



The West Fargo City Commission met on Monday, June 20, 2016, 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 Games of Chance for American Foundation for Suicide Prevention ND Chapter for Raffle to be held June 20 to July 28, 2016 at Spicy Pie in West Fargo is to be added to the Consent Agenda and that the proposed Resolution setting the Water/Sewer fees needs to be approved after Second Reading of Ordinance No. 1062 (Water Ordinance). Commissioner Mattern also advised that 2016-2017 Liquor License Police Check Results has been provided to the Commissioners for Item No. 13 of the Regular Agenda, "2016-2017 Liquor and Beer License Renewals". Commissioner Hanson moved and Commissioner Wentz seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Minutes of June 6, 2016. No opposition. Motion carried.

The Commission reviewed Building Permits #330 – 417, the Building Department Activity Report dated June 6, 2016 and the Building department Monthly Comparison Report for May 2015/May 2016. The Commission also reviewed Building Permits #418 – 480 and the Building Department Activity Report dated June 20, 2016.

There were no Commissioner Committee Reports.

The Auditor's Reports for May 2016 were received by the Commission.

There were no Department Reports.

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

Bills

Games of Chance for Low Rise Community Center for Bingo 7/1/16 to 6/30/17

Pledging of Assets

Public Hearing July 6, 2016 at 5:30 PM for rezoning of Sheyenne Plaza 1<sup>st</sup> Addition from Light Commercial to Planned Unit Development

Public Hearing July 6, 2016 at 5:30 PM for Zoning Ordinance Amendment to 4-452 Off-Street Parking and Loading Regulations

Public Hearing July 6, 2016 at 5:30 PM for The Wilds 8<sup>th</sup> Addition rezoning from Agricultural to One and Two Family Dwellings

Liquor License Application for Brickhouse Tavern LLC at 635 32<sup>nd</sup> Ave East: Order background check and set Public Hearing for July 18, 2016 at 5:30 PM

Games of Chance for American Foundation for Suicide Prevention ND Chapter for Raffle to be held June 20 to July 28, 2016 at Spicy Pie in West Fargo, ND

No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1053 relating to Taxicabs and the Operation Thereof and provided a revised copy of Ordinance No. 1053 for the Commissioners. Police Chief Michael Reitan also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioners Simmons seconded to place Ordinance No. 1053 on First Reading striking Subsection 2 from 13-2304 which states it shall be unlawful for a transportation network company to operate within the City without a valid state permit issued pursuant to NDCC Chapter 39-34. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1062 (Water Ordinance). City Auditor Tina Fisk also appeared before the Commission to review the proposed new rates and request adoption of the Resolution Setting Rates and Charges for Water and Sewer Services. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 1062 on Second Reading and to adopt the Resolution Setting Rates and Charges for Water and Sewer Services as recommended by Staff. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the Concept Development Plans for proposed site for school ice hockey facility in the proposed Eagle Run Plaza 5<sup>th</sup> Addition. Tony Eukel of MBN Engineering and Director of Economic Development and Community Services Matt Marshall also appeared before the Commission. A discussion was held on the need to build retail businesses around the facility and the seating space of the facility.

Senior Planner Tim Solberg appeared before the Commission on the request from Joe Karvonen for a Conditional Use Permit to allow for motorcycle sales in a Light Commercial District at 114 1<sup>st</sup> Avenue West, West Fargo, ND. Police Chief Michael Reitan also appeared before the Commission on potential noise and parking problems. After discussion, Commissioner Simmons moved and Commissioner Hanson 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 from Triumph Lutheran Brethren Church for a Conditional Use Permit for signs to be installed in a residentially zoned district within the Corridor Overlay District at 3745 Sheyenne Street, West Fargo, ND. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report including limiting the hours of operation of the electronic message center to 6 AM to 10 PM. Commissioners Mattern, Simmons, Hanson and Wentz voting aye. Commissioner Thorstad abstained from voting. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the request from Midland Incorporated/Verizon for a Conditional Use Permit for wireless telecommunications tower at 2002 Main Avenue East, West Fargo, ND and advised that the Planning & Zoning Commission recommended approval subject to a signed Conditional Use Permit agreement. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Conditional Use Permit subject to the condition listed in the Staff Report. No opposition. Motion carried.

Finance Director Aaron Mitchell appeared before the Commission for approval to add Nationwide Retirement Services as a deferred compensation provider for City employees. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to adopt the Resolution Approving Nationwide Retirement Solutions as a Deferred Compensation Plan Provider. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Renaissance Zone application from Henco Property Leasing, LLC for a new commercial building at 1317 Main Avenue East, West Fargo, ND. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Renaissance Zone Application. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the Renaissance Zone application from NorthStar Safety for the construction of a proposed new building at 121 7<sup>th</sup> Avenue NE, West Fargo, ND and advised that the Economic Development Advisory Committee recommended approval. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Renaissance Zone Application. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1298 (Eagle Run Plaza 5<sup>th</sup> Addition). After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to create the Assessment District for Sewer, Water, Storm and Street Improvement District No. 1298, authorize the Engineer to prepare the Engineer's Report, approve the Engineer's Report and authorize Plans and Specifications. No opposition. Motion carried.

A short recess was taken at this time and the meeting was reconvened at 6:45 PM.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1294 (Eaglewood 5<sup>th</sup> Addition). Commissioner Simmons moved and Commissioner Wentz seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1294 to Dakota Underground Company for their bid amount of \$1,780,428.45 as recommended by the City Engineer and contingent upon Final Plat Approval and receipt of all agreements. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sanitary Systems Improvements (Regional Lift Station Rehabilitation and Odor Control Facilities). After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to award the contract for Sanitary System Improvements to CC Steel, LLC for their General Construction bid of \$1,535,000.00, to Shermans LLC for their Mechanical Construction bid of \$145,900.00 and to Rick Electric, Inc. for their Electrical Construction bid of \$237,700.00, for a total of \$1,918,600.00. No opposition. Motion carried.

City Auditor Tina Fisk appeared before the Commission on the 2016-2017 Liquor and Beer License Renewals. Police Chief Michael Reitan also appeared before the Commission. After review of the Police Check results, Commissioner Simmons moved and Commissioner Hanson seconded to approve the 2016-2017 Liquor and Beer Licenses with the following licenses approved contingent upon completion of server training for employees to 80% or above by August 30, 2016: Applebees, Bottle Barn – Bluestem, Element Hotel, Hooligans, Maxwell's, Ole & Lena's, Pub West and Spitfire. No opposition. Motion carried.

There were no Non-Agenda items.

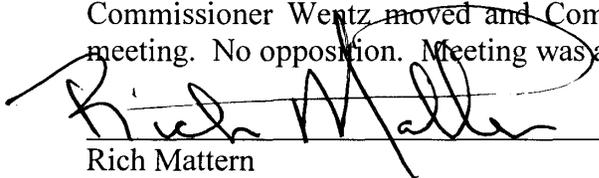
City Administrator Tina Fisk gave the following report:

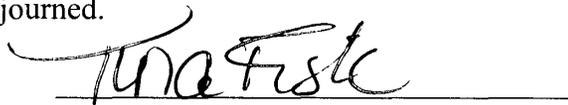
Mosquito control report indicates low count

The Audit is being completed

Chairman Mattern advised that a letter from Tamara Anderson, Vice President of Dale Carnegie Training, honored Police Chief Michael Reitan as receiving the Human Relations Champion award on May 24, 2016 in the Leadership Training for Managers.

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

  
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Rich Mattern  
President of the Board

  
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Tina Fisk  
City Auditor