



The West Fargo City Commission met on Monday, April 16, 2012, at 5:30 P.M. Those present were Rich Mattern, Lou Bennett, Mark Simmons, Mike Thorstad and Duane Hanson. 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 West Fargo Middle Schools/Technology Student Association for Raffle to be held April 15, 2012 to May 26, 2012, is to be added to the Consent Agenda, Consent Agenda Item e should be amended to Public Hearing 5:45 PM on May 7, 2012, Approval to cancel the City Commission meeting on Monday, April 30, 2012, is to be added to the Consent Agenda and Item No. 9 of the Regular Agenda, PILOT for Moore Engineering, is to be removed. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of April 2, 2012 and the Board of Equalization Minutes of April 10, 2012. No opposition. Motion carried.

The Commission reviewed Building Permits #116 – 163 along with the Building Department Activity Report dated April 16, 2012.

There were no Commissioner Committee Reports.

The Auditor's Reports for March 2012 were received by the Commission.

There were no Department Reports.

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

Bills

Gaming Site Authorizations: The Arc Upper Valley Inc at Bar 9, West Fargo Fire Department at Silver Dollar and Red River Human Services Foundation at The Town Hall Bar

Grass and Weed Nuisance Tier Policy

Appointment of Jaysen Schock, Cargill, to Economic Development Advisory Committee

Public Hearing 5:45 PM May 7, 2012, for rezoning of Lot 2, Block 3 of Eagle Run 8th Addition from Limited Multiple Dwellings to Planned Unit Development

Sewer, Water, Storm and Street Improvement District No. 1235 (Bluestem Drive – 26th Avenue East to 31st Avenue East): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on May 3, 2012

Games of Chance: West Fargo Middle Schools/Technology Student Association for Raffle to be held April 15, 2012 to May 26, 2012, at the West Fargo Middle Schools

Cancellation of the April 30, 2012 City Commission Meeting

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Sale of Bonds. Mike Manstrom of Dougherty & Company LLC also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to adopt the Resolution Providing for the Issuance of \$9,415,000 City of West Fargo Water and Sewer Revenue Refunding Bonds of 2012 and authorize the Mayor and City Auditor to accept the bid if interest rate does not exceed 3.65%. No opposition. Motion carried. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Ordinance No. 917 relating to City Sidewalks, Driveways Construction Specifications and Numbering of Buildings and reviewed all the changes. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 917 on First Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 911 relating to Cass County Electric Cooperative, Inc., Electric Franchise, and Ordinance No. 912 relating to XCEL Energy Electric Franchise, which now includes a franchise fee of 2% of gross revenues from sales of electricity within the City. City Attorney Brian Neugebauer stated that he had received correspondence from XCEL Energy just prior to the meeting, and if there are any changes made to the ordinances, these would be included in the Second Reading of the Ordinances. City Auditor James Brownlee also appeared before the Commission. Commissioner Bennett moved and Commissioner Hanson seconded to place Ordinances No. 911 and No. 912 on First Reading. No opposition. Motion carried.

Commissioner Simmons left the meeting at this time.

Planning Director Larry Weil appeared before the Commission on the Extraterritorial Extension and Zoning Transition. After discussion, Commissioner Hanson moved and Commissioner Bennett seconded to place Ordinance No. 915 on Second Reading. No opposition. Motion carried.

Commissioner Simmons reentered the meeting at this time.

Planning Director Larry Weil appeared before the Commission on Ordinance No. 916, Amendment to Chapter 4-04 of the City Code (Subdivision Regulations) and to Chapters 4-200 and 4-400 of the City Code (Zoning Ordinance). City Attorney Brian Neugebauer stated that instead of 25% of existing floor area in sections 4-431-D and 4-431-E (Sheyenne Street Corridor and Main Avenue Overlay Districts), the intent is to base the additions, renovations or alterations on 25% cumulative additions after the adoption of this ordinance. Senior Planner Steven Zimmer reviewed parking in Sheyenne Street Corridor Overlay District and will be working with City Attorney Brian Neugebauer on the wording to maximize the parking. A discussion was held. After discussion, Commissioner Bennett moved and Commissioner Hanson seconded to place Ordinance No. 916 on Second Reading with the oral changes addressed by City Attorney Brian Neugebauer and Senior Planner Steven Zimmer. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of The Wild's 2nd Addition from Agricultural to Single Family Dwellings and Final Plat Approval. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 914 on the rezoning of The Wild's 2nd Addition on Second Reading and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on a request from Dean Skaflen for a Conditional Use Permit for an oversized (2,800 square foot) accessory building at 330 31st Avenue NW, West Fargo, ND. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Conditional Use Permit on condition the applicant complies with the City's flood plain standards. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2218 (West Fargo High School Parking Lot). Commissioner Simmons moved and Commissioner Thorstad seconded to award the contract for Street Improvement District No. 2218 to Adelman Concrete & Excavating Inc. for their Alternate 2 bid of \$1,525,790.70. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Drain #45 Improvements. Commissioner Bennett moved and Commissioner Hanson seconded to award the contract for Drain #45 Improvements to Excavating Inc. for their bid amount of \$680,085.30. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water, Storm & Street Improvement District No. 1236 (South Pond at the Preserve 4th Addition). Commissioner Hanson moved and Commissioner Bennett seconded to award the contract for Sewer, Water, Storm & Street Improvement District No. 1236 to Dakota Underground Company for their bid amount of \$1,345,399.10 (Alternate A) or \$1,477,435.60 (Alternate B) contingent upon Staff contacting the property owners for a consensus of Alternate A (asphalt) or Alternate B (concrete) without further action of the Commission. No opposition. Motion carried. City Engineer Kevin Bucholz advised that if no consensus is reached by the property owners, the asphalt option would be awarded.

City Administrator Jim Brownlee gave the following report to Commissioners:

Simulated Tornado Disaster will be held in West Fargo on 4/17/12 from Noon to 4PM

Quarterly Joint City/Park/School Board Meeting April 19, 2012

Final 9th Street Study meeting at Moore Engineering on April 24, 2012 from 5-7 PM

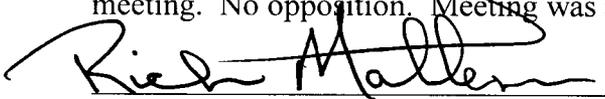
Staff has started facility planning needs

Dennis Rheault is asking that his property be annexed to the City (Lot 1, Blk 1, Houkom 1st Subdivision (25-0680-00010-000), 3718 2nd Street East). City Attorney Brian Neugebauer appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to authorize City Auditor James Brownlee to proceed with this request by negotiating with the landowners to annex Dennis Rheault's property or waive annexation entirely. No opposition. Motion carried.

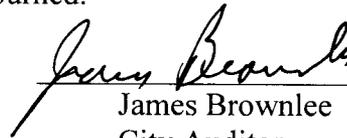
City Engineer Kevin Bucholz advised that updates on Main Avenue construction can be obtained from the ND Department of Transportation webpage.

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor