



The West Fargo City Commission met on Monday, October 5, 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 a Revised Ordinance No. 1047 was provided to each of the Commissioners. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the revised Ordinance No. 1047. No opposition. Motion carried.

Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Minutes of September 21, 2015. Motion carried.

The Commission reviewed Building Permits #802 - 848, the Building Department Activity Report dated October 5, 2015 and the Building Department Monthly Comparison Report for September 2014/September 2015.

There were no Commissioner Committee Reports.

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

Bills

Resolution Approving Contract and Contractor's Bond in Storm Improvement District No. 4056 – Phase I

Games of Chance: US Military Vets Motorcycle Club for Raffle 10/15/15 to 7/16/16 at West Fargo VFW

Resolution to Approve Additional Antenna and equipment to existing tower at 316 11<sup>th</sup> Street West

Street Improvement District No. 2239 (32<sup>nd</sup> Avenue West and 40<sup>th</sup> Avenue West – Sheyenne Street to Horace Diversion): Approve Engineer's Report, authorize preparation of Plans and Specifications and authorize Resolution of Necessity

Water Improvement District No. 1260 (1.5 MGal Elevated Water Storage Tower (WT6)): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on November 12, 2015

Water Improvement District No. 1287 (Sheyenne Street and 52<sup>nd</sup> Ave West Water Main): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on November 12, 2015

Sidewalk Improvement District No. 6051 (2014 Walks): Discontinue Sidewalk Improvement District No. 6051

No opposition. Motion carried.

West Fargo Public Schools Superintendent Dr. David Flowers appeared before the Commission to review the West Fargo School District Long Range Facility Plan and to ask that the City Commission support the \$98.1 million Bond Referendum vote in a Special Election on November 17, 2015. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to support the bond issue. No opposition. Motion carried.

Fire Chief Dan Fuller appeared before the Commission on the Star Fleet Services appeal on fire inspector's finding at 2220 Main Avenue East and advised that after three trips to the facility in the last two weeks, there is no evidence of current painting in their building and that a representative of the building owner has requested copies of the Fire Reports. City Attorney John Shockley appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to deny the appeal. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the rezoning of Woodlinn West 4<sup>th</sup> Addition from Limited Multiple Dwellings to Light Commercial and Planned Unit Development and advised that the Planning & Zoning Commission approved the concept plans and the detailed plans will be reviewed at the October 12, 2015 Planning & Zoning Commission meeting. A public hearing was held. There was no public comment and the hearing was closed. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to place the rezoning of Woodlinn West 4<sup>th</sup> Addition from Limited Multiple Dwellings to Light Commercial and Planned Unit Development on First Reading. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the Zoning Ordinance Amendment for Chapter 4, included, but not limited to: Section 4-0403.5, additions of procedures for lot combinations; Sections 4-0406.3, street right of way requirements, 4-0407, fee-in-lieu for land dedication; 4-100, definitions, 4-400 language for retirement/nursing care and addition of assisted living facilities, home child care facilities, uses in Light Commercial, Commercial Office Park and Heavy Commercial/Light Industrial districts, language for stockpiling within Heavy Industrial district, language within corridor overlay district regarding designated streets, building construction standards related to orientation and materials, revisions to permitted uses in Main Avenue overlay district, revisions to building height for accessory buildings and additions of Behavioral Health Care facility to definitions and district standards; 4-449.A, revisions to landscaping provision and screening requirements; 4-450, procedures related to permitting and to reduction in required parking; 4-460, revisions to clarify review of reader board signs; and 4-530, create clear procedures for temporary use and structure permitting. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Wentz seconded to place the Zoning Ordinance Amendment on First Reading. No opposition. Motion carried.

City Auditor Tina Fisk appeared before the Commission on the proposed 2016 Budget for the City of West Fargo showing a 4.70 mills reduction with a total of 80.64 mills. A public hearing was held regarding the 2016 Budget. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Thorstad seconded to adopt the 2016 Budget with expenditures of \$52,194,959.00 and to set the annual levy for 2015 at \$9,105,213.55. No opposition. Motion carried.

