



The West Fargo City Commission met on Monday, October 7, 2013, 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.

Commissioner Mattern stated that a Public Hearing for a PILOT request for New Perspectives Senior Living Facility, a PILOT application from New Perspectives Senior Living and a correction to Page 19 of Ordinance No. 976 (Item No. 7 of the Regular Agenda) are to be added to the Agenda. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Wentz moved and Commissioner Simmons seconded to approve the Minutes of September 30, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #716 - 737 along with the Building Department Activity Report dated October 7, 2013 and the Building Department Monthly Comparison Report for September 2012/September 2013.

There were no Commissioner Committee Reports.

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

**Bills**

Public Hearing October 21, 2013 at 5:45 PM for new liquor license at 745 31<sup>st</sup> Ave East, Suite 101

Games of Chance: VFW, Department of ND for Raffle 12/3/13 to 4/4/14

Street Improvement District No. 2231 (Dakota Territory 5<sup>th</sup>, 11<sup>th</sup>, and 13<sup>th</sup> Additions): Create Assessment District, authorize Engineer to prepare Engineer's Report, approve Engineer's Report, authorize Plans and Specifications and authorize Resolution of Necessity

Sewer and Water Improvement District No. 1264 (Charleswood 31<sup>st</sup> Addition): Approve Engineer's Report, authorize Plans and Specifications, approve Plans and Specifications, and authorize Advertisement for Bids with bid opening on October 31, 2013

No opposition. Motion carried.

Assistant City Attorney John Shockley appeared before the Commission on the Resolution Authorizing the Issuance of Improvement Warrants and Exchanging them for \$13,630,000 Refunding Improvement Bonds of 2013, Series B. Mike Manstrom of Dougherty & Company LLC also appeared before the Commission to review the bid information and advised that the City of West Fargo still has an Aa3 Moody's Rating. After review of the bid information, Commissioner Thorstad moved and Commissioner Wentz seconded to adopt the Resolution Authorizing the Issuance of Improvement Warrants and Exchanging them for \$13,630,000 Refunding Improvement Bonds of 2013, Series B, and accept the bid from Robert W. Baird & Co. to purchase the warrants at a price of \$13,576,448.15 with an average annual net effective rate on the Bonds of 3.696%. No opposition. Motion carried.

Nate Vollmuth appeared before the Commission to request a Building Permit (at owner's risk) on Lot 2, Block 1 of West Lake Third Addition before the Planned Unit Development Amendment is approved. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Building Permit at the owners risk. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Ordinance No. 976 regarding the Zoning Ordinance Amendments to the Sheyenne Street Corridor Overlay District, Main Avenue Overlay District, Landscaping Standards and Parking Regulations and reviewed the correction to Page 19 (Plant Units Chart) of the ordinance. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to place on Second Reading Ordinance No. 976 relating to the Sheyenne Street Corridor Overlay District, the Main Avenue Overlay District, Landscaping Standards and Parking Regulations. No opposition. Motion carried.

Assistant City Attorney John Shockley appeared before the Commission on assessments for the following:

Street Improvement District Nos. 2216, 2223 and 2225  
Sewer and Water Improvement District No. 1255  
Sewer, Water and Storm Improvement District No. 1241  
Sewer, Water, Storm and Street Improvement District Nos.  
1243, 1244, 1247, 1250, 1252, 1254 and 1256

A Public Hearing was held. There was no public comment and the hearing was closed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2216 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Street Improvement District No. 2216 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2223 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Street Improvement District No. 2223 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2225 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Street Improvement District No. 2225 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer and Water Improvement District No. 1255 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer and Water Improvement District No. 1255 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water and Storm Improvement District No. 1241 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water and Storm Improvement District No. 1241 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1243 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1243 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1244 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1244 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1247 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1247 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1250 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1250 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1252 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1252 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1254 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1254 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1256 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Thorstad and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1256 as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

Planning and Community Development Director Larry Weil appeared before the Commission on Ordinance No. 977, a Zoning Ordinance Amendment for nursing homes, retirement homes, convalescent homes, assisted living facilities and the like as permitted uses in the Commercial Office Park District. The Public Hearing held September 30, 2013 was continued to this meeting in order to hear further public comment. Commissioner Mattern reopened the Public Hearing. Attorney Dan Bueide of the Vogel Law Firm appeared before the Commission on behalf of Rusty Goose Development and the Beaton family to recommend these be permitted uses in the Commercial Office Park District. There was no other public comment and the hearing was closed. After discussion, Commissioner Simmons moved to deny First Reading of the ordinance. The motion died for lack of second. After further discussion, Commissioner Thorstad moved and Commissioner Hanson seconded to place Ordinance No. 977 on First Reading to allow nursing homes, retirement homes, convalescent homes, assisted living facilities and the like as Conditionally Permitted Uses in the Commercial Office Park District. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the rezoning of Oak Ridge 5<sup>th</sup> Addition from Agricultural to Planned Unit Development and Light Commercial. A Public Hearing was held. There was no public comment and the hearing was closed. Commissioner Thorstad moved and Commissioner Wentz seconded to place on First Reading the rezoning of Oak Ridge 5<sup>th</sup> Addition from Agricultural to Planned Unit Development and Light Commercial subject to the conditions listed in the Staff Report. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission on the 2014 Budget for the City of West Fargo showing no mill levy increase with a total of 88.46 mills. A public hearing regarding the 2014 Budget was held. There was no public comment and the hearing was closed. Commissioner moved and Commissioner seconded to adopt the 2014 Budget with expenditures of \$48,172,047 and to set the annual levy for 2013 at \$7,908,771. No opposition. Motion carried.

General Fund	\$10,232,397
Sanitation Fund	2,540,210
Sewer Water Funds	4,640,400
Library	861,405
Airport	145,096
Debt Service	17,916,734
Capital Improvements	500,000
Special Revenue Funds	<u>11,335,805</u>
	\$48,172,047

Senior Planner Tim Solberg appeared before the Commission on the building plan review for development within Interstate Corridor Overlay – Biolife Plasma Services at 801 Beaton Drive East. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to approve the building plan as recommended. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the PILOT request from New Perspective Senior Living. Todd Novaczyk, Founder and CEO of New Perspective Senior Living, also appeared before the Commission to review the Senior Living project. The public hearing was opened. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Simmons seconded to approve the PILOT program as recommended by Staff. No opposition. Motion carried.

The PILOT application from New Perspective Senior Living was reviewed by the Commission. Commissioner Simmons moved and Commissioner Hanson seconded to approve the PILOT application from New Perspective Senior Living. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

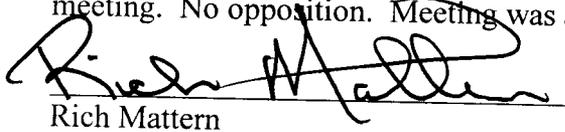
Since Public Works has switched their phone system to Verizon, there will be a fairly substantial increase in the Verizon bill next month

The Greater Fargo-Moorhead Convention & Visitors Bureau is holding a "Meet & Greet" celebrating West Fargo as a full member of the organization on October 22, 2013 from 4-6 PM at the Silver Dollar

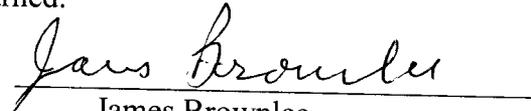
Staff is busy working with developers to get things done before it freezes

There was no correspondence.

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



Rich Mattern  
President of the Board



James Brownlee  
City Auditor