



The West Fargo City Commission met on Monday, May 5, 2014, 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 "Concur with ND Department of Transportation signing project on Main Avenue Phase I" is to be added to the Consent Agenda. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Minutes of April 21, 2014. No opposition. Motion carried.

The Commission reviewed Building Permits # 150 - 215, the Building Department Activity Report dated May 5, 2014, and the Building Department Monthly Comparison Report for April 2013/April 2014.

There were no Commissioner Committee Reports.

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

Bills

Gaming Site Authorization: West Fargo Fire Department Inc. at Speedway

Gaming Site Authorization: West Fargo Fire Department Inc. at Silver Dollar

Games of Chance: West Fargo High School Technology Student Association for Raffle to be held May 5, 2014 to June 24, 2014 at 327 St. Charles Place, West Fargo, ND

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1261

Resolution Approving Contract and Contractor's Bond in Water Improvement District No. 1274

Public Hearing May 19, 2014 at 5:45 PM for Conditional Use Permit for temporary concrete batch plant for construction projects

Sewer, Water, Storm and Street Improvement District No. 1278 (Oak Ridge 6th Addition): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on May 29, 2014

Planning and Zoning Commission appointment: David Zupi to replace Tom Kiewel for a term through April, 2017

Certification and Agreement with the ND Department of Transportation award of project SHE-9-999(308) to update signs on Main Avenue from Morrison Street to 5th Street East at an estimated cost to the City of \$408.00.

No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the request from Kost Materials for a temporary portable cement plant on Lot 3, Block 2 of West Fargo 3rd Addition. Jeff Eberhardt of Kost also appeared before the Commission to state their goal is to secure a long term site. Public Works Director Chris Brungardt also appeared before the Commission. After discussion, the City Commission agreed there were no objections to this proposed site.

Assistant City Attorney Sarah Wear appeared before the Commission on Ordinance No. 1001 relating to Noisy Parties and Gatherings. Assistant Police Chief Michael Reitan also appeared before the Commission. A discussion was held on responsibility of property owners to abate the noise, parks added to the ordinance and details on the current Noise Ordinance. Assistant Chief Reitan agreed to review the ordinance to address these issues. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to table First Reading of this Ordinance No. 1001. No opposition. Motion carried.

Assistant City Attorney Sarah Wear appeared before the Commission on Ordinance No. 1002 relating to Aggressive Panhandling. Assistant Police Chief Michael Reitan also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 1002 on First Reading. No opposition. Motion carried.

Assistant City Attorney Sarah Wear appeared before the Commission on Ordinance No. 1005 relating to License or Permit and Registration Required for Dogs and Cats. City Auditor Jim Brownlee also appeared before the Commission. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place Ordinance No. 1005 on First Reading. No opposition. Motion carried.

Assistant City Attorney Sarah Wear appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1268. City Engineer Kevin Bucholz also appeared before the Commission. A public hearing was held to hear any protests for that project. There was no public comment and the hearing was closed. Commissioner Thorstad moved and Commissioner Hanson seconded to adopt the Resolution Determining that Not Sufficient Protests Were Filed on Improvement in Sewer, Water, Storm and Street Improvement District No. 1268. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on the request from Bruce Pantzke/Nate Medhus for expansion of a Conditional Use Permit for Mini-Storage Buildings located at 2104 East Main Avenue, West Fargo, ND and advised that the Planning & Zoning Commission approved this expansion of a Conditional Use Permit subject to the condition that a public hearing is held prior to final approval at City Commission with due consideration given to public concern.. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Hanson moved and Commissioner Wentz seconded to approve the expansion of the Conditional Use Permit for Mini-Storage Buildings subject to the condition listed in the Staff Report. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Goldenwood 5th Addition rezoning from Limited Multiple Dwellings to One and Two Family Dwellings (Lots 1-41 of Block 1, Lots 1-28 of Block 2, Lots 1-8 and 10-17 of Block 3, Lots 1-20 of Block 4, Lots 1-9 of Block 5 and Lots 1-30 of Block 6 of Goldenwood 5th Addition) and rezoning from Limited Multiple Dwellings to Public Facilities (Lot 9, Block 3 of Goldenwood 5th Addition). Planning and Community Development Director Larry Weil stated that the Planning & Zoning Commission recommended approval on the basis that the request is consistent with City plans and ordinances. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to place the rezoning of Goldenwood 5th Addition on First Reading as recommended by the Planning & Zoning Commission. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission on Oak Ridge 6th Addition rezoning from Agricultural to Single Family Dwellings and Light Commercial, and advised that the Planning & Zoning Commission recommended approval subject to the ten conditions listed in the Staff Report. A public hearing was held. Nate Vollmuth representing PACES Lodging, Assistant Police Chief Michael Reitan, and City Engineer Kevin Bucholz appeared before the Commission. A lengthy discussion was held on the bikepath that would connect the development to adjacent developments and Staff agreed to continue discussion with Nate Vollmuth and the property owners regarding the path and access. Commissioner Simmons moved and Commissioner Hanson seconded to place the rezoning of Oak Ridge 6th Addition on First Reading subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on Brooks Harbor 3rd Addition, a replat, and rezoning from Agricultural to Limited Multiple Dwellings. Commissioner Thorstad moved and Commissioner Hanson seconded to place Ordinance No. 975 relating to the rezoning on Second Reading and to approve the Final Plat subject to the conditions listed in the Staff Report. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on River's Bend at the Preserve 2nd Addition, a subdivision and rezoning from Agricultural to Single Family Dwellings. Assistant Police Chief Michael Reitan appeared before the Commission and advised that the Police Department is agreeable to the named streets. Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 993 relating to the rezoning on Second Reading and to approve the Final Plat as recommended by Staff. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on West Fargo 3rd Addition, a subdivision and rezoning from Agricultural to Heavy Industrial and Public Facilities. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to place Ordinance No. 965 relating to the rezoning on Second Reading, to approve the Final Plat subject to the conditions listed in the Staff Report and to approve the Southeast Cass Water Resource District Easement and Maintenance Agreement. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1268 (River's Bend at The Preserve 2nd Addition). After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to award the bid for Sewer, Water, Storm and Street Improvement District No. 1268 to Dakota Underground Company for their Base Bid plus Alternate B and Alternate C of \$6,315,860.85, as recommended by City Engineer Kevin Bucholz. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission to review the 2013 Fund Activity Report.

There were no Non-Agenda items.

City Auditor James Brownlee gave the following report:

Retirement Party for Roger Fenstad of Moore Engineering on May 7, 2014 at 5:00 PM

May 8, 2014: Ribbon cutting for Highpoint and KLG

May 8, 2014: Greater Fargo Moorhead Economic Development Committee Annual Meeting

May 13, 2014: Luncheon for Firefighter and Police Officer of the year

May 15, 2014, 2:00 PM: Groundbreaking for Minn-Kota Windows at 2324 Main Avenue

On Wednesday, May 7, 2014 there will be a power outage due to the new construction (possibly from 8 AM to Noon). No phone or power but Staff will be in office

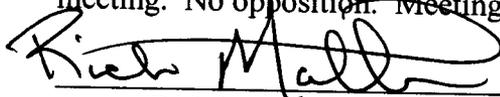
Assessing Department will be converting to the Vanguard program

VIP opening at Blarney Stone this Friday, May 9, 2014 at 5 PM

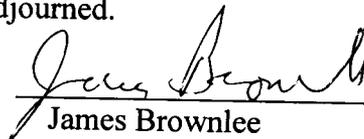
Public Works Director Chris Brungardt secured a grant to put in trees and landscaping along Main Avenue

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor