



The West Fargo City Commission met on Monday, May 6, 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 Item No. 4 of the Regular Agenda (Award contract for Street Improvement District No. 2226) is to be discussed after the Public Hearing (Item No. 10), Games of Chance for West Fargo Aloha Club and ND Warrior Brotherhood are to be added to the Consent Agenda and Items No. 5 (Sewer, Water, Storm and Street Improvement District No. 1252) and No. 6 (Sewer, Water, Storm and Street Improvement District No. 1256) are to be removed from the Regular Agenda. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the change and addition as noted. No opposition. Motion carried.

Commissioner Wentz moved and Commissioner Thorstad seconded to approve the Minutes of April 15, 2013. No opposition. Motion carried.

The Commission reviewed Building Permits #108 - 176, the Building Department Activity Report dated May 6, 2013 and the Building Department Monthly Comparison Report for April 2012/April 2013.

Commissioner Thorstad provided Activity Information 2008-2012 for the West Fargo Public Library. He also stated that a satellite facility, expansion or a new building is a long term goal.

Commissioner Hanson moved and Commissioner Thorstad 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. 1250

Resolution Approving Contract and Contractor's Bond in Sewer, Water, Storm and Street Improvement District No. 1247

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2223

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2225

Recommendations of Assessor's Department for 2013 Board of Equalization

Street Improvement District No. 2228 (9<sup>th</sup> Street West – 23<sup>rd</sup> Avenue West to 30<sup>th</sup> Avenue West): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on May 30, 2013

Sewer, Water, Storm and Street Improvement District No. 1257 (Oak Ridge 4<sup>th</sup> Addition): approve Plans and Specifications and authorize Advertisement for Bids with bid opening on May 30, 2013

Designation of the West Fargo Pioneer as the official newspaper for the City of West Fargo

Reappointment of Iris Gill to Urban Forestry Committee

Gaming Site Authorization: Team Makers Club Inc. at Hooligans

Sewer Improvement District No. 1253 (Lagoon Cell No. 10): Approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on June 13, 2013

Games of Chance: West Fargo Aloha Club for Bingo and Raffle on 5/17/13 at Armour Park Shelter, 2<sup>nd</sup> Avenue NW, West Fargo, ND

Games of Chance: ND Warrior Brotherhood MC for Raffle on August 31, 2013 at 1070 Parkway Drive, West Fargo, ND

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 959 relating to Contractor's License, Fee, Expiration Date and License and Examination Fees and relating to Meter Deposit. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to place Ordinance No.959 on First Reading. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Hayden 1<sup>st</sup> Subdivision. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place on Second Reading Ordinance No. 955 relating to the rezoning of Hayden 1<sup>st</sup> Subdivision from Agricultural to Rural Estate District and to approve the Final Plat as recommended by the Planning & Zoning Commission. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on River's Bend at the Preserve 1<sup>st</sup> Addition. After discussion, Commissioner Thorstad moved and Commissioner Hanson seconded to place on Second Reading Ordinance No. 951 relating to the rezoning of River's Bend at the Preserve 1<sup>st</sup> Addition from Agricultural to Single Family Dwellings and to approve the Final Plat as recommended by the Planning & Zoning Commission. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1248 (River's Bend at the Preserve 1<sup>st</sup> Addition), advised that Steve Stoner of Rivers Bend Development Corporation requested to award the project with Alternate B (concrete street paving), and recommended to award the contract to Dakota Underground Co. Commissioner Wentz moved and Commissioner Hanson seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1248 (River's Bend at the Preserve 1<sup>st</sup> Addition) to Dakota Underground Co. for their base bid plus Alternate B along with alternate C for a total bid of \$4,355,229.47 as recommended by Assistant City Engineer Dustin Scott. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1251 (Eaglewood 2<sup>nd</sup> Addition) and recommended to award the contract to Dakota Underground Company contingent upon property owner satisfying all City requirements. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1251 (Eaglewood 2<sup>nd</sup> Addition) to Dakota Underground Company for their bid amount of \$2,383,052.39 as recommended by Assistant City Engineer Dustin Scott. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Water and Sewer Improvement District Nos. 1226 and 1239, Sewer, Water, Storm and Street Improvement District Nos. 1235, 1237, 1240 and 1242, Street Improvement District Nos. 2215, 2222 and 2224 and amended Special Assessment Lists for Sewer, Water, Storm and Street Improvement District No. 1238 and Street Improvement District No. 2221 and provided Special Assessment Lists.

