

 **Location:** City Hall, 215 Park Dr E. Horace, ND 58047  
 **Date:** Monday, June 17, 2019  
 **Time:** 6:00 P.M.

## Horace City Council Meeting Minutes

The Horace City Council met on June 17, 2019 at 6:00 PM at Horace City Hall. Those present were Kory Peterson, David Fenelon, Chelsey Johnson and Bryan Schmidt. Absent was John Koerselman.

The Pledge of Allegiance was recited.

Mayor Peterson called the meeting to order.

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

**Discussion:** Mayor Peterson reviewed changes staff made to the agenda that included the addition of two agenda items, the Application for Sale of Fireworks and the Brink Drive Petition Request.

**Motion:** Approve the regular meeting agenda.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Johnson

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

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

**Discussion:** Mayor Peterson and councilmembers reviewed the 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 Meeting Minutes from June 3, 2019.**

**Discussion:** Mayor Peterson and councilmembers reviewed meeting minutes from June 3, 2019.

**Motion:** Approve the minutes.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

### **Agenda Item #6: Approve Special City Council Meeting Minutes from June 5, 2019.**

**Discussion:** Mayor Peterson and councilmembers reviewed meeting minutes from Special City Council Meeting on June 5, 2019.

**Motion:** Approve the minutes.

**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Johnson




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

### **Agenda Item #7: Public Comment**

**Discussion:** None.

### **Agenda Item #8: Sheriff's Department Update**



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**Discussion:** Sheriff delivered the City of Horace Monthly Report. The report consisted of a total 162 calls for service and consisted of 8 calls related to traffic complaints, 22 calls for Deputies attempting warrants or civil papers and 14 calls related to suspicious activity. Two of the calls were individuals claiming to be from “North Dakota 1” or “Horace 1” asking a household whether the homeowner would be home the next day. Nothing further came of these calls.

#### **Agenda Item #9: Brink Drive Petition Request**

**Discussion:** Mr. Holper presented the Brink Drive Petition Request to barricade the south end of Brink Drive. The petition request received 13 household signatures. The concerns from citizens of Brink Drive were the speeding of traffic and amount of traffic. The city received a contact form not in favor of the closure of the south end of Brink Drive. Councilmember Fenelon presented the concern of rescue vehicles using the route.

**Motion:** Approve the petition requested by the citizens.

**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Johnson

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

#### **Agenda Item #10: Application for Sale of Fireworks**

**Discussion:** Mr. Holper presented the application for the sale of fireworks from Black Powder Fireworks 720 Main Street in Horace.

**Motion:** Approve the permit

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

#### **Agenda Item #11: Land Inventory**

**Discussion:** Discussion goes here.

**Motion:** Motion

**1st Motion:** Councilmember

**2nd Motion:** Councilmember

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

#### **Agenda Item #12: Temporary Bonding Parameters Resolution**

**Discussion:** Mr. Croaker presented the temporary bonding parameters resolution and explained the temporary bonding parameters resolution for improvement district 2019-1, 2019-2 and 2019-3 involving the school and 2019-5 involving the Visto Industrial Addition.

**Motion:** Approve the resolution.




**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Johnson

**Roll Call:** Councilmember Fenelon (yea), Councilmember Johnson (yea), Councilmember Schmidt (yea)

**Action Taken:** All in favor, none opposed (3-0). Motion carried.



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**Agenda Item #13: Letter of Credit Process**

**Discussion:** Mr. Holper presented the letter of credit and two issues that have been brought to attention. First issue is the point at which the letter of credit should be required. The second issue brought to attention was regarding asking for the letter of credit before the project.

**Motion:** Acquire our initial draft letter of credit prior to bid. At point of bid review, the letter credit amount is reviewed and adjusted based on actual dollars from the bids. Bid will not be awarded until final letter of credit is received.

**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Johnson

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

**Agenda Item #14: Maple Lakes Addition**

**Discussion:** Mr. Lower presented the approval for maple lakes addition. It was recommended that the discussion is tabled until the developer's agreement is complete.

**Motion:** Discussion tabled until the developer's agreement is complete.

**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Schmidt

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

**Agenda Item #15: Hess First Addition—Preliminary Plat**

**Discussion:** Mr. Lower presented the Hess First Addition—Preliminary Plat application. Planning commission has recommended approval of the preliminary plat with list of contingencies.

**Motion:** Approve the preliminary plat.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

**Agenda Item #16: Hess First Addition—Rezone**

**Discussion:** Mr. Lower explains that R1 is the densest and can accommodate the acre lot. The developer is rezoning to R1.

**Motion:** Approve the rezone.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Johnson

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

**Agenda Item #17: Water, sewer, storm sewer and Street ID No. 2019-5 (Visto 3<sup>rd</sup> Addition)**

**Discussion:** Mr. Croaker recommended that discussion be tabled until letter of credit is obtained.




**Motion:** Discussion tabled.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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



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### **Agenda Item #18: Water, sewer, storm sewer and Street ID No. 2019-6 (Cub Creek 1<sup>st</sup> Addition)**

#### **a. Improvement District Agreement**

**Discussion:** Mr. Holper presented the developer's agreement that included the 50 percent letter of credit, pond purchase for Cub Creek and the purchase of ponds at \$1.5 million (not to be included in the letter of credit calculation). The city met with engineers to make sure the estimate of costs was truly correct. The estimate was calculated at \$8.925 million for the pond purchase, construction and alternate bid of a concrete road.

