



Horace City Council Meeting Minutes

Monday, June 3, 2019 – 6:00 p.m.

Horace City Council Chambers – City Hall, 215 Park Dr E.; Horace, North Dakota

Present: Mayor Peterson, Councilmember Fenelon, Councilmember Johnson, and Councilmember Schmidt.

Absent: Councilmember Koerselman.

1. Call to Order
2. Declare Quorum | Pledge
3. Approve Regular Agenda
Motion: Approve the regular meeting agenda.
1st Motion: Councilmember Johnson
2nd Motion: Councilmember Schmidt
Action taken: All in favor, none opposed. Motion carried.
4. Approve Consent Agenda
Motion: Approve the consent agenda.
1st Motion: Councilmember Fenelon
2nd Motion: Councilmember Schmidt
Action taken: All in favor, none opposed. Motion carried.
5. Approval of City Council Meeting Minutes from May 20, 2019.
Motion: Approve the minutes.
1st Motion: Councilmember Schmidt
2nd Motion: Councilmember Johnson
Action taken: All in favor, none opposed. Motion carried.
6. Public Comment
None
7. 88th Ave. / Wall Ave.
Discussion: Detours related to the summer construction have increased traffic on the dirt roads east of CR-17 and created a significant dust issue. Mr. Holper requested Council's approval to provide dust control on the unpaved section of 88th Ave to the City Limits to be applied after the Terra Gardens paving project is complete.



Motion: Approve dust control on the unpaved section of 88th/Wall Ave after construction of pavement occurs for the Terra Gardens Subdivision.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

8. Roundabout Construction – Alternate Detour

Discussion: Mr. Holper discussed upgrading a 2 mile stretch of 57th St., a minimum maintenance road, to provide an alternate detour route for citizens living east of the roundabout construction. Updating the road would require spending roughly \$320,000 that would likely be significantly by the contingency funds available for the 76th Ave. / roundabout project.

Discussion tabled so project can be discussed as part of a larger plan.

9. Resolution Amending Utility Fee Structure; Adding Utility Late Fees

Discussion: Mr. Holper revisited with Council the proposed late fees for the utility billing and was ready for Council action.

Motion: Approve resolution amending utility fee structure; adding utility late fees.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

10. Sanitary, Storm Sewer, and Street ID No. 2019-1 (Lakeview Drive); Declaration of Official Intent

Discussion: Mr. Croaker presented a declaration of official intent for the upcoming bond issue, which states the city would reimburse itself with bonding if it spends money out of the general fund for the related project.

Motion: Approve the Declaration of Official Intent.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

11. Storm Sewer and Street ID No. 2019-2 (76th and Roundabout);

11a. Determining Not Sufficient Protests Received

Discussion: Mr. Croaker presented the declaration of no sufficient protests were received to the ID No. 2019-2. He explained that only those who are living within the improvement district boundaries could protest.

Motion: Approve resolution determining no sufficient protests received.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

11b. Storm Sewer and Street ID No. 2019-2 (76th and Roundabout); Declaration of Official Intent

Discussion: Mr. Croaker presented a declaration of official intent for the upcoming bond issue,



which states the city would reimburse itself with bonding if it spends money out of the general fund for the related project.

Motion: Approve the Declaration of Official Intent

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

12. Storm Sewer and Street ID No. 2019-3 (63rd St. and 81st Ave.);

12a. Resolution Determining No Sufficient Protests Received

Discussion: Mr. Croaker presented the declaration of no sufficient protests were received to the ID No. 2019-3. He explained that only those who are living within the improvement district boundaries could protest.

Motion: Approve resolution determining no sufficient protests received.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

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

12b. Declaration of Official Intent

Discussion: Mr. Croaker presented a declaration of official intent for the upcoming bond issue, which states the city would reimburse itself with bonding if it spends money out of the general fund for the related project.

Motion: Approve the Declaration of Official Intent.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

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

13. Water, Storm Sewer and Street ID No. 2019-5 (Visto 3rd Addition);

13a: Resolution Declaring Petition for Improvements Received

Discussion: Mr. Croaker told the Council that the developer of Visto's 3rd Addition has requested the City do improvements within the related improvement district, and the City needs to pass a resolution approving the petition for improvement and avoid the protest period.

Motion: Pass resolution approving the petition for petition for improvements.

1st Motion: Councilmember Felon

2nd Motion: Councilmember Johnson

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

13b: Declaration of Official Intent

Discussion: Mr. Croaker advised the Council to not proceed on item 13b because the City had yet to receive the Developer's Agreement or Letter of Credit. Mr. Lower said that the City is in contact with the developer. Councilmember Felon stressed that City needs to clearly communicate the urgency.

Item tabled on City Attorney's advice.



13c: Consider Bid Award

Discussion: Mr. Croaker advised the Council to not proceed on item 13c because the City had yet to receive the Developer's Agreement or Letter of Credit.

Item tabled on City Attorney's advice.

14. Water, Sewer, Storm Sewer and Street ID No. 2019-6 (Cub Creek 1st Addition)

14a: Resolution Declaring Petition for Improvements Received

Discussion: Mr. Croaker told the Council that the developer of Cub Creek 1st Addition has requested the City do improvements within the related improvement district, and the City needs to pass a resolution approving the petition for improvement and avoid the protest period.

