



West Fargo City Commission Meeting
Monday July 2, 2018
Commission Chambers 5:30 PM

- A. Pledge of Allegiance
- B. Approve Order of Agenda
- C. Approval of Minutes – June 18, 2018
- D. Building Permits

Consent Agenda – Approve the Following:

- a) June checks **(Pg 4-10)**
- b) Gaming Site Authorization for the North Dakota Friends of NRA State Fund Committee, LLC Games to be conducted: Raffles on 7/1/18-6/30/19 at the Red River Regional Marksmanship Center, 640 16 St NE **(Pg 11-12)**
- c) Gaming Site Authorization for Team Makers Club, Inc. Games to be conducted: Raffles, Pull Tabs, Electronic Pull Tabs, Twenty-One on 7/15/18-6/30/19 at Awake Lounge, 1410 9 St E **(Pg 13)**
- d) Agreement for Provision of Environmental Health Services for the City of West Fargo by Fargo Cass Public Health **(Pg 14-19)**
- e) Games of Chance for American Legion Department of North Dakota. Games to be conducted: Raffle on 9/11/18 at American Legion Department of North Dakota, 405 West Main Ave Suite 4a **(Pg 50)**

Regular Agenda

- 1. 5:30pm Public Hearing and First Reading for the Tevye Addition & Rezoning from A: Agricultural to R-1A: Single Family Dwellings – **Tim Solberg, Kendall Radke (Pg 20-28)**
- 2. 5:30pm Public Hearing and First Reading for the Zoning Ordinance Amendment to Sections 4-01 Planning & Zoning Commission, 4-02 Comprehensive Plan and 4-302 Replacement of Official Zoning Map – **Tim Solberg (Pg 29-41)**
- 3. Final Plat Approval of Halverson's Industrial Park 2nd Addition, a replat – **Tim Solberg (Pg 42-47)**
- 4. Land Rezoning Request – **Jason Brunell (Pg 48)**
- 5. Review West Fargo Events Contract – **Melissa Richard (Pg 49)**
- 6. City Administrator's Report
- 7. Correspondence
- 8. Adjourn



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The West Fargo City Commission met on Monday, June 18, 2018 at 5:30 pm. Those present were Mark Simmons, Rich Mattern, Mark Wentz, Mike Thorstad, and Duane Hanson. The President of the Board Rich Mattern called the meeting to order.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that items “h,” “i” and “j” would be added to the Consent Agenda. Commissioner Hanson moved and Commissioner Wentz seconded to approve the order of agenda with the changes. No opposition. Motion carried.

Commissioner Thorstad moved and Commissioner Wentz seconded to approve the minutes of the June 4, 2018 meeting. No opposition. Motion carried.

The Commission reviewed the Building Department Activity Report dated June 18, 2018 and Building Permits #336-399.

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

- a) Bills
- b) May Payroll Checks and Auditor Reports
- c) Approval of recommended new Library Board members
- d) Approve amended Plans & Specs for Sidewalk Improvement District No. 6054
- e) Schedule a 5:30pm Public Hearing on Zoning Ordinance Amendment to Sections 4-01 Planning and Zoning Commission, 4-02 Comprehensive Plan and 4-302 Replacement of Official Zoning Map on July 2, 2018
- f) Approval of a Conditional Use Permit for an aboveground fuel tank at 1551 8th Avenue NW
- g) Games of Chance for Sunshine Kids Foundation. Games to be conducted: Raffle on 6/30/18 at Flatland Brewery, 3140 Bluestem Drive, Suite 105
- h) Games of Chance for North Dakota Autism Center, Inc. Games to be conducted: Raffle on 9/6/18-9/8/16 at Elmwood Park, 500 13 Ave W
- i) Resolution Approving Contract and Contractor’s Bond in Sewer Improvement Project No. 1308
- j) Resolution Approving Contract and Contractor’s Bond in Sewer Improvement Project No. 1310

No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission for a 5:30pm Public Hearing for the Approval of Assessments for the 2017 Snow and Ice Removal. The Public Hearing was opened. There was no public comment. The Public Hearing was closed. Commissioner Wentz moved and Commissioner Hanson seconded to approve the assessments. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission to review the proposed Resolution Authorizing Issuance of Temporary Improvement Warrants. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Resolution. No opposition. Motion carried.

Finance Director Aaron Mitchell appeared before the Commission to review the 2017 audit. Commissioner Simmons moved and Commissioner Hanson seconded to approve the audit as presented. No opposition. Motion carried.

Planning & Zoning Director Tim Solberg appeared before the Commission for the Second Reading and Final Plat approval of Harper Heights 1st Addition. After discussion, Commissioner Simmons moved and



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Commissioner Thorstad seconded to approve the Second Reading and Final plat. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission to review the bid tab for Storm Sewer Improvement District No. 4064 and Sanitary Sewer, Water Storm Sewer Improvement District No. 1318. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to award the bid tab to Dakota Underground. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission to review Change Order No. 2 for the General Contract of Sewer, Water, Storm and Street Improvement District No. 1305. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to approve and proceed with the Change Order with Dakota Underground. No opposition. Motion carried.

Public Works Director Chris Brungardt appeared before the Commission to review the KLJ Contract Amendment for Sheyenne Street. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the Contract Amendment with KLJ. No opposition. Motion carried.

Communications Director Melissa Richard appeared before the Commission to review the contract between the City of West Fargo and West Fargo Events. After discussion, no action was requested of the Commission; the draft will continue to be revised and a final contract will be brought to the Commission at a later date.

City Administrator Tina Fisk appeared before the Commission for the annual review of the liquor license checks. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the liquor licenses with the ability to come back to the Commission if businesses do not comply with the requirements. No opposition. Motion carried.

City Administrator Tina Fisk appeared before the Commission and discussed the following in regards to the Administrator's Report

- On Monday, 6/25/18 at 2pm there will be a ribbon cutting at Sheyenne Plaza followed by a reception for the outgoing Mayor and City Commissioners.

There was no correspondence.

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

Bernie L. Dardis
Commission President

Tina Fisk
City Auditor

Consent Agenda Item: a

Check #	Payable to	Amount	Date
78255	CASS COUNTY TREASURER	\$15,885.00	05/22/18
78256	MKH Properties	36,856.00	05/30/18
78257	XCEL ENERGY	500.00	05/30/18
78258	3-D SPECIALITIES	549.00	06/05/18
78259	4IMPRINT	399.91	06/05/18
78260	ACCENT SIGNS	25.00	06/05/18
78261	ACME TOOLS	114.81	06/05/18
78262	ADVANCED ENGINEERING & ENVIRONMENTAL SER	7,387.50	06/05/18
78263	AG AIR LTD	1,364.25	06/05/18
78264	AIDARUS ABDINASIR	190.00	06/05/18
78265	AIRGAS USA, LLC	439.60	06/05/18
78266	ALLSTATE PETERBILT OF FARGO	381.00	06/05/18
78267	ALYSSA SWANGLER	300.00	06/05/18
78268	AMERICAN WELDING & GAS, INC.	258.21	06/05/18
78269	AUTO TRANZ SPECIALTIES	140.00	06/05/18
78270	BLUE TARP FINANCIAL, INC	179.99	06/05/18
78271	BORDER STATES ELECTRIC SUPPLY	2,678.45	06/05/18
78272	BORDER STATES PAVING	27,173.79	06/05/18
78273	BRAUN INTERTEC	11,551.00	06/05/18
78274	BRENDA HIEB	553.25	06/05/18
78275	BRIAN CHRISTL	50.00	06/05/18
78276	BROKERAGE PRINTING	384.70	06/05/18
78277	BUSINESS ESSENTIALS	907.22	06/05/18
78278	BUSINESS SOFTWARE, INC.	22,000.00	06/05/18
78279	BUTLER MACHINERY	734.86	06/05/18
78280	CASCADE ENGINEERING	21,300.00	06/05/18
78281	CASS COUNTY TREASURER	5.95	06/05/18
78282	CC STEEL LLC	34,210.94	06/05/18
78283	CDW GOVERNMENT, INC	155.63	06/05/18
78284	CHRIS OHM	9.00	06/05/18
78285	CINTAS	81.19	06/05/18
78286	CITY OF FARGO	46,909.52	06/05/18
78287	CIVICPLUS	998.00	06/05/18
78288	CLARK'S EXCAVATING & SEPTIC PUMPING	175.00	06/05/18
78289	CODE 4 SERVICES, INC	413.99	06/05/18
78290	COREY LINDEMANN	190.00	06/05/18
78291	CRARY INDUSTRIES	265.00	06/05/18
78292	CROSSCOUNTRY FREIGHT SOLUTIONS	90.13	06/05/18
78293	DAKOTA FLUID POWER, INC	10.22	06/05/18
78294	DAKOTA HOSE & EQUIP	86.50	06/05/18
78295	DAKOTA SUPPLY GROUP	3,802.97	06/05/18
78296	DAKOTA UNDERGROUND	399,058.63	06/05/18
78297	DAKOTA WHOLESALE TIRE	308.00	06/05/18
78298	DANIEL MAGNUSEN	190.00	06/05/18
78299	DAVE'S WEST FARGO TIRE	21.39	06/05/18
78300	DAVID STENSETH	300.00	06/05/18
78301	DAWSON INSURANCE	2,019.00	06/05/18
78302	DELTA 54 AVIATION LLC	3,546.35	06/05/18
78303	EAGLE RUN CROSSING LLC	215.81	06/05/18
78304	EID TOWNHOMES	247.00	06/05/18
78305	EPIC MANAGEMENT, LLC	6,774.54	06/05/18
78306	ERIC ISAAK	300.00	06/05/18
78307	ESSENTIA HEALTH	3,644.00	06/05/18
78308	F/S MANUFACTURING INC	337.31	06/05/18