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|-----------------------|------------------|
| General Fund          | \$13,468,703     |
| Sanitation Fund       | 3,136,991        |
| Sewer Water Funds     | 4,887,312        |
| Library               | 1,077,290        |
| Airport               | 166,196          |
| Debt Service          | 21,267,475       |
| Capital Improvements  |                  |
| Special Revenue Funds | <u>8,190,992</u> |
|                       | \$52,194,959     |

City Attorney John Shockley appeared before the Commission on Ordinance No. 1046 relating to Discrimination in Public Places and Preventing Exercise of Civil Rights which would repeal two sections of the City Code. Commissioner Thorstad moved and Commissioner Wentz seconded to place Ordinance No. 1046 on Second Reading. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1037 relating to Alcoholic Beverages. Director of Economic Development and Community Services Matt Marshall, Police Chief Michael Reitan and Senior Planner Tim Solberg also appeared before the Commission. Director of Economic Development and Community Services Matt Marshall stated that The Work Zone, JL Beers and The District Waterhouse would have the larger commitments to comply with the ordinance. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 1037 on First Reading. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1041 to amend and reenact Section 10-0101, 12-0402, 12-0403, 12-0601, 13-0203, 13-0209, 13-0920, 13-1502, 13-1520, and 13-1623(4) of the Revised Ordinances of 1990 of the City of West Fargo, and to create Section 10-0139 of the Revised Ordinances of 1990 of the City of West Fargo relating to Powdered Alcohol Products; E-Cigarettes; Possession of Drug Paraphernalia; Jurisdiction, Penalty for being under the influence of intoxicating liquor or intoxicating drugs; Driving without Liability Insurance; Authorized Emergency Vehicles, Restrictions as to Tire Equipment; Regulating Movement of Tractors, Heavy Vehicles and Long Vehicles on Pavement; and Mobility Impaired Parking Certificate. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 1041 on First Reading. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on the revised Ordinance No. 1047 regarding Vacant Buildings. Police Chief Michael Reitan also appeared before the Commission. After discussion, Commissioner Wentz moved and Commissioner Hanson seconded to place Ordinance No. 1047 on First Reading. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Verity Homes of Fargo for a Temporary Use of sales offices within the future attached garages of townhouses within approved residential Planned Unit Development of Oak Ridge 7<sup>th</sup> Addition (Hadley Meadows) located at 517 and 513 33<sup>rd</sup> Way, West Fargo, ND. Dustin Monsebroten of Verity Homes also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Temporary Use of sales offices for four years subject to all conditions listed in the Staff Report. No opposition. Motion carried.

There were no Non-Agenda items.

City Administrator Tina Fisk gave the following report:

Staff is working on procedures for penalty when contractors install a meter in the new house and use water

Server compliance issues for liquor licenses have been taken care of as of 9/30/15

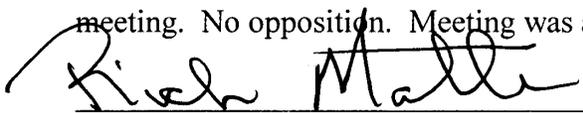
Staff is working on bonding procedures

Gave an update on the new Police Department Building

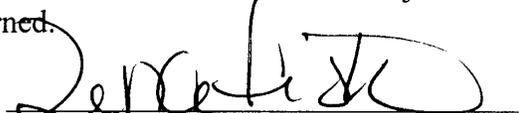
City Commission on October 19, 2015 will be held in the new building.\

There was no Correspondence.

Commissioner Simmons moved and Commissioner Thorstad seconded to adjourn the meeting. No opposition. Meeting was adjourned.



Rich Mattern  
President of the Board



Tina Fisk  
City Auditor