



The West Fargo City Commission met on Monday, January 5, 2015, at 5:30 P.M. Those present were Rich Mattern, Mike Thorstad, Duane Hanson and Mark Wentz. Absent was Mark Simmons. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

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

Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Minutes of December 15, 2014. Motion carried.

The Commission reviewed Building Permits #977 - 993, the Building Department Activity Report dated January 5, 2015, and the Building Permit Valuation Report for 2013/2014 Valuation.

There were no Commissioner Committee Reports.

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

#### Bills

Gaming Site Authorization: RMEF MinnDak Inc at Speedway Steakhouse

Resolution Approving Contract and Contractor's Bond for Well #5 Rehabilitation/Well #10 Replacement (New Well #17) Contract B – Well #5 and #5a Rehabilitation

Resolution Approving Contract and Contractor's Bond for Contract C – Well #11 and Well #13 Rehabilitation

Resolution Approving Contract and Contractor's Bond for Contract D –  
Underground and Piping

Street Improvement District No. 2237 – 2015 Street Overlay: Approve  
Plans and Specifications and authorize Advertisement for Bids with bid  
opening on January 29, 2015

No opposition. Motion carried.

Municipal Judge Michelle M. Donarski was sworn in by Mayor Rich Mattern and the  
Oath of Office form signed accordingly.

There were no Non-Agenda items.

City Administrator James Brownlee gave the following report:

Legislative Session starts January 6, 2015. Planning and Community  
Development Director Larry Weil will be going to Bismarck on  
Wednesday, January 7<sup>th</sup> and Public Works Director Chris Brungardt  
will be going to Bismarck on January 14<sup>th</sup>. Staff will be having  
conference calls on Friday afternoons at 2:30 PM

Projects for 2015:

- 32<sup>nd</sup> Avenue bidding out
- 52<sup>nd</sup> Avenue bidding out this spring and will need to meet with  
Horace officials regarding the project
- Main Avenue bidding in February
- 12<sup>th</sup> Avenue North bidding in March
- Overlays in Sommerset this summer
- Drain 21: Deepening, lining and cleaning out
- Drain 45: Deepening and cleaning out
- Water Tower at 32<sup>nd</sup> Avenue (need to purchase one acre/State  
Water Commission to fund 60% of the project)
- Well rehabilitation projects: Sherman's well, 12<sup>th</sup> Avenue  
North and 32<sup>nd</sup> Avenue
- New well drilled at South Elementary
- Riverside well: testing for best site for the well

Finance Director Tina Gustafson gave an update on the new Police  
Building

City Attorney John Shockley appeared before the Commission on the Continued Public Hearing concerning the approval of the annexation of the following described property:

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, North Dakota, and all of 8<sup>th</sup> Avenue Northwest and Cass County Highway #19 and all of the Burlington Northern Santa Fe Railroad Right-of-Way in said Section 6, except that part of the above-described parcels previously annexed to the City of West Fargo.

The above described tract contains 122.05 acres, more or less

The public hearing was opened. There was no public comment and the hearing was closed. City Attorney John Shockley advised there was no action to be taken by the City Commission.

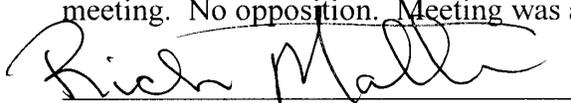
Planning and Community Development Director Larry Weil appeared before the Commission on the rezoning of Lots 3 and 6, Block 1 of North Pond at the Preserve 3<sup>rd</sup> Addition, City of West Fargo, ND, from Agricultural to Light Commercial. A public hearing was held. Attorney Dan Bueide of the Vogel Law Firm appeared before the Commission on behalf of the applicant, Rusty Goose Development. There was no other public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Wentz seconded to place on First Reading the rezoning of Lots 3 and 6, Block 1 of North Pond at the Preserve 3<sup>rd</sup> Addition from Agricultural to Light Commercial as recommended by the Planning & Zoning Commission. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the rezoning of Nitschke Addition (property in the SE ¼ of Section 31, T139N, R49W, City of West Fargo, ND), from Agricultural to Single Family Dwellings and advised that the Planning & Zoning Commission recommended approval subject to the conditions listed in the Staff Report. A discussion was held on the private drive regarding snow removal and maintenance and the City Commission was advised this would be the responsibility of the residents. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Thorstad moved and Commissioner Hanson seconded to place on First Reading the rezoning of Nitschke Addition from Agricultural to Single Family Dwellings subject to the conditions listed in the Staff Report and the condition that the road be paved as part of the approval. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the rezoning of Brooks Harbor 4<sup>th</sup> Addition (property in the N ½ of Section 19, T139N, R49W, City of West Fargo, ND and replat of Lots 15-18, Block 5 of Brooks Harbor 2<sup>nd</sup> Addition, City of West Fargo, ND) from Agricultural to Single Family Dwellings and advised that the Planning & Zoning Commission recommended approval subject to the conditions listed in the Staff Report plus an additional consideration given to the timing of the improvements to 9<sup>th</sup> Street and 21<sup>st</sup> Avenue. Planning and Community Development Director Larry Weil also advised that one resident was concerned about the assessments. Public Works Director Chris Brungardt also appeared before the Commission. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Wentz moved and Commissioner Thorstad seconded to place on First Reading the rezoning of Brooks Harbor 4<sup>th</sup> Addition from Agricultural to Single Family Dwellings as recommended by the Planning & Zoning Commission. No opposition. Motion carried.

There was no correspondence.

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

  
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Rich Mattern  
President of the Board

  
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James Brownlee  
City Auditor