



Horace City Council Meeting Minutes

The Horace City Council met on February 1, 2021 @ 6:00 pm at Horace City Hall. Those present were Mayor Kory Peterson, Councilmember Bryan Schmidt, Councilmember Chelsey Johnson, Councilmember David Fenelon, and Councilmember Sarah Veit. Others present included: Jim Dahlman, Brenton Holper, 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 Schmidt

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

Agenda Item #4: Approve Consent Agenda

- a. Vendor Invoices

Motion: Approve the Consent Agenda.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

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

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

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #6: Sheriff's Update | Craig Keller and Thomas Behm, Cass County Sheriff's Department

Deputy Sheriff Craig Keller summarized the update for the month of January. There were 161 calls for service which included two vehicle crashes. Deputy Sheriff Keller added that he placed emphasis on enforcing speed regulations along Wall Avenue, the 4-way stop at Wall Avenue and Main Street as well as parking complaints. He educated the public about the City's night parking ordinances and gave driver's warnings.

Mayor Peterson asked that the deputy sheriffs continue to monitor the speeds around the schools to avoid accidents. Deputy Sheriff Keller agreed and added that the department was working on plotting maps of where incidents occur to keep track of the overall area.

Deputy Matthew King presented the annual report. There were a total of 1,983 calls for service in 2020. In comparison, there were 2,183 total calls in 2019 and 2,425 total calls in 2018. The main reason that the numbers were significantly lower in 2020 was because of COVID-19.



Council requested that a traffic stop map, an accident location map, a theft, and a medical call map would be included in future reports. Mayor Peterson would also like the deputies to add a trend analysis on what the City and law enforcement need to focus on. Deputy King explained that the Sheriff's Department will start providing quarterly reports soon and that the department will work on the requested maps.

Agenda Item #7: Terra Gardens Third Addition | Jim Dahlman, City Engineer

Mr. Dahlman presented the Preliminary Engineering Report for Terra Gardens Third Addition. The 60 single family residence subdivision is an extension of Terra Gardens First and Second Additions. The public infrastructure proposed includes water mains and services, sanitary sewer mains and services, storm sewer, clear water collection line and services, street improvements, streetlights, concrete sidewalk, and associated items. Mr. Dahlman added that this will be a special assessment project with only local, not regional benefits.

Councilmember Johnson asked about boulevard tree planting. Mr. Dahlman responded that boulevard trees are currently solely developer driven. He explained that the developer of the Terra Garden Additions usually adds landscaping to the entrance of a subdivision but that it is up to the homeowner or homeowner's association how much additional landscaping will be added. Mr. Croaker explained that residential developments are required by city ordinance to plant boulevard trees and that any other landscaping would be up to the Horace Park District.

Mr. Holper suggested that enforcing the tree ordinance would be brought back as a separate agenda item during a future City Council meeting.

Motion: Approve the Terra Gardens Third Addition Preliminary Engineering Report.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Veit

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

Agenda Item #8: Special Assessment Policy | Brenton Holper, City Administrator

Mr. Holper explained that Horace residents received a letter in the mail about the upcoming Special Assessment Policy Development Open House. The City will host several meetings to receive input from the public about developing a special assessment policy for Horace. The City will take into consideration what the public would like to see when it comes to special assessments and combine it with Century Code requirements.

By law, a city of the size of Horace is not required to have a special assessment policy but staff thought it would be wise to have a policy in place. The open house will give the public an opportunity to give feedback on how specials should be assessed. The meeting will take on February 4, 2021 at the Senior Center and on Zoom.

Agenda Item #9: Neighborhood Dewatering | Jim Dahlman, City Engineer

Mr. Dahlman summarized the Neighborhood Dewatering project and explained that excessive water is an ongoing problem in the several neighborhoods (Dreamfields, Adelman's Addition, and Chestnut/Ironwood). Staff looked into installing three test wells in the three Horace subdivisions to determine the water flow rate and where the ground water is located. Water Smith Inc. provided a



proposal in the amount of \$14,000 for the installation. The Water Smith Inc. proposal was the lowest compared to their competitors. The City's sales tax fund will pay for the installation of the test wells.

Motion: Approve the Water Smith Inc. Proposal for Test Wells and Flow Testing in the Amount of \$14,000.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Veit

Action taken: All in favor, none opposed. Motion carried (4-0).

