



Horace City Council Meeting Minutes

The Horace City Council met on August 5, 2019 at 6:00pm at City Hall. Those present were Kory Peterson, Chelsey Johnson, David Fenelon, and Bryan Schmidt. John Koerselman was absent.

The Pledge of Allegiance was recited.

Mayor Peterson called the meeting to order at 7:00pm.

Agenda Item #3: Approve Regular Agenda

Discussion: Mr. Dahlman requested Items 14c and 14d are removed at the request of the developer. Mr. Holper suggested just removing item 14 in its entirety.

Motion: Approve the regular meeting agenda with the removal of agenda item 14.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #4: Approve Consent Agenda

Motion: Approve the consent agenda.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Fenelon

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

Agenda Item #5: Approve July 15 Meeting Minutes

Motion: Approve the meeting minutes.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Schmidt

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

Agenda Item #5a: Approve July 25 Special Meeting Minutes

Motion: Approve the meeting minutes with one said change.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Fenelon

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

Agenda Item #6: Public Comment

No Public Comments

Agenda Item #7: Sheriff's Update

Discussion: Deputy Krause gave the monthly incident report, in which he discussed in summary the 172 calls for service during the month of July. Sheriff Jahner also spoke about his department's work in policing the detour routes and fielded general questions from the public on how his department schedules deputies and works to educate people on the rules of the road detour.



Agenda Item #8: Cub Creek 1st Addition Amended Rezone

Discussion: Mr. Croaker presented an amended rezone to Cub Creek 1st Addition to reflect the updated lot numbers within the final plat.

Motion: Approve Amended Second Reading of the Rezone

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

Agenda Item #8: Terra Gardens 1st Addition Amended Rezone

Discussion: Mr. Croaker presented an amended rezone to Terra Gardens 1st Addition to reflect the updated lot numbers within the final plat.

Motion: Approve Amended Second Reading of the Rezone.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #10: Terra Gardens 2nd Addition Rezones

Discussion: Mr. Lower presented the Terra Gardens 2nd Addition Rezones and Planned Unit Development Agreement. The project includes a preliminary plat, a rezone of that preliminary plat, and the PUD agreement to accompany the portion of the rezone to PUD. The project at build-out would include single family homes, duplexes, and fourplexes. Mr. Lower discussed planning commission's recommendation of approval and that the PUD portion of the project will be regulated through a binding site plan rather than through traditional Euclidean zoning controls. He then turned the approval process over to Mr. Croaker, who walked the commission through the rezones.

Public hearing opened and closed without comment

Motion: Approve the Rezone of Lots 1-18 in Block 1 from Ag to R-6 in Terra Gardens 2nd Addition.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

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

Public hearing opened and closed without comment

Motion: Approve the Rezone of Lots 19, 20 Block from AG to PUD, Lot 21 of Block 1 from AG to PF in Terra Gardens 2nd Addition.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Schmidt

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

Agenda Item #11: Terra Gardens 2nd Addition Preliminary Plat

Discussion: Mr. Croaker walked the commission through the preliminary plat approval process for Terra Gardens 2nd Addition Preliminary Plat.

Public hearing opened and closed without comment

Motion: Approve the Preliminary Plat of Terra Gardens 2nd Addition.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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



Agenda Item #12: Terra Gardens 2nd Addition PUD Agreement

Discussion: Mr. Croaker walked the commission through the PUD approval process for Terra Gardens 2nd Addition Preliminary Plat. He described to the Council that they were creating a zoning ordinance specific for the lots with the zoning designation PUD. He reiterated what Mr. Lower described earlier that the site plan would be binding, and the PUD Agreement was written from that. Councilmember Schmidt asked why the development was pursuing a planned unit development. Mr. Lower talked about the planning process for the development, in which the city's zoning code did not support multi-family housing in a format as desired from the developer because of the City's minimum lot widths, but the format represented a multi-family development at positive long range implications for the City because it far exceeds the city's design minimums. Chairman Sahr told the Council he hoped to adopt a new multi-family zone ordinance based on this development. Mr. Lower said that this PUD would comply with a draft multi-family going through internal review, and that its typical for PUD's to be zoned back into a traditional zone in time.

Public hearing opened and closed without comment

Motion: Approve the PUD Agreement in Terra Gardens 2nd Addition.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

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

Agenda Item #13: Becher 1st Addition Rezone- 2nd Reading

Discussion: Mr. Lower presented the Becher 1st Addition for the second rezone. Mayor Peterson asked if there were any changes, in which Mr. Lower said there were none and that the applicant has already supplied the final plat.