A Public Hearing was held on amended Assessment List for Street Improvement District No. 2221. There was no public comment and the hearing was closed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2221 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Hanson that the assessment list for Street Improvement District No. 2221 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be amended as per the attached list, and the list is hereby confirmed as amended. No opposition. Motion carried.

A Public Hearing was held on Water and Sewer Improvement District Nos. 1226 and 1239, Sewer, Water, Storm and Street Improvement District Nos. 1235, 1237, 1240 and 1242, Street Improvement District Nos. 2215, 2222 and 2224 and amended Special Assessment List for Sewer, Water, Storm and Street Improvement District No. 1238. There was no public comment and the hearing was closed.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1226 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Water and Sewer Improvement District No. 1226 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1239 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Water and Sewer Improvement District No. 1239 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1235 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1235 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1237 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1237 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1240 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1240 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1242 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1242 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2215, as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Street Improvement District No. 2215, of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2222, as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Street Improvement District No. 2222, of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2224, as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Street Improvement District No. 2224, of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

The Board considered the question of approval of the assessment list for Sewer, Water, Storm and Street Improvement District No. 1238 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Wentz that the assessment list for Sewer, Water, Storm and Street Improvement District No. 1238 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo be and the same is hereby confirmed. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Street Improvement District No. 2226 (Traffic Signal at 9<sup>th</sup> Street and 19<sup>th</sup> Avenue East). A public hearing was held. There was no public comment and the hearing was closed. City Auditor James Brownlee advised that no protests were received. Assistant City Engineer Dustin Scott also appeared before the Commission. Commissioner Thorstad moved and Commissioner Wentz seconded to adopt the Resolution Determining that not Sufficient Protests were filed on Improvement in Street Improvement District No. 2226. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Street Improvement District No. 2226 (9<sup>th</sup> Street East & 19<sup>th</sup> Avenue East Traffic Signal) and recommended to award the contract to Moorhead Electric. Commissioner Hanson moved and Commissioner Wentz seconded to award for Street Improvement District No. 2226 (9<sup>th</sup> Street East & 19<sup>th</sup> Avenue East Traffic Signal) to Moorhead Electric for their bid amount of \$294,787.55 as recommended by Assistant City Engineer Dustin Scott. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request to rezone South Pond at the Preserve 7<sup>th</sup> Addition from Agricultural and Mixed, One & Two Family Dwellings to Single Family Dwellings. A public hearing was held. Attorney Dan Bueide of the Vogel Law Firm appeared before the Commission. The hearing was closed. Commissioner Hanson moved and Commissioner Thorstad seconded to approve First Reading of the rezoning of South Pond at the Preserve 7<sup>th</sup> Addition from Agricultural and Mixed, One & Two Family Dwellings to Single Family Dwellings. No opposition. Motion carried.

Assistant City Engineer Dustin Scott was asked to provide an updated list of 2013 housing development projects for the City of West Fargo.

Human Resource Director Carmen Schroeder introduced Kay Tiltzer of Public Section Personnel Consultants to review the results of the Compensation and Job Analysis Project. City Auditor James Brownlee also appeared before the Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the salary analysis project and to implement the Market Adjustments beginning with the July 7, 2013 Pay Period. Commissioners Mattern, Wentz, Thorstad and Hanson voting aye. Commissioner Simmons voting no. Motion carried.

City Auditor James Brownlee gave the following report:

Arbor Day will be held Thursday, May 16, 2013 at 1:30 PM at Maplewood Park (a tree will be planted in Larry Lubben's honor)

Ribbon cutting for Firestone will be held on May 17, 2013 at 11:15 AM

Groundbreaking for Cambria Hotel/Convention Center will be held on June 27, 2013 at 10:00AM

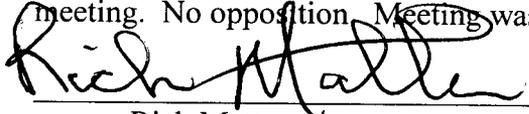
Provided a legislative update

Provided an update on Police Chief Arland Rasmussen's progress after surgery

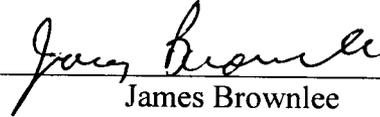
Provided an update on the Meter Replacement Project

There was no correspondence.

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



Rich Mattern  
President of the Board



James Brownlee  
City Auditor