



The West Fargo City Commission met on Monday, February 4, 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 "Agreement for the Joint Exercise of Peace Officer Duties" is to be discussed under Non-Agenda. Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Order of Agenda as amended. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Hanson seconded to approve the Minutes of January 21, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #13 - 19, the Building Department Activity Report dated February 4, 2013 and the Building Department Monthly Comparison Report for January 2012/January 2013.

There were no Commissioner Committee Reports.

Commissioner Hanson moved and Commissioner Wentz seconded to approve the following items on the Consent Agenda. Commissioner Thorstad asked Public Works Director Barry Johnson about not trading in the old pickups and he was advised there is no trade in value and the City will advertise the sale of the pickups. Commissioner Thorstad also asked Finance Director Tina Gustafson about the credit cards and he was advised there will be Department cards and limits will be set.

#### Bills

Games of Chance: West Fargo Baseball for Raffle July 1, 2012 to July 31, 2012 at Western State Bank

City of West Fargo Credit Card Use Policy

Pickup Bid for 2013 Budgeted Sewer/Water Equipment

Pickup Bids, Utility Trailer Bid and Mower Bids for 2013 Budgeted Street Equipment

Pickup Bid for 2013 Budgeted Sanitation Equipment

Sewer, Water, Storm & Street Improvement District No. 1247 (South Pond at The Preserve 6<sup>th</sup> Addition): Approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

Sewer, Water, Storm & Street Improvement District No. 1250 (North Pond at The Preserve 3<sup>rd</sup> Addition): Create Assessment District, authorize Engineer to prepare Engineer's Report, approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

Sewer, Water, Storm & Street Improvement District No. 1249 (Brooks Harbor 1<sup>st</sup> Addition): approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Resolution Authorizing the Issuance of Improvement Warrants and Exchanging Them for \$15,900,000 Refunding Improvement Bonds of 2013, Series A. Mike Manstrom of Dougherty & Company LLC also appeared before the Commission to review the bid information and advised that the City of West Fargo has an Aa3 Moody's Rating. After review of the bid information, Commissioner Simmons moved and Commissioner Hanson seconded to adopt the Resolution Authorizing the Issuance of Improvement Warrants and Exchanging Them for \$15,900,000 Refunding Improvement Bonds of 2013, Series A and accept the bid from Robert W. Baird to purchase the warrants at a price of \$15,950,645.56 with an average annual net interest rate on the Bonds of 2.732539%. No opposition. Motion carried.

Human Resource Director Carmen Schroeder appeared before the Commission on the Compensation Plan and Classification Analysis project currently underway. Kaye Tilzer of Public Sector Personnel Consultants presented an overview of the study. Police Chief Arland Rasmussen stated that he would like Cass County and Clay County to be used in the survey comparisons.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 945 relating to Door-to-Door Sales and Solicitation. Commissioner Simmons moved and Commissioner Wentz seconded to place Ordinance No. 945 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 946 relating to Limitations on Turning Around. Assistant Chief Michael Reitan also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to place Ordinance No. 946 on First Reading. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission on the request from Dakota Commons-Southhill Properties, LLC for a PILOT (Payment in Lieu of Taxes) for the Senior Living Housing Project on Block 1 of Dakota Territory 6<sup>th</sup> Addition. A Public Hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the PILOT as recommended by Staff. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the City of West Fargo Post-Issuance Debt Compliance Policy and the Post-Issuance Debt Compliance Procedures. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to adopt these policies as presented by City Attorney Brian Neugebauer. No opposition. Motion carried.

Senior Planner Steven Zimmer advised there was an error in the Public Hearing date when the notices were published in the West Fargo Pioneer so the Public Hearings for the rezoning of North Pond at the Preserve 3<sup>rd</sup> Addition, South Pond at the Preserve 6<sup>th</sup> Addition and Prairie Heights Development 2<sup>nd</sup> Addition (Items No. 7, 8 and 9 of the Agenda) will be held at the next City Commission Meeting along with the Second Reading of the rezoning ordinance and Final Plat Approval. First Reading of the rezoning requests will be held at this meeting.

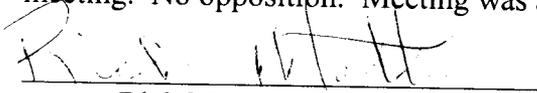
Senior Planner Steven Zimmer appeared before the Commission on the rezoning of Lot 7, Block 1 of North Pond at the Preserve 3<sup>rd</sup> Addition from Agricultural to Light Commercial and the rezoning of Lot 5, Block 3 of South Pond at the Preserve 6<sup>th</sup> Addition from Agricultural to Light Commercial. Planning Director Larry Weil appeared before the Commission on the rezoning of Prairie Heights Development 2<sup>nd</sup> Addition from Limited Multiple Dwellings to One and Two Family Dwellings. Commissioner Simmons moved and Commissioner Hanson seconded to place the rezoning requests on First Reading as recommended by the Planning and Zoning Commission. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water and Storm Improvement District No. 1241 – Rebid (Montgomery Homestead 1<sup>st</sup> Addition). Commissioner Wentz moved and Commissioner Thorstad seconded to award the contract for Sewer, Water, Storm Improvement District No. 1241 – Rebid to Sherman's LLC for their bid amount of \$253,538.70. No opposition. Motion carried.

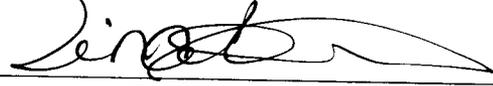
Assistant Chief Michael Reitan appeared before the Commission on the Agreement for the Joint Exercise of Peace Officer Duties which was approved on December 3, 2012, and reviewed two minor changes to the Insurance Policy amounts on Page 4 and the language addition on Page 3. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Agreement. No opposition. Motion carried.

There was no correspondence.

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



Rich Mattern  
President of the Board



Tina Gustafson  
Assistant City Auditor