Motion: Approve the Becher 1st Addition Rezone.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #14: Water, Sewer, Strom, and Street ID No. 2019-6 (Cub Creek 1st Addition)

Discussion: Mr. Dahlman presented the Engineering Services Agreement for Cub Creek. He told Council it was the standard, boiler plate agreement they often see. He also told Council that the finish date for the project is more aggressive than usual. Councilmember Fenelon asked if the project was to be done in two phases, in which Mr. Dahlman replied that essentially no, except for some landscape amenities.

Motion: Approve the Engineer Services Agreement for ID 2019-6.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #15: 81st Ave Access Easement for SE Cass and Horace

Discussion: Mr. Croaker presented an access easement from SE Rural Water District granting access across Drain 27 for 81st street. The stipulations of the agreement include the City having to provide the plans to the Water District for any work occurring over Drain 27 and that the City assumes liability for matters within the easement.

Motion: Accept the 81st Access Easement based on the City Attorney's Revisions

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Schmidt

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



Agenda Item #16: Mosquito Control

Discussion: Ben Prather, director of Cass County Vector Control, discussed his agency's partnership with the City of Horace. He discussed how the County Vector control is funded and how it is a separated, yet partner service, with the City's own mosquito spray. Councilmember Schmidt asked general questions about the how trap counts work. This led to a discussion about aerial spraying, in which Mr. Prather discussed his view that aerial has an important role in reducing mosquito trap counts, but it is not a silver bullet. Mr. Prather then fielded general questions from the public on aerial spraying, the science and techniques of vector control, and methods to control mosquitos when a neighbor will not. Mr. Prather then summarized the discussion that the solution is multi-faceted and may not have to include aerial spraying

Agenda Item #17: Title VI Compliance

Discussion: Mr. Holper presented the City's Title VI Compliance Assurance documents and explained that the documents enable the City to administer State funded projects in the future.

Motion: Approve the City's Title VI Compliance Assurance Documents

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #18: FY 2020 Preliminary General Fund Budget

Discussion: Mr. Holper presented the FY 2020 Preliminary General Fund Budget and told Council their action of approval tonight would set the property tax revenue maximum for FY 2020. That action would result in no MIL increase. He introduced Cass County Director of Equalization Paul Fracassi. He fielded general questions from the Commission and the public on property tax changes around the metro and on how the property evaluation process works. Mr. Holper then walked the Council through the general fund budget, and discussed that the biggest change would be for building permits as costs and volumes have changed.

Motion: Approval of the Preliminary 2020 General Fund Budget and set the Budget Hearing Date to Sept 16, 2019.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Schmidt

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

Agenda Item #19: FY2019 Construction Projects

Discussion: Mr. Holper presented Council a budget amendment to include small 3 construction projects.

Motion: Accept the stated 3 projects (Nelson Drive Culvert, Park Drive, Chestnut Repairs) with funding to come from the Highway Funds, and to complete the second lift at Prairie View with funds to come from special assessments and any difference to come from sales tax fund.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Schmidt

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

Agenda Item 20: Engineer/Public Works Update

Discussion: Mr. Dahlman discussed the progress of the construction projects, including that Terra Gardens project is nearing completion. Councilmember Fenelon asked if the City has a final checklist, which Mr. Dalhman confirmed it was true.



Agenda Item #21: Community Development Director Update

Discussion: Mr. Lower discussed the ordinance changes he is exploring with Planning Commission.

Agenda Item #21: City Administrator Update

Discussion: Mr. Holper told the public about the new display case in front of City Hall. He also introduced the new Finance Director, Becky Streitz and that himself, Mr. Lower, and Mrs. Streitz would likely be attending the League of Cities conference later on in September.

Agenda Item #22: Portfolio Reports

Mayor Peterson: Diversion Update: negotiations on-going. City also got invited to go back to DC but opted not to go.

Councilmember Fenelon: Mr. Holper's review was completed.

Councilmember Johnson: Bean Day's sponsorships doing well with nearly \$9,000 collected from sponsors.

Councilmember Schmidt: None

Agenda Item #23: Adjournment

Motion: Adjourn the Meeting

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

Action taken: All in favor, none opposed. Motion carried. Meeting adjourned 8:33.