



The West Fargo City Commission met on Monday, November 4, 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 advised that Item No. 4 of the Regular Agenda, "Pre-Final Review for Element Hotel" and Item No. 5 of the Regular Agenda, "Sewer and Water Improvement District No. 1264 (Charleswood 1st Addition) are to be removed, Item No. 2, "Approval of Addendum" is to be a Public Hearing at 5:45 PM and Appointment of Cass County Planning Commission representative is to be added to Non-Agenda. Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Order of Agenda as amended. No opposition. Motion carried.

Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Minutes of October 21, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #779 - 808 along with the Building Department Activity Report dated November 4, 2013 and the Building Department Monthly Comparison Report for October 2012/October 2013.

Commissioner Mike Thorstad, as a member of the FM Area Flood Diversion Board of Authority, gave an update on the FM Area Diversion project, provided a Final Route map and advised that the current West Fargo Diversion will stay and operate as it is at the present time. City Auditor Jim Brownlee, as a member of the Diversion Project Assessment Committee, also appeared before the Commission, to review the funding for the diversion, and advised that property inside the diversion area will be assessed according to benefit regions. City Attorney Brian Neugebauer also appeared before the Commission.

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

Bills

Games of Chance: Adopt-A-Pet for Raffle to be held 11/23/13 to 12/21/13 at VFW

Games of Chance: FM Crusaders MC for Raffle to be held January 14, 2014 at the Speedway Event Center

Appointment of Scott Diamond to the Planning & Zoning Commission for a first term through April 2018

Sewer, Water, Storm and Street Improvement District No. 1267 (5th Street Northeast – 9th Avenue Northeast to 11th Avenue Northeast: Approve Revised Assessment District

Street Improvement District No. 2232 (4th Street East – 38th Avenue East to 40th Avenue East): Create Assessment District, authorize Engineer to prepare Engineer's Report, approve Engineer's Report, authorize preparation of Plans and Specifications and authorize Resolution of Necessity

No opposition. Motion carried.

Program Coordinator Chad Zander of the Public Works Department appeared to present the City Commission with a plaque for the APEA North Dakota Chapter Project of the Year. The award is for the three regional storm sewer list station projects, Storm Sewer Improvement Districts No. 4044 Phase II, No. 4046 and No. 4047.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission regarding the Fifth Addendum to the Developer's Agreement with Butler Properties Inc., which completes the original agreement with Trail King. City Auditor Jim Brownlee and City Attorney Brian Neugebauer also appeared before the Commission. A public hearing was held. There was no public comment and the hearing was closed. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to adopt the Resolution Approving the Fifth Addendum to Developer's Agreement with Butler's Properties, Inc. Commissioners Wentz, Thorstad, Simmons, Hanson and Mattern voting aye. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Oak Ridge 5th Addition. Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Second Reading of Ordinance No. 979 on the rezoning of Oak Ridge 5th Addition from Agricultural to Planned Unit Development and Light Commercial, to approve the Final Plat and to approve the Land Use Plan Amendment from Low Density Residential to Office Park subject to the conditions listed in the Staff Report. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer Improvement District No. 1253 Phase II (Lagoon Cell No. 10). Commissioner Simmons moved and Commissioner Hanson seconded to award the contract for Sewer Improvement District No. 1253 Phase II to H & S Contracting, Inc. for their bid amount of \$3,353,441.32 contingent upon the permit from the State Water Commission, as recommended by the City Engineer. No opposition. Motion carried.

A discussion was held on the December 30, 2013 City Commission meeting date which is the fifth Monday in December. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded that no meeting will be held on December 30, 2013. No opposition. Motion carried.

A discussion was held on the appointment of a Commissioner to serve as the West Fargo representative on the Cass County Planning Commission for 2014. Commissioner Simmons moved and Commissioner Thorstad seconded to reappoint Commissioner Mark Wentz to serve as a representative on the Cass County Planning Commission for 2014. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

The City of West Fargo has advertised for nine new positions for 2014

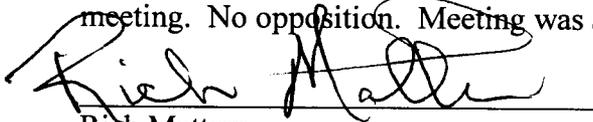
Groundbreaking for Biolife: November 7, 2013 at 10:30 AM

City Auditor Jim Brownlee will be in Bismarck on November 5, 2013, to testify before the Interim Tax Committee

On November 6, 2013, Police Chief Arland Rasmussen, Finance Director Tina Gustafson and City Auditor Jim Brownlee will be reviewing the final set of plans for the new building and discussing a December bid package for spring construction

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor