



The West Fargo City Commission met on Monday, April 21, 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.

Commissioner Hanson moved and Commissioner Wentz seconded to approve the Order of Agenda. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Minutes of April 7, 2014 and the Board of Equalization Meeting Minutes of April 8, 2014. No opposition. Motion carried.

The Commission reviewed Building Permits #106 - 149 along with the Building Department Activity Report dated April 21, 2014.

There were no Commissioner Committee Reports.

The Auditor's Reports for March 2014 were received by the Commission.

There were no Department Reports.

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

**Bills**

Reappoint Eddie Sheeley to the Planning & Zoning Commission for a First Term through April 2018

Public Hearing 5:45 PM May 5, 2014 for Expansion of Conditional Use Permit for Mini-Storage Buildings at 2104 East Main Avenue

Public Hearing 5:45 PM May 5, 2014 for rezoning of Goldenwood 5<sup>th</sup> Addition from Limited Multiple Dwellings to One and Two Family Dwellings and from Limited Multiple Dwellings to Public Facilities

Public Hearing 5:45 PM May 5, 2014 for rezoning of Oak Ridge 6<sup>th</sup> Addition from Agricultural to Single Family Dwellings and Light Commercial

Sewer, Water, Storm and Street Improvement District No. 1278 (Oak Ridge 6<sup>th</sup> Addition): Approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

Sewer, Water, Storm and Street Improvement District No. 1277 (9<sup>th</sup> Avenue NE – 7<sup>th</sup> Street NE to 9<sup>th</sup> Street NE): Approve Plans and Specifications

No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 981 relating to Appointive Officers and City Employees and advised there have been no changes to the ordinance since First Reading. Commissioner Thorstad moved and Commissioner Hanson seconded to place Ordinance No. 981 on Second Reading. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on a request from Verizon for a Conditional Use Permit for a Commercial Wireless Telecommunications Services Tower at Red River Valley Fairgrounds (1805 West Main Avenue, West Fargo, ND) and advised that the Planning & Zoning Commission recommended approval subject to conditions No. 1-5 in the Staff Report. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Conditional Use Permit subject to conditions No. 1-5 listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg advised that City Attorney John Shockley is preparing a document that each Conditional Use Permit applicant will sign and then it is recorded in the County Recorder's office.

Senior Planner Tim Solberg appeared before the Commission on a request from Kost Materials for a Conditional Use Permit for a temporary concrete batch plant for construction projects located on a parcel in the NE ¼ of Section 6, T139N, R49W (Barnes Township), Cass County, ND and advised that the Planning & Zoning Commission recommended approval subject to conditions in the Staff Report No. 1, 3-5 and an amended 6 to include “or a properly executed agreement for the maintenance of 7<sup>th</sup> Avenue NW be agreed upon by the City and the applicant”. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to deny the Conditional Use Permit. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on an application from Midland Industrial for Tax Increment Financing (805 7<sup>th</sup> Street NE, West Fargo, ND) and advised that the Economic Development Advisory Committee had no opposition to this application. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Wentz seconded to approve the Tax Increment Financing request from Midland Industrial. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Dakota Territory 14<sup>th</sup> Addition, a replat, for approval of a Planned Unit Development Amendment for Senior Living Facility and Land Use Plan Amendment from Medium Density Residential to High Density Residential for W ½ of Lot 1, Block 1 of Dakota Territory 6<sup>th</sup> Addition, West Fargo, ND, and advised that the Planning & Zoning Commission recommended to conditionally approve the subdivision replat, Detailed Development Plans and Land Use Plan Amendment from Medium Density Residential to High Density Residential for Lot 2 on the basis that the proposed use would support and preserve existing neighborhoods while providing needed senior housing for the community. James Twomey also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Planned Unit Development Amendment and Land Use Plan Amendment subject to the conditions recommended by Staff. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Street Improvement District No. 2233 – Phase 1 (40<sup>th</sup> Avenue East – Sheyenne Street to Drain 21 (Fargo)), City of Fargo Project ID: PN-14-C1. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to concur with the City of Fargo to award the contract to Dakota Underground Company, Inc. for the construction amount of \$7,534,423.93 with the City of West Fargo cost share estimated to be \$2,138,000 for the segment from Sheyenne Street to Veterans Boulevard. No opposition. Motion carried. An updated fly-by of the project was presented to the Commission by Assistant City Engineer Dustin Scott and Public Works Director Chris Brungardt.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1269 (The Wilds 6<sup>th</sup> Addition). Commissioner Hanson moved and Commissioner Simmons seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1269 to Ryan Contracting Co. for their bid of \$6,042,476.61. No opposition. Motion carried.

Mayor Mattern advised that he will be responding to a letter advising that Viola Toppen of Sheyenne Crossings is 100 years old and walks two miles every day.

City Auditor James Brownlee gave the following report:

As indicated by Assistant City Engineer Dustin Scott that bids may be starting to come in higher as the construction season picks up, Staff will be watching the bids closely for each project.

Pre-construction meeting was held on City Hall. Asbestos survey completed and there was no problem. Garage will be removed and wall put up for new Police Department.

Staff will be meeting with Home Builders Association regarding the sales tax issue.

April 24, 2014 at 2:00 PM: Senator Hoeven and Secretary of Transportation Anthony Foxx will be holding a meeting on rail safety in Casselton.

April 24, 2014: Senator Hoeven will be holding a meeting at the Cass County Shop regarding the Highway Funding Bill.

April 24, 2014 at Noon: Groundbreaking for Catholic Church/School

April 24, 2014 5:30 PM: Public Meeting on 40<sup>th</sup> Avenue

May 1, 2014 7:30 AM: Marshall's and Home Goods ribbon cutting ceremony

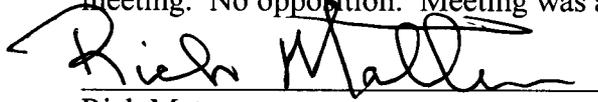
May 8, 2014: Greater Fargo Moorhead EDC Annual Meeting

May 8, 2014 11:30 AM: High Point & KLJ ribbon cutting

May 2, 2014: Arbor Day event

City Assessor Wanda Wilcox provided written recommendations to each of the Commissioners for the 2014 City Board of Equalization Appeals.

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