



The West Fargo City Commission met on Monday, January 6, 2014, at 5:30 P.M. Those present were Rich Mattern, Mark Simmons, Mike Thorstad, Duane Hanson and Mark Wentz. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Mayor Mattern announced that City Attorney Brian Neugebauer had passed away and asked to honor him with a moment of silence.

Commissioner Mattern advised that the following are to be added to the Consent Agenda: Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1262 – Phase II and Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2219. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the additions to the Consent Agenda. No opposition. Motion carried.

Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Minutes of December 16, 2013. No opposition. Motion carried.

The Commission reviewed 2013 Building Permits #875 - 884 along with the Building Department Activity Report dated January 6, 2014, the 2014 Building Permits #1 – 2 along with the Building Department Activity Report dated January 6, 2014, and the Building Permit Valuation Report for 2012 and 2013 Valuation dated January 6, 2014.

There were no Commissioner Committee Reports.

Commissioner Hanson moved and Commissioner Wentz seconded to approve the following items on the Consent Agenda:

Bills

Gaming Site Authorization: Rocky Mountain Elk Foundation MinnDak Inc. - Fargo Chapter at Speedway Event Center

Resolution Approving Contract and Contractor's Bond in Sewer and Water Improvement District No. 1264

Public Hearing January 20, 2014 5:30 PM for rezoning of The Wilds 6th Addition from Agricultural to Single Family Dwellings

Public Hearing January 20, 2014 5:30 PM for Liquor License Application/Cambria Suites and forward to Police Department for a background check

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1262 – Phase II

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2219

No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on the award of bids for the new police building/city hall. Julie Rokke of YHR Partners also appeared before the Commission and advised that construction will begin in the spring with the projected new addition completion date of one year and the remodel to be completed six months after the Police Department has moved out of their current location. Mayor Mattern thanked all those who worked on this project. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to award the bids as follows with a total of bids at \$8,464,359:

- General Contractor to Gast Construction for their bid of \$5,875,000 for base bid plus Alternate G-3 (Wood Ceiling)
- Mechanical Contractor to Cote Mechanical for their bid of \$1,427,459 for base bid
- Electrical Contractor to RBB Electric for their bid of \$1,161,900 for base bid plus Alternate E-1 (generator hookup)

No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2231 (Dakota Territory 5th, 11th and 13th Additions). Commissioner Hanson moved and Commissioner Wentz seconded to award the contract for Street Improvement District No. 2231 to Paras Contracting, Inc. for their bid amount of \$44,578.95. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2233 (Phase I – 40th Avenue East and Phase II – 32nd Avenue East) to review the project with two phases and one large assessment district. Assistant City Attorney John Shockley, City Auditor Jim Brownlee, and Attorney Dan Bueide appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to create the Assessment District for Street Improvement District No. 2233, authorize City Engineer to prepare Engineer's Report, approve Engineer's Report, authorize City Engineer to prepare Plans and Specifications and adopt the Resolution of Necessity. No opposition. Motion carried.

Assistant City Attorney John Shockley appeared before the Commission on the Annexation of the Southwest Quarter of the Southeast Quarter (SW ¼ SE ¼) of Section 29, Township 139 North, Range 49 West, Cass County, ND, LESS part platted to Westview First Addition (known as the Eid Property). A public hearing was held. There was no public comment and the hearing was closed. Commissioner Thorstad moved and Commissioner Wentz seconded to adopt the Resolution for Annexation. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the rezoning of Geron Subdivision from Agricultural to Rural Estate District and advised that the Planning & Zoning Commission recommended approval. A public hearing was held. Craig Geron appeared before the Commission. There was no other public comment and the hearing was closed. Commissioner Thorstad moved and Commissioner Hanson seconded to place the rezoning of Geron Subdivision on First Reading subject to the recommendations listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the Land Use Plan Amendment from Office Park to General Commercial for all except the North 200 feet of a 21.05 Acre Tract in the SE ¼ of Section 18, T139N, R49W, City of West Fargo, ND. City Engineer Kevin Bucholz and Interim Public Works Director Chris Brungardt also appeared before the Commission. Mayor Mattern stated that he would like confirmation from the Department of Transportation that West Fargo has jurisdiction for access onto Sheyenne Street for this area. A public hearing was held. Attorney Dan Bueide of the Vogel Law Firm appeared to represent the applicant, the Beaton Family. The hearing was closed. Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Land Use Plan Amendment as recommended by the Planning & Zoning Commission on the basis that it provides a reasonable use of the land while accommodating concerns of the neighborhood and maintaining a transition of land for which the approved land use plan designation of Commercial Office Park may be maintained. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on the request from Nash Finch Company for a Liquor License at Sunmart and advised that Staff recommends approval of the Liquor License. A public hearing was held. Chris Williamson, Senior Director of Retail for Spartan Ash, appeared before the Commission and advised that Sunmart will be changing its name to Family Fresh Market and there will be a \$3.5 million remodeling of the current store, and hopefully the opening of another store in West Fargo. The hearing was closed. Commissioner Hanson moved and Commissioner Simmons seconded to approve the Liquor License for Sunmart (Family Fresh Market). No opposition. Motion carried.

There were no Non-Agenda items.

City Auditor James Brownlee gave the following report:

Thursday, January 9, 2014: Chamber State of the Cities Address at Hilton Garden Inn. If Commissioners want to attend, please contact him for tickets.

City Staff is meeting with Park officials and School officials on Friday, January 10, 2014. Commissioners are to contact him if there are items to be placed on the Agenda.

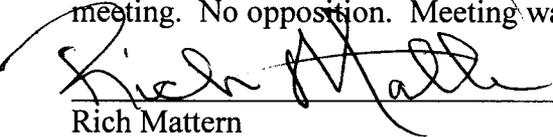
Regarding 32nd and 40th Avenue substantial projects: Staff recommends Commission meet with them to discuss the projects and recommend a funding formula (Commissioners are to contact him to set an approximate two hour meeting Saturday morning or any evening).

City Attorney Brian Neugebauer's funeral will be held this January 9, 2014 at Lutheran Church of the Cross

Interim Public Works Director Chris Brungardt and Assistant City Engineer Dustin Scott gave a presentation on the 40th Avenue East reconstruction project (existing conditions and proposed improvements).

There was no correspondence.

Commissioner Hanson moved and Commissioner Wentz seconded to adjourn the meeting. No opposition. Meeting was adjourned.



Rich Mattern
President of the Board



James Brownlee
City Auditor