



## **Horace City Council Meeting Minutes**

The Horace City Council met on June 21, 2021 @ 6:00 pm at Horace City Hall. Those present were Mayor Kory Peterson, Councilmember Jeffrey Trudeau, Councilmember Chelsey Johnson, Councilmember Naomi Burkland, and Councilmember Sarah Veit. Others present included: Brenton Holper, Barrett Voigt, Jim Dahlman, and Lukas Croaker.

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

The pledge of allegiance was recited.

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

**Motion:** Approve the Regular Agenda.

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

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

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

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

- a. Vendor Invoices
- b. Balance Sheet & Income Statement
- c. Water, Sewer, Storm and Street Improvement District No. 2019-6 (Cub Creek First Addition)
  - i. Progressive Estimate No. 13 to Dakota Underground, Co.

**Motion:** Approve the Consent Agenda.

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

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

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

### **Agenda Item #5: Approval of City Council Meeting Minutes from June 7, 2021**

**Motion:** Approve the City Council Meeting Minutes from June 7, 2021.

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

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

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

### **Agenda Item #6: Public Comment**

None.

### **Agenda Item #7: Sheriff's Update | Ross Krause/Craig Keller, Cass County Sheriff's Department**

The next update will be available during the City Council meeting on July 6, 2021.



**Agenda Item #8: Council Meeting Live Stream – Testing Services | Brenton Holper, City Administrator**

Mr. Holper explained that staff researched streaming services that could be used to reliably stream the City Council meeting videos live on the City’s website. Staff will be testing a few different services to see which service would work best. As social media live streams have not been reliable in the past, staff would like to be able to stream directly to Horace’s website. Mr. Holper noted that staff experienced technical difficulties with the screen sharing software (the two display screens behind the Council were not working) prior to the meeting and that a technical support specialist tried to trouble shoot the system to make the screens work again.

**Agenda Item #9: Wall Avenue Weight Restrictions | Brenton Holper, City Administrator**

Mr. Holper explained that the City Council requested that staff worked with the Sheriff’s Department to see if further weight restrictions on Wall Avenue going west would be possible. Mr. Holper met with one the County’s truck regulatory deputy sheriffs and the Captain of the patrol deputies. Both officers explained that if the weight restrictions were lowered (below the current 6-ton restriction), no trucks could drive on the road which would include garbage, delivery, moving trucks and bigger recreational vehicles. The office would also not be able to do selective enforcements which means they cannot be selective of which trucks and overweight vehicle they would and would not pull over. Mayor Peterson suggested to leave the weight restriction at 6-ton per axle in place because he noticed that the applied dust control and the speed reduction already helped reduce the overall dust.

**Agenda Item #10: Deer Creek Estates Addition | Barrett Voigt, Community Development Director & Lukas Croaker, City Attorney**

Mr. Voigt explained that an application for the Deer Creek Estates was brought to Council during the May 3, 2021, City Council meeting. The Council asked that the applicant to sit down with the community to make further edits to the plat document. The applicant met with the surrounding neighbors as well as Councilmember Trudeau. Mr. Voigt presented a letter signed by the applicant which proposed the changes the residents of the area agreed to.

Mr. Voigt read some of the proposed changes which included a restricted age covenant that proposed residents of the development would have to be 55 years and older. Other added items were a privacy fence that would be installed on the entire north side of the development. Several lots were condensed and three lots were removed. No other changes were made, and staff did not receive any comments from the public. Mr. Croaker advised that the Council not get involved in any restrictive covenants which also should not be included in the agreement. He suggested that a note would be included in the staff report instead.

**Motion:** Accept the Findings and Recommendations of Staff. Approve the Plat for the Deer Creek Estates Addition as Presented in the Staff Report as well as the First Reading of the Rezone.

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

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

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



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

Mr. Dahlman explained that the bids were opened for the above referenced project on Thursday June 17, 2021. The City of Horace received bids from three Contractors: Dakota Underground, Co., Border States Paving, Inc., and Sellin Brothers, Inc. The apparent low bidder was Dakota Underground Co. of Fargo, ND with a bid of \$6,268,439.18.

