



The West Fargo City Commission met on Monday, June 15, 2015, 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 replacement pages for Item f of the Consent Agenda and Item No. 3 of the Regular Agenda have been provided to the Commission. Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Order of Agenda with the updated items. No opposition. Motion carried.

Commissioner Hanson moved and Commissioner Simmons seconded to approve the Minutes of June 1, 2015. No opposition. Motion carried.

The Commission reviewed Building Permits #368 - 435 and the Building Department Activity Report dated June 15, 2015.

There were no Commissioner Committee Reports.

The Auditor's Reports for May 2015 were received by the Commission.

There were no Department Reports.

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

Bills

Environmental Review Record for Cass County Housing Authority

Public Hearing July 6, 2015 at 5:45 PM for the rezoning of Lot 1, Block 1 of North Pond at the Preserve 6<sup>th</sup> Addition from Commercial Office Park to Light Commercial

Public Hearing July 6, 2015 at 5:45 PM for the rezoning of Westview 2<sup>nd</sup> Addition from Agricultural to Planned Unit Development

Settlement Agreement regarding Sewer, Water, Storm and Street Improvement District No. 1259

Street Improvement District No. 2233 – Phase II: Resolution of Necessity, Resolution to Offer to Purchase and Written Statement and Summary of Just Compensation

12<sup>th</sup> Avenue North Project: Approve Cost Participation, Construction and Maintenance Agreement with ND Department of Transportation

Sewer, Water, Storm & Street Improvement District No. 1289 – Phase 1 (8<sup>th</sup> Avenue NW & 26<sup>th</sup> Street NW): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bid with bid opening on July 16, 2015

Storm Improvement District No. 4054 (9<sup>th</sup> Street NE/12<sup>th</sup> Avenue NE regional Storm Lift Station (SM 70)): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for bids with bid opening on July 16, 2015

Sewer, Water, Storm and Street Improvement District No. 1279 (12<sup>th</sup> Avenue North Reconstruction & 9<sup>th</sup> Street Northwest Realignment): Approve Revised Engineer's Report and authorize preparation of Plans and Specifications

No opposition. Motion carried.

Mike Manstrom of Dougherty & Company LLC appeared before the Commission to review the bid results for the \$28,180,000 Refunding Improvement Bonds of 2015, Series A. After review of the bid information, Commissioner Simmons moved and Commissioner Hanson seconded to adopt the Resolution Authorizing the Issuance of Improvement Warrants and Exchanging Them for \$28,180,000 Refunding Improvement Bonds of 2015, Series A and accept the bid from Janney, Montgomery Scott LLC to purchase the warrants at a price of \$29,437,482.94 plus accrued interest with an average annual net effective rate of 3.446692%. No opposition. Motion carried.

Patrick Hagen of 201 1<sup>st</sup> Avenue East, West Fargo, ND was not present at the meeting. Commissioner Simmons moved and Commissioner Hanson seconded to deny the request to park in the boulevard in front of his garage. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1038 relating to Cable Communications. Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 1038 on First Reading. No opposition. Motion carried.

Finance Director Tina Fisk appeared before the Commission on the 2015-2016 Liquor License Renewals. Police Chief Michael Reitan also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to approve the 2015-2016 Beer and Liquor License Renewals with the exception of a 90 day contingent approval from July 1, 2015, for Applebee's, Family Fare, Ace Liquor, Town Hall Bar, Speedway, Bordertown and Work Zone. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on the annexation of three tracts of land located in the NW part of the City of West Fargo and advised that the City received one objection which was less than the 25% threshold to stop annexation. A public hearing was held. Mike Staber, Larry Christianson of 513 9<sup>th</sup> Avenue East and Terry Maul, owner of property at 714 12<sup>th</sup> Avenue NW, appeared before the Commission. City Auditor Jim Brownlee also appeared before the Commission advising that after annexation the special assessments would be spread among all the property owners and that the only protest received was from Mike Staber, owning 44.8 acres (13.25%). The hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded that insufficient protests were received and to approve the annexation. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Renaissance Zone Project Application for Go Cake LLC DBA Signs 4 Work for a project at 345 11<sup>th</sup> Street West, West Fargo, ND and advised that the Economic Development Advisory Committee recommended approval of the application. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Renaissance Zone Project for Go Cake LLC DBA Signs 4 Work. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Application for Property Tax Incentives for New or Expanding Businesses from Evolution 1, a software company, relocating its corporate headquarters to the City of West Fargo, at 26<sup>th</sup> Avenue and 7<sup>th</sup> Street East and advised that the Economic Development Advisory Committee recommended approval. Lloyd Nelson of Evolution 1 also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve the PILOT (Payment in Lieu of Taxes) application for Evolution 1. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Gerald Noble for a Conditional Use Permit for a larger accessory building at 3116 5<sup>th</sup> Street NW, West Fargo, ND and advised that the Planning & Zoning Commission recommended approval subject to the two conditions listed in the Staff Report. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Conditional Use Permit on the basis that the request is consistent with City plans and ordinances and with the conditions that the applicant complies with the City's flood plain standards for the new building and that the applicant constructs the accessory structure in character with the existing development. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Hot Spring Spas & Pools at 120 13<sup>th</sup> Avenue East for a Planned Unit Development Amendment for the purpose of constructing a patio on the west side of the property and advised that the Planning & Zoning Commission recommended approval subject to the four conditions listed in the Staff Report. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Planned Unit Development Amendment subject to the four conditions listed in the Staff Report with the additional condition that either a 6' clear glass fence with either white or black vinyl fence posts or a 6' black aluminum decorative picket fence be installed. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Angie Puhr for an extension to install the fence for a daycare at 1220 Goldenwood Drive, West Fargo, ND, from July 1, 2015 to September 1, 2015 due to construction problems. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve the installation date of the fence from July 1, 2015 to September 1, 2015. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Geron Subdivision rezoning from Agricultural to Rural Estate District, a Land Use Plan Amendment from Agricultural Preservation to Rural Residential and Final Plat approval. After discussion, Commissioner Thorstad moved and Commissioner Hanson seconded to place on Second Reading Ordinance No. 987 for rezoning of Geron Subdivision from Agricultural to Rural Estate District, to approve the Land Use Plan Amendment from Agricultural Preservation to Rural Residential and to approve the Final Plat subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Dakota Territory 15<sup>th</sup> Addition, a replat. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the Final Plat of Dakota Territory 15<sup>th</sup> Addition subject to the seven conditions listed in the Staff Report. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the request from Touchdown Investments, LLC for a Planned Unit Development Amendment for a furniture store on Lot 1, Block 1 of proposed Dakota Territory 15<sup>th</sup> Addition. Commissioner Hanson moved and Commissioner Simmons seconded to approve the Planned Unit Development Amendment upon approval of the Detailed Development Plans. No opposition. Motion carried.

There were no Non-Agenda items.

City Administrator James Brownlee gave the following report:

Finance Director Tina Fisk has been meeting with the Department Heads on the preliminary 2016 budget and would like to begin Budget Hearings after the July 20, 2015 regular City Commission Meeting.

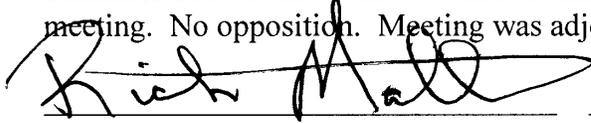
Commissioners should have confirmation for League of Cities in their email accounts. October 16, 2015 is the last date to cancel.

Finance Director Tina Fisk gave an update on the progress of the new building.

Planning and Community Development Director Larry Weil advised that the ND League of Cities Executive Board is meeting June 18-19, 2015, and they will be attending Bonanzaville, Cruise Night, and be given a tour of the city on Friday.

There was no correspondence.

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



Rich Mattern  
President of the Board



James Brownlee  
City Auditor