



Horace City Council Meeting Minutes

The Horace City Council met on August 2, 2021 @ 6:00 pm at Horace City Hall. Those present were Mayor Kory Peterson, Councilmember Chelsey Johnson, Councilmember Naomi Burkland and Councilmember Sarah Veit. Councilmember Trudeau attended by video call. Others present included: Brenton Holper, Barrett Voigt, Jim Dahlman, and Lukas Croaker.

Mayor Peterson called the meeting to order at 6:00 pm.
The pledge of allegiance was recited.

Agenda Item #3: Approve Regular Agenda

Motion: Approve the Regular Agenda.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

Agenda Item #4: Approve Consent Agenda

- a. Vendor Invoices
- b. Balance Sheet & Income Statement
- c. Pledge Reports
- d. Water, Sewer, Storm and Street ID No. 2019-7 (Maple Lake Estates)
 - i. Progressive Estimate No. 11 to KPH Inc.
- e. Water, Sewer, Storm and Street ID No. 2019-2 (82nd Avenue)
 - i. Progressive Estimate No. 5 to Dakota Underground Co.
- f. Water, Sewer, Storm and Street ID No. 2020-1 (Southdale Farms Third Addition)
 - i. Progressive Estimate No. 3 to Dakota Underground Co.
- g. Water, Sewer, Storm and Street ID No. 2020-4 (Lost River Fifth Addition)
 - i. Progressive Estimate No. 9 to Dakota Underground Co.

Motion: Approve the Consent Agenda.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Agenda Item #5: Approval of City Council Meeting Minutes from July 19, 2021

Motion: Approve the City Council Meeting Minutes from July 19, 2021.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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

Agenda Item #6: Approval of the City Council Special Meeting Minutes from July 28, 2021

Motion: Approve the City Council Special Meeting Minutes from July 28, 2021.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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



Agenda Item #7: Public Comment

No comments.

Agenda Item #8: Sheriff's Update | Ross Krause/Craig Keller, Cass County Sheriff's Department & Brenton Holper, City Administrator

The next update will be presented during the City Council meeting on August 16, 2021. Mr. Holper explained that he was informed of a large law enforcement presence in Horace earlier during the day because officers were executing a search warrant for a property on Southwood Dr.

Agenda Item #9: Special Assessment Commission Appointments | Lukas Croaker, City Attorney

Mr. Croaker explained that Mayor Peterson appointed Martin Hochhalter and Darrin Galde to serve on the two vacant positions on the Special Assessment Commission.

Motion: Appoint Martin Hochhalter and Darin Galde to the Special Assessment Commission.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Burkland

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

After the City Council approved the two new commissioners, Mr. Croaker noted that both new members must be sworn in and need to provide a written acceptance of the appointment as stated in the Century Code. Mr. Hochhalter recited the Oath of Office and signed both documents. Mr. Croaker notarized the documents. Mr. Galde was not present during the meeting and will follow the same procedure.

Agenda Item #10: Refunding Improvement Bonds – Series 2021 | Lukas Croaker, City Attorney

Mr. Croaker presented the Refunding Improvement Bonds – Series 2021. He explained the maximum amounts and maximum interest rates the City of Horace can bond for. He added that the Mayor and City Administrator will serve as the pricing committee. For the first bond (which is for five projects that started construction in 2020 and in 2021) the not to exceed amount is \$27,500,000 and the not to exceed interest rate for the bond is 3.85%.

Motion: Approve the Refunding Improvement Bonds – Series 2021 Parameters Resolution as Presented by Staff and Approve the Mayor and City Administrator will Serve on the Pricing Committee.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Item #11: Temporary Refunding Improvement Bonds – Series 2021B | Lukas Croaker, City Attorney

Mr. Croaker presented the Temporary Refunding Improvement Bonds – Series 2021B. He explained that the temporary bonds are for the Lakeview Addition and the Arrowwood Third Addition. For the temporary bonds, the not to exceed amount is \$10,800,000 and the not to exceed interest rate for the bond is 2.00%.

Motion Approve the Temporary Refunding Improvement Bonds – Series 2021B Parameters Resolution as Presented by Staff.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Burkland

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



Agenda Item #12: Sanitary Sewer Improvement District No. 2021-6 (Lift Station SA-13) | Jim Dahlman, City Engineer

Mr. Dahlman presented the Sanitary Sewer Improvement District No. 2021-6 (Lift Station SA-13) and explained that the improvement district which was originally created in 2018 must be redistricted. He described where the lift station would be placed which is east of Country Rd. 17. The lift station must be installed by the end of 2021 as required by the ND Health Department. The Council discussed the boundary map and the special assessment process for the project.

Motion: Approve the Resolution Creating the Sanitary Sewer Improvement District No. 2021-6 (Lift Station SA-13) as Presented by Staff.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

Mr. Dahlman explained that the next step in the project is to direct the engineer to prepare the preliminary engineering report for the Sanitary Sewer Improvement District No. 2021-6 (Lift Station SA-13).

Motion: Direct the Engineer to Prepare the Preliminary Engineering Report for the Sanitary Sewer Improvement District No. 2021-6 (Lift Station SA-13).

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Veit

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

Agenda Item #13: West Fargo School Second Addition – Plat, Zone Change, Vacation, and Future Land Use Map Change | Barrett Voigt, Community Development Director

Mr. Voigt summarized the applications for the West Fargo School Second Addition plat, the rezone, and the future land use map change. No comments or questions were received regarding the applications and Mr. Voigt recommended approval.