Mr. Croaker noted that some contingencies will be added to the ID agreement which included the costs that were presented by Mr. Dahlman. The deferment of specials and the soft costs exclusion in the letter of credit would also be added.

**Motion:** Award the Project to Dakota Underground Co. Contingent on the City's Approval of the ID Agreement and a Received Letter of Credit.

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

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

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

Mr. Dahlman presented the Water, Sewer Storm and Street Improvement District No. 2021-3 (Lakeview Addition) Construction Engineering Services Agreement. Mr. Dahlman explained the construction schedule and the planned street grid of the project.

**Motion:** Approve the Water, Sewer Storm and Street Improvement District No. 2021-3 (Lakeview Addition) Construction Engineering Services Agreement.

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

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

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

**Agenda Item #12: County Redistricting Board - Horace Representative | Brenton Holper, City Administrator**

Mr. Holper explained that the new Census figures will be published soon and therefore the County will be creating new district boundaries. The County Administrator asked each city in the County (except Fargo) to provide a representative who would join a selection committee meeting on June 29, 2021. The committee would select a Citizen-at-Large who would represent the County. The City Council was scheduled for a joint meeting with the Planning Commission on June 29, 2021. Mr. Holper asked for a volunteer who would join the selection committee meeting. Mayor Peterson volunteered to join the meeting in Casselton.

**Motion:** Approve Mayor Peterson to be Horace's Representative at the County Redistricting Board Selection Committee Meeting on June 29, 2021.

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

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

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



**Agenda Item #13: Arrowwood Third Addition | Lukas Croaker, City Attorney**

Mr. Voigt summarized the Arrowwood Third Addition plat and rezone applications and the location of the proposed subdivision. He noted that staff calculated \$50,252.99 for the cash in lieu land dedication which differed from the Park Board's calculation of 50,775.71. He explained that the lot size was different at the time the Park Board had calculated the sum. He concluded that the Planning Commission approved the applications, and that staff did not receive any comments or questions. Mr. Voigt recommended approval.

**Motion:** Approve the Arrowwood Third Addition Plat and Rezone as Presented by Staff.

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

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

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

**Agenda Item #14: FY 2022 Budget | Brenton Holper, City Administrator**

Mr. Holper presented the FY 2022 budget and focused on the different budgets for the Vector, Forestry, Solid Waste, and Sales Tax Funds. He asked Council to provide feedback on what is important to them for the upcoming year. Mr. Holper noted that the expected revenue for the Sales Tax Fund is expected to be around \$800,000. The City Council indicated that they would like to see the revenue projections be conservative.

**Agenda Item #15: Employee Benefits/Insurance Options | Brenton Holper, City Administrator**

Mr. Holper summarized the FY 2021 – 2022 Employee Benefits (the employee's health care benefits). The quotes from Blue Cross Blue Shield were reviewed by staff. There was no rate increase if the City stayed with the current health insurance plan. Mr. Holper recommended to opt for a better dental plan with minor changes to the cost because the current one did not cover the basic preventative care. Councilmember Burkland stated that she supported a strong health insurance plan for staff.

**Motion:** Approve the FY 2021 – 2022 Employee Benefits as Presented by Staff.

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

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

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

**Agenda Item #16: Finance Director Assistance Agreement | Brenton Holper, City Administrator**

Mr. Holper explained that the City's Finance Director gave her notice in April of 2021. She offered to help as an independent contractor to process vendor invoices and to keep the City's financial record current. Due to scheduling conflicts, the former Finance Director would no longer be able to work as an independent contractor starting on July 1, 2021. Mr. Holper suggested to hire an interim Finance Director to help operations until a new Finance Director was hired. A proposal for an interim Finance Director came in from AE2S, a company that had worked with the City before in the same capacity.

**Motion:** Approve the Finance Director Assistance Agreement as Presented by Staff.

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

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

**Action taken:** All in favor, none opposed. Motion carried (4-0).



**Agenda Item #17: Cass County Address Agreement | Barrett Voigt, Community Development Director**

Mr. Voigt explained that a couple of years ago, Cass County recognized that address requests exceeded County staff capacity and requested that City of Horace’s staff take over the process. The City of Horace agreed to begin to manage the process with the intent of signing a formal agreement at a future date. A similar agreement was approved by the City Council last year. However, this iteration adds additional language to make state law references and provide more details on extraterritorial jurisdiction language.

