



The West Fargo City Commission met on Monday, July 15, 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 "Appointment of Joseph Watzke to replace Todd Zabel on the Special Assessment Committee" is to be added to the Consent Agenda, approval of a Road Access Easement is to be added to Non-Agenda and Item j of the Consent Agenda, "Sewer, Water, Storm and Street Improvement District No. 1257 (Oak Ridge 4th Addition)", is to be removed and discussed under Item No. 11 of the Regular Agenda. Commissioner Hanson moved and Commissioner Wentz seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Minutes of July 1, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #395- 440 along with the Building Department Activity Report dated July 15, 2013.

There were no Commissioner Committee Reports.

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

There were no Department Reports.

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

Bills

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2228

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1252

2013 City of West Fargo Highway Tax Distribution Special Allotment Project #1
City Wide Signal Interconnect: Approve Engineer's Report and approve preparation of Plans and Specifications

2013 City of West Fargo Highway Tax Distribution Special Allotment Project #2
– 9th Street Overlay: Approve Engineer's Report and approve preparation of Plans and Specifications

2013 City of West Fargo Highway Tax Distribution Special Allotment Project #3
– First Street Overlay: Approve Engineer's Report and approve preparation of Plans and Specifications

Public Hearing July 29, 2013 at 5:45 PM for Rezoning of The Wilds 3rd Addition from Agricultural to Single Family Dwellings

Public Hearing July 29, 2013 at 5:45 PM for Rezoning of The Wilds 4th Addition from Agricultural to Single Family Dwellings

Public Hearing July 29, 2013 at 5:45 PM for Rezoning of Butler's 8th Addition from Agricultural to Heavy Commercial/Light Industrial

Sewer, Water, Storm and Street Improvement District No. 1259 (Shadow Creek 5th Addition): Approve Revised Assessment District

Sewer, Water, Storm and Street Improvement District No.1262 (West Creek 1st Addition): Approve Plans and Specifications and authorize Advertisement forbids with bid opening on August 1, 2013

Change Order No. 3 for Street Improvement District No. 2223 (Elmwood Court Area Street Overlay)

Appointment of Joseph Watzke to replace Todd Zabel on the Special Assessment Committee

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 970 relating to Firearms or Dangerous Weapons and provided the Commission with the latest update of the ordinance which matches State laws. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place Ordinance No. 970 on First Reading. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Brooks Harbor 2nd Addition, indicated that the street names have been changed and that the Planning & Zoning Commission recommended approval. Commissioner Hanson moved and Commissioner Simmons seconded to place Ordinance No. 967 on Second Reading for the rezoning of Brooks Harbor 2nd Addition from Agricultural to Single Family Dwellings and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Shadow Creek 5th Addition and advised that all requirements have been met and the Planning & Zoning Commission recommended approval of the rezoning and Final Plat. Commissioner Wentz moved and Commissioner Thorstad seconded to place Ordinance No. 968 on Second Reading for the rezoning of Shadow Creek 5th Addition from Agricultural to Single Family Dwellings and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from Meadow Ridge Bible Chapel for a Conditional Use Permit for additional signage height for the church located at 2198 2nd Avenue East, West Fargo, ND and advised that the Planning & Zoning Commission recommended approval with the conditions listed in the Staff Report. Commissioner Hanson moved and Commissioner Wentz seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report. Commissioners Mattern, Simmons, Hanson and Wentz voting aye. Commissioner Thorstad abstained from voting. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 969 annexing property in part of the Northwest Quarter (NW ¼) of Section 18, Township 139 North, Range 49 West, Cass County, North Dakota (Beaton Property). A public hearing was held. There was no public comment and the hearing was closed. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to approve annexation of said property and place Ordinance No. 969 on Second Reading. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from John Rust for a Conditional Use Permit for an Oversized Accessory Building at 3813 Sheyenne Street, West Fargo, ND. Commissioner Wentz moved and Commissioner Hanson seconded to approve the Conditional Use Permit subject to the condition listed in the Staff Report that the curb cut on 38th Avenue East is approved by the City Engineer. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Mustang Boosters for Signage at 800 40th Avenue East, West Fargo, ND. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report. Commissioners Mattern, Simmons, Hanson and Wentz voting aye. Commissioner Thorstad abstained from voting. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from StaySharpe for a Planned Unit Development amendment to allow for modifications to the hotel and restaurant at 925 19th Avenue East, West Fargo, ND. Developer Kyle Newman also appeared before the Commission and advised that the amendment is to accommodate 130 units for extended stay. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Planned Unit Development subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from NCDI for a Planned Unit Development on Lots 1-3, Block 1 and Lots 11 and 12, Block 2 of Hayden Heights Addition, West Fargo, ND to allow for construction of larger single family homes and accessory buildings and advised that the Planning & Zoning Commission recommended approval subject to the conditions listed in the Staff Report which have been met. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the Planned Unit Development subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Assistant Public Works Director Chris Brungardt appeared before the Commission on the 7th Avenue East Project Concept Report for the reconstruction of 7th Avenue East from 17th Street to 45th Street. After review of the document, Commissioner Simmons moved and Commissioner Thorstad seconded to concur with the project concepts as proposed and to proceed with Alternate D, Reconstruct as two lane section with protected on street parking. No opposition. Motion carried.

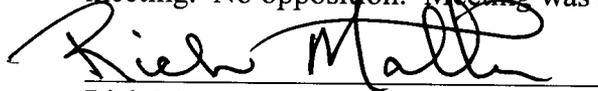
City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1257 (Oak Ridge 4th Addition). Assistant City Engineer Dustin Scott reviewed the request from PACES Lodging to realign the sewer and water lines since they were unable to secure an easement from The Village. This realignment would greatly increase the cost of the project. City Attorney Brian Neugebauer appeared before the Commission. Nate Volmuth of PACES Lodging also appeared before the Commission and advised he would like to again meet with The Village to see if they could reach an agreement on the easement. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to table action on Sewer, Water, Storm and Street Improvement District No. 1257 for two weeks. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission to advise that Southeast Cass has been working with Staff to reach an agreement on a Road Easement along the diversion property. Commissioner Hanson moved and Commissioner Wentz seconded to enter into the agreement with Southeast Cass. No opposition. Motion carried.

There was no report from City Auditor James Brownlee.

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



James Brownlee
City Auditor