



The West Fargo City Commission met on Monday, March 3, 2014, at 5:30 P.M. Those present were Rich Mattern, Mark Simmons, Mike Thorstad and Mark Wentz. Absent was Duane Hanson. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that “Approve the Construction Contract with Gast Construction and RBB Electric” is to be added to the Consent Agenda. Commissioner Thorstad moved and Commissioner Simmons seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Wentz seconded to approve the Minutes of February 17, 2014. No opposition. Motion carried.

The Commission reviewed Building Permits #36-43 along with the Building Department Activity Report dated March 3, 2014, and the Building Department Monthly Comparison Report for February 2013/February 2014.

There were no Commissioner Committee Reports.

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

Bills

Resolution Approving Contract and Contractor’s Bond in Street Improvement District No. 2230

Resolution Approving Contract and Contractor’s Bond in Street Improvement District No. 2229

Games of Chance: Lake Agassiz Bowmen/Sandhills Archers for Raffle to be held 3/20/14 at Veterans Memorial Arena

Games of Chance: South Elementary PTA for Raffle to be held 5/2/14 at South Elementary

Public Hearing March 17, 2014 at 5:45 PM for Zoning Ordinance Amendment to provide for Preschool and Childcare Centers and Senior Program Facilities as Conditionally Permitted Uses in the Single Family Dwelling District

Public Hearing March 17, 2014 at 5:45 PM for Adoption of an Amended Zoning Map

Public Hearing March 17, 2014 at 5:45 PM for Zoning Ordinance Amendment of Section 4-452 Plans and Approval Required Section of the Off-Street Parking and Loading Regulations

Water Improvement District No. 1274 (Well #7 Replacement (WL #16)): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on 3/27/14

Sewer, Water, Storm and Street Improvement District No. 1261 (Butler's 8th Addition): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on 3/27/14

Sewer, Water, Storm and Street Improvement District No. 1275 (Goldenwood 5th Addition – Phase II): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Sidewalk Improvement District No. 6051: Approve 2nd Revised Tracts of Land to be Assessed, authorize City Engineer to prepare 2nd Revised Engineer's Report, approve 2nd Revised Engineer's Report, authorize preparation of 2nd Revised Plans and Specifications and authorize 2nd Revised Resolution of Necessity

Street Improvement District No. 2232 (4th Street East – 38th Avenue East to 40th Avenue East): Approve Engineer's Report and authorize Preparation of Plans and Specifications

Sewer, Water, Storm and Street Improvement District No. 1269 (The Wilds 6th Addition): Approve Engineer's Report and authorize preparation of Plans and Specifications

Purchase of 2014 Sanitation Department Rear Load Truck Chassis and Packer

Approval of 2013 Storm Water Program Annual Report

Construction Contract with Gast Construction and RBB Electric for the
new Police Department building

No opposition. Motion carried.

James Gartin, President, and Mark Vaux, Executive Vice President of Business Development, of the Greater Fargo Moorhead Economic Development Corporation, appeared before the Commission with an update on the activities and initiatives of the GFMEDC.

