



The West Fargo City Commission met on Monday, August 19, 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 Games of Chance for West Fargo Amvets Post #8 for Raffle to be held August 19, 2013 to June 30, 2013, is to be added to the Consent Agenda and Item No. 4 of the Regular Agenda, Approval of Liquor License Application at 1410 9th Street East, is to be removed from the Regular Agenda. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Wentz seconded to approve the Minutes of August 5, 2013 and the Budget Meeting Minutes of August 5, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #523 - 571 and the Building Department Activity Report dated August 19, 2013.

There were no Commissioner Committee Reports.

The Auditor's Reports for July 2013 were received.

There were no Department Reports.

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

Bills

Games of Chance: Ducks Unlimited – Fargo for Raffle to be held September 12, 2013 at Speedway Event Center

Games of Chance: Dakota Southeast Pheasant Forever for Raffle to be held September 19, 2013 at Speedway Event Center

Games of Chance: Holy Cross Catholic Church for Raffle to be held October 26, 2013

Amended Resolution Directing Assessments to be Levied in each of the following districts:

Sewer, Water, and Storm Improvement District No. 1241

Sewer, Water, Storm and Street Improvement Districts No. 1243, 1244, 1247, 1250, 1252, 1254, 1256

Sewer and Water Improvement District No. 1255

Street Improvement Districts No. 2223, 2225

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1258

Sewer, Water, Storm and Street Improvement District No. 1265 (Brentwood 1st Addition): Create Assessment District and authorize Engineer to prepare Engineer's Report

Street Improvement District No. 2219 (7th Avenue East – 17th Street East to 45th Street South): Approve Plans and Specifications and authorize NDDOT to Advertise for Bids

Sewer, Water, Storm and Street Improvement District No. 1263 (The Wilds 3rd and 4th Additions): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on 9/12/13

Public Hearing September 16, 2013 at 5:45 PM for Rezoning of Brooks Harbor 3rd Addition from Agricultural to Limited Multiple Dwellings

Games of Chance: West Fargo Amvets Post #8 for Raffle to be held August 19, 2013 to June 30, 2014, at VFW – Post 7564, West Fargo, ND

No opposition. Motion carried.

Julie Rokke of YHR and Bruce Schwartzman of BVK Group reviewed plans for the Commission Room in the new building.

City Auditor James Brownlee appeared before the Commission on the request from John Nore of Visto's Trailer Sales for a request for driveway access off Main Avenue. John Nore appeared before the Commission. Assistant City Engineer Dustin Scott, Assistant Public Works Director Chris Brungardt and Planning and Community Development Director Larry Weil also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to grant the request for a driveway access and to authorize the City Engineer to forward the request to the ND Department of Transportation for their review and approval. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Greg Dawkins of 901 Martin Drive, West Fargo, ND, for a Conditional Use Permit for an accessory building (shop). After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Conditional Use permit subject to the conditions listed in the Staff Report. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission on the Liquor License Application from Dennis Kerbaugh and advised that Staff recommended to approve the application. The Commission reviewed the Application and background check for Retail Liquor/Beer License at 416 Sheyenne Street (Sheyenne Liquor Mart) from Dennis Kerbaugh. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the Liquor License. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 974 relating to Driving while License Suspended or Revoked which is an update from the legislative session. Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 974 on First Reading. No opposition. Motion carried.

Assistant Public Works Director Chris Brungardt appeared before the Commission on the 9th Street Overlay – 14th Avenue East to 19th Avenue East project and recommended awarding the contract to Border States Paving of Fargo for their bid amount of \$218,910. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to award the contract to Border States Paving of Fargo for \$218,910.00, as recommended by Staff. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Trail King for a Conditional Use Permit for an aboveground fuel tank at 2130 3rd Avenue NW, West Fargo, ND. After discussion, Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Conditional Use Permit 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 Abigail Mindeman for a Conditional Use Permit for Child Care Facility within a home at 1583 18th Avenue East, West Fargo, ND. Planning and Community Development Director Larry Weil also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the Conditional Use Permit as recommended by Staff and subject to the condition listed in the Staff Report that children are dropped off in the driveway only. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Kerri Streyle for a Conditional Use Permit for Child Care Facility within a home at 3314C 8th Street West, West Fargo, ND. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Conditional Use Permit subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on a request from ChuLinda Investments LLC for a Planned Unit Development Amendment for Lots 4 and 5, Block 1 of Hayden Heights Addition, providing for development standards according to the Large Lot Single Family Dwelling District except that accessory buildings could be 1,200 square feet in area and 15 feet in height. After discussion, Commissioner Wentz moved and Commissioner Hanson seconded to approve the Planned Unit Development Amendment subject to the recommendations in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Charleswood 32nd Addition, a replat, and a Planned Unit Development Amendment for proposed office building on Lot 1, Block 1 of Charleswood 29th Addition. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Final Plat of Charleswood 32nd Addition and to approve the Planned Unit Development Amendment with the conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Montgomery Homestead 2nd Addition, a replat, and advised that all conditions have been met and the Planning & Zoning Commission recommended approval. Commissioner Thorstad moved and Commissioner Hanson seconded to approve the Final Plat. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Butler's 8th Addition and advised that all conditions have been satisfied except for the drainage plan. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 973 on Second Reading for the rezoning of Butler's 8th Addition from Agricultural to Heavy Commercial/Light Industrial, to approve the Final Plat and to approve the Conditional Use Permit for trucking facility subject to conditions recommended by Staff. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on The Wilds 4th Addition, a subdivision. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 972 on Second Reading for the rezoning of The Wilds 4th Addition from Agricultural to Single Family Dwellings and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on The Wilds 3rd Addition, a subdivision. After discussion, Commissioner Wentz moved and Commissioner Hanson seconded to place Ordinance No. 971 on Second Reading for the rezoning of The Wilds 3rd Addition from Agricultural to Single Family Dwellings and to approve the Final Plat. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Maple Ridge at the Preserve 3rd Addition, a replat, and advised that all conditions have been satisfied except for the drainage plan. Commissioner Simmons moved and Commissioner Wentz seconded to approve the Final Plat with the conditions listed in the Staff Report. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on The Wild's 5th Addition, a replat. Commissioner Thorstad moved and Commissioner Hanson seconded to approve the Final Plat with the conditions listed in the Staff Report. No opposition. Motion carried.

Marie and Harold Slaughter of 3119 12th Avenue NW, Don Pederson and Jim Burgard of 2806 12th Avenue NW appeared before the Commission to express their concerns on the sewage lagoon expansion project. Assistant City Engineer Dustin Scott and Public Works Director Barry Johnson also appeared before the Commission. It was agreed that a meeting should be held to keep the residents informed on the project and to answer any questions of the residents.

City Auditor James Brownlee appeared before the Commission on the 2014 Budget for the City of West Fargo which reflects a decrease of 1.09 mills and no rate increases. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the 2014 Preliminary Budget of \$42,172,047.00 and to set the Public Hearing for October 7, 2013, at 6:00 PM. No opposition. Motion carried.

There were no Non-Agenda items.

City Auditor James Brownlee gave the following report:

Meeting August 20, 2013 at Public Works Building for Joint City/Park/School officials to review the feasibility study for Aquatics Center

Park, School and City Staff met regarding construction and traffic issues with school opening

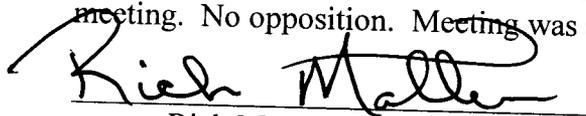
City Auditor James Brownlee met with FM Visitors & Convention Bureau, and is recommending that the City Commission appoint Director of Economic Development and Community Services Matt Marshall as the representative from the City of West Fargo. The Chamber will also be appointing a member from West Fargo.

Schools and Parks were asked to restrict water usage as much as possible. Assistant City Engineer Dustin Scott advised that hopefully within three weeks the Interstate Well will be up and running.

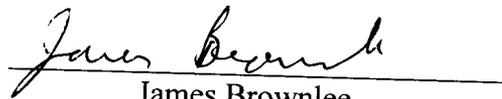
Commissioner Hanson moved and Commissioner Wentz seconded to appoint Director of Economic Development and Community Services Matt Marshall as the representative to the Fargo Moorhead Convention & Visitors Bureau. No opposition. Motion carried.

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