



Horace City Council Meeting Minutes

The Horace City Council met on October 7, 2019 @ 6pm at Horace City Hall. Those present were Kory Peterson, David Fenelon, Chelsey Johnson, Lukas Croaker, Jim Dahlman, Russ Sahr, Ross Krause, Brenton Holper, and Matt Lower. Bryan Schmidt was present by phone.

Mayor Peterson called the meeting to order.

The pledge of allegiance was recited.

Agenda Item #3: Approve Regular Agenda

Motion: Approve the regular meeting agenda.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #4: Approve Consent Agenda

a. Vendor Invoices

b. Income Statement

c. Security Pledges

d. Water, Sewer, and Street ID No. 2018-3 (Terra Gardens 1st Addition)

i. Progressive Estimate No. 11 for \$133,922.45 to Dakota Underground

e. Sanitary, Storm Sewer, and Street ID No. 2019-01 (Lakeview Drive & 79th St.)

i. Progressive Estimate No. 3 for \$949,093.16 to KPH Inc.

f. Storm Sewer & Street ID No. 2017-2 (76th Ave. & Roundabout)

i. Progressive Estimate No. 4 for \$661,152.43 to Northern Improvement

g. Storm Sewer & Street ID No. 2019-3 (63rd St.)

i. Progressive Estimate No. 3 for \$356,557.81 to KPH Inc.

h. Water, Sanitary, Storm, & Street ID No. 2019-6 (Cub Creek 1st Addition)

i. Progressive Estimate No. 2 for \$2,039,527.35 to Dakota Underground Co.

i. County Road 17 Shared Use Path – Phase 1

i. Progressive Estimate No. 1 for \$1,998 to Border States Paving, Inc.

Discussion: Councilmember Schmidt discussed the Terra Gardens project and currently being 99% complete but total cost is over project cost. Wanted clarification on the process and being currently over budget what the approval process entailed. Jim Clarified that the overage is in a contingency, and Lukas clarified that we have 20% of the total contract available. Councilmember Schmidt also asked clarification on the pledge report documents and the difference in the two documents. Brenton clarified that one documents shows the total amount pledged through Starion Bank, and the other document shows what amount of pledges are in what accounts. Same amount of money but allocated to different entities in detail.

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: Approve City Council Meeting Minutes from September 16, 2019

Motion: Approve City Council meeting minutes from September 16, 2019.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Johnson

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

Agenda Item #6: Sheriffs Update

Deputy Sheriff Krause provided an update on the roundabout, with no complaints and no crashes reported. Lukas commented that the lights at the roundabout need to be consistently on and even with the weather and power lines going through improvements, the safety in the roundabout needs to have the lights finalized.

Agenda Item #7: Public Comment

No comments.

Agenda Item #8: Southdale Farms 1st & 2nd Addition

a. Preliminary Plat-Plat 1st Addition

Discussion: Chris Mack, representative of the developers, spoke on the recommendation to extend 68th Street South to connect to 73rd. The developers have looked at other alternatives and don't see the benefitting of extending 68th street as the developers lose a lot and all requirements have been met. Lower commented that the planning commission made the request to extend 68th to 73rd to the list of conditions.

Public Hearing: A public hearing was opened and closed at 6:30pm with no comment.

Motion: Approve the preliminary plat 1st addition with recommended changes by the planning commission.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

b. Rezone 1st Addition

Discussion: Councilmember Johnson commented that the rezoning to include multifamily property on lots does not match the future land use map, but this application predated the future land use map.

Public Hearing: A public hearing was opened and closed at 6:40pm with no comment.

Motion: Approve the rezone of 1st Addition.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Fenelon

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

c. Preliminary Plat-Plat 2nd Addition



Discussion: Councilmember Fenelon asked why preliminary plats go for approval before rezones. Russ confirmed the process is reversed so that no rezones can be approved before the plat is approved.

Public Hearing: A public hearing was opened at 6:45pm and closed at 6:47pm with no comment.

Motion: Approve the preliminary plat 2nd addition.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

d. Rezone 2nd Addition

Public Hearing: A public hearing was opened and closed at 6:48pm with no comment.

Motion: Approve the rezone of 2nd addition.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

Agenda Item #9: Street ID No. 2017-7 (Maple Grove)

a. Change Order No. 3 – Increase of \$29,708 for additional pipe and fill in the backyards in designated areas of Maple Grove

Discussion: Brenton commented that the sales tax fund is for improvements, and the funds are available in that fund for the increase in budget for this project.

Public Hearing: A public hearing was opened and closed at 6:58pm with no comment.

Motion: Approve the change order No. 3 for additional pipe and fill in the backyards in designated areas of Maple Grove.

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

Action taken: All in favor, none opposed. Motion carried (2-0). Councilmember Fenelon abstained.

Agenda Item #10: Special Assessment Lists

a. Street ID No. 2017-7 (Maple Grove)

Public Hearing: A public hearing was opened at closed at 7:01pm with no comment.