Check #	Payable to	Amount	Date
78309	FARNAM'S GENUINE PARTS, INC	13.76	06/05/18
78310	FERGUSON WATERWORKS #2516	7,511.58	06/05/18
78311	FLEETPRIDE	11.88	06/05/18
78312	FORUM COMMUNICATIONS	532.98	06/05/18
78313	FRS INDUSTRIES, INC.	4.95	06/05/18
78314	GLASS DOCTOR MOORHEAD	332.71	06/05/18
78315	GOODYEAR COMMERCIAL TIRE	1,887.90	06/05/18
78316	GRAYBAR	5,380.00	06/05/18
78317	GREATAMERICA FINANCIAL SERVICES	176.63	06/05/18
78318	HAWKINS WTR TREATMENT	3,236.54	06/05/18
78319	HOIST AND CRANE SRVICES, INC	300.00	06/05/18
78320	HP INC.	2,051.00	06/05/18
78321	HUBERT OYE-SONS CONST.	1,107.88	06/05/18
78322	IBM CORPORATION	60.00	06/05/18
78323	J & L SPORTS	1,069.75	06/05/18
78324	JAMES ANDERSON	289.00	06/05/18
78325	JB SURFACES INC	6,176.00	06/05/18
78326	JDP ELECTRIC, INC	46,128.21	06/05/18
78327	JEFF JUNDT	190.00	06/05/18
78328	JESSICA JOHNSON	300.00	06/05/18
78329	JORDAN CRAIG	190.00	06/05/18
78330	KEITH ROBINSON	190.00	06/05/18
78331	KELLY TIBBETTS	190.00	06/05/18
78332	KEY CONTRACTING	53,749.80	06/05/18
78333	L3 MOBILE-VISION, INC	7,524.00	06/05/18
78334	LARKIN HOFFMAN	7,049.91	06/05/18
78335	LUTHER FAMILY FORD	42.08	06/05/18
78336	MACS INC	233.81	06/05/18
78337	MALLOY FARGO #5	231.44	06/05/18
78338	MATT CULLEN	112.67	06/05/18
78339	MENARDS	927.06	06/05/18
78340	MERIDIAN	421.16	06/05/18
78341	MIDCONTINENT COMMUNICATIONS	298.24	06/05/18
78342	MIDSTATES WIRELESS	304.00	06/05/18
78343	MILES ORTH	0.00	06/05/18
78344	MINNKOTA	249.98	06/05/18
78345	MOORE ENGINEERING	209,765.56	06/05/18
78346	MOTION INDUSTRIES, INC	1,102.43	06/05/18
78347	MTW TOWING	85.00	06/05/18
78348	ND DEPT OF TRANSPORTATION	179,695.95	06/05/18
78349	NDAAO	170.00	06/05/18
78350	NDACO RESOURCES GROUP	507.00	06/05/18
78351	NDPOA	480.00	06/05/18
78352	NELCO FIRST AID	72.75	06/05/18
78353	NELSON INTERNATIONAL	35.98	06/05/18
78354	NETWORK CENTER COMMUNICATIONS	115.00	06/05/18
78355	NEXT LEVEL TINTING	330.00	06/05/18
78356	NICHOLAS TARALSON	190.00	06/05/18
78357	NORIDIAN MUTUAL INSURANCE CO	61.20	06/05/18
78358	NORTHERN IMPROVEMENT CO	732,253.87	06/05/18
78359	NORTHWEST SCALE, INC	675.00	06/05/18
78360	OHNSTAD TWICHELL	95,707.21	06/05/18
78361	OK TIRE	25.00	06/05/18
78362	OLYMPIC SALES	1,634.77	06/05/18

Check #	Payable to	Amount	Date
78363	OSTROMS ACE HARDWARE	1,731.23	06/05/18
78364	PAM COTA	256.00	06/05/18
78365	PARAS CONTRACTING	431,081.00	06/05/18
78366	PAUL DURBIN	300.00	06/05/18
78367	PETRO SERVE USA	2,426.54	06/05/18
78368	PHOENIX FABRICATORS AND ERECTORS	80,550.00	06/05/18
78369	PIONEER RIM/WHEEL	40.63	06/05/18
78370	PLATINUM HOME CONTRACTING INC	600.00	06/05/18
78371	POWER PLAN OIB	11.31	06/05/18
78372	PROTECTION SYSTEMS, INC	639.32	06/05/18
78373	QUAM CONSTRUCTION COMPANY, INC	130,720.87	06/05/18
78374	RAILROAD MANAGEMENT CO III, LLC	214.01	06/05/18
78375	RYAN HOSS	300.00	06/05/18
78376	RYAN LARSON	190.00	06/05/18
78377	SARAH CARTER	300.00	06/05/18
78378	SIMPLIFILE	715.00	06/05/18
78379	STEVE MOTTINGER	4,250.00	06/05/18
78380	STRATA CORPORATION	11.61	06/05/18
78381	SWANSTON EQUIPMENT CORP.	3,313.62	06/05/18
78382	TERRY STYF	424.37	06/05/18
78383	TESSMAN	3,509.84	06/05/18
78384	THE CHAMBER	35.00	06/05/18
78385	THE FORUM	141.00	06/05/18
78386	THE SHOOTING PARK OF HORACE	400.00	06/05/18
78387	THE UPS STORE #5998	50.91	06/05/18
78388	TIM RUNCORN	208.95	06/05/18
78389	TIM SOLBERG	216.00	06/05/18
78390	TITAN MACHINERY-SHAKOPEE	407.78	06/05/18
78391	TOOL WAREHOUSE INC	49.99	06/05/18
78392	TRAFFIC CONTROL CORPORATION	9,000.00	06/05/18
78393	TWIN CITY GARAGE DOOR	315.23	06/05/18
78394	TWIN CITY SHARPENING	44.00	06/05/18
78395	VISA POLICE	2,882.56	06/05/18
78396	WAYNE TROPHIES	5.00	06/05/18
78397	WDAY	633.00	06/05/18
78398	WERNER ELECTRIC SUPPLY FARGO	8.14	06/05/18
78399	WEST FARGO EXCHANGE CLUB	129.00	06/05/18
78400	WEST SIDE STEEL	200.65	06/05/18
78401	WF PUB SCHOOLS DIST #6	150.00	06/05/18
78402	XCEL ENERGY	669.26	06/05/18
78403	ZEP MANUFACTURING	489.78	06/05/18
78406	RICH MATTERN	11,743.55	6/8/2018
78407	DISCOVERY BENEFITS, INC.	2,341.81	6/6/2018
78408	TOUCHDOWN CLUB INVESTMENTS, LLC	20,287.50	06/08/18
78409	FIGLEWICZ ENTERPRISES, INC	24,340.50	06/13/18
78410	MJA-WUEBKER, LLC	27,300.00	06/13/18
78411	MILES ORTH	450.00	06/05/18
78412	ALPHA TRAINING & TACTICS LLC & SALES	1,544.00	06/13/18
78413	ARLEN ELLINGSON	350.00	06/14/18
78414	CASS COUNTY CLERK OF DISTRICT COURT	1,850.00	06/14/18
78415	DAVID HALL	330.00	06/14/18
78416	JALYNNE CASTRONUOVO	350.00	06/14/18
78417	JEREMY OUELLETTE	350.00	06/14/18
78418	JUSTIN LOOSE	350.00	06/14/18

Check #	Payable to	Amount	Date
78419	PENNY WESTON	280.00	06/14/18
78420	THATCHER ELLINGSON	80.00	06/14/18
78421	TIMOTHY BOSAK	350.00	06/14/18
78424	3-D SPECIALITIES	672.74	06/19/18
78425	ACME TOOLS	1,127.49	06/19/18
78426	AMERICAN LIBRARY ASSOCIATION	83.00	06/19/18
78427	AMERICAN WELDING & GAS, INC.	307.97	06/19/18
78428	ANNIE BURTHOLD	20.18	06/19/18
78429	BAKER & TAYLOR	3,407.79	06/19/18
78430	BAKER GARDEN & GIFT	429.98	06/19/18
78431	BARBARA KEYES	7.09	06/19/18
78432	BEE SEEN GEAR	150.44	06/19/18
78433	BERT'S TRUCK EQUIPMENT	602.49	06/19/18
78434	BIERSCHBACH EQUIPMENT & SUPPLY	197.80	06/19/18
78435	BISMARCK TRIBUNE	493.81	06/19/18
78436	BLUE OCEANS SATELLITE SYSTEMS INC.	100.00	06/19/18
78437	BLUE TARP FINANCIAL, INC	1,149.99	06/19/18
78438	BRAD'S COFFEE SERVICE	120.00	06/19/18
78439	BRANDON FERKINHOFF	300.00	06/19/18
78440	BRAUN INTERTEC	2,725.53	06/19/18
78441	BRENCO CORPORATION	52.50	06/19/18
78442	BRIAN WICK	190.00	06/19/18
78443	BRODART CO	39.17	06/19/18
78444	BROKERAGE PRINTING	188.99	06/19/18
78445	BUSINESS ESSENTIALS	1,025.79	06/19/18
78446	CASS COUNTY ELECTRIC COOP	37,071.22	06/19/18
78447	CASS COUNTY HISTORICAL SOCIETY/BONANZAVI	5,000.00	06/19/18
78448	CDW GOVERNMENT, INC	781.24	06/19/18
78449	CENGAGE GALE	209.50	06/19/18
78450	CENTER POINT LARGE PRINT	339.66	06/19/18
78451	CENTURY LINK	393.91	06/19/18
78452	CENTURYLINK BUSINESS SERVICES	21.71	06/19/18
78453	CHRIS DAVIDSON	50.00	06/19/18
78454	CHRISTOPHER GOLTZ	250.00	06/19/18
78455	CINTAS	30.00	06/19/18
78456	CITY OF FARGO	77,213.80	06/19/18
78457	CITY OF FARGO	346,887.80	06/19/18
78458	CODE 4 SERVICES, INC	5,521.70	06/19/18
78459	CONNIE GULLICKSON	190.00	06/19/18
78460	CONSOLIDATED COMMUNICATIONS	1,393.27	06/19/18
78461	CONSTANT MANINGA	190.00	06/19/18
78462	CULLIGAN WATER CONDITIONING	83.25	06/19/18
78463	DAKOTA FLUID POWER, INC	279.33	06/19/18
78464	DAKOTA SUPPLY GROUP	171.58	06/19/18
78465	DAKOTA WHOLESALE TIRE	266.66	06/19/18
78466	DAVID MELANDER	300.00	06/19/18
78467	DAWSON INSURANCE	1,551.00	06/19/18
78468	DEB OLAFSON	190.00	06/19/18
78469	DEMCO	426.27	06/19/18
78470	DEXYP	280.00	06/19/18
78471	DISCOVERY BENEFITS, INC.	467.75	06/19/18
78472	EAGLE RUN CROSSING LLC	637.52	06/19/18
78473	EIDE BAILLY	1,085.00	06/19/18
78474	EMERGENCY AUTOMOTIVE TECHNOLOGIES, INC	238.96	06/19/18

Check #	Payable to	Amount	Date
78475	ESSENTIA HEALTH	286.00	06/19/18
78476	EVIDENT, INC.	36.00	06/19/18
78477	F/S MANUFACTURING INC	7.82	06/19/18
78478	FAITH LUTHERAN CHURCH	1,320.00	06/19/18
78479	FARGO FREIGHTLINER	636.96	06/19/18
78480	FARNAM'S GENUINE PARTS, INC	11.33	06/19/18
78481	FASTENAL	31.66	06/19/18
78482	FERGUSON ENTERPRISES #3093	21.98	06/19/18
78483	FERGUSON WATERWORKS #2516	6,998.40	06/19/18
78484	FIRST INTERNATIONAL BANK & TRUST #1	1,161.70	06/19/18
78485	FIRST INTERNATIONAL BANK & TRUST #2	566.37	06/19/18
78486	FLEETPRIDE	243.90	06/19/18
78488	FMHRA	165.00	06/19/18
78489	FORUM COMMUNICATIONS	3,033.72	06/19/18
78490	GALLS, LLC	399.65	06/19/18
78491	GOODYEAR COMMERCIAL TIRE	2,557.95	06/19/18
78492	GRAYBAR	665.98	06/19/18
78493	GREATAMERICA FINANCIAL SERVICES	704.51	06/19/18
78494	HENRY SCHEIN, INC	46.92	06/19/18
78495	HP INC.	22,823.00	06/19/18
78496	HUBERT OYE-SONS CONST.	1,200.00	06/19/18
78497	ICS	865.20	06/19/18
78498	INFORMATION TECHNOLOGY DEPT	2,701.20	06/19/18
78499	INSPIRE INNOVATION LAB	580.00	06/19/18
78500	J & L CONSTRUCTION	1,617.00	06/19/18
78501	J & L SPORTS	42.00	06/19/18
78502	JANICE BOBER	6.66	06/19/18
78503	JASON MILLER	190.00	06/19/18
78504	JEFFREY GEHRTZ	300.00	06/19/18
78505	JESSICA CHRISTENSON	300.00	06/19/18
78506	JOBS HQ	999.00	06/19/18
78507	JOE BIRRENKOTT	478.02	06/19/18
78508	KADRMAS, LEE & JACKSON, INC	1,140.00	06/19/18
78509	KATHY VANDER VORST	20.67	06/19/18
78510	KOST MATERIALS, LLC	918.00	06/19/18
78511	KUSTOM KONCEPTS	542.52	06/19/18
78512	LAKE AGASSIZ REGIONAL LIBRARY	26.31	06/19/18
78513	LANGUAGE LINE SERVICES	15.60	06/19/18
78514	LARRY LAMPL	35.60	06/19/18
78515	LASER SYSTEMS	1,962.48	06/19/18
78516	LUTHER FAMILY FORD	355.84	06/19/18
78517	MACS INC	361.92	06/19/18
78518	MALLOY FARGO #5	712.18	06/19/18
78519	MATT MARSHALL	48.78	06/19/18
78520	MENARDS	1,084.88	06/19/18
78521	MIDAMERICA BOOKS	254.54	06/19/18
78522	MIDSTATES WIRELESS	1,849.00	06/19/18
78523	MIDWEST CONSTRUCTION SPECIALTIES	424.00	06/19/18
78524	MIDWEST TAPE	2,213.13	06/19/18
78525	MORPHOTRAK, LLC	4,260.00	06/19/18
78526	MRA-THE MANAGEMENT ASSOCIATION, INC	536.25	06/19/18
78527	MTI DISTRIBUTING INC	288.81	06/19/18
78528	MVTL LABORATORIES	267.00	06/19/18
78529	NASRO	40.00	06/19/18

Check #	Payable to	Amount	Date
78530	NATHAN HOLLATZ	190.00	06/19/18
78531	NATHAN HURST	58.00	06/19/18
78532	ND DEPT OF HEALTH	130.00	06/19/18
78533	ND STATE RADIO COMM.	540.00	06/19/18
78534	ND WORKFORCE SAFETY & INSURANCE C/O BANK	98.77	06/19/18
78535	NELSON INTERNATIONAL	774.90	06/19/18
78536	NETWORK CENTER COMMUNICATIONS	93.00	06/19/18
78537	NORTH DAKOTA ATTORNEY GENERAL	3,906.00	06/19/18
78538	NORTH STAR SAFETY, INC	2,505.60	06/19/18
78539	NORTHERN PLAINS CONTRACTING, INC	7,550.00	06/19/18
78540	NORTHERN STATES SUPPLY	25.25	06/19/18
78541	O'REILLY AUTOMOTIVE STORES, INC	1,884.53	06/19/18
78542	OK TIRE	134.38	06/19/18
78543	ONE CALL CONCEPT	1,419.60	06/19/18
78544	PARAS CONTRACTING	550,305.18	06/19/18
78545	PETRO SERVE USA	31,978.68	06/19/18
78546	PETSMART	62.98	06/19/18
78547	PITNEY BOWES	986.04	06/19/18
78548	PLATINUM CHEMICALS	1,518.00	06/19/18
78549	POWER PLAN OIB	950.75	06/19/18
78550	PRINTER SOLUTIONS	90.00	06/19/18
78551	PRO SWEEP INC	24,700.00	06/19/18
78552	PRO-WEST & ASSOCIATES, INC	55.86	06/19/18
78553	PRODUCTIVITY PLUS ACCOUNT	393.84	06/19/18
78554	RATNA YASODA	300.00	06/19/18
78555	S & S LANDSCAPING	209.93	06/19/18
78556	SAFEGUARD BUSINESS SYSTEMS	416.17	06/19/18
78557	SAFETY-KLEEN SYSTEMS, INC.	192.50	06/19/18
78558	SAM'S CLUB	497.71	06/19/18
78559	SAM'S CLUB/GEGRB	182.59	06/19/18
78560	SANDRA HANNAHS	37.50	06/19/18
78561	SANDY'S DONUTS	173.50	06/19/18
78562	SCHEELS	149.99	06/19/18
78563	SHAUNA WISCHNAK	300.00	06/19/18
78564	SHERWIN WILLIAMS	282.49	06/19/18
78565	SHOTWELLS	1,000.00	06/19/18
78566	SIGN A RAMA	202.80	06/19/18
78567	STACY GRONDAHL	190.00	06/19/18
78568	STOCKMEN'S SUPPLY	79.90	06/19/18
78569	STRATA CORPORATION	541.19	06/19/18
78570	STURDEVANT'S AUTO PARTS	415.65	06/19/18
78571	TANNER JACOBSON	190.00	06/19/18
78572	TCC MATERIALS	114.80	06/19/18
78573	TERRY STYF	40.00	06/19/18
78574	THE UPS STORE #5998	127.30	06/19/18
78575	TITAN MACHINERY, INC.	9,064.90	06/19/18
78576	TITAN MACHINERY-SHAKOPEE	162.00	06/19/18
78577	TRANSUNION RISK AND ALTERNATIVE	101.30	06/19/18
78578	TRAVELING LANTERN THEATRE CO	495.00	06/19/18
78579	TUCKER BUCHOLZ	300.00	06/19/18
78580	TUMBLEWEED PRESS INC	725.00	06/19/18
78581	TWIN CITY GARAGE DOOR	480.00	06/19/18
78582	ULTRAMAX	2,010.00	06/19/18
78583	VALLI	7,322.44	06/19/18

