C. § 44-04-19.1(9) to discuss negotiating strategy or provide negotiating instructions to its attorney or other negotiator regarding contracts for the purchase of real property related to the Wall Ave Project.

**Motion:** Enter into executive session pursuant to N.D.C.C. § 44-04-19.1(9) to discuss negotiating strategy or provide negotiating instructions to its attorney or other negotiator regarding contracts for the purchase of real property related to the Wall Ave Project at 6:50 pm.

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

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

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

**Motion:** Return to Regular Session at 7:33pm.

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

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

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

**Motion:** Approve the Tree Replacement Policy as Presented and Set March 15, 2023, as the New Deadline for Property Owners to Respond.

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

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

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

**Motion:** Approve the Revised Right of Way Extent.

**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 #15: Adjourn**

**Motion:** Adjourn at 7:35 pm.

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

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

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

The next City Council Meeting is scheduled for **Monday, March 6, 2023, at 6:00 pm**