This agreement states that staff will manage the assignment, change, and maintenance of addresses within city limits and surrounding extraterritorial jurisdiction areas. The County will continue to manage the Master Street Address Guide (MSAG) and retain official naming rights and accountability of all roads on the county highway road system in the extraterritorial jurisdiction area.

**Motion:** Approve the Cass County Address Agreement as Presented by Staff.

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

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

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

**Agenda Item #18: Liquor License Renewals | Brenton Holper, City Administrator**

Mr. Holper explained that the City Council must approve liquor license renewals. Big Erv’s and Casey’s Liquor Store had to renew their annual licenses. No incidents (such as selling alcohol to minors) were reported and Mr. Holper recommended approval.

**Motion:** Approve Liquor License Renewals for Big Erv’s and Casey’s Liquor Store.

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

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

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

**Agenda Item #19: Street Barricade Request – Lost River | Brenton Holper, City Administrator**

Mr. Holper summarized a street barricade request that staff received from a resident on Goldfinch Dr. The resident planned to host a block party on June 26, 2021, from 6:00 pm to 10:00 pm.

**Motion:** Approve the Street Closure Requests for Goldfinch Drive on June 26, 2021.

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

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

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

**Agenda Item #20: 104th Ave. S. - Street Gate from Maple Lakes Estates | Brenton Holper, City Administrator**

Mr. Holper presented a request from Councilmember Trudeau to present options to direct construction traffic for the Maple Lakes subdivision to avoid 72<sup>nd</sup> St. and 104<sup>th</sup> Ave. S. Options consisted of installing no-through signage and installing a gate west of 72<sup>nd</sup> St. on 104<sup>th</sup> Ave. S.

**Motion:** Approve the 104th Ave. S. - Street Gate from Maple Lakes Estates as Presented by Staff.

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

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

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



**Agenda Item #21: Engineering/Public Works | Jim Dahlman, City Engineer**

- a. Mr. Dahlman gave an update on the Terra Gardens Third Addition.
- b. The completion date for Maple Lakes Estates was set for July 1, 2021.
- c. The final inspection took place for the WSSSt ID No. 2019-6 Cub Creek First Addition.
- d. Mr. Dahlman updated the Council on the Connection to Cass Rural water project.

**Agenda Item #22: City Administrator | Brenton Holper, City Administrator**

- a. Mr. Holper gave an update on the number of building permits that were issued.
- b. The City of Horace was selected for 60% funding from the State Water Commission for the \$2,900,000 Water Line Replacement project.
- c. Mr. Holper updated the Council on the upcoming annexation mediation which will take place on June 29 and June 30.

**Agenda Item #23: Portfolio Reports**

- a. Mayor Peterson reported that the FM Diversion P3 contractor was selected. He explained that he will attend a regional leadership on how to get more workforce retreat on June 30. He also noted that there was no burn ban in place in Cass County as of June 21, 2021.
- b. Councilmember Veit spoke about the annexation for the Fradet's, Lazy-A, and West Brook subdivisions and the street dance scheduled at Big Erv's. She asked that staff start mosquito control spraying if the trap count numbers were high. She asked that staff review the City's jake breaking ordinance.
- c. Councilmember Burkland reported that the website for upcoming Bean Days was up and that the schedule was set. She explained that the sponsorship letters were sent.
- d. Councilmember Johnson – no update.
- e. Councilmember Trudeau explained that he attended a MetroCOG meeting and talked about the 64<sup>th</sup> Ave. Planning Study – CPG FM Diversion going east.

**Agenda Item #24: Adjourn**

**Motion:** Approve Meeting Adjourn at 7:57 pm.

**1st Motion:** Councilmember Johnson

**2nd Motion:** Councilmember Trudeau

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

The next City Council meeting is scheduled for July 6, 2021, at 6:00 pm.