Check #	Payable to	Amount	Date
78584	VERIZON WIRELESS	9,229.87	06/19/18
78585	VISA ADMINISTRATION	2,274.35	06/19/18
78586	VISA ASSESSING	138.50	06/19/18
78587	VISA FINANCE	85.00	06/19/18
78588	VISA IT	4,660.87	06/19/18
78589	VISA PLANNING	1,254.05	06/19/18
78590	VISA PW	3,365.45	06/19/18
78591	WALMART COMMUNITY	21.36	06/19/18
78592	WASTE MANAGEMENT OF WI-MN	58,255.08	06/19/18
78593	WDAY	0.00	06/19/18
78594	WELK'S LAWN CARE LLC	300.00	06/19/18
78595	WEST FARGO PARK DISTRICT	11,899.13	06/19/18
78596	WF ANIMAL HOSPITAL	2,952.48	06/19/18
78597	WF PUB SCHOOLS DIST #6	103.13	06/19/18
78598	XCEL ENERGY	15,827.44	06/19/18
78599	FM CONVENTION & VISITORS BUREAU	22,395.18	06/19/18
78600	FM CONVENTION & VISITORS BUREAU	11,197.59	06/19/18
78601	CENTURY LINK	56.68	06/20/18
78602	ALERUS FINANCIAL	2,873.92	6/8/2018
78603	BLUE CROSS BLUE SHIELD	133,440.18	6/8/2018
78604	COLONIAL INSURANCE	312.84	6/8/2018
78605	DISCOVERY BENEFITS, INC.	2,341.81	6/8/2018
78606	AXA EQUITABLE UNIT ANNUITY	2,038.60	6/8/2018
78607	RED RIVER VALLEY FOP	594.00	6/8/2018
78608	ND FRATERNAL ORDER OF POLICE	1,188.00	6/8/2018
78609	TD AMERITRADE	3,411.60	6/8/2018
78610	MAIN STAY FUNDS	1,801.66	6/8/2018
78611	NATIONWIDE INVESTMENTS	1,615.36	6/8/2018
78612	NEW YORK LIFE	11,887.00	6/8/2018
78613	VICKIE PETERS	50.00	6/8/2018
78614	UNITED WAY CASS CLAY	40.00	6/8/2018
78615	VOYA	750.00	6/8/2018
78618	ARIEL ROEHM	180.00	06/21/18
78619	CARLTON GARDNER	350.00	06/21/18
78620	CASS COUNTY CLERK OF DISTRICT COURT	1,850.00	06/21/18
78621	JAMES LANG	350.00	06/21/18
78622	JAMIE SINGER	330.00	06/21/18
78623	JOSEPH MANIKOWSKA	170.00	06/21/18
78624	SAHRA SHARIF-MOHAMED	330.00	06/21/18
78625	JOSEPH F & CHARLES F CRARY LLP	154,562.00	06/25/18
78628	MTI DISTRIBUTING INC	27,500.00	06/27/18
78629	LIGHTSTORM PROPERTIES, INC	34,000.00	06/27/18
	Total	\$4,543,878.68	



GAMING SITE AUTHORIZATION
OFFICE OF ATTORNEY GENERAL
SFN 17996 (07/2016)

G - ()
Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization North Dakota Friends of NRA State Fund Committee LLC

The above organization is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location

Name of Location Red River Regional Marksmanship Center
Street 440 16th St NE City West Fargo ZIP Code 58078 County Cass
Beginning Date(s) Authorized 7/1/18 Ending Date(s) Authorized 6/30/19 Number of twenty-one tables if zero, enter "0": 0

Specific location where games of chance will be conducted and played at the site (required) Along the perimeter of the banquet room (small)

If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known September 13, 2018

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted) Hours of gaming (if restricted)

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

Bingo Club Special Sports Pools
 ELECTRONIC Quick Shot Bingo Tip Board Twenty-One
 Raffles Seal Board Poker
 ELECTRONIC 50/50 Raffle Punchboard Calcuttas
 Pull Tab Jar Prize Board Paddlewheels with Tickets
 Pull Tab Dispensing Device Prize Board Dispensing Device Paddlewheel Table

APPROVALS

Attorney General Date
Signature of City/County Auditor Date
PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

- 1. City/County Auditors - Retain a copy of the Site Authorization for your files.
- 2. City/County Auditors - Return the original Site Authorization form to the Organization.
- 3. Organizations - Send the original, signed, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:

Office of Attorney General
Licensing Section
600 E Boulevard Ave, Dept. 125
Bismarck, ND 58505-0040
Telephone: 701-328-2329 OR 800-326-9240

ck #3004
Pd 6/27/18
\$100.



RENTAL AGREEMENT
 OFFICE OF ATTORNEY GENERAL
 LICENSING SECTION
 SFN 9413 (Rev. 05-2018)

License Number (Office Use Only)

Site Owner (Lessor) Red River Regional Marksmanship Center		Site Name		Site Phone Number 701-356-0677	
Site Address 640 16th St NE		City West Fargo		State ND	Zip Code 58078
Organization (Lessee) North Dakotafriends Of Nra State Fund Committee Llc		Rental Period 7/1/18 to 12/31/18		County Cass	
1. Is Bingo going to be conducted at this site? 1a. If "Yes" to number 1 above, is Bingo the primary game conducted? If "Yes," enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.					\$ 0.00
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____ Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____					\$ 0.00
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____					\$ 0.00
4. Is Pull Tabs involving either a jar bar, standard, or electronic dispensing device conducted at this site? Please check: <input type="checkbox"/> Jar Bar <input type="checkbox"/> Standard Dispensing Device <input type="checkbox"/> Electronic Dispensing Device Number of Electronic Devices _____ No additional rent is allowed for electronic pull tabs. Rent must be based on dispensing device requirements per NDCC 53-06.1-11 (5)(a)(b)					\$ 0.00
Total Monthly Rent					\$ 0.00

5. If the only gaming activity to be conducted at this site is a raffle drawing, please check here.

TERMS OF RENTAL AGREEMENT:

This RENTAL AGREEMENT is between the Owner (LESSOR) and Organization (LESSEE) that will be leasing the site to conduct games of chance.

The LESSOR agrees that no game will be directly operated as part of the lessor's business.

The LESSOR agrees that the (lessor), (lessor's) spouse, (lessor's) common household members, (management), (management's) spouse, or an employee of the lessor who is in a position to approve or deny a lease may not conduct games at any of the organization's sites and, except for officers and board of directors members who did not approve the lease, may not play games at that site. However, a bar employee may redeem a winning pull tab, pay a prize board cash prize, and award a prize board merchandise prize involving a dispensing device and sell raffle tickets or sports pool chances on a board on behalf of an organization.

The LESSOR agrees that the lessor's on call or temporary or permanent employee will not, directly or indirectly, conduct games at the site as an employee of the lessee on the same day the employee is working in the area of the bar where alcoholic beverages are dispensed or consumed.

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming pull tabs or prize boards, or both, involving a dispensing device, the Lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

The LESSOR agrees not to loan money to, provide gaming equipment to, or count drop box cash for the lessee.