Motion: Approve the special assessment list for Street ID No. 2017-7 (Maple Grove).

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

b. Street ID No. 2017-8 (Northwood/Southwood Mill & Overlay)

Discussion:

Public Hearing: A public hearing was opened at 7:04pm with resident Darren Feist commenting on property access on Southwood Drive and drainage on North side of property. Does not want to be responsible for a portion of the project because property is not benefitted. Lukas provided clarification on letter sent to property owners that the assessment was worded incorrectly, and Jim clarified that this project had no drainage work, was gate valve replacement and Mill & Overlay. Darren commented on



assessments on his property for this project not having a benefit since he does not have access to Southwood. Public hearing closed at 7:09pm with no additional commentary.

Motion: Approve the special assessment list for Street ID No. 2017-8 (Northwood/Southwood Mill & Overlay) minus lots 9 & 10 block 3 and east half of block 8.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

c. Water, Sewer, Storm, and Street ID No. 2018-3 (Terra Gardens)

Public Hearing: A public hearing was opened and closed at 7:12pm with no comment.

Motion: Approve the water, sewer, storm, and street ID No. 2018-3 (Terra Gardens).

1st Motion: Councilmember Johnson

2nd Motion: Councilmember Schmidt

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

Agenda Item #11: Planned Unit Development (PUD), Block Length, & Parking Ordinance No. 2019-07 – 2nd Reading

Motion: Approve PUD, block length, & parking ordinance NO. 2019-07-2nd reading.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

Agenda Item #12: Sanitary, Storm Sewer, and Street ID No. 2019-01 (Lakeview Drive & 79th St.)

a. Change Order No. 1 – Increase of \$9,934 to add sanitary sewer services for adjacent landowner

Discussion: Councilmember Schmidt asked about adding water and sewage to this lot. Chris Mack, a representative of the developers, commented that this is a 40-acre lot with limited services currently and adding additional lines now is more cost effective than re-routing of current services once developed. More of a proximity issue to developing lands and lots for future service use.

Motion: Approve sanitary, storm sewer, and street ID No. 2019-01 (Lakeview Drive & 79th St.)

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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

Agenda Item #13: Special Event Liquor License Application (Purple Webbed Feet, LLC dba Rookery Rock Winery)

Motion: Approve special event liquor license application.

1st Motion: Councilmember Schmidt

2nd Motion: Councilmember Fenelon

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



Agenda Item #14: Engineering/Public Works

Discussion: Jim Dahlman gave an engineering & public works update.

-The SSL to Fargo had the final inspection on Friday, September 27th, 2019. Brenton commented that the plan on sending sewage to Fargo will be coordinated once Lakeview project is completed and can come back to council with proposed sewer rates for approval.

-Water improvement project, meters had the final inspection on Friday, September 27th, 2019 as well.

-Sanitary sewer improvement district 2019-4, service to 64th Ave. area is gaining some more traction in priority after being on hold due to state revolving funding. The health department commented that lagoon is getting fuller and this is a single cell lagoon that can not be discharged. The trailer court owner has petitioned the city for that service and will need to be proceeded in conjunction with the ND Department of Environmental Quality.

-Prairie View overlay is weather dependent.

-3rd and 4th street drainage amid ongoing resident concerns. Set out quotes to five contractors and received one from Northern Improvement. The estimate is higher than expected because it's a smaller project and other contractors are tied up with larger projects. Northern was interested because they will be in the area. Estimates for both roads are around \$49,200. Council expressed interest in spending the funds now on high priority maintenance, pending it can get done this year and not extended until next year.

Motion: Approve to accept the bid for 3rd and 4th street maintenance, contingent that the work can be completed this year.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

Agenda Item #15: Community Development Director

Discussion: Matt Lower gave a Community Development update.

-Met with consultants with the FM Diversion project for park systems planning, a very encouraging project for Horace and park opportunities that are the responsibility of the diversion.

Agenda Item #16: City Administrator

Discussion: Brent Holper gave a City Administration update.

-City of the Year signs ordered.

-Shut off notices sent Monday 10/7/19, with shut off for past due to pay 10/8/19.

-City will be at trunk or treat event on 10/30/19 at Horace Lutheran Church.

-Municipal judge update.

-Earnings committee hearing update. Legacy Fund meeting November 12 at 6:30pm. Additional details will be available by the next council meeting.

Agenda Item #17: Portfolio Reports

Mayor Peterson – City of the Year Award. Western Governors Association meeting upcoming.

Councilmember Koerselman – Not present.



Councilmember Fenelon – Nothing to report.

Councilmember Johnson – Nothing to report.

Councilmember Schmidt – Nothing to report.

Agenda Item #18: Adjourn

Motion: Approve meeting adjourn.

1st Motion: Councilmember Fenelon

2nd Motion: Councilmember Johnson

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

Upcoming special meeting is October 9, 2019 at 6:00pm

Next regular meeting is October 21, 2019 at 6:00pm