



Horace City Council Meeting Minutes Summary

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

Mayor Peterson called the meeting to order at 6:13 pm.
The pledge of allegiance was recited.

Agenda Item #3: Approve Regular Agenda

Motion: Approve the Regular Agenda Adding the Water Improvement District No. 2020-7 (Connection to Cass Rural Water) as Agenda Item 11B.

1st Motion: Councilmember Johnson

2nd 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. Pledge Reports
- d. Checks Written in June 2021
- e. Water, Sewer, Storm and Street Improvement District No. 2020-2 (81st Avenue S)
 - i. Progressive Estimate No. 4 to Dakota Underground Co.
- f. Water, Sewer and Street Improvement District No. 2019-7 (Maple Lake Estate Addition)
 - i. Progressive Estimate No. 10 to KPH Inc.
- g. Water, Sewer and Street Improvement District No. 2021-1 (Southdale Farms Third Addition)
 - i. Progressive Estimate No. 2 to Dakota Underground Co.
- h. Water, Sewer, Storm and Street Improvement District No. 2019-6 (Cub Creek First Addition)
 - i. Progressive Estimate No. 14 (Semi-Final) to Dakota Underground Co.
- i. Water, Storm and Street Improvement District No. 2020-4 (Lost River Fifth Addition)
 - i. Progressive Estimate

Motion: Approve the Consent Agenda.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Trudeau

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

Agenda Item #5: Approval of City Council Meeting Minutes from June 21, 2021

Motion: Approve the City Council Meeting Minutes from June 21, 2021.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Johnson

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



Agenda Item #6: Approval of the City Council and Planning Commission Special Joint Meeting Minutes from June 29, 2021

Motion: Approve the City Council and Planning Commission Special Joint Meeting Minutes from June 29, 2021.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

Agenda Item #7: Public Comment

Resident James Dew, who lives on 72nd St. S. in Horace, explained that a new street was built south of his residence and that two of the newly installed street signs were wrong. Mr. Holper said that staff would bring it to the contractor's attention because the street signs were ordered by the contractor.

Agenda Item #8: Real Property Transfers – City of Horace & Park District | Lukas Croaker, City Attorney

Mr. Croaker presented the Real Property Transfers – City of Horace & Park District. He explained that over the years, several properties were transferred between the City and the Park District. After staff examined the transfers, a total of nine properties would need to be transferred to either the City or the Park District as described in the memo that Mr. Croaker provided. Mr. Holper added that the members of the Park Board, the City Attorney, and the City's staff worked on the deed transfers for almost nine months to make sure that every transfer was correct.

Motion: Approve the Real Property Transfers – City of Horace and Park District as Presented by Staff.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

Agenda Item #9: City Ordinance Amendment – Accessory Buildings | Barrett Voigt, Community Development Director

Mr. Voigt presented the City Ordinance Amendment – Accessory Buildings. He explained that several residents complained that the City's Accessory Building Ordinance requirements did not meet their accessory building preferences. Mr. Voigt summarized the proposed ordinance amendments and the City Council discussed those changes. Mayor Peterson opened the public hearing at 6:30 pm. No questions or comments were received. Mayor Peterson closed the public hearing at 6:30 pm.

Motion: Approve the City Ordinance Amendment – Accessory Buildings as Presented by Staff.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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

Agenda Item #10: West Fargo School Second Addition – Plat, Vacation, Zone Change, Future Land Use Map Change | Barrett Voigt, Community Development Director

Mr. Voigt explained that there was a delay in items that were needed to complete the application for the West Fargo School Second Addition. He added that he would like to open the public hearing and then table the item until the next meeting. Mayor Peterson opened the public hearing at 6:32 pm.

Motion: None.



Item #11: Water, Sewer, Storm and Street Improvement District No. 2021-5 (Arrowwood Third Addition) | Jim Dahlman, City Engineer

Mr. Dahlman presented the Water, Sewer, Storm and Street Improvement District No. 2021-5 (Arrowwood Third Addition). He summarized the construction project and its costs which will be special assessed to properties in that district.

Mr. Sahr asked if the plans include a shared use path on Liberty Lane and if not, would it possible to include a shared use path. Mr. Dahlman responded that he does not see a reason to not include it. The Council discussed the shared use path and a possible buffer (e.g., a fence or trees). The Council examined if these kinds of items should be included on the plat, in the ID agreement or in the plans and specifications of a project. Mr. Croaker added that in this case, it would be a good idea to discuss these items with the developer during the next meeting with him and before the ID agreement will be finalized.

Motion: Approve the Preliminary Engineering Report for the Water, Sewer, Storm and Street Improvement District No. 2021-5 (Arrowwood Third Addition) with the Amendment of Adding a Shared Use Path along Liberty Ln.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Burkland

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

Motion: Direct the Engineer to Prepare Plans and Specifications for the Water, Sewer, Storm and Street Improvement District No. 2021-5 (Arrowwood Third Addition) with the Amendment of Adding a Shared Use Path along Liberty Ln.

1st Motion: Councilmember Burkland

2nd Motion: Councilmember Johnson

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

Agenda Item #11B: Water Improvement District No. 2020-7 (Connection to Cass Rural Water Users) | Jim Dahlman, City Engineer

Mr. Dahlman presented the Water Improvement District No. 2020-7 (Connection to Cass Rural Water Users) and summarized the project's construction schedule. The completion date for the project was set for November 2021. He added that the Council must approve the plans and specifications for the project and authorize the auditor to advertise for bids.

Motion: Approve the Plans and Specifications for the Water Improvement District No. 2020-7 (Connection to Cass Rural Water Users) and Authorize the Auditor to Advertise for Bids.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Trudeau

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

Agenda Item #12: Deer Creek Estates Addition | Barrett Voigt, Community Development

Mr. Voigt explained that the first reading of the Deer Creek Estates Addition rezone took place during the City Council meeting on June 21, 2021. No questions or comments were received, and he recommended approval.