At the LESSOR'S option, the lessee agrees that this rental agreement may be automatically terminated if the lessee's gaming license is suspended at this site for more than fourteen days or revoked.

Signature of Lessor <i>Teele Snelly</i>	Title <i>Office Manager</i>	Date <i>6-20-18</i>
Signature of Lessee <i>Miranda Rotten</i>	Title <i>Committee Chair</i>	Date <i>6-20-18</i>

Miranda Rotten 701-356-7360

(over)

Consent Agenda Item: c

JUN 25 2018



GAMING SITE AUTHORIZATION
 OFFICE OF ATTORNEY GENERAL
 SFN 17996 (02/2018)

G - _____ (_____)____
 Site License Number
 (Attorney General Use Only)

Full, Legal Name of Gaming Organization Team Makers Club, Inc.

The above organization is hereby authorized to conduct games of chance under the license granted by the Attorney General of the State of North Dakota at the following location

Name of Location <u>Awake Lounge</u>			
Street <u>1410 9th Street East, Ste 501</u>	City <u>West Fargo</u>	ZIP Code <u>58078</u>	County <u>Cass</u>
Beginning Date(s) Authorized <u>7/15/18</u>	Ending Date(s) Authorized <u>6/30/19</u>	Number of twenty-one tables if zero, enter "0": <u>1</u>	
Specific location where games of chance will be conducted and played at the site (required) <u>Entire lounge area</u>			
If conducting Raffle or Poker activity provide date(s) or month(s) of event(s) if known			

RESTRICTIONS (City/County Use Only)

Days of week of gaming operations (if restricted)	Hours of gaming (if restricted)
---	---------------------------------

ACTIVITY TO BE CONDUCTED Please check all applicable games to be conducted at site (required)

<input type="checkbox"/> Bingo	<input type="checkbox"/> Club Special	<input type="checkbox"/> Sports Pools
<input type="checkbox"/> ELECTRONIC Quick Shot Bingo	<input type="checkbox"/> Tip Board	<input checked="" type="checkbox"/> Twenty-One
<input checked="" type="checkbox"/> Raffles	<input type="checkbox"/> Seal Board	<input type="checkbox"/> Poker
<input type="checkbox"/> ELECTRONIC 50/50 Raffle	<input type="checkbox"/> Punchboard	<input type="checkbox"/> Calcuttas
<input checked="" type="checkbox"/> Pull Tab Jar	<input type="checkbox"/> Prize Board	<input type="checkbox"/> Paddlewheels with Tickets
<input checked="" type="checkbox"/> Pull Tab Dispensing Device	<input type="checkbox"/> Prize Board Dispensing Device	<input type="checkbox"/> Paddlewheel Table
<input checked="" type="checkbox"/> ELECTRONIC Pull Tab Device		

APPROVALS

Attorney General	Date
Signature of City/County Official	Date
PRINT Name and official position of person signing on behalf of city/county above	

- INSTRUCTIONS:**
1. City/County-Retain a **copy** of the Site Authorization for your files.
 2. City/County-Return the **original** Site Authorization form to the Organization.
 3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval.

RETURN ALL DOCUMENTS TO:
 Office of Attorney General
 Licensing Section
 600 E Boulevard Ave, Dept. 125
 Bismarck, ND 58505-0040
 Telephone: 701-328-2329 OR 800-326-9240

*CK# 013926
 pd 6-25-18
 \$100.-*

**AGREEMENT FOR PROVISION OF ENVIRONMENTAL HEALTH SERVICES
FOR THE CITY OF WEST FARGO BY
FARGO CASS PUBLIC HEALTH**

THIS AGREEMENT, is made and entered into this ____ day of _____, 2018 (the “Effective Date”), by and between the City of Fargo, a North Dakota political subdivision, whose address is 200 3rd Street North, Fargo, North Dakota 58102 (the “City of Fargo”), and the City of West Fargo, a North Dakota political subdivision, whose address is 800 4th Avenue East, West Fargo, North Dakota 58078 (the “City of West Fargo”) (collectively, the “parties”).

RECITALS

WHEREAS, the City of Fargo and the City of West Fargo hereby enter into this Agreement under which environmental health services will be provided by Fargo Cass Public Health, a department of the City of Fargo (the “Health Department”), to the City of West Fargo pursuant to the terms of this Agreement; and

WHEREAS, under North Dakota Century Code § 23-35-04, a city public health unit has all necessary powers and duties of a public health unit provided under N.D.C.C. Chapter 23-35, which includes the power to provide health services to other cities; and

WHEREAS, the City of Fargo and the City of West Fargo desire to work in a cooperative manner to provide environmental health services to the City of West Fargo by the Health Department; and

WHEREAS, the parties desire to memorialize the terms, provisions, and conditions contained in this Agreement in writing.

NOW THEREFORE, in consideration of the mutual agreements contained herein, and other good and valuable consideration, the receipt and sufficiency of which is hereby acknowledged, the parties agree as follows:

AGREEMENT

1. **Purpose.** This Agreement is made pursuant to N.D.C.C. § 54-40-01, which authorizes the joint and cooperative exercise of power common to the contracting parties. The intent of this Agreement is to increase efficiencies with respect to licensing, investigating, inspecting, and enforcing environmental health related ordinances, regulations, and rules adopted and implemented by the West Fargo Board of City Commissioners and enforced by the Health Department. This Agreement does not create a separate political subdivision.
2. **Relationship of the Parties.** The Health Department agrees to cooperate with the City of West Fargo for the purposes and to the extent set forth in this Agreement, and its relationship to the City of West Fargo will, during the term of this Agreement, be that of an independent contractor. The Health Department will be free to use such portion of its entire time, energy, and skill, during the course of this Agreement, to meet its contractual obligation to the City of West Fargo. Neither the Health Department, nor its personnel,

will be considered to be employed by the City of West Fargo or entitled to participate in any plans, arrangements, or distributions by the City of West Fargo pertaining to or in connection with any benefits accorded to the City of West Fargo's regular employees. The City of West Fargo will not be financially responsible to the Health Department or the City of Fargo and will not be responsible for the payment of any cost of living allowances, merit increases, medical insurance, public employees' retirement, life insurance or disability coverage, sick leave, holiday pay or vacation pay, or any benefit of any kind not specifically set forth in this Agreement.

3. **Term.** This Agreement commences on the ____ day of _____, 2018, and terminates on the ____ day of _____, 20____, unless extended or terminated, in writing, by the City of Fargo and the City of West Fargo.

4. **Termination.** This Agreement may be terminated, at any time, upon sixty (60) days' written notice thereof to the other party.

5. **Services.**

a. The Health Department will provide adequate personnel to perform services set out in this Agreement. In the event the City of West Fargo deems the personnel inadequate or abundant, the parties agree to cooperate to determine the adequate number of personnel to provide said services.

b. The primary duty of personnel shall be to provide inspection and enforcement of the environmental health ordinances, regulations, and rules of the City of West Fargo, the State of North Dakota, and applicable federal regulations relating to food service establishments, grocery stores, bakeries, bars, swimming pools, child care facilities, pet shops, hotels and motels, sanitizing and testing of freezing/dispensing machines, tattoo and body art establishments, tanning facilities, and any other environmental health related ordinances, regulations, and rules.

c. In addition to inspections of such facilities, responsibilities covered by this Agreement include following up on complaints, enforcement of violations, working with City of West Fargo personnel on licensing issues, and pre-inspections of certain establishments. The inspection, testing, and monitoring of such premises in the City of West Fargo covered by this Agreement will be done in basically the same manner as is done by the Health Department in the City of Fargo. Health Department personnel providing services under this Agreement shall provide consultation, direction, and expertise involving environmental issues, and direct the appropriate governmental agency to initiate action under their existing statutes, rules, or regulations.

6. **Emergency Services.** In the event of an emergency, the City of West Fargo and the Health Department shall coordinate with Cass Fargo Emergency Management, Cass County Emergency Management, and other local agencies to make available resources in support of local government to minimize the impact of emergencies and disasters on people, property, and the environment.