Motion: Pass resolution approving the petition for petition for improvements.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Schmidt

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

14b: Declaration of Official Intent

Discussion: Mr. Croaker advised the Council to not proceed with item 14b because the developer had yet to provide all necessary documents. Mr. Holper said the developer does have plans and specs deemed complete and there have been delays. Councilmember Schmidt said he had no issue if the Council had to wait two more weeks to advance items 14b, c, and d.

Item tabled on City Attorney's advice.

14c: Approval of Plans and Specifications

Discussion: Mr. Croaker advised the Council to not proceed with item 14c because the developer had yet to provide all necessary documents.

Item tabled on City Attorney's advice.

14d: Approval Directing the Auditor to Advertise for Bids

Discussion: Mr. Croaker advised the Council to not proceed with item 14d because the developer had yet to provide all necessary documents.

Item tabled on City Attorney's advice.

15. Cub Creek 1st Addition – Rezone (Lot 22, Block 1 – Ag. To R6)

Discussion: Mr. Lower presented the final plat of Cub Creek and showed the council an additional lot which was added between the preliminary and final plat. That lot, number 22 in Block 1, needed to be rezoned to R6. Planning Commission recommended approval. Planning Commission Chair Sahr told council the lot was added after it was decided a southern access to the intended Mixed-Use parcel was not feasible. The Public Hearing opened and closed with no comments.

Motion: Approve first reading of the rezone of Cub Creek 1st addition Lot 22, Block 1 – Ag. To R6.



1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

16. 76th Ave. S. & CR-17 Roundabout Utility Agreements

Discussion: Mr. Holper represented the 76th Ave. S. & CR-17 roundabout project utility agreements presented to Council at a previous meeting. Typically, the County would cover the relocation of utilities if it occurred within 75 ft of the centerline of an existing right-of-way. As part of the project, the City will have to reimburse the utility companies to move the existing utilities because the new right-of-way is outside the existing 75 ft boundary. Councilmember Fenelon asked if the City does not pay, what would happen? Mr. Holper said if the city doesn't pay, the County would pay and the cost would likely circle back to the City.

Motion: Approve the 76th Ave. S. & CR-17 Roundabout Utility Agreements

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Fenelon

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

17. Economic Development Committee Discussion

Discussion: Mr. Holper and Mr. Lower discussed that the City has been working with AE2S to create an Economic Development Committee. Mr. Holper talked about how the group would give Council a new perspective to help inform decisions related to economic development. Mr. Lower talked about how the economic development is such a broad topic that it was important the group has ownership over their mission. He would work with them to create a draft agile charter. The first meeting was intended to Wednesday, June 12. The group picked through an interview process was Tom Kenville, Shari Enno, Kathy Olson, Ron Erickson, and Nikki Berglund. Staff decided to delay appointments of the group as to ensure the members were comfortable with the direction of group.

18. Partner's in Marketing Grant – City Branding/Logo Discussion

Discussion: Andrea Boe and Heather Syverson from AE2S gave a brief presentation on branding and discussed the goals of the City's rebranding activities. They discussed results they gathered from the comprehensive plan surveys to inform the branding decisions. Then, the consultants unveiled 3 potential logos. Council discussed the three options. Councilmember Johnson liked option 1 but said was involved in the creation of all the options. The other Councilmembers liked elements of options 2 and 3. Council gave direction to AE2S to merge options 2 and 3 and make the word "Horace" the focus of the text.

19. Engineering / Public Works | Jim Dahlman, City Engineer

Discussion: Mr. Dahlman gave a general update on capital and neighborhood projects.

- He said Terra Gardens would begin paving the next day, which includes Park Ave, 88th/Wall, and the shared-use path within the development. The duration would be approximately 2 weeks.
- He discussed that work was progressing on the roundabout area despite the rain, underground had begun, and that the City was leading weekly progress meetings.



Councilmember Schmidt asked if construction access for the water tower and school were in place, to which Mr. Dahlman confirmed yes.

- Mr. Dahlman said that the detour roads are being maintained.
- He discussed how there would be a construction meeting for 79th/Lakeview Dr the following week.
- The bids were opened for Visto's Industrial Park, in which the engineer's estimate was high.
- Lastly, Mr. Dahlman sought a motion that would call for the city engineer to add a reviewed-by stamp on City Plans and Specs documents.

Motion: Add Reviewed-By Stamp on City's Plans and Spec

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

Action taken: All in favor, none opposed.

20. City Administrator Update

Discussion: Mr. Holper gave an update on a few items:

- Meeting summaries will be published in the paper.
- Staff will meet with Fargo to discuss use of the SSL. He said there may need to be a sewer rate increase to cover Fargo's intake cost. Midwest Assistance Program is studying rates for the City and will soon be turning in some recommendations.
- There will be a Special City Council meeting the following day to interview the Finance Director Candidates.

21. Portfolio Reports

Mayor Peterson: Nothing new to report on the Diversion but the Mayor thanked the County for the paving the patch south of Town on CR-17. He asked Mr. Dahlman to keep an eye on CR-17 detour maintenance and asked the citizens to keep an eye on their speed on the detour. Finally, the Mayor thanks Drone Dan for the roundabout photos.

22. Adjourn

Motion: Adjourn the Meeting

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

Action taken: All in favor, none opposed.

Next Meeting is June 17, 2019 at 6:00 pm