



The West Fargo City Commission met on Monday, June 17, 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 Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Wentz seconded to approve the Minutes of June 3, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #291 - 355 along with the Building Department Activity Report dated June 17, 2013.

There were no Commissioner Committee Reports.

The Auditor's Reports for May 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

Approve write off list of uncollectible accounts

Resolution Approving Contract and Contractor's Bond in Sewer and Water Improvement District No. 1255

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1254

Gaming Site Authorization: Arthur W. Jones Post 7564 at West Fargo VFW Club 7/1/13 to 6/30/14

Sewer, Water, Storm and Sewer Improvement District No. 1256: Resolution amending the Title to refer only to Sewer, Water and Storm Improvements and Resolution Approving Contract and Contract's Bond in Sewer, Water and Storm Improvement District No. 1256

Amended Resolution Directing Auditor to Advertise for Bids in Sewer Improvement District No. 1253

Amended Resolution Directing Auditor to Advertise for Bids in Sewer, Water, Storm and Street Improvement District No. 1257

Street Improvement District No. 2219 (7<sup>th</sup> Avenue East – 17<sup>th</sup> Street East to 45<sup>th</sup> Street South): Resolution Declaring Work Necessary for an Improvement in Street Improvement District No. 2219, Approve Engineer's Report and authorize preparation of Plans and Specifications

Pledging of Assets

Public Hearing July 1, 2013 at 5:45 PM for rezoning of Brooks Harbor 2<sup>nd</sup> Addition from Agricultural to Single Family Dwellings

Public Hearing July 1, 2013 at 5:45 PM for rezoning of Shadow Creek 5<sup>th</sup> Addition from Agricultural to Single Family Dwellings

Sewer, Water, Storm and Street Improvement District No. 1262 (West Creek 1<sup>st</sup> Addition): 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): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on July 11, 2013

Sewer, Water, Storm and Street Improvement District No. 1257 (Oak Ridge 4<sup>th</sup> Addition): Approve "Revised" Engineer's Report and authorize preparation of Plans and Specifications

Contract Change Orders

No opposition. Motion carried.

Assistant City Attorney Sarah M. Nyhus-Wear appeared before the Commission on Ordinance No. 956 relating to City Lodging Tax and advised there were no changes since First Reading. Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 956 on Second Reading. No opposition. Motion carried.

Assistant City Attorney Sarah M. Nyhus-Wear appeared before the Commission on Ordinance No. 961, an Ordinance to amend and reenact Sections 1-0211, 9-0326, 10-0321, 12-0208, 13-0101.1, 13-0203, 13-0209, 13-0920, and 13-2209 of the Revised Ordinances of 1990 of the City of West Fargo regarding penalties and to Repeal Sections 2-0122, 10-03A18, 10-0707, 10-1009, 12-0505, 12-0905, and Chapter 12-10 regarding Penalty Provisions, dealing with changes in State Statutes effective July 1 and August 1, 2013. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place Ordinance No. 961 on First Reading. No opposition. Motion carried.

Assistant City Attorney Sarah M. Nyhus-Wear appeared before the Commission on Ordinance No. 957 relating to Animals. Police Chief Arland Rasmussen also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 957 on First Reading. No opposition. Motion carried.

Assistant City Attorney Sarah M. Nyhus-Wear appeared before the Commission on Ordinance No. 966 relating to Water Service and Water Meters and advised that a Resolution setting forth the fees would need to be approved by the Commission at a later date. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 966 on First Reading. No opposition. Motion carried.

The 2013-2014 Beer and Liquor License Renewals were reviewed. The letter of June 11, 2013 along with attachments from Police Chief Arland Rasmussen was also reviewed. Police Chief Arland Rasmussen and Robin Litke Sall of Safe Communities Coalition also appeared before the Commission to review the statistics on Server Training. The Commission agreed that the Server Training information should be checked on a quarterly basis rather than annual and asked the Police Department to contact the bars and review this information with them along with a review of service calls to the Police Department. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to approve the 2013-2014 Beer and Liquor License Renewals as presented. No opposition. Motion carried.

Planning Director Larry Weil introduced new hire Senior Planner Tim Solberg who is replacing Senior Planner Steven Zimmer.

Planning Director Larry Weil appeared before the Commission on the Renaissance Zone Application from Rodney and Glenda Klein for Roddies Storage LLC to build additional building on property available for lease at 658 West Main Avenue, West Fargo, ND. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Renaissance Zone application. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on West Creek 1<sup>st</sup> Addition rezoning from Agricultural to One and Two Family Dwellings, Multiple Dwellings and Public Facilities. A public hearing was held. Attorney Dan Bueide of the Vogel Law firm, representing Wallace and Violet Beaton and Perry and Carol Beaton, appeared before the Commission. The hearing was closed. A discussion was held on the traffic flow for the area. Commissioner Simmons moved and Commissioner Hanson seconded to place on First Reading the rezoning of West Creek 1<sup>st</sup> Addition from Agricultural to One and Two Family Dwellings, Multiple Dwellings and Public Facilities subject to all recommendations of the Planning and Zoning Commission listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on West Fargo 3rd Addition rezoning from Agricultural to Heavy Industrial and Public Facilities. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Wentz seconded to place on First Reading the rezoning of West Fargo 3rd Addition rezoning from Agricultural to Heavy Industrial and Public Facilities subject to all recommendations listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from Petro Serve USA for a Conditional Use Permit for truck fueling and bulk fuel storage facility located at 1772, 1812 and 1822 West Main Avenue, West Fargo, ND. Dennis Rheault appeared before the Commission. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the Conditional Use Permit with conditions based on request's consistency with City Plans and Ordinances. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from Meridian Commercial Construction for a Planned Unit Development Amendment for professional office building (North Dakota Autism Center) at 647 13<sup>th</sup> Avenue East, West Fargo, ND. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Planned Unit Development Amendment subject to all recommendations listed in the Staff Report. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission and advised that Staff had met with the Department of Transportation on the 8<sup>th</sup> Street Alignment project. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded that the 8<sup>th</sup> Street Alignment should be a City project and that the City do the alignment project at the same time the Department of Transportation does the Main Avenue Project which is scheduled for 2015. No opposition. Motion carried.

City Auditor James Brownlee then asked if the Commission wanted the 8<sup>th</sup> Street realignment project done or to review other options. City Engineer Kevin Bucholz also appeared before the Commission. A discussion was also held on the 6<sup>th</sup> Street realignment request. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to table decisions on these alignment projects until January 2014. No opposition. Motion carried.

There were no Non-Agenda items.

City Auditor James Brownlee gave the following report:

Groundbreaking for Cambria Hotel/Convention Center is set for 11AM on June 27, 2013

Cat Remanufacturing Grand Opening is set for July 1, 2013 from 2-4 PM

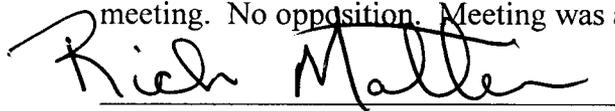
First Cruise Night will be held June 20, 2013

Bonanzaville will be holding a 4<sup>th</sup> of July Celebration including fireworks

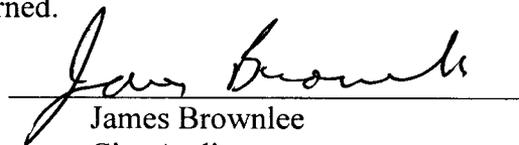
The hotel to be built on the east side of Veterans Boulevard is now going to be an extended stay hotel.

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