7. **Workers' Compensation.** Each party shall be responsible for injuries or death of its own personnel. Each party will maintain workers' compensation insurance or self-insurance coverage, covering its own personnel while they are providing assistance pursuant to this Agreement. Each party waives the right to sue the other party for any workers' compensation benefits paid to its own employee or volunteer or their dependants, even if the injuries were caused wholly or partially by the negligence of any other party or its officers, employees, or volunteers.
8. **Enforcement.** With respect to enforcement of the foregoing environmental health services within the jurisdiction of the City of West Fargo through civil or criminal litigation, or any combination thereof, the City of West Fargo will be responsible for the pursuit of such civil litigation, criminal litigation, or both, as may be appropriate and the Health Department will refer such matters to the attorney(s) for the City of West Fargo for such action.
9. **Notice.** Any notice or election required or permitted to be given or served by any party to this Agreement upon any other will be deemed given or served in accordance with the provisions of this Agreement if said notice or election is (a) delivered personally, or (b) mailed by United States certified mail, return receipt requested, postage prepaid, and in any case, properly addressed as follows:

If to Fargo: Fargo Cass Public Health
Attn: Director of Public Health
1240 25th Street South
Fargo, ND 58103

AND to: City of Fargo
Attn: City Auditor
200 North 3rd Street
Fargo, ND 58102

If to West Fargo: City of West Fargo
Attn: City Administrator
800 4th Avenue East
West Fargo, ND 58078

Each such mailed notice or communication will be deemed to have been given on the date the same is deposited in the United States mail. Each such delivered notice or communication will be deemed to have been given upon the delivery. Any party may change its address for service of notice in the manner specified in this Agreement.

10. **Indemnification.** The City of West Fargo hereby agrees to indemnify and hold the Health Department and the City of Fargo, its officers, agents, employees, and representatives harmless from any and all claims, demands, and causes of action which may be asserted against the Health Department or the City of Fargo as a result of rendering of any of the services which are described in this Agreement.

11. **Merger Clause.** This Agreement constitutes the entire agreement by and between the parties, and any other prior representations or agreements are deemed merged herein, and those not specified herein do not represent any agreements or promises or covenants or representations on the part of either party hereto.
12. **Written Amendment Required.** No amendment, modification, or waiver of any condition, provision, or term shall be valid or of any effect unless made in writing signed by the party or parties to be bound, or a duly authorized representative, and specifying with particularity the extent and nature of such amendment, modification, or waiver. Any waiver by any party of any default of another party shall not affect or impair any right arising from any subsequent default. Except as expressly and specifically stated otherwise, nothing herein shall limit the remedies and rights of the parties thereto under and pursuant to this Agreement.
13. **Severability Clause.** Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, and word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
14. **Rules of Construction.** The parties acknowledge that they have had the opportunity to review this Agreement, and that they have an equal bargaining position in this transaction. No rule of construction that would cause any ambiguity in any provision to be construed against the drafter of this document will be operative against any party to this Agreement.
15. **Agreement Binding on Successors.** This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective personal representatives, successors, and assigns.
16. **Applicable Law.** This Agreement shall be controlled by the laws of the State of North Dakota, and any action brought as a result of any claim, demand, or cause of action arising under the terms of this Agreement shall be brought in an appropriate venue in the State of North Dakota.
17. **Counterparts.** This Agreement may be executed in one or more counterparts, each of them shall be considered an original document, but all of which shall be considered one and the same agreement and shall become binding when one or more counterparts have been signed by each of the parties.

IN WITNESS WHEREOF, the parties have set their hands as of the Effective Date first written above.

[Signatures appear on the following pages.]

CITY OF FARGO

Tim Mahoney, Mayor

FARGO CASS PUBLIC HEALTH

Ruth Roman, Director of Public Health

[Signatures continue on the following page.]

CITY OF WEST FARGO

Rich Mattern, President of the Board of
City Commissioners

ATTEST:

Tina Fisk, City Administrator

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 1

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: June 26, 2018

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Tevye Addition & Rezoning from A: Agricultural to R-1A: Single Family Dwellings.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

5048 Sheyenne Street (parcel in the SE¼ of Section 31, T139N, R49W), City of West Fargo, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Hold First Reading and Public Hearing on the rezoning at 5:30 pm on July 2, 2018.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A18-24		SUBDIVISION AND REZONING	
Tevye Addition			
5048 Sheyenne St (SE¼ of Section 31, T139N, R49W), City of West Fargo, North Dakota			
Applicant: Chris Hawley Architects Owner: Tevye, LLC		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		06-12-2018	
Public Hearing:		06-12-2018 – Approval	
City Commission Introduction:		05-21-2018	
Public Hearing & 1 st Reading:		07-02-2018	
2 nd Reading and Final Plat Approval:			

PURPOSE:

Platting and Zoning in order to construct a new single family dwelling on the property.

STATEMENTS OF FACT:

Existing Land Use:	Non-farm Single Family Residential
Current Zoning District(s):	A: Agricultural
Zoning Overlay District(s):	CO: Corridor Overlay District
Proposed Zoning District(s):	R-1A: Single-Family Dwelling
Proposed Lot size(s) or range:	8.78 Acres
Total area size:	10.16 Acres
Adjacent Zoning Districts:	North: A: Agricultural District South: A: Agricultural District East: R-1E: Rural Estate District West: R-1A: Single Family Dwelling & A: Agricultural District
Adjacent street(s):	Sheyenne Street (Arterial)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	Future path along Sheyenne Street. There are no proposed connections to park amenities outside of this.
Park Dedication Requirements:	No increased development therefore no dedication to be required at this time.

DISCUSSION AND OBSERVATIONS:

- The applicant has submitted an application, area plan, and preliminary plat.
- A preliminary site plan shows a proposed single family dwelling to the north, existing accessory building and single family dwelling to the south.
- Section 4-444 of City Ordinances provides that more than one principal structure is allowed on a lot in any district provided that each structure if subdivided could meet the district requirements. In this preliminary site plan staff has determined that the structures would meet district requirements.

STAFF REPORT

- The existing accessory dwelling would be a non-conforming structure due to its size being greater than 1,000 ft², however it can be accepted as “legal non-conforming” under section 4-474 of City Ordinances subject to the following provisions:
 1. No such nonconforming structure may be enlarged or altered in any way which increases its nonconformity, but any structure or portion thereof may be altered to decrease its nonconformity.
 2. Should such nonconforming structure or nonconforming portion of structure be destroyed by any means to the extent of more than 50 percent of its replacement cost at time of destruction, it shall not be reconstructed except in conformity with the provisions of this Ordinance.
 3. Should such structure be moved for any reason for any distance whatever, it shall thereafter conform to the regulations for the district in which it is located after it is moved.
- There is one existing approach onto Sheyenne Street for the development. As part of the plat, this access should be shifted north slightly to align with the existing 50th Ave E on the east side of Sheyenne St. as it has been proposed in the Sheyenne Street Corridor Study and approved per the requirements of Section 2-0119 of City Ordinances. Preliminary site plans indicate this is the intention of the applicant, and this could be relayed onto the plat if necessary to avoid future review.
- The applicant is provided 75’ of right of way dedication on the plat which would accommodate the City’s requirement of up to 150’ on arterial roadways. The Sheyenne Street Corridor Study does not propose improvements that would require additional right of way beyond 150’.
- Public and/or park dedication is not required for the development because there are no increase in intensity from one lot residential to one lot residential. Staff would suggest as part of the platting procedure that if the Park District provides any comments related to park needs that they be considered. If future re-subdivision is to occur to increase the density, land dedication may be required at that time.
- A sewer hook-up fee for all development south of Interstate 94 is required for the subdivision and will need to be addressed within a subdivision improvement agreement.
- An Attorney Title Opinion is required and will need to be received prior to Final Plat consideration.

NOTICES:

Sent to: Property owners within 150’ and applicable agencies and departments

Comments Received:

- None to date.

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed application is neither opposed or supported by the City’s Comprehensive Plan and is consistent with the Sheyenne Street Corridor Study and City Ordinances. Increased development would necessitate additional requirements, however the proposed plat does not change the intensity of the existing property.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis that it is consistent with City plans and ordinances with recommended conditions of approval as follows:

STAFF REPORT

1. The City accept the existing accessory building as a legal non-conforming structure subject to the provisions of Section 4-474 of City Ordinances.
2. Access location be included on the final plat and approved by the City Commission with a recommendation for approval by Planning and Zoning Commission.
3. A Signed Subdivision agreement is received and sewer hook-up fee is provided and/or accommodated within the agreement.
4. A drainage plan is received and approved by the City Engineer.
5. An Attorney Title Opinion to the City of West Fargo is received.
6. Final Plat is received with any necessary easements.
7. A certificate is received showing taxes are current.

PLANNING AND ZONING RECOMMENDATION:

At their June 12, 2018 meeting, the Planning and Zoning Commission approved the subdivision and rezoning, subject to the seven conditions listed above.