Mr. Croaker explained that the public hearings for the applications were opened during the City Council meeting on July 6, 2021. Mayor Peterson asked if anyone had any comments regarding the plat and vacation. No comments were received, and Mayor Peterson closed the public hearing at 6:37pm. Mayor Peterson asked if anyone had comments regarding the proposed rezone. No comments were received, and Mayor Peterson closed the public hearing at 6:38pm. There were no comments about the future land use map change and the public hearing was closed at 6:38pm.

Motion: Approve the West Fargo School Second Addition Plat and Vacation as Presented by Staff.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Veit

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

Motion: Approve the West Fargo School Second Addition Rezone as Presented by Staff.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Johnson

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

Motion: Approve the West Fargo School Second Addition Future Land Use Map as Presented by Staff.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Burkland

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



Agenda Item #14: (Tabled) Maple Lake Estates 2nd Addition | Barrett Voigt, Community Development Director

Agenda Item #15: (Tabled) WSSSt. ID No. 2021-5 (Arrowwood Third Addition)

Mr. Croaker explained that Mr. Brian Pattengale, a representative of the Arrowwood Third Addition development, was present to discuss a possible privacy fence or a berm east of the proposed development. Mr. Pattengale explained that the landowner is planning to have a 6 ft. privacy fence installed. The City Council discussed the height of the privacy fence and the ability for drivers to see the development because the height of the proposed development is 2 ft. lower than County Rd. 17.

Councilmember Johnson suggested changing the fence height ordinance for this development to shield the development from the road with a higher privacy fence and evergreens. Councilmember Veit explained that she would like to see consistency in fence heights alongside County Rd. 17. Mr. Holper noted that in order to achieve consistency alongside a major road, a corridor study would need to be conducted. He added that he will reach out to MetroCOG to see if any monies were left over for a County Rd. 17 corridor study. Mr. Holden said that he will discuss the possible berm and other options with the developer. If the easement was moved, the property would have to be re-platted to incorporate the new easement. Councilmember Johnson requested a two-foot berm with an eight-foot fence. The item was tabled until the screening of the development will be decided.

Agenda Item #16: Engineering/Public Works | Jim Dahlman, City Engineer

- a. The bids for the 2021-7 Connection to Cass Rural Water project will be opened on Thursday, August 5, 2021. The next State Water Commission meeting is scheduled for Thursday, August 12, 2021.
- b. Staff is waiting to hear about 2021-6 Water Line Replacement project's SRF loan approval which will help fund the project.
- c. Southdale Farms Third Addition is 40% complete. The watermain is 95% and sanitary sewer is 90% complete. The storm sewer has been completed.
- d. The construction on Terra Gardens Third Addition started at the end of July and is 4% complete. The completion date is set for November 30, 2021.
- e. The construction on the Lakeview Addition started at the end of July. The sanitary sewer is 30% complete but work on the water mains and storm sewer has not been started yet.
- f. The completion date for Maple Lake Estates was set for June 30, 2021, which means the project is 33 days over the deadline. Mr. Dahlman summarized the remaining items that need still need to be completed. A representative from KPH explained that delay was caused by Cass County Electric because they have yet to install power to the site. Councilmember Veit discussed the outstanding items with the representative and scheduled a separate meeting to resolve the issues that are delaying the completion.

Agenda Item # 17: City Administrator | Brenton Holper, City Administrator

- a. Mr. Holper reminded everyone that the Special Assessment Policy Open House will take place on August 5, 0221 at the Fire Hall Event Center.
- b. The North Dakota League of Cities' Annual Conference will take place from September 16 to September 18, 2021, in Bismarck.



- c. The posting of the City's Finance Director's position was closed. The interview process will start in August and might continue through the beginning of September with the six candidates who applied for the position.

Agenda Item #18: Portfolio Reports

- a. Mayor Peterson encouraged the Councilmembers to attend the elected official's workshop during the North Dakota League of Cities Annual Conference.
- b. Councilmember Veit explained that she received questions from residents who live on Ironwood Dr. about locate flags in their front yards. Mr. Dahlman replied that he answered the questions and that the flags were placed by ReadITech (DRN) for the installation of fiber internet.
- c. Councilmember Burkland reminded everyone about the upcoming Bean Days Festival. She said that the schedule was posted on horacebeandays.com and that anyone who would like to participate could register online. For questions, she encouraged everyone to get in touch with Councilmember Johnson, the City's Communication Specialist, or Councilmember Burkland.
- d. Councilmember Johnson had no update but asked that Mr. Voigt would give an update on the work that is being done on Horace's new Land Use Ordinance. Mr. Voigt said the consultants were currently writing several drafts of the new Land Use Ordinance. The next meeting with the consultants was scheduled for August 5, 2021.
- e. Councilmember Trudeau – no update.

Mayor Peterson noted that he forgot to mention that ReadITech had their groundbreaking ceremony on Tuesday, August 12, 2021. The State Delegation attended the event and Mayor Peterson had a chance to touch base with them and update the delegates on the City's current projects.

Agenda Item #19: Adjourn

Motion: Approve Meeting Adjourn at 7:30 pm.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

The next Horace City Council meeting is scheduled for **August 16, 2021, at 6:00 pm**