



The West Fargo City Commission met on Monday, May 20, 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 the following items are to be added to the Regular Agenda: First Reading of Ordinance No. 962 relating to Excise Tax on Telephone Access Lines and Wireless Service, Request for a Building Permit prior to approval of the Planned Unit Development (ND Autism Center) and Discussion on Lagoon. Commissioner Simmons moved and Commissioner Wentz seconded to approve the Order of Agenda with the additions to the Regular Agenda as noted. No opposition. Motion carried.

Commissioner Thorstad moved and Commissioner Hanson seconded to approve the Minutes of May 6, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #177 - 234 along with the Building Department Activity Report dated May 20, 2013.

There were no Commissioner Committee Reports.

The Auditor's Reports for April 2013 were received by the City Commission.

There were no Department Reports.

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

**Bills**

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1249

Appointment of Dr. Karla Knutson and Douglas Leier to Library Board

Gaming Site Authorization: West Fargo Fire Department Inc. at Silver Dollar from 7/1/13 to 6/30/14

Gaming Site Authorization: ShareHouse, Inc. at O'Learys Pub from 7/1/13 to 6/30/14

Gaming Site Authorization: Prairie Public Broadcasting, Inc. at Three Lyons Public House from 7/1/13 to 6/30/14

Street Improvement District No. 2219 (7<sup>th</sup> Avenue East – 17<sup>th</sup> Street East to 45<sup>th</sup> Street South): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Sewer, Water, Storm and Street Improvement District No. 1258 (Brooks Harbor 2<sup>nd</sup> Addition): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Storm Improvement District No. 4050 (North Section 19 Regional Storm Lift): approve Engineer's Report and authorize Plans and Specifications

Games of Chance: Stephanie Goetz Foundation for Raffle at Divas & Rockstars on 6/27/13

No opposition. Motion carried.

Julie Rokke of YHR Partners appeared before the Commission on the new Police Department Building. Mark Lundberg of YHR and representatives of the BKV Group were also present. Julie Rokke presented the schematic design phase for the new Police Department Building and remodeling with an estimated cost of \$10,000,000. Assistant Police Chief Michael Reitan gave a history of the Police Department housing, Staffing and Statistics. City Auditor James Brownlee and Police Chief Arland Rasmussen also appeared before the Commission. Ms. Rokke stated that the footing and foundation package would begin this fall 2013 with a year end 2014 completion date for the project.

City Engineer Kevin Bucholz introduced Jim de Lambert of Liesch Associates to review the Phase II Summary – Aquifer and Production Well Study for Potable Water Supply along with conclusions and recommendations for the City of West Fargo. Mr. de Lambert stated that the modeling suggests that West Fargo could self supply water at the projected levels for the next 30 years and recommended to continue with the well maintenance and rehabilitation program to include adding wells in addition to rebuilding existing wells. Mr. de Lambert also stated that Phase III includes the economics (investment and infrastructure), regulatory (providing permits for rights to get water) and well maintenance and operations of existing wells. City Engineer Kevin Bucholz also appeared before the Commission. A discussion was held on a water treatment plant. Mr. de Lambert stated that Phase III would be completed within 3-4 months.

Commissioner Mattern advised that the Commission would be taking a 5-10 minute break at this time.

The City Commission reconvened at 7:10 PM.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 959 relating to Contractors License, Fee Expiration Date and License and Examination Fees and relating to Meter Deposit. Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 959 on Second Reading. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on South Pond at the Preserve 7<sup>th</sup> Addition. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to place on Second Reading Ordinance No. 958 for the rezoning of South Pond at the Preserve 7<sup>th</sup> Addition from Agricultural and Mixed, One & Two Family Dwellings to Single Family Dwellings and approve the Final Plat. No opposition. Motion carried.

Commissioner Simmons began discussion on requests for a green arrow at the traffic light at Main Avenue/Sheyenne Street for southbound traffic on Sheyenne Street and advised that the ND Department of Transportation does not feel a green arrow is warranted. Assistant Public Works Director Chris Brungardt and City Attorney Brian Neugebauer appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to direct Staff to prepare a letter to the ND Department of Transportation from the City Commission requesting a green arrow at this traffic light. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1254 (South Pond at The Preserve 7<sup>th</sup> Addition). Commissioner Hanson moved and Commissioner Thorstad seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1254 to Master Construction for their bid of \$252,380.60 as recommended by Moore Engineering. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer and Water Improvement District No. 1255 (Shadow Creek 4<sup>th</sup> Addition). Commissioner Thorstad moved and Commissioner Wentz seconded to award the contract for Sewer and Water Improvement District No. 1255 to Master Construction for their bid amount of \$172,969.50 as recommended by Moore Engineering. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No.1252 (Strawberry Fields Addition) and advised that this matter had been pulled from the May 6, 2013 City Commission Agenda in order to discuss with Master Construction the bid submitted by them. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to award the contract for Sewer, Water, Storm and Street Improvement District No.1252 to H & S Contracting, Inc. for their bid amount of \$234,765.95 as recommended by Moore Engineering. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1256 (Charleswood 29<sup>th</sup> Addition) and advised that this matter had been pulled from the May 6, 2013 City Commission Agenda in order to discuss with Master Construction the bid submitted by them. Assistant City Engineer Dustin Scott advised that Master Construction agreed to their original bid of \$253,838.55 with No Change Order. City Attorney Brian Neugebauer advised that their contract has penalty clauses to safeguard the City on this project. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1256 to Master Construction Co., Inc. for their bid amount of \$253,838.55 as recommended by Moore Engineering. No opposition. Motion carried.

Commissioner Simmons began discussion on the City's lagoon odor and stated that the Commission owes the citizens of West Fargo an explanation for the odor. Public Works Director Barry Johnson appeared before the Commission and advised the following:

- some of the lagoons have wind mixers to help control odor, however, the large pond does not have a wind mixer
- the City has tried chemicals in the past
- Staff does attend National Conferences to secure any information
- Terry Rust does attend EPA and Industrial Conferences to secure information
- Lagoons are located on the North end of town which creates a problem

Commissioner Simmons asked if the City needs to hire a consultant to study the odor problem. Public Works Director Barry Johnson agreed to do further research and provide information to the City Commission.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 962 relating to Excise Tax on Telephone Access Lines and Wireless Service which includes a change to Definitions and an excise tax from \$1.00 to \$1.50 per month. Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 962 on First Reading. No opposition. Motion carried.

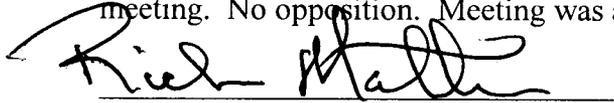
Senior Planner Steven Zimmer appeared before the Commission on the request from the developer of the ND Autism Center (to be located between the Dakota Boys Ranch and Three Lyons Pub) for a building permit prior to the Planned Unit Development being approved, and recommended approval to proceed at their own risk. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to authorize the Building Permit for the ND Autism Center with the developer proceeding at his own risk. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

- Groundbreaking for the ND Autism Center is May 23, 2013
- Park has advised that the feasible study for the Aquatics Center will be received soon
- Shadowwood Park Dedication has been rescheduled from May 21 to May 28<sup>th</sup>
- Staff will be meeting with ND Department of Transportation on May 28, 2013, to discuss the final section of the Main Avenue Project
- Staff is beginning the 2014 Budget Process with budget meetings to begin late July and early August

There was no correspondence.

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



Rich Mattern  
President of the Board



James Brownlee  
City Auditor