



The West Fargo City Commission met on Monday, March 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 "Resolution Amending Sewer, Water, Storm and Street Improvement District No. 1242" is to be added to the Consent Agenda and "Resolution Approving Contract and Contractor's Bond for Well #9 and Well #12" is to be added to the Regular Agenda. Commissioner Thorstad moved and Commissioner Hanson seconded to approve the Order of Agenda with the additions as noted. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Wentz seconded to approve the Minutes of February 18, 2013 and the Special Meeting Minutes of February 25, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #26 - 41, the Building Department Activity Report dated March 4, 2013 and the Building Department Monthly Comparison Report for February 2012/February 2013.

There were no Commissioner Committee Reports.

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

Bills

2012 Storm Water Annual Report

Games of Chance: South Elementary PTA for Raffle to be held April 19, 2013 at South Elementary

Sewer, Water, Storm & Street Improvement District No. 1252 (Strawberry Fields Addition): Approve Engineer's Report and authorize preparation of Plans and Specifications

Resolution Amending Sewer, Water, Storm and Street Improvement  
District No. 1242

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Settlement Agreement for Kevin and Delight Swingen at 115 32<sup>nd</sup> Avenue East for a condemnation case which had been discussed at the Executive Session on February 25, 2013 in order to get a temporary right of way. City Attorney Brian Neugebauer stated that their attorney had agreed to the amount of \$11,000 to settle all claims. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Settlement Agreement of \$11,000 and authorize City Attorney Brian Neugebauer to proceed with the settlement and that all questions should be referred to the City Attorney. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on an amendment to the Liquor Ordinance to add a portion of Blue Stem Drive as a location of licensed alcoholic beverage establishments and provided a copy of Ordinance No. 952. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 952 on First Reading. No opposition. Motion carried.

Planning Director Larry Weil advised the Commission that Gate City will begin construction of a new building in the spring and representatives of Gate City have requested a sign permit to proceed at their own risk in advance to the building permit being issued. Bernie Dardis of Indigo Signs appeared before the Commission on a request for permanent signage prior to construction of the building at 837 31<sup>st</sup> Avenue East, West Fargo, ND. Commissioner Simmons moved and Commissioner Hanson seconded to approve the permanent signage prior to construction. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Strawberry Fields 1<sup>st</sup> Addition. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to place on Second Reading Ordinance No. 937 on the rezoning from Agricultural to One and Two Family Dwellings, Limited Multiple Dwellings and Light Commercial, to approve the Land Use Plan amendment from General Commercial to Medium Density Residential and to approve the Final Plat. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Contract and Contractor's Bond for Well #9 and Well #12. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Contract and Contractor's Bond for Well #9 and Well #12. No opposition. Motion carried.

A discussion was held regarding the April 29, 2013 City Commission Meeting (fifth Monday of the month). Commissioner Hanson moved and Commissioner Simmons seconded that no meeting be held on April 29, 2013. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission regarding the request to rezone Lots 4 and 5, Block 1 of North Pond at the Preserve 3<sup>rd</sup> Addition from Light Commercial to Planned Unit Development. A Public Hearing was held. There was no public comment and the hearing was closed. Commissioner Thorstad moved and Commissioner Wentz seconded to place the rezoning on First Reading subject to the recommendations of the Planning & Zoning Commission. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission regarding the request to rezone River's Bend at the Preserve 1<sup>st</sup> Addition from Agricultural to Single Family Dwellings and advised Staff has discussed the access concern. City Engineer Kevin Bucholz also appeared before the Commission. A Public Hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Thorstad seconded to place the rezoning on First Reading subject to the ten recommendations of the Planning & Zoning Commission and to make sure there is a plan for access to the Loberg property. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission on the request from Diversified Welding Inc. for a new property tax exemption on a building at Lot 2, Block 1 Christianson 2<sup>nd</sup> Addition. Vaux explained that the Economic Development Committee recommended moving this request forward to the City Commission for public hearing, but the Planning & Zoning still needs to review this request, so after the Public Hearing the matter should be tabled until it is reviewed by Planning & Zoning Commission. The Public Hearing was held. Glenn Gordon, owner of Diversified Welding Inc., appeared before the Commission. The hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to table action until this request goes through the Planning & Zoning process. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

State Auditors began the audit today

West Fest planning has begun

Aquatics Center: Consultants have been asked to cut the project back to \$25 million. The School/City/Park finance officers met. The consultants will make a presentation at a Joint Meeting of the Fargo/West Fargo Park/School/City officials on March 27, 2013 at 4:00 PM at the Public Works Building

Diversion Assessment Committee is looking at finance options

Friday, March 8, 2012, is ND League of Cities Day at the Legislative Session.

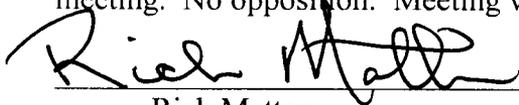
Presented a list of Bills before the Legislative Sessions

Legislative Forum will be held at City Hall this Saturday, March 9, 2013 at 10:00 AM

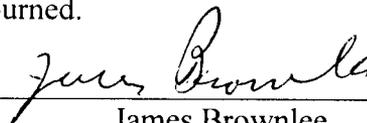
Public Works Director Barry Johnson stated that work will begin on the Sanitation Building the first week of April

There was no correspondence.

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



Rich Mattern  
President of the Board



James Brownlee  
City Auditor