



The West Fargo City Commission met on Monday, June 3, 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 Consent Agenda: Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2226, Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No.1251, Gaming Site Authorizations for the West Fargo Hockey Association at Border Town, Work Zone, Speedway Event Center, Speedway and M & J, additional bills (check #45093-97) are to be added to the bills, a correction has been made to Page 3 of the Staff Report for Item #6 of the Regular Agenda and a request from John Rust for a building permit prior to Conditional Use Permit approval for the accessory building 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 Wentz moved and Commissioner Hanson seconded to approve the Minutes of May 20, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #235 - 290, the Building Department Activity Report dated June 3, 2013 and the Building Department Monthly Comparison Report for May 2012/May 2013.

There were no Commission Committee Reports.

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

Bills

Games of Chance: Trinity Lutheran Church of Evansville, MN for Raffle to be held August 12, 2013 at Precision Plumbing, Inc.

To write off loan amount of \$979,423.06 from Sanitation Fund to District #2067 debt service fund

Resolution in Support of FMCOG's Intelligent Transportation System (ITS) Deployment Strategy

Resolution to change the name of a private drive in Burlington Sixth Addition from Times Square Way (west segment) to Brooklyn Way

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1248

Public Hearing June 17, 2013 5:45 PM for rezoning of West Creek 1<sup>st</sup> Addition from Agricultural to One & Two Family Dwellings, Multiple Dwellings and Public Facilities

Public Hearing June 17, 2013 5:45 PM for rezoning of West Fargo 3<sup>rd</sup> Addition from Agricultural to Heavy Industrial & Public Facilities

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

Sewer, Water, Storm and Street Improvement District No. 1259 (Shadow Creek 5<sup>th</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 Plans and Specifications and authorize Advertisement for Bids with bid opening on June 6, 2013

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2226

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No.1251

Gaming Site Authorizations for West Fargo Hockey Association at Border  
Town, Work Zone, Speedway Event Center, Speedway and M & J

No opposition. Motion carried.

Mayor Mattern reviewed information in regard to joining the Fargo-Moorhead Convention & Visitors Bureau as of September 1, 2013 and advised that the West Fargo Visitors Committee recommended to join the Fargo-Moorhead Convention & Visitors Bureau. Charley Johnson, President/CEO of FM Convention & Visitors Bureau appeared before the Commission to review the makeup of the Board and advised that two new positions would be added if West Fargo joined as of September 1, 2013 which is the beginning of their budget year. Tom Casper, Chairman of the Board, was also present. City Attorney Brian Neugebauer advised that the current fund balance would stay in place to be used by the West Fargo Visitors Committee. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to authorize the Mayor and City Auditor to enter into the Agreement between the Fargo-Moorhead Convention and Visitors Bureau and the City of West Fargo, North Dakota and to approve First Reading of Ordinance No. 956 relating to City Lodging Tax. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 962 relating to Excise Tax on Telephone Access Lines and Wireless Service. Commissioner Wentz moved and Commissioner Thorstad seconded to place Ordinance No. 962 on Second Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Lot 7, Block 1 of North Pond at the Preserve 3<sup>rd</sup> Addition. Commissioner Hanson moved and Commissioner Thorstad seconded to place the rezoning from Agricultural to Light Commercial for Lot 7, Block 1 of North Pond at the Preserve 3<sup>rd</sup> Addition on Second Reading as recommended by the Planning & Zoning Commission. No opposition. Motion carried.

Planning Director Larry Weil appeared before the commission on the request from Brent Olson for a Planned Unit Development Amendment for increased signage at 647 13<sup>th</sup> Avenue East (Lot 2, Block 1 of KASS 3<sup>rd</sup> Addition). Jill Gustofson of Indigo Sign Works also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Planned Unit Development Amendment for increased signage subject to the recommendation listed in the Staff Report. Commissioners Mattern, Wentz, Simmons and Hanson voting aye. Commissioner Thorstad abstained from voting. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from Staysharpe for a Planned Unit Development Amendment for hotel and restaurant at 925 19<sup>th</sup> Avenue East (Lot 1, Block 1 of Burlington 6<sup>th</sup> Addition). After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Planned Unit Development Amendment subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from Maarja Krogh for a Conditional Use Permit for a Group Child Care Facility located at 328 Cherry Court, West Fargo, ND. Maarja Krogh also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report and the stipulation there is a limit of 15 actual children. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Oak Ridge 4<sup>th</sup> Addition, a Replat, advised that the Planning & Zoning Commission recommended approval and advised that the signed mylar with signed agreement has been received. Commissioner Hanson moved and Commissioner Wentz seconded to approve the Final Plat of Oak Ridge 4<sup>th</sup> Addition subject to the conditions listed in the Staff Report. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2228 (9<sup>th</sup> Street West – 23<sup>rd</sup> Avenue West to 30<sup>th</sup> Avenue West) and recommended to award the contract to Dakota Underground with one contingency clause that Staff gets easements for the right of way. City Attorney Brian Neugebauer also appeared before the Commission. Commissioner Wentz moved and Commissioner Thorstad seconded to award the contract for Street Improvement District No. 2228 to Dakota Underground Company for their bid amount of \$1,382,698.06 on the condition Staff gets the easements for the right of way. No opposition. Motion carried.

A discussion was held on the City Commission meeting to be held July 29, 2013 (5<sup>th</sup> Monday of the month). After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded that a meeting will be held on July 29, 2013. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from John Rust of 3813 Sheyenne Street for the issuance of a building permit prior to approval of the Conditional Use Permit for a 1152 square foot accessory building. John Rust appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve issuance of the Building Permit prior to approval of the Conditional Use Permit with the condition that the builder is proceeding at his own risk. No opposition. Motion carried.

City Auditor James Brownlee gave the following report:

Police Chief Arland Rasmussen is coming back to work part-time tomorrow after his heart surgery

The front part of the Sanitation Building is now torn down. Sewer and Water work needs to be completed before the new building begins

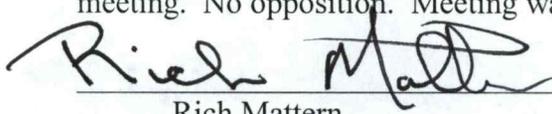
Groundbreaking for Cambria Hotel/Convention Center is scheduled for 11AM June 27, 2013.

Bids for cleaning services were requested. Dow and one other firm submitted bids. Dow Services was lowest bid so City will be staying with Dow Services.

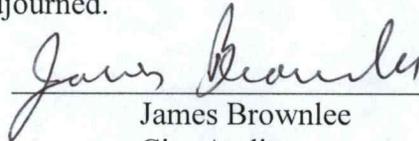
Final 22 Page Legislation Report has been prepared by League of Cities

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