**Motion:** Approve the district agreement.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

#### **b. Amend Engineer's Report**

**Discussion:** Mr. Holper presented the engineer's report and engineer's estimate.

**Motion:** Approve the amended engineer's report.

**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Johnson

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

#### **c. Declaration of Official Intent**

**Discussion:** Mr. Croaker presented the declaration of official intent.

**Motion:** Approve the declaration of official intent.

**1st Motion:** Councilmember Johnson

**2nd Motion:** Councilmember Schmidt

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

#### **d. Approval of Plans and Specifications**

**Discussion:** Mr. Dahlman discussed that Interstate Engineering has been working on the design review with designers. Comments have been addressed or being addressed.

**Motion:** Approve plans and specifications.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

#### **e. Approval for Directing the Auditor to Advertise for Bids**

**Discussion:** Mr. Croaker suggested that there are items that need to be complied with before approval which are 1) Notice of Cease and Assist 2) Signed improvement district agreement 3) Letter of Credit.

**Motion:** Approve the advertisement for bids contingent on those three items.




**1st Motion:** Councilmember Johnson

**2nd Motion:** Councilmember Fenelon

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

### **Agenda Item #19: Cub Creek 1<sup>st</sup> Addition—Rezone (Lot 22, Block 1 –Ag. to R6) Second Reading**



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**Discussion:** Mr. Lower presented the second reading for the rezone of Lot 22 and Block 1 to R6 for the Cub Creek 1<sup>st</sup> Addition.

**Motion:** Approve the rezone.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

#### **Agenda Item #20: Employee Health Insurance Coverage FY 2020**

**Discussion:** Mr. Holper presented to the council that the employee health insurance coverage plan stays the same. The premium is based on the employee's or individual's age. Mr. Holper discussed the possibility of other plans to add (e.g. cancer and short-term disability) but did not seek approval for those coverages. The budget next year will have an increase in insurance coverage.

**Motion:** Approve to continue the current coverage package for insurance coverage.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

#### **Agenda Item #21: Cass County Vector Agreement**

**Discussion:** Mr. Holper presented the draft of the Cass County Vector and information regarding the mosquito populations. Additional treatment would be added to the vector agreement. Treatment would be applied to additional extra-territorial land. The cost for additional treatment would be \$8,000.

**Motion:** Approve the expanded agreement with Cass County.

**1st Motion:** Councilmember Schmidt

**2nd Motion:** Councilmember Fenelon

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

#### **Agenda Item #22: Liquor License Renewals Update**

**Discussion:** Mr. Holper discussed liquor licenses. Liquor licenses are automatic renewal. The city has two, one is for onsite consumption and the other is for offsite consumption/sale.

#### **Agenda Item #23: Communications Position**

**Discussion:** Mr. Holper presented that the part-time communications position be reviewed with the option to be full-time.

**Motion:** Approve to move the position to full time.

**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Johnson




**Roll Call:** Councilmember Fenelon (yea), Councilmember Johnson (yea), Councilmember Schmidt (yea)

**Action Taken:** All in favor, none opposed (3-0). Motion carried.

#### **Agenda Item #24: Economic Development Committee**

**Discussion:** Mr. Lower discussed the options of the economic development committee having judiciary responsibility or having an advisory committee role.



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#### **Agenda Item #25: Partner's in Marketing Grant—City Branding/Logo Update**

**Discussion:** Mr. Holper gave an update on the Partner's in Marketing Grant. The partner's in marketing grant is moving forward and the North Dakota Department of Commerce has honored our original contract and date, September 23, 2019. More revision on the logos from AE2S, specifically a revision of the logo that the overall public liked.

#### **Agenda Item #26: Engineering/Public Works Update**

**Discussion:** Mr. Dahlin gave an update on the construction projects for the last two weeks. The base work is done on the roundabout, the curb and gutter have been staked and construction materials have arrived on site. Wall Avenue has opened. Terra Gardens pavement has been completed, street lighting and grading of the sidewalk is set to begin.

Mr. Fenelon discussed the detour route and the maintenance and urged that the contractors need to get out weekly and maintain the road.

Mayor Kory Peterson asked Mr. Dahlin about who is responsible for maintaining the road from 64<sup>th</sup> to 52<sup>nd</sup> Avenue along the diversion. Mr. Dahlin explained that the maintaining for the detour ends at the 64<sup>th</sup> Avenue South and it is routed to get traffic back to County Road 17 as efficiently as possible.

#### **Agenda Item #27: Community Development Update**

**Discussion:** Mr. Lower mentioned that Smart Gov is now live on the website. Horace 2045 future land use map has been scoped by planning commission and there will be future public meetings to discuss the future land use map.

#### **Agenda Item #28: City Administrator Update**

**Discussion:** Mr. Holper told council that an offer has been made to Becky Streitz for the finance director position, and she has accepted. The target start date is July 8, 2019.

#### **Agenda Item #29: Portfolio Reports**

**Mayor Peterson:** Mayor Peterson asked Mr. Holper about an update on nuisance reports and asked Mr. Lower to update council at future meetings with any new information or a status update regarding the comp plan.

**Councilmember Koerselman:** Absent.

**Councilmember Johnson:** Work is being done for Bean Days including finding a band and work will begin on the Christmas and holiday event soon.




**Councilmember Schmidt:** Asked Mr. Holper about any updates about the yard waste site.

**Councilmember Fenelon:** None.

#### **Agenda Item #30: Adjourn**

**Motion:** Adjourn the meeting.



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**1st Motion:** Councilmember Fenelon

**2nd Motion:** Councilmember Schmidt

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

Meeting Adjourned at 8:41 P.M.  
Next meeting is July 1, 2019 at 6:00 P.M.