



The West Fargo City Commission met on Monday, January 7, 2013, 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 Thorstad moved and Commissioner Wentz seconded to approve the Order of Agenda. No opposition. Motion carried.

Commissioner Hanson moved and Commissioner Wentz seconded to approve the Minutes of December 17, 2012. No opposition. Motion carried.

The Commission reviewed Building Permits #893 - 906, the Building Department Activity Report dated January 7, 2013 and the 2011/2012 Valuation Report along with the lists of Building Permit Cancellations and Summary of Corrections. The Commission also reviewed Building Permits 1-2 for 2012 and the Building Department Activity Report as of 1/4/13.

There were no Commissioner Committee Reports.

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

Bills

Games of Chance: West Cass Ducks Unlimited for Raffle to be held 2/21/13 at West Fargo VFW

Review bid results and approve recommendations for Sewer/Water Equipment for 2013

Review bid results and approve recommendations for Sanitation Equipment for 2013

Sewer, Water, Storm Improvement District No. 1241 – Rebid (Montgomery Homestead 1st Addition): Authorize Advertisement for Bids

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 943 relating to Penalty for Unpaid Parking Ticket. Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 943 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 941 relating to Smoking in Public Indoor Workplaces Prohibited. Commissioner Thorstad moved and Commissioner Hanson seconded to place Ordinance No. 941 on Second Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from All Season Motorsports for a Conditional Use Permit for expansion of golf cart sales and service business and Final Plat approval of Doll's 6th Addition and advised that the Planning & Zoning Commission recommended approval subject to the conditions in the Staff Report. Planning Director Larry Weil also advised that all conditions have been met except for the Drainage Plan. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Conditional Use Permit and Final Plat based on the condition that a Drainage Plan is submitted. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Shadow Creek 4th Addition rezoning from Agricultural to Single Family Dwellings and Final Plat Approval. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to place Ordinance No. 939 on Second Reading and to approve the Final plat subject to the condition that a Drainage Plan is submitted and approved. No opposition. Motion carried.

Mayor Mattern advised that an appointment needs to be made to the Diversion Project Assessment Committee and recommended that City Administrator James Brownlee be appointed to the committee. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to appoint City Administrator James Brownlee to the Diversion Project Assessment Committee. No opposition. Motion carried. Commissioner Thorstad asked that the Commission be brought up to date on the actions of the Diversion Project Assessment Committee.

City Attorney Brian Neugebauer appeared before the City Commission on the assessments for Street Improvement District No. 2225 (Eagle Run Area Street Overlay) and Street Improvement District No. 2223 (Elmwood Court Area Street Overlay). City Engineer Kevin Bucholz and City Auditor James Brownlee also appeared before the Commission to advise that not sufficient protests were received. A Public Hearing was held. Jaron Gustofson of 762 16th Ave Ct W expressed his opposition to the project. Darren Rohrich of 1630 10th St W appeared to ask if something could be done to slow the traffic in that area. John Gustofson also appeared before the Commission. The public hearing was closed. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Resolutions Determining that not Sufficient Protests were filed on Improvement in Street Improvement District No. 2225 and Street Improvement District No. 2223. No opposition. Motion carried. Assistant Public Works Director Chris Brungardt was asked to review the traffic situation to see if something can be done to slow traffic in that area.

Planning Director Larry Weil appeared before the Commission on the rezoning of Strawberry Fields 1st Addition from Agricultural to One and Two Family Dwellings, Limited Multiple Dwelling and Light Commercial and advised that the Planning & Zoning Commission recommended approval subject to the conditions listed in the Staff Report. A public hearing was held. Steve Iverson, on behalf of Osgood Investments, appeared before the Commission. The hearing was closed. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place on First Reading the rezoning of Strawberry Fields 1st Addition subject to the conditions listed in the Staff Report. Commissioners Mattern, Thorstad, Hanson and Wentz voting aye. Commissioner Simmons voting no. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of Eaglewood 2nd Addition from Agricultural to One and Two Family Dwellings, Limited Multiple Dwellings and Commercial Office Park and advised that the Planning & Zoning Commission recommended approval. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Thorstad seconded to place on First Reading the rezoning of Eaglewood 2nd Addition subject to the conditions listed in the Staff Report. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2225 (Eagle Run Area Street Overlay). Commissioner Simmons moved and Commissioner Hanson seconded to award the contract for Street Improvement District No. 2225 to Border States Paving Inc. for their bid amount of \$1,148,730.20. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2223 (Elmwood Court Area Street Overlay). Commissioner Hanson moved and Commissioner Simmons seconded to award the contract for Street Improvement District No. 2223 to Border States Paving Inc. for their bid amount of \$774,856.10. No opposition. Motion carried.