City Attorney John Shockley appeared before the Commission on Ordinance No. 991 relating to the Private Use of Fireworks on July 4 and December 31. Assistant Police Chief Michael Reitan also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place Ordinance No. 991 on Second Reading. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 981 relating to Appointive Officers and City Employees. A detailed discussion was held on some of the wording and procedures in the ordinance and City Attorney John Shockley agreed to go through the policy handbook, make the suggested changes to the ordinance and bring back to the City Commission for First Reading. Commissioner Simmons moved and Commissioner Thorstad seconded to table First Reading of Ordinance No. 981. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on River's Bend at the Preserve 2nd Addition rezoning from Agricultural to Single Family Dwellings. A public hearing was held. Police Chief Arland Rasmussen, Assistant Chief Michael Reitan, Planning and Community Development Director Larry Weil and Steve Stoner, representing the developer, appeared before the Commission. A discussion was held on the street names which will be addressed before the Final Plat is approved. The hearing was closed. Commissioner Simmons moved and Commissioner Wentz seconded to place on First Reading the rezoning of River's Bend at the Preserve 2nd Addition from Agricultural to Single Family Dwellings subject to the nine conditions listed in the Staff Report along with the condition that the street names be included as part of the platting. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Christianson 2nd Addition rezoning from Agricultural to Planned Unit Development and advised that the Planning & Zoning Commission recommended approval with the nine conditions listed in the Staff Report as well as the following changes to the PUD standards: a) adding “providing there is a front office/showroom component to Item #4 “Plumbing and heating shops, sheet metal shops, roofing shops”; b) removal of Item #7 “Self-service storage facilities” and c) under Building Construction of the Site Development Standards change “Per requirements enumerated in the C-OP Standards” to “Building construction shall adhere to the Interstate Corridor Overlay District for all building sides which are visible from Interstate 94”. A public hearing was held. There was no public comment and the hearing was closed. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place on First Reading the rezoning of Christianson 2nd Addition from Agricultural to Planned Unit Development subject to the nine conditions listed in the Staff Report along with the three additional conditions as noted by Planning and Community Development Director Larry Weil. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on North Pond at the Preserve 5th Addition rezoning from Agricultural to Single Family Dwellings and advised the Planning & Zoning Commission recommended approval on the basis the proposed development is consistent with City plans and ordinances, provided the Land Use Plan is amended. A public hearing was held. Attorney Dan Bueide of the Vogel Law Firm appeared on behalf of the applicant. The hearing was closed. Commissioner Simmons moved and Commissioner Thorstad seconded to place on First Reading the rezoning of North Pond at the Preserve 5th Addition from Agricultural to Single Family Dwellings subject to the seven conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the rezoning of Lots 1 & 2, Block 2 and Lots 1-4, Block 3 of South Pond at the Preserve 6th Addition from Agricultural to Light Commercial and advised that the Planning & Zoning Commission recommended approval on the basis that the application is consistent with City plans and ordinances. 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 Lots 1 & 2, Block 2 and Lots 1-4, Block 3 of South Pond at the Preserve 6th Addition from Agricultural to Light Commercial on the basis that the application is consistent with city plans and ordinances. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Flint Hills 1st Addition and advised that the Planning & Zoning Commission recommended approval and that all conditions have been met. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Final Plat of Flint Hills 1st Addition and to approve the Conditional Use Permit to allow for expansion of an asphalt plant on the basis that the application is consistent with City plans and ordinances. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from West Lake for a Planned Unit Development Amendment for apartment buildings on Lots 3-5, Block 1 of West Lake 3rd Addition, West Fargo, ND and advised that the Planning & Zoning Commission recommended approval. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Planned Unit Development Amendment subject to the condition that the PUD Agreement is received. No opposition. Motion carried.

Finance Director Tina Gustafson appeared before the Commission on the Application for Retail Liquor/Beer License received from Michael Jack Marcil for a change of ownership for Divas and Rockstars at 1410 9th Street East, West Fargo, ND and advised that Staff recommends approval of the license. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the Application for Retail Liquor/Beer License for Divas and Rockstars as recommended by Staff. No opposition. Motion carried.

A discussion was held on the March 31, 2014 City Commission Meeting date. City Auditor Jim Brownlee appeared before the Commission to recommend that a meeting be held. It was agreed that a meeting will be held on March 31, 2014.

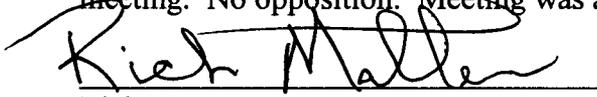
There were no Non-Agenda items.

City Auditor James Brownlee gave the following report:

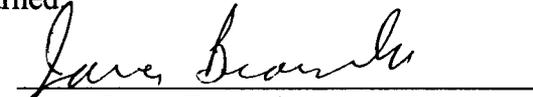
- Fargo Moorhead Convention Visitors Bureau awards luncheon will be held at Bonanzaville on March 5, 2014 at 11:30 AM
- Work with Diversion Assessment Committee is done and a presentation will be provided at a future City Commission Meeting
- Jim Twomey received the Tax Credit approval and will be moving forward with the Senior Housing Project
- Recommends that the suggested amendment to the ordinance regarding employee hiring be addressed in the Employee Handbook and not in the ordinance

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