



The West Fargo City Commission met on Monday, November 19, 2012, 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 Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda. No opposition. Motion carried.

Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Minutes of November 5, 2012. No opposition. Motion carried.

The Commission reviewed Building Permits #815 - 856 along with the Building Department Activity Report dated November 19, 2012.

There were no Commissioner Committee Reports.

The Auditor's Reports for October 2012 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

Games of Chance: VFW Department of North Dakota for Raffle to be held 12/4/2012 to 4/5/2013

Games of Chance: Cooties Pup Tent 8 for Raffle 2/1/13 at VFW Club Post #7564

Well #9 and Well #12 Improvements: approve Plans and Specifications and authorize Advertisement for Bids with bid opening on December 13, 2012

Street Improvement District No. 2225 (Eagle Run Area Street Overlay): approve Engineer's Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications, authorize Advertisement for Bids with bid opening on December 20, 2012 and authorize Resolution of Necessity

Street Improvement District No. 2223 (Elmwood Court Area Street Overlay): approve Engineer's Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications, authorize Advertisement for Bids with bid opening on December 20, 2012 and authorize Resolution of Necessity

Public Hearing 5:45 PM December 3, 2012: Timber Ridge 1st Addition Rezoning from Agricultural to Single Family Dwellings and One & Two Family Dwellings

Public Hearing 5:45 PM December 3, 2012 for Shadow Creek 4th Addition Rezoning from Agricultural to Single Family Dwellings

Public Hearing 5:45 PM December 3, 2012 for Oak Ridge 3rd Addition Rezoning from Agricultural to Light Commercial

No opposition. Motion carried.

A discussion was held on the proposed Diversion Alignment, maintenance of the diversion, bridges, use of the existing diversion, financing and costs to the property owners. City Engineer Kevin Bucholz provided a photo for review. Eric Dodds, a spokesman for Advanced Engineering and Environmental Services, and Lee Beauvais, an engineer with Moore Engineering, appeared before the Commission. The Commission agreed that it is necessary to find out what the cost is going to be for West Fargo. Mayor Mattern directed Staff to discuss alternatives and what does it mean for West Fargo and place this matter on the Agenda again in January. Eric Dodds stated that a Diversion Project Assessment Committee will be formed which will include a West Fargo representative for input on the committee.

Senior Planner Steven Zimmer appeared before the Commission on Ordinance No. 934, Zoning Ordinance Amendment to Chapter 4-470 Nonconforming Lots, Uses of Land, Structures, and Uses of Structures. Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 934 on Second Reading. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on South Pond at the Preserve 6th Addition. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to place on Second Reading Ordinance No. 935 on the rezoning of South Pond at the Preserve 6th Addition from Agricultural to Planned Unit Development and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on North Pond at the Preserve 3rd Addition. Attorney Dan Bueide of the Vogel Law Firm, representing owners of Rusty Goose Development, appeared before the Commission on the naming of the streets. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to place on Second Reading Ordinance No. 936 on the rezoning of North Pond at the Preserve 3rd Addition proposed Lot 4, Block 1 from Agricultural to Light Commercial and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Furnberg 2nd Addition, a replat. Commissioner Hanson moved and Commissioner Wentz seconded to approve the Final Plat of Furnberg 2nd Addition. No opposition. Motion carried.

The City Commission was adjourned at this time and the Board of Adjustments was convened.

Senior Planner Steven Zimmer appeared before the Commission on the request from Kevin Olson of 1938 2nd Avenue East, West Fargo, North Dakota, for a Variance to reduce side yard setback from 5 foot to 4.18 feet for residential structure and advised that the Planning & Zoning Commission recommended approval. City Engineer Kevin Bucholz also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the variance as recommended by Staff. No opposition. Motion carried.

The City Commission was reconvened at this time.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission on the façade grant request from Sandy's Donuts for up to \$20,000.00 based on final costs verified by City Staff, and advised that the Economic Development Advisory Committee recommended approval of the grant. Commissioner Simmons moved and Commissioner Wentz seconded to approve the grant/loan request as outlined by Director of Economic Development and Community Services Mark Vaux. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission on the façade grant request from Silver Dollar, Inc. for up to \$20,000 based on final costs verified by City Staff, and advised that the Economic Development Advisory Committee recommended approval. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the grant/loan request as outlined by Director of Economic Development and Community Services Mark Vaux. No opposition. Motion carried.

Commissioner Mattern advised that a Member and Alternate need to be appointed for the Fargo-Moorhead Metropolitan Council of Governments for 2013. Commissioner Hanson moved and Commissioner Thorstad seconded to reappoint Commissioner Mark Simmons as the member and Commissioner Mark Wentz as the alternate for 2013. No opposition. Motion carried.

Commissioner Mattern advised that a member needs to be appointed to the Cass County Planning Commission for 2013. Commissioner Hanson moved and Commissioner Thorstad seconded to reappoint Commissioner Mark Wentz as the member for 2013. No opposition. Motion carried.

City Auditor James Brownlee reviewed the contract with Centre, Inc. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to authorize the Mayor to enter into the agreement with Centre, Inc. No opposition. Motion carried.

A discussion was held on the scheduled December 31, 2012 City Commission Meeting. Commissioner Simmons moved and Commissioner Hanson seconded that no meeting will be held on December 31, 2012. No opposition. Motion carried.

Mayor Mattern extended sympathy to Planning Director Larry Weil and his family on the passing of his father.

City Auditor James Brownlee gave the following report:

Information was provided on meetings sponsored by City of Fargo/Cass County on November 20, 2012 and City of Fargo/City of West Fargo on December 12, 2012

Building Update: Work is being done on the Public Works Building and once completed, work will begin on the Sanitation Department Building. Another meeting will be held on the new Police Department building and options will be provided to the Commission

Aquatics Center advisory group is still working on feasibility study

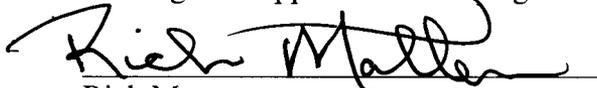
Hotel/Conference Center is moving forward (TIF District – Tax Break – Cash up front for land purchase)

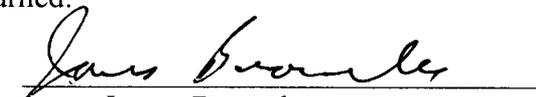
Signals on Veterans Blvd near Costco are going up and should be working by the end of the week

Assistant City Attorney Chris McShane gave an update on Glass Advantage. Letters have been sent out to property owners in the area and they are starting to hear back. State Health Department will be at Glass Advantage next week.

There was no correspondence.

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


Rich Mattern
President of the Board


James Brownlee
City Auditor