



The West Fargo City Commission met on Monday, July 7, 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 Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda. No opposition. Motion carried.

Commissioner Thorstad moved and Commissioner Wentz seconded to approve the Minutes of June 16, 2014 and the Reorganization Meeting Minutes of June 24, 2014. No opposition. Motion carried.

The Commission reviewed Building Permits #381 - 477, the Building Department Activity Report dated July 7, 2014, and the Building Department Monthly Comparison Report for June 2013/June 2014.

Commissioner Mattern read letters from several organizations thanking the City Commission for supporting the arts.

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

Bills

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1276

Appointment of Stephanie Shea to Library Board to fill a one year term remaining from the term of Kevin Teigen

Public Hearing 5:45 PM July 21, 2014 for street name change from 6th Street Court West, 7th Street Court West and 8th Street Court West to 6th Court West, 7th Court West and 8th Court West

Gaming Site Authorization: West Fargo Hockey Association at O'Leary's Pub 7/11/14 to 6/30/16

Street Improvement District No. 2234 (33rd Avenue East – 4th Street E to Prairie Heights Drive): Approve Plans and Specifications and authorize Advertisement for Bids with Bid Opening on July 24, 2014

Sewer, Water, Storm and Street Improvement District No. 1271 (North Pond at The Preserve 4th Addition): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications, and authorize Advertisement for Bids with bid opening on July 31, 2014

No opposition. Motion carried.

Police Chief Michael Reitan was sworn in by Mayor Rich Mattern and the Oath signed accordingly. A short recess was taken at this time to congratulate Police Chief Reitan.

City Attorney John Shockley appeared before the Commission on Ordinance No. 1013 relating to Salaries of City Commissioners. A discussion was held to change the salaries in the future by Resolution rather than an Ordinance amendment. Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance No. 1013 on First Reading. No opposition. Motion carried.

Commissioner Thorstad moved and Commissioner Simmons seconded to place on Second Reading Ordinance No. 1006 relating to the International Building Code, Ordinance No. 1007 relating to the International Fuel Gas Code, Ordinance No. 1008 relating to the International Existing Building Code, Ordinance No. 1009 relating to the International Mechanical Code, Ordinance No. 1010 relating to the International Property Maintenance Code, Ordinance No. 1011 relating to the International Residential Code, and Ordinance No. 1012 relating to the International Fire Code. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission on the PILOT Application (Payment in Lieu of Taxes) for DCR Incorporated for exemption from property tax on a building project which will be used in the operation of manufacturing portable sand heaters for concrete and asphalt production at 611 NW 5th Street Court, West Fargo, ND and advised there was unanimous approval by the Economic Development Advisory Committee. Joel Dahl, owner of DCR Incorporated appeared before the Commission. A public hearing was held. There was no public comment and the hearing was closed. After discussion, Commissioner Wentz moved and Commissioner Simmons seconded to approve the PILOT Application for DCR Incorporated. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission on the rezoning of Lot 2, Block 1 of Shadow Wood 6th Addition from Multiple Dwellings to Planned Unit Development and advised that the Public Hearing needs to be continued to the July 21, 2014 City Commission Meeting due to lack of notice in the newspaper. Planning & Zoning Commission recommended approval subject to the two conditions listed in the Staff Report and the additional condition that a six foot privacy fence be installed. A public hearing was held. There was no public comment and the hearing was continued to the July 21, 2014 City Commission Meeting. Commissioner Thorstad moved and Commissioner Hanson seconded to place the rezoning of Lot 2, Block 1 of Shadow Wood 6th Addition from Multiple Dwellings to Planned Unit Development on First Reading subject to the three conditions from Planning & Zoning. No opposition. Motion carried.

Senior Planner Tim Solberg and Director of Economic Development and Community Services Matt Marshall appeared before the Commission with the following recommendations for the Downtown Design Review Committee as follows:

- 1 Civil Engineer
Mike Bittner, KLJ Engineering
- 2 Architects
Lee Dobrinz, JLG Architects and
Steve Goldade, Lightowler Johnson Architects
- 1 Landscape Architect
Brian Reinarts, Land Elements
- 2 DBA Members
Todd Fuchs, Payroll Express and
Mark Knutson, GoFar Events
- 1 At-large Community Member
Kristi Foell

Director of Economic Development and Community Services Matt Marshall advised that this Downtown Design Review Committee will report to the City Commission. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to appoint the members of the Downtown Design Review Committee as recommended by Staff. No opposition. Motion carried.

Public Works Director Chris Brungardt appeared before the Commission on the 12th Avenue NW Documented Categorical Exclusion. Commissioner Simmons moved and Commissioner Hanson seconded to approve the 12th Avenue NW Documented Categorical Exclusion with the decisions as shown on Page 11 of the document. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water Storm and Street Improvement District No. 1265 (Goldenwood 5th Addition). City Auditor Jim Brownlee also appeared before the Commission. A discussion was held regarding the Change Order for the developer's request to replace the wooden fence along County 17 and 12th Avenue with a new maintenance free fence with only the new property owners being assessed for the new fence. There was no motion to approve the Change Order.

There were no Non-Agenda items.

City Auditor James Brownlee gave the following report:

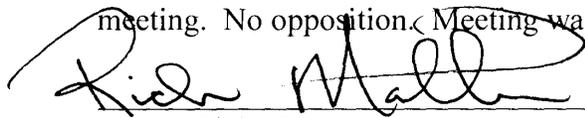
If the City Commission is interested in a tour of the City they are to contact him with dates that would work to set up the tour.

A proposed budget was presented to the Commission. Budget Hearings will be held after the regular City Commission Meetings, starting with the July 21, 2014 Meeting.

There was no correspondence.

Commissioner Mattern announced that the next item on the agenda is Executive Session. The purpose for this session is to discuss Swingen v City of West Fargo and Riley Bros. Construction. Commissioner Hanson moved and Commissioner Simmons seconded to go to Executive Session following this meeting. No opposition. Motion carried.

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