



The West Fargo City Commission met on Monday, September 21, 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 advised that Items No. 14 and No. 15 of the Regular Agenda also include Public Hearings, a Liquor License for Pickled Parrot West will be discussed and the Public Hearing for the 2016 Budget will not be held until the October 5, 2015 City Commission Meeting. Commissioner Hanson moved and Commissioner Simmons seconded to approve the Order of Agenda as amended. No opposition. Motion carried.

Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Minutes of September 8, 2015. No opposition. Motion carried.

The Commission reviewed Building Permits #772 - 801 and the Building Department Activity Report dated September 21, 2015.

Commissioner Mattern reported this will be the last Commission Meeting in the current room and the October 5, 2015 meeting will be held in the new building.

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

There were no Department Reports.

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

Bills

Corporate Authorization Resolution

Public Hearing October 5, 2015 at 5:45 PM for Woodlinn West 4th Addition rezoning from Limited Multiple Dwellings to Light Commercial and Planned Unit Development

Public Hearing October 5, 2015 at 5:45 PM for Zoning Ordinance Amendment for Chapter 4

No opposition. Motion carried.

City Auditor Tina Fisk appeared before the Commission to advise that the Max Lounge Liquor License was renewed however they closed temporarily and requested an extension. The name of the business has changed to the Pickled Parrot West and the new owner is Mitch Parker. Fisk advised that the background check is clear. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to grant the new liquor license for Pickled Parrot West upon the receipt of the fee. No opposition. Motion carried.

Nickolas Giobres appeared before the Commission to request a foundation only permit at their own risk for Lot 27, Block 2 of Oakridge 7th Addition. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to grant the permit at the builders risk to proceed with installation of an additional foundation for unit model 8501 on the west end of the home on Lot 27, Block 2 of Oakridge 7th Addition. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1046 relating to Discrimination in Public Places and Preventing Exercise of Civil Rights. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to place Ordinance No. 1046 on First Reading. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Odegaard Preserve Subdivision. Commissioner Thorstad moved and Commissioner Hanson seconded to place on Second Reading Ordinance No. 1044 on the rezoning of Odegaard Preserve Subdivision from Agricultural to Rural Residential, to approve the Land Use Plan Amendment from Agricultural Preservation to Rural Residential, to approve the Conditional Use Permit for accessory building and to approve the Final Plat as recommended by Staff. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the Zoning Ordinance Amendment to create a Heavy Commercial and Light Industrial Zoning District. Commissioner Hanson moved and Commissioner Wentz seconded to place the Zoning Ordinance Amendment on Second Reading. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the request from Petro Serve USA for a Conditional Use Permit for aboveground gas and diesel fuel tanks at 1772 West Main Avenue, West Fargo, ND. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the Conditional Use Permit subject to the four conditions listed in the Staff Report. No opposition. Motion carried.

City Auditor Tina Fisk advised that the Public Hearing Notice did not get published on time and the Public Hearing for 2016 Budget will need to be held on October 5, 2015 at 6:00 PM.

Senior Planner Tim Solberg appeared before the Commission on Sterling Industrial Park 7th Addition, a replat, and advised that the Planning & Zoning Commission recommended approval and the applicant has fulfilled the conditions in the Staff Report. Bill Brodeur of Diversified Contractors also appeared before the Commission. Commissioner Thorstad moved and Commissioner Simmons seconded to approve the Final Plat of Sterling Industrial Park 7th Addition as recommended by Staff. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Goldmark for a Conditional Use Permit for residential apartment signage within the Corridor Overlay District at 703 31st Avenue West, West Fargo, ND. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Conditional Use Permit subject to the condition listed in the Staff Report that the low intensity lighting does not become a visual nuisance or distraction to the motoring public and/or any adjacent residential uses. Commissioners Mattern, Simmons, Hanson and Wentz voting aye. Commissioner Thorstad abstained from voting. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from James Walker for a Conditional Use Permit for an accessory building at 3109 5th 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 Thorstad seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request for street name change from 30th Avenue Court East to Freedom Terrace East. After discussion, Commissioner Thorstad moved and Commissioner Hanson seconded to adopt a resolution changing the name of the street to Freedom Terrace East. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the Site Plan for proposed STC Flooring pursuant to requirements of the Interstate Corridor Overlay District at 2512 West Main Avenue, West Fargo, ND and advised that the Planning & Zoning Commission recommended approval subject to the conditions listed in the Staff Report. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Site Plan on the basis that the proposed development is consistent with the intent of the Interstate Corridor Overlay District with condition that applicant meet all requirements of the district. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the request for an access onto 9th Street NW (Cass County Highway #19) at 800 Main Avenue West and advised that the Planning & Zoning Commission recommended approval with the understanding this would need to be reviewed if 9th Street NW becomes real busy. Public Works Director Chris Brungardt also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the access onto 9th Street NW subject to the recommendations listed in the Staff Report. No opposition. Motion carried.

Fire Chief Dan Fuller appeared before the City Commission as the Board of Appeals to review the appeal from Star Fleet Services on the fire inspector's finding of vehicle painting in their building without proper safety equipment (no paint booth or ventilation). Attorney Jesse Matson appeared before the Commission and advised that he is no longer the attorney for Star Fleet Services. Joe Sandstrom of Star Fleet Services appeared before the Commission. City Attorney John Shockley also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to continue the hearing until the October 5, 2015 City Commission Meeting and that the Fire Chief and appellant meet on the property to make a determination what is happening and report back to the Commission. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on a new Tax Increment Financing District to be established in the West Fargo 3rd Addition and advised that the Economic Development Committee voted to approve the TIF. City Engineer Kevin Bucholz also appeared before the Commission. The public hearing was opened. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Wentz seconded to approve the Tax Increment Financing District as recommended by Staff. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on a new Tax Increment Financing District to be established in the Meadow Brook Park 1st Addition. The public hearing was opened. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Tax Increment District as recommended by Staff. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the PILOT (Payment in Lieu of Taxes) application from Dakota Commons Limited Partnership for an exemption from property tax to build affordable Senior Rental Housing at 1577 10th Avenue East, West Fargo, ND and advised that the applicant needs a letter of support for the project in order to apply to the State for credits and move forward on the PILOT approved by the Economic Development Advisory Committee. Jim Twomey also appeared before the Commission. Planning and Community Development Director Larry Weil also advised that the Market Study shows continual need for low income housing. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to authorize the Letter of Support for the project and approve the PILOT. No opposition. Motion carried.

Roger Fenstad representing Kochmann Brothers appeared before the Commission to request a building permit to begin at his own risk prior to final Planned Unit Development and replat approval to build a twin home at 672 13th Avenue South, West Fargo, ND. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve the building permit at the builder's own risk. No opposition. Motion carried.

Public Works Director Chris Brungardt gave an update on the Main Avenue, Sheyenne Street/26th Avenue and 32nd Avenue road projects.

City Administrator Tina Fisk gave the following report:

Public Works Director Chris Brungardt received a Forestry Grant which will be used for a Tree Inventory

Property Tax Update is on website

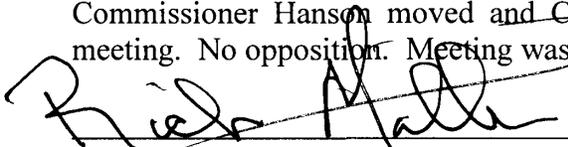
Leah Wachna is meeting with various Department Heads regarding social media

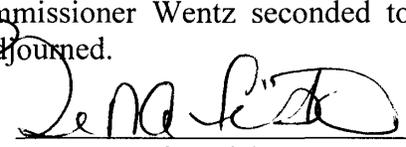
Police Chief Reitan has received a COPS Grant for three officers in 2016

The Police Department has started to move into the new Building and the next Commission Meeting will be in the new chambers

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


Tina Fisk
City Auditor