Motion: Approve the 2nd Reading of the Deer Creek Estates Addition Rezone.

1st Motion: Councilmember Veit

2nd Motion: Councilmember Trudeau

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



Agenda Item #13: Arrowwood Third Addition | Barrett Voigt, Community Development

Mr. Voigt explained that the second reading of the Arrowwood Third Addition rezone took place during the City Council meeting on June 21, 2021. He added no questions or comments were received and he recommended approval.

Motion: Approve the 2nd Reading of the Arrowwood Third Addition.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

Agenda Item #14: City of Horace 150 Year Anniversary | Kory Peterson, Mayor

Mayor Peterson explained that the City of Horace will turn 150 years old in 2023. He added that he would like to start preparing for it because it will be a big event. He suggested an initial kick-off meeting that should take place in August to create a steering committee for this upcoming anniversary. Horace's senior citizens should be included (on video) because they have a lot of knowledge of the history of the area.

Agenda Item #15: Liquor License – Special Events | Brenton Holper, City Administrator

Mr. Holper explained that Rookery Rock Winery applied for a special events liquor license. The four special events liquor licenses would allow the winery to participate during Bean Days and during the three upcoming FoodFests that will take place on June 23, August 20, and September 17.

Motion: Approve the Special Events Liquor License for Rookery Rock Winery.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Veit

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

Agenda Item #16: Food Truck Permit Applications | Brenton Holper, City Administrator

Mr. Holper explained that the staff received four food truck permit applications from Adibon, Top Dog & Soul Taco, and Detroit Deli. The permits would be valid until November 2021 and would include the Horace Food Truck events every Tuesday, the FestFests, and Bean Days.

Motion: Approve the Food Truck Permit Applications for Top Dog + Soul Taco, Adibon, and Detroit Deli.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Burkland

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

Agenda Item #17: Engineering/Public Works | Jim Dahlman, City Engineer

- a. Mr. Dahlman reported that the Maple Lakes project was about 94% complete. The only two items that needed to be completed were private utilities and electrical.
- b. The Southdale Farm 1st Addition went through their semi-final and the project should be finalized next month.
- c. The Lakeview Addition project should start construction within the next three weeks.
- d. The Cub Creek Addition went through their semi-final and the project should be finalized next month.
- e. Lost River 5th Addition was completed except the light poles would need to be installed and wired.



- f. The Terra Gardens 3rd Addition project should start construction within in the next couple of weeks.
- g. The staff worked on the permanent bonding and a preliminary special assessment list for the following five projects that were constructed in 2020:
 - ID 2018-1 100th Ave. Sewer Line
 - ID 2019-7 Maple Lakes Estates
 - ID 2020-1 Southdale Farms 1st Addition
 - ID 2020-2 82nd Ave.
 - ID 2020-4 Lost River 5th Addition

Agenda Item # 18: City Administrator | Brenton Holper, City Administrator

- a. Mr. Holper explained that he has been working with Councilmember Trudeau and Excel Energy to see if some of Horace's residents could receive natural gas which they currently were not. He added that Excel Energy was currently identifying areas of the city where natural gas is not present. Mr. Holper noted that a survey could be done to find out the residents' interest in receiving natural gas.
- b. The Finance Director's position was posted. Mr. Holper added that if anyone would like to apply for the position, they would need to go through the recruitment firm Baker Tilly.

Agenda Item #19: Portfolio Reports

- a. Mayor Peterson talked about the parade for the high school graduates that took place two weeks ago. He added that approximately 60 cars participated. He asked that staff take down the banners so that the graduates could pick them up.
Mayor Peterson explained that he attended a FM Chamber of Commerce meeting that focused on the workforce shortage many companies are experiencing in the area.
He touched on the July 4th celebrations and said that the firework display in Horace was great.
- b. Councilmember Burkland invited anyone who would like to participate in the Bean Days Festival to sign up on the Bean Days' website at horacebeandays.com.
She asked about the speed limit on streets that did not have speed limit signage. Mr. Holper responded that the speed limit is 25 mph when there were no signs. He added that according to the Century Code, the speed limit on all residential streets was set at 25 mph.
Councilmember Burkland said that most of the traffic on Park Dr. E. was going at least 30mph to 35mph and that kids were often playing on that street. Mr. Holper replied that he would bring it to the deputies' attention.
- c. Councilmember Veit – no update.
- d. Councilmember Johnson brought awareness to the building permit process along with the challenges both builders and city staff with the increased construction activity.
- e. Councilmember Trudeau reported that he met with the Chamber of Commerce and discussed the housing shortage in the area. Another meeting was scheduled for July 13, 2021, at 7:00 am.



Agenda Item #20: Annexation Proceeding – Mediation Update

Executive Session to Discuss Attorney Consultation Pursuant to N.D.C.C. § 44-04-19.1

Mr. Croaker explained that an executive session regarding an annexation update would start right after the Council approved closing the regular meeting.

Motion: Close the City Council Meeting and Enter Annexation Proceeding – Mediation Update

Executive Session to Discuss Attorney Consultation Pursuant to N.D.C.C. § 44-04-19.1.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Trudeau

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

Motion: Authorize the City Attorney to File a Motion with the Administrative Law Judge.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Veit

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

Agenda Item #21: Adjourn

Motion: Approve Meeting Adjourn at 7:37 pm.

1st Motion: Councilmember Trudeau

2nd Motion: Councilmember Johnson

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

The next Horace City Council meeting is scheduled for July 19, 2021, at 6:00 pm