Agenda Item #10: Engineering/Public Works | Jim Dahlman, City Engineer

- a. Mr. Dahlman explained that the Water Improvement District 2020-6 public input video was posted to the City's website and on YouTube from December 8 to December 21, 2020. During that period, the public could send in comments about the waterline replacement project. Staff received a total of five emails. Four of them were from Orchard Park residents who objected to being included in the special assessment district of the project. They stated that they were satisfied with the water that is being provided by the Fradette's Water Company. Two of the Orchard Park residents asked what the notification requirements were because they stated that there were inconsistencies when they were notified about being included in the special assessment district.

The fifth email was from an Arrowwood resident who asked about the water quality. Staff responded that the resident needed to wait for the Water Improvement District 2020-7 public input video which explained the connecting to Cass Rural Water project. The comments were part of the funding requirements that were submitted to several funding agencies and staff will include the comments in the final report.

The recommendation from the State Water Subcommittee was to approve the preliminary engineering report during the State Water Commission meeting on February 11, 2021. The Subcommittee also recommended that the construction funding request would be brought back to the committee closer to the construction start date. Mr. Dahlman then summarized the Army Core of Engineer's funding requirements for the 2022 fiscal year.

- b. Mr. Dahlman explained that the Water Improvement District 2020-7 public input video was posted to the City's website and on YouTube. While the video was online, the public could send in comments until January 20, 2021 about the connection to Cass Rural Water project. Staff received a total of two emails which were both from Orchard Park residents.

The first email was an objection about being included in the special assessment district. The second email stated inconsistencies in the notification process. The comments will be included in the final report that will be sent to the State Water Commission for funding requests.

- c. 76th Ave improvements from 63rd Street east to Drain 27 and beyond. Mr. Dahlman met with the Cass County Highway Department on Tuesday, January 26, 2021 to discuss this project. The Cass County Highway Department will be grading and improving 76th Avenue to 45th Street and north to 52nd Avenue over the next two years. Cass County asked if the City of Horace would like to install storm sewers and a shared use path alongside 76th Avenue (from 63rd



Street to Cub Creek Way), as well as streetlights. It would save the City money if the improvements would be done at the same time. The Cass County Highway Department prepared a memorandum of understanding (MOU) which was sent to Council for review.

Mr. Holper added that the Cass County Highway Department's MOU also addresses several other future projects. One of the components mentioned in the MOU is that the County will give County Road 17 and County Road 6 to Horace once the population hits 5,000 residents. The County also plans to improve the 64th Avenue and County Road 17 intersection in 2023. Bridge replacements are also planned on County Road 17 as well as the 52nd Avenue in 2023. Most of the costs will be covered by the County. The County will be administering the projects. The County Commission will meet on February 16, 2021 and will discuss the MOU on their end.

Agenda Item #11: City Administrator Update | Brenton Holper, City Administrator

- a. Mr. Holper explained that the board equalization meeting will take place on April 19, 2021. If residents have concerned about the assessed values of your home, they do have to contact the Cass County Assessor's office directly.

Agenda Item #12: Portfolio Reports

- a. Mayor Peterson mentioned that five bonding bills have been presented during the legislative sessions. The City staff continues to monitor the progress of the bills to see which ones will progress and which ones will fail to pass. Staff will travel to Bismarck to support the bills, if needed.
- b. Councilmember Veit had no update except that she continues to review the planning and zoning work for the City of Horace.
- c. Councilmember Fenelon reported that MetroCOG is working on finalizing a report about the metro area which includes job growth, age, freight moved and truck route time.
- d. Councilmember Johnson reported that the Horace Park Board hired an employee to help with their website. The board will have a new website, offer online registration forms for their programs, and the employee will help with overall program coordination. Councilmember Johnson spoke to the City's Communication Specialist about setting a Bean Days date. They are currently looking at August 27th and August 28th, because the last two years Bean Days took place in September and it rained both years. The car show might be moved to Friday to make the event more workable overall. They are also working on promoting a garage sale day in May of 2021.
- e. Councilmember Schmidt explained that Mr. Holper and he drove to Bismarck to testify in opposition of a portion of the Senate Bill 2208.

Agenda Item #13: Adjourn

Motion: Approve Meeting Adjourn at 7:32 pm.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Next Regular Meeting is **February 16, 2021** at 6:00 pm