



The West Fargo City Commission met on Monday, November 18, 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 Items No. 10 and No. 12 of the Regular Agenda are to be removed, Item No. 11 of the Regular Agenda will be discussed after Item No. 1 and a Resolution regarding the lagoon project will be discussed under 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 November 4, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #809 – 845 and the Building Department Activity Report dated November 18, 2013.

There were no Commissioner Committee Reports.

There were no Auditor's Reports.

There were no Department Reports.

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

Bills

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1265

Games of Chance: West Fargo VFW Post 7564 for Raffle on February 6, 2014

Games of Chance: Friends of Rocky Benefit for Bingo/Raffle at West Fargo VFW on 11/15/13 to 1/18/14

Public Hearing December 2, 2013 at 5:45 PM – Rezoning of Lots 1-81, Block 3 of Brooks Harbor 1st Addition from One and Two Family Dwellings to Planned Unit Development

Public Hearing December 2, 2013 at 5:45 PM – Rezoning of Lot 1, Block 1 of Prairie Heights 2nd Addition from Limited Multiple Dwellings to Light Commercial

Public Hearing December 2, 2013 at 5:45 PM –Rezoning of North Pond at the Preserve 4th Addition from Agricultural to Light Commercial and Commercial Office Park

Public Hearing December 2, 2013 at 5:45 PM –Rezoning of 4RB Subdivision from Agricultural to Rural Estate District

Sheyenne Street Reconstruction as a candidate project to FM COG's Transportation Improvement Plan

Drain 45 Multi-use path from Main Ave to 13th Ave as a candidate project for FM COG's Transportation Alternatives Plan

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 980 relating to Garbage Collection Fees. City Auditor Jim Brownlee also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 980 on First Reading. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the request from JSM for a Conditional Use Permit to consider the change from one nonconforming use of a structure and premises to another equally appropriate nonconforming use of a structure and premises located on Lot 6, Block 1 of Main Avenue First Addition. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Conditional Use Permit subject to the recommendations listed in the Staff Report. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Façade Improvement Program revisions to update the language which identifies zones, landscaping, parking lot and driveway improvements and approval on first applied/first approved basis. The Commission felt that Director of Economic Development and Community Services Matt Marshall should contact City Attorney Brian Neugebauer for a change in the wording on the location of projects off Main Avenue and off Sheyenne Street, and that the word unavailable on Page 4 should be changed to available. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the revised version of the Façade Improvement Program with the requested changes with the right to bring it back to the Commission, if necessary. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Façade Grant Application from JSM Woodworks at 268 East Main Avenue, West Fargo, ND. Zach Peterson of JSM Woodworks and City Attorney Brian Neugebauer also appeared before the Commission. City Auditor Jim Brownlee reviewed funding of the Façade Grant Program. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Façade Grant for JSM Woodworks. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Façade Grant Application from Dan's Service Center at 413 Main Avenue, West Fargo, ND to cover repainting, new garage bay doors and awnings. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to approve the Façade Grant for Dan's Service Center. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Façade Grant Application from SK Realty at 219 West Main Avenue, West Fargo, ND, to cover siding on the west side of the building, updating the roof, changing the heating and cooling system and landscaping. Mike Qualley also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Façade Grant for SK Realty. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the request from Dakota Commons (Block 1 of Dakota Territory 6th Addition) for a PILOT (Payment in Lieu of Taxes) for low income senior housing. Planning and Community Development Director Larry Weil reviewed the project and advised that the Planning & Zoning Commission recommended approval with the understanding that the developer would be bringing back the detailed development plans at a later date and the Land Use Plan would be changed at that time. James Twomey of Southhill Properties also appeared before the Commission. Commissioner Wentz moved and Commissioner Hanson seconded to approve the PILOT application for Dakota Commons. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Renaissance Zone Project Application from Michael Evenson at 334A, 334B and 334C 11th Street West, West Fargo, ND to add an additional building to the back of his property. Michael Evenson also appeared before the Commission. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Renaissance Zone application. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Renaissance Zone Project Application from Teresa Pazdernik at 227 West Main Avenue, West Fargo, ND for a Herbalife business. Teresa Pazdernik also appeared before the Commission. Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Renaissance Zone application. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Street Improvement District No. 2231 (Dakota Territory 5th, 11th and 13th Additions). A public hearing was held. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to adopt the Resolution Determining that no Sufficient Protests were filed on Improvement in Street Improvement District No. 2231. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1262-2 (West Creek 1st Addition) and recommended to award the contract to Sellin Brothers, Inc. for their bid amount of \$424,525.75. Commissioner Wentz moved and Commissioner Hanson seconded to award the contract to Sellin Brothers Inc. as recommended by City Engineer Kevin Bucholz. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Water and Street Improvement District No. 1266 (33rd Avenue East and 6th Street East) and recommended to award the contract to Northern Improvement Company for their bid amount of \$662,823.10. Commissioner Hanson moved and Commissioner Thorstad seconded to award the contract to Northern Improvement Company as recommended by City Engineer Kevin Bucholz. No opposition. Motion carried.

Human Resource Director Carmen Schroeder appeared before the Commission on the proposed changes to the 2014 Health Insurance plan/contributions and advised that the health insurance rates will be increasing 22.9% for 2014. Chris Kulesa of Blue Cross Blue Shield appeared before the Commission. City Auditor Jim Brownlee also appeared before the Commission to recommend that the City change to a \$500 deductible plan which would be an increase of \$157,000 over the budgeted amount for 2014. After a lengthy discussion, Commissioner Hanson moved and Commissioner Wentz seconded that the City change to a \$500 deductible plan with the employees contributing 12 ½% to the cost of a single plan and that the changes be made to the Employee Personnel Policy Manual. No opposition. Motion carried.

City Auditor Jim Brownlee advised that the contractor for the lagoon project is requesting to start the project prior to receipt of the permit from the State Water Commission. City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to proceed with the Resolution on the lagoon project prior to receipt of the permit. No opposition. Motion carried.

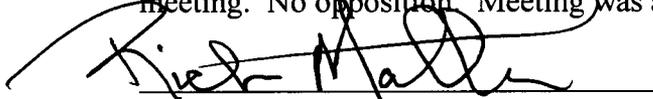
City Auditor Jim Brownlee also advised that the contractor for the lagoon project is requesting 20 hour work days. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to allow work six days a week (no Sundays) from 6:00 AM to 8:00 PM. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

- Open House for the Sanitation Department building on November 27, 2013 from 11 AM to 1 PM

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor