



The West Fargo City Commission met on Monday, August 18, 2014, at 5:30 P.M. Those present were Mark Simmons, Mike Thorstad, Duane Hanson and Mark Wentz. Absent was Rich Mattern. The meeting was called to order by Mike Thorstad, Vice President of the Board.

The Pledge of Allegiance was recited.

Commissioner Thorstad advised that the application from Ducks Unlimited Fargo Chapter for a Raffle is to be added to the Consent Agenda and a Change Order from Gast Construction regarding the new building is to be added to the Regular Agenda. Commissioner Hanson moved and Commissioner Wentz seconded to approve the Order of Agenda with the additions as noted. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Wentz seconded to approve the Minutes of August 4, 2014 and the Budget Meeting Minutes of August 4, 2014. No opposition. Motion carried.

The Commission reviewed Building Permits #567 - 616 along with the Building Department Activity Report dated August 18, 2014.

There were no Commissioner Committee Reports.

There were no Auditor's Reports.

There were no Department Reports.

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

Bills

Appointment of Dave Janssen and Lynn Samsten to three year terms on the Urban Forestry Committee (to April 2017)

Games of Chance for Dakota Southeast Pheasants Forever for Raffle to be held September 18, 2014 at Speedway Events Center

Games of Chance for Community Presbyterian Church for Raffle September 1, 2014 to October 5, 2014 at the Community Presbyterian Church

Games of Chance for Red River Regional Marksmanship for Raffle September 1, 2014 to September 1, 2015 at 640 16th Street NE, West Fargo, ND

Games of Chance for Packer Backers for Raffle August 25, 2014 to June 30, 2015 at the West Fargo High School

Street Improvement District No 2235 (1st Street Overlay, 8th Street East Overlay, Sheyenne Street Multi-Use Path): Approve Engineer's Report, Authorize preparation of Plans and Specifications; Approve Plans and Specifications and Authorize Advertisement for Bids with bid opening on September 11, 2014

Street Improvement District 2236 (52nd Avenue West – Sheyenne Street to Horace Diversion): Create Assessment District, Authorize Engineer's Report, Approve Engineer's Report, Authorize Plans and Specifications and Approve Resolution of Necessity

Sewer, Water, Storm and Street Improvement District 1281 (Eaglewood 3rd Addition): Approve Engineer's Report, Authorize preparation of Plans and Specifications; approve Plans and Specifications, and Authorize Advertisement for Bids with bid opening on September 11, 2014

Sewer, Water, Storm and Street Improvement District 1273 (Main Avenue (Interstate 94 to Sheyenne River): Approve Engineer's Report and Authorize preparation of Plans and Specifications

Games of Chance for Ducks Unlimited Fargo Chapter for Raffle to be held September 11, 2014 at the Speedway Event Center

No opposition. Motion carried.

Julie Rokke of YHR Partners appeared before the Commission on the Change Order from Gast Construction to request consideration of the following two options regarding the problem with water: Provide sheet piling @ perimeter only or Added filter fabric/drain tile/sump pit. Ryan Fleming of Gast Construction, City Attorney John Shockley and City Engineer Dustin Scott also appeared before the Commission. A discussion was held on the two options and potential liability problems for the City with the sheet piling option. City Attorney John Shockley suggested that Braun Intertec complete residential before and after inspections and that the City should make sure insurance is in place for any damage. Ms. Rokke of YHR Partners stated there would be no change to the completion dates. A discussion was also held regarding potential corrosion of the sheet piling. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Change Order with the Sheet Piling option of \$176,460 with \$64,988 deducts for a total of \$111,472.00 and that City Staff needs to make sure liability insurance and stamped drawings are in place. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the Paul Kautzman Subdivision rezoning from Agricultural to Rural Residential, the Land Use Plan Amendment from Agricultural Preservation to Rural Residential and Final Plat Approval. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place on Second Reading Ordinance No. 1015 relating to the rezoning from Agricultural to Rural Residential, to approve the Land Use Plan Amendment from Agricultural Preservation to Rural Residential and to approve the Final Plat of the Paul Kautzman Subdivision. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on the Resolution of Annexation for West Fargo 3rd Addition, with the following description: That Part of Section 6, Township 139 North, Range 49 West, Cass County, North Dakota, described as follows: All of Lots 1, 3, 4 and 5, Block 1 and Lots 1 through 12, Block 2, West Fargo Third Addition to the City of West Fargo, as recorded in the office of the County Recorder, Cass County, ND, and all of 8th Avenue Northwest and Cass County Highway #19 contained within said West Fargo Third Addition, except West Fargo Second Addition and that part of Lot 1, of said Block 1 and Lots 6, 7, 8 and 10 of said Block 2 previously annexed to the City of West Fargo. The above described tract contains 122.05 acres, more or less. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to adopt the Resolution of Annexation. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Renaissance Zone Application for Herbalife at 227 Main Avenue West, West Fargo, ND, and advised that the Economic Development Advisory Committee recommended denial of the application due to the fact that they did not comply in the time line requested to sign the Business Incentive Agreement. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to rescind approval of the Renaissance Zone Application for Herbalife and deny the application for the Renaissance Zone Project as recommended by Staff. No opposition. Motion carried.

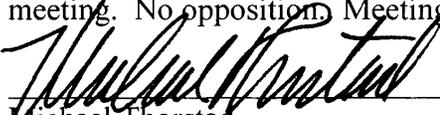
Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the extension of Façade Grants for JSM Woodworks at 268 East Main, Dan's Oil at 413 West Main and SK Realty, Inc. at 219 West Main, from August 1, 2014 to January 1, 2015 due to the lack of available contractors and a wet spring. After discussion, Commissioner Wentz moved and Commissioner Hanson seconded to grant the extension of Façade Grants for JSM Woodworks, Dan's Oil and SK Realty, Inc. to January 1, 2015, as recommended by Director of Economic Development and Community Services Matt Marshall. No opposition. Motion carried.

Finance Director Tina Gustafson appeared before the Commission to review the 2013 Audit Report along with the one recommendation regarding Capital Assets. After review and discussion, Commissioner Simmons moved and Commissioner Hanson seconded to accept the 2013 Audit Report as presented. No opposition. Motion carried.

There were no Non-Agenda items.

There was no correspondence.

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



Michael Thorstad
Vice President of the Board



Tina Gustafson
Assistant City Auditor