



The West Fargo City Commission met on Monday, January 21, 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 Mattern advised that "Selection of Architect for Police Building" is to be added to Non-Agenda, "Games of Chance for West Fargo Exchange Club" is to be added to the Consent Agenda and new maps were provided by Moore Engineering to replace the Assessment District Boundary maps for items j, k and l on the Consent Agenda. Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Order of Agenda with the additions and changes as noted. No opposition. Motion carried.

Commissioner Wentz moved and Commissioner Hanson seconded to approve the Minutes of January 7, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #3 - 12 along with the Building Department Activity Report dated January 21, 2013.

There were no Commissioner Committee Reports.

There were no Department Reports.

Commissioner Mattern asked City Auditor James Brownlee about the Resolution not to appeal FEMA proposed flood hazards determinations. City Auditor James Brownlee advised that FEMA had asked that the City respond to their letter on flood maps and Staff has recommended to adopt the Resolution not to appeal since it would only involve the sewage lagoons and no other part of the City. Commissioner Hanson then moved and Commissioner Simmons seconded to approve the following items on the Consent Agenda:

Bills

Bid Results and recommendations for 2013 Sewer/Water Equipment

Resolution not to appeal FEMA proposed flood hazards determinations

Resolution Directing Assessments to be Levied: Water and Sewer Improvement District No. 1226, Sewer, Water, Storm and Street Improvement Districts No. 1235, 1237, 1238, Sewer and Water Improvement District No. 1239, Sewer, Water, Storm and Street Improvement Districts No. 1240 and 1242 and Street Improvement Districts No. 2215, 2221, 2222 and 2224

Gaming Site Authorization for North Dakota Chapters of Delta Waterfowl Inc. at Speedway Event Center

Designation of Depositories: Alerus Financial, 1st International Bank & Trust, Bell State Bank & Trust, Western State Bank, Starion Bank, Choice Financial, Union State Bank, Wells Fargo Bank

Public Hearing February 4, 2013 at 5:45 PM for Rezoning of Lot 7, Block 1 of North Pond at the Preserve 3rd Addition from Agricultural to Light Commercial

Public Hearing February 4, 2013 at 5:45 PM for Rezoning of Lot 5, Block 3 of South Pond at the Preserve 6th Addition from Agricultural to Light Commercial

Public Hearing February 4, 2013 at 5:45 PM for Rezoning of Prairie Heights Development 2nd Addition from Limited Multiple Dwellings to One and Two Family Dwellings

Sewer, Water, Storm and Street Improvement District No. 1248 (River's Bend at The Preserve 1st Addition): Create Assessment District and authorize City Engineer to prepare Engineer's Report (Replacement map provided by Moore Engineering)

Sewer, Water, Storm and Street Improvement District No. 1247 (South Pond at The Preserve 6th Addition): Create Assessment District and authorize City Engineer to prepare Engineer's Report (Replacement map provided by Moore Engineering)

Sewer, Water, Storm and Street Improvement District No. 1249 (Brooks Harbor 1st Addition): Create Assessment District and authorize City Engineer to prepare Engineer's Report (Replacement map provided by Moore Engineering)

Street Improvement District No. 2226 (Traffic Signal at 9th Street & 19th Avenue East): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Street Improvement District No. 2227 (Traffic Signal at 4th Street & 32nd Avenue East): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Reappoint Todd Zabel to Special Assessment Committee for a six year term to 2018

Games of Chance for West Fargo Exchange Club for Raffle to be held April 12, 2012, at the Speedway Event Center

No opposition. Motion carried.

Assistant Chief Michael Reitan appeared before the Commission on Ordinance No. 945 relating to Door-to-Door Sales and Solicitation. City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 945 on First Reading. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on a request from Kris Peterson for a Conditional Use Permit for in-home hair salon at 1438 Elmwood Court, West Fargo, ND and advised that she was not present at the meeting. Commissioner Mattern advised this request would be discussed at the end of this meeting.

Senior Planner Steven Zimmer appeared before the Commission on the request from Corn, LLC for a Planned Unit Development Amendment for Multiple Family Development on Lot 2, Block 1 of Burlington 6th Addition. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Planned Unit Development subject to the recommendations listed in the Staff Report. No opposition. Motion carried. Planning Director Larry Weil advised that a signed Developers Agreement will be required by the City.

Planning Director Larry Weil appeared before the Commission on the request from Southhill Properties LLC for a Land Use Plan Amendment from Office Park to Medium Density Residential on the west half of Lot 1, Block 1 of Dakota Territory 6th Addition to allow for future senior housing development. Developer Jim Twomey also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to approve the Land Use Plan Amendment subject to the recommendation that the proposed use would support and preserve existing neighborhoods while still providing reasonable area for office commercial uses. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission to request authorization to write a letter on behalf of the City Commission to support the Dakota Commons Senior Housing Project by Southhill Properties, LLC. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to authorize Director of Economic Development and Community Services Mark Vaux to write the letter of support on behalf of the City Commission. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission to review the memo of January 10, 2013 from City Staff regarding the positive and negative impacts of the Fargo Moorhead Diversion Project. City Attorney Brian Neugebauer also appeared before the Commission. After discussion, it was agreed that the City Commission should continue to monitor the situation until there are more definite answers.

City Auditor James Brownlee appeared before the Commission on the selection of the Architect for the new Police Building. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to award the contract for architectural services to YHR contingent on reaching a fee agreement. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

Joint Meeting with School/Park/City officials at 4:30 PM January 23, 2013 at the Public Works Building

Public Sector Personnel Consultants are currently working on the salary study and will be present at the next City Commission Meeting

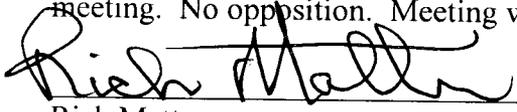
Code Enforcement Team will be providing a policy in the near future for review by the City Commission

Bond issue will be held on February 4, 2013

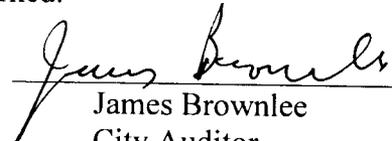
There was no correspondence.

The next item for discussion was Item No. 2 of the Regular Agenda, a request by Kris Peterson for a Conditional Use Permit for in-home hair salon at 1438 Elmwood Court. Senior Planner Steven Zimmer appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to deny the request for a Conditional Use Permit since the applicant was not present at the meeting. No opposition. Motion carried.

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