A18-24
Proposed Subdivision





A18-24
Proposed Subdivision

City of
WEST FARGO

<ul style="list-style-type: none"> A: Agricultural C: Light Commercial C-PUD: PUD in General Commercial C-OP: Commercial Office Park C-OP-PUD: PUD in Office Park HC: Heavy Commercial LI: Light Industrial CM-PUD: PUD in Light Industrial M: Heavy Industrial P: Public 	<ul style="list-style-type: none"> P-PUD: PUD in Public R-L1A: Large Lot Single Family Dwelling R-1A: Single Family Dwelling R-1: One and Two Family Dwelling R-1SM: Mixed One and Two Family Dwelling R-2: Limited Multiple Dwelling R-3: Multiple Dwelling R-4: Mobile Home R-5: Manufactured Home Subdivision R-1E: Rural Estate R-R: Rural Residential R-PUD: PUD in Residential 	<ul style="list-style-type: none"> R-1SM: Mixed One and Two Family Dwelling R-2: Limited Multiple Dwelling R-3: Multiple Dwelling R-4: Mobile Home R-5: Manufactured Home Subdivision R-1E: Rural Estate R-R: Rural Residential R-PUD: PUD in Residential
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PLAT OF TEVYE ADDITION
TO THE CITY OF WEST FARGO, PART OF THE SOUTHEAST QUARTER, SECTION 31,
TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA.



CERTIFICATE

SHAWN M. THOMASSON, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE PROFESSIONAL LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "TEVYE ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF A PART OF THE SOUTHEAST QUARTER IN SECTION 31, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE BOUNDARY OF SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

THAT PART OF THE SOUTHEAST QUARTER IN SECTION 31, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA, CASS COUNTY, NORTH DAKOTA, DESCRIBED AS FOLLOWS:

COMMENCING AT A FOUND IRON MONUMENT WHICH DESIGNATES THE SOUTHEAST CORNER OF SAID SECTION 31; THENCE NORTH 02 DEGREES 59 MINUTES 44 SECONDS WEST ON A RECORD BEARING ALONG THE EAST LINE OF SAID SECTION 31 FOR A DISTANCE OF 884.51 FEET TO THE POINT OF BEGINNING; THENCE SOUTH 87 DEGREES 50 MINUTES 02 SECONDS WEST FOR A DISTANCE OF 568.14 FEET; THENCE NORTH 00 DEGREES 46 MINUTES 34 SECONDS WEST FOR A DISTANCE OF 800.69 FEET; THENCE NORTH 87 DEGREES 48 MINUTES 28 SECONDS EAST FOR A DISTANCE OF 537.13 FEET TO THE EAST LINE OF SAID SECTION 31; THENCE SOUTH 02 DEGREES 59 MINUTES 44 SECONDS EAST ALONG THE EAST LINE OF SAID SECTION 31 FOR A DISTANCE OF 800.78 FEET TO THE POINT OF BEGINNING.

SAID TRACT CONTAINS 10.16 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

SHAWN M. THOMASSON
 PROFESSIONAL LAND SURVEYOR
 ND PLS #5900

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED SHAWN M. THOMASSON, PROFESSIONAL LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "TEVYE ADDITION" TO THE CITY OF WEST FARGO, A PLAT OF A PART OF THE SOUTHEAST QUARTER IN SECTION 31, TOWNSHIP 139 NORTH, RANGE 49 WEST OF THE FIFTH PRINCIPAL MERIDIAN, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF SHAWN M. THOMASSON, PROFESSIONAL LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED PROFESSIONAL LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE SHEYENNE STREET AND ALL UTILITY EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER:

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2018.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2018.

DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I DO HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2018.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2018.

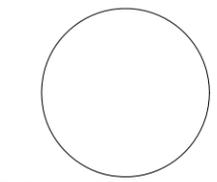
RICH MATTERN, PRESIDENT OF
 THE WEST FARGO CITY COMMISSION

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
 COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RICH MATTERN, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

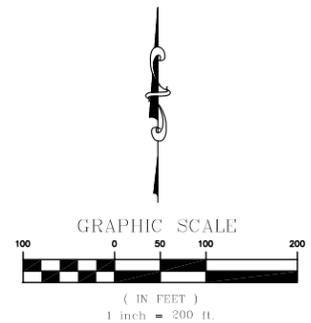




HORACE DIVERSION

TEVYE ADDITION

31 32
6 5



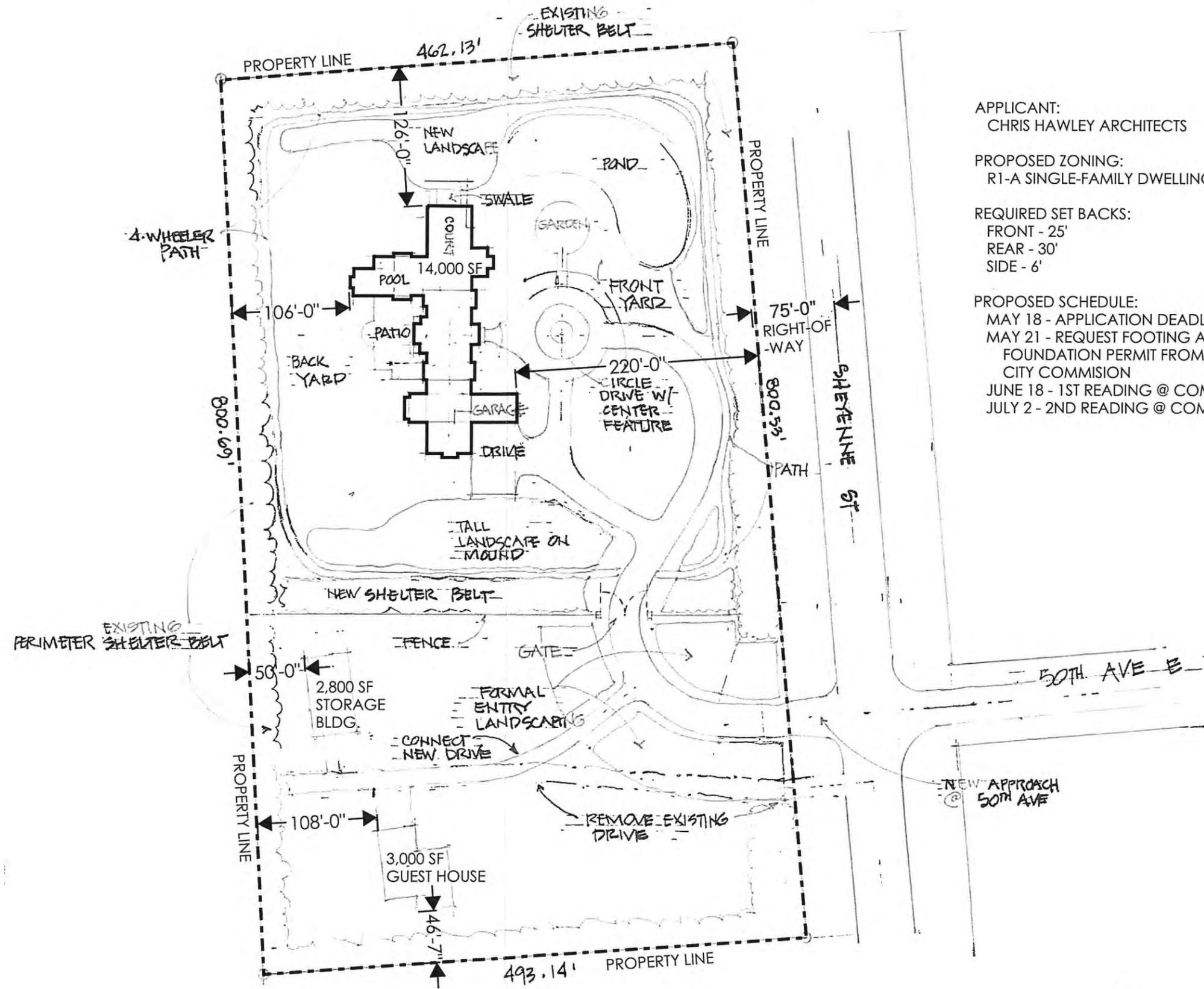
AREA PLAN: TEVYE ADDITION SECTION 31-139-49 WEST FARGO, NORTH DAKOTA		DATE 05/25/18	REVISED
		DRAWN BY CDH	PROJ. NO. 20312
		CH'D BY	DRAWING 1
		SCALE 1" = 200'	OF 1
 moore engineering inc. fargo - west fargo, north dakota			

APPLICANT:
 CHRIS HAWLEY ARCHITECTS

PROPOSED ZONING:
 R1-A SINGLE-FAMILY DWELLING

REQUIRED SET BACKS:
 FRONT - 25'
 REAR - 30'
 SIDE - 6'

PROPOSED SCHEDULE:
 MAY 18 - APPLICATION DEADLINE
 MAY 21 - REQUEST FOOTING AND FOUNDATION PERMIT FROM CITY COMMISSION
 JUNE 18 - 1ST READING @ COMMISSION
 JULY 2 - 2ND READING @ COMMISSION



1
 A100

SITE PLAN

SCALE: 1" = 100'



AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 2

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: June 26, 2018

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Zoning Ordinance Amendment to Sections 4-01 Planning and Zoning Commission, 4-02 Comprehensive Plan and 4-302 Replacement of Official Zoning Map

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

N/A.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Hold First Reading and Public Hearing on the Zoning Ordinance Amendment at 5:30 pm on July 2, 2018.

STAFF REPORT

A18-26	ZONING ORDINANCE AMENDMENTS
Zoning Ordinance Amendment to Sections 4-01, 4-02 and 4-302	
City of West Fargo	Staff Contact: Tim Solberg, AICP
Planning & Zoning Commission Introduction:	06-12-2018
Public Hearing:	06-12-2018 – Approval
City Commission Introduction:	06-18-2018
Public Hearing & 1 st Reading:	07-02-2018
2 nd Reading	

PURPOSE:

Text amendments to the Planning and Zoning Ordinances to address changes to the West Fargo Extraterritorial (ET) jurisdiction.

DISCUSSION AND OBSERVATIONS:

- Staff is proposing text amendments to Section 4-01, 4-02 and 4-302. The specific sections with proposed changes highlighted in red are attached for reference.
- 4-01. Planning Commission - Zoning Commission
 - Proposed edits to 4-0107 would amend the date referring to the “Official Zoning Map of the City of West Fargo”
- 4-02. Comprehensive Plan
 - Proposed edits to 4-0202 changing language to now refer to the 2018 Comprehensive Plan (also referred to as West Fargo 2.0) adopted by the City Commission with appropriate date to include the new areas coming into the City’s extraterritorial jurisdiction.
- 4-302. Replacement of Official Zoning Map
 - Proposed edits to 4-302 changing dates and ordinance number for new “Official Zoning Map”
- Included in the adoption of the Official Zoning Map, the City adopts its extraterritorial jurisdiction as part of the ordinance.
- The City of West Fargo and City of Fargo have come to an agreement to swap land which is in each other’s extraterritorial jurisdiction. In exchange for releasing extraterritorial zoning authority of the E ½ of the NW ¼ and the NE ¼, Section 32, T140N, R49W to the City of Fargo, the City of West Fargo will be gaining the extraterritorial zoning authority of the W ½, of both Section 29 and Section 20, T140N, R49W. As part of this process, North Dakota Century Code requires the city to hold a zoning transition meeting to review existing zoning rules, regulations, and restrictions currently in place in the territory to be extraterritorially zoned and to plan for an orderly transition.
- All of the land to which the City is to be including in its jurisdiction is currently zoned AG (Agricultural) district. Staff is recommending that the City zone this property A: Agricultural under West Fargo City Ordinances Section 4-421.
- None of the property which is proposed to come into the City of West Fargo’s jurisdiction has been developed or subdivided.
- Staff has reviewed the City of Fargo’s AG district standards in comparison to the City of West Fargo’s A: Agricultural district standards and has determined that there appears to be no effect to the current development pattern of this land in question if it is to transition to the City of West Fargo’s planning and zoning jurisdiction.

STAFF REPORT

NOTICES:

Sent to:	Notice in the newspaper and City Departments. Official notice provided to the City of Fargo per North Dakota Century Code 40-47-01.1 subdivision 5, 14 days prior to the scheduled zoning transition meeting to be held at June 12, 2018 Planning and Zoning Commission meeting. Property owners affected by the ET swap were notified by mail.
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Comments Received:

- None to date.

RECOMMENDATIONS:

Following the public hearing and obtaining public comments, consider recommending approval of the proposed ordinance amendments.

PLANNING AND ZONING RECOMMENDATION:

At their June 12, 2018 meeting, the Planning and Zoning Commission approved the zoning ordinance amendments.

CHAPTER 4-01

PLANNING COMMISSION - ZONING COMMISSION

SECTIONS:

- 4-0101. Planning Commission: Creation.
- 4-0102. Planning Commission: Members Appointed.
- 4-0103. Planning Commission: Term of Office.
- 4-0104. Planning Commission: Confirmation of Appointments by City Commission.
- 4-0105. Planning Commission: Powers and Compensation.
- 4-0106. Zoning Commission.
- 4-0107. Extraterritorial Planning and Zoning Authority.

4-0101. PLANNING COMMISSION: CREATION. Pursuant to Chapter 40-48 of the North Dakota Century Code and all previously existing ordinances of the City of West Fargo, there shall be a body known as the Planning Commission of the City of West Fargo. The creation of said commission is hereby confirmed and ratified.

4-0102. PLANNING COMMISSION: MEMBERS APPOINTED. The Planning Commission shall consist of eight (8) members, who shall be appointed as hereinafter provided. In addition to the appointed members, the President of the Board of City Commissioners, the City Engineer and the City Attorney shall act as ex-officio members of said Planning Commission.

Source: Ord. 924, Sec. 1 (2012)

4-0103. PLANNING COMMISSION: TERM OF OFFICE. The ex-officio members of the Planning Commission shall serve during and for their respective terms for which they are elected or appointed, the President of the Board of City Commissioners shall appoint five (5) members of the Planning Commission, which appointments shall be confirmed as hereinafter provided, The members appointed by the President of the Board of City Commissioners shall be a resident of the City of West Fargo. The terms of the members of the Planning Commission appointed by the President of the Board of City Commissioners shall be as provided by the laws of the State of North Dakota. The Board of County Commissioners of Cass County shall appoint three members of the Planning Commission, who shall reside outside of the corporate limits of the City of West Fargo, Cass County, North Dakota, but who shall reside within four miles of the corporate limits of the City of West Fargo, Cass County, North Dakota, in any direction, and if such persons are available and will serve on the Planning Commission, they should reside within the area within which the City exercises its

extraterritorial zoning jurisdiction. Of the members of the commission appointed by the Board of County Commissioners of Cass County, North Dakota, the first member appointed shall hold office for five (5) years, the second member appointed shall hold office for three (3) years, and thereafter, the members shall be appointed for terms of five (5) years.

Source: Ord. 924, Sec. 2 (2012)

4-0104. PLANNING COMMISSION: CONFIRMATION OF APPOINTMENTS BY CITY COMMISSION. The President of the Board of City Commissioners shall submit to the Board of City Commissioners at the next regular meeting after making such appointments, the names of the persons appointed and the length of their term. The Board of City Commissioners shall, by a majority vote, confirm or reject such appointments. If such appointments are rejected, the President of the Board of City Commissioners shall make other appointments, which appointments shall be approved or rejected in like manner.

4-0105. PLANNING COMMISSION: POWERS AND COMPENSATION. The Planning Commission shall have such powers and shall perform such duties as may now or hereinafter be provided by law including the power under the authority of Section 40-48-18 of the North Dakota Century Code to extend the application of the City's subdivision regulations to all land located within the corporate limits of the City and all land located within the extraterritorial authority of the City as set forth in Section 4-0107.

Source: Ord. 414, Sec. 1 (1991)

4-0106. ZONING COMMISSION. The Planning Commission shall also serve as the Zoning Commission of the City to hold hearings, make reports and recommendations as to the boundaries of the various original districts and appropriate regulations to be enforced therein, and for changes in or supplements thereto. The Zoning Commission shall have such powers and shall perform such duties as may now or hereafter be provided by law including but not limited to the exercise of territorial authority of zoning regulations extending to all land located within the corporate limits of the City and all land located within the extraterritorial authority of the City as set forth in Section 4-0107.

4-0107. EXTRATERRITORIAL PLANNING AND ZONING AUTHORITY. The City of West Fargo pursuant to the authority set out in Sections 40-48-18 and 40-47-01.1 of the North Dakota Century Code, does hereby extend its planning and zoning regulation authority to those extraterritorial areas set forth on the map entitled "The official zoning map of the City of West Fargo," dated ~~March 16, 2015~~ **enter new date**. The boundaries of the extraterritorial planning and zoning authority of the City of West Fargo, North Dakota, shall not automatically change as a result of annexation of new land

into the City, or by amendments to state law which would permit the City to extend its extraterritorial jurisdiction a greater distance from its city limits. The City may, in its discretion, extend the extraterritorial planning and zoning authority of the City of West Fargo and the planning commission by amending the Official Map to take in additional territory that, pursuant to state law, may come under the planning and zoning authority of the City.

Source: Ord. 414, Sec. 5 (1991); Ord. 655, Sec. 1 (2002); Ord. 795, Sec. 2 (2007); Ord. 1031, Sec. 2 (2015)



www.westfargond.gov

Larry M. Weil, Community Development Director
Tim Solberg, AICP, Director of Planning and Zoning
Lisa Sankey, Planner

May 25, 2018

City of Fargo Planning Commission
c/o Nicole Crutchfield, AICP, Planning Director
200 North Third Street
Fargo, ND 58102

RE: Extraterritorial Jurisdiction Agreement and Zoning Transition Meeting

Based on discussion at the West Fargo City Commission meeting on May 21, 2018 regarding an Extraterritorial (ET) Agreement with the City of Fargo, we are initiating a new official ET Map under Section 4-0107 of the City of West Fargo Ordinances, pursuant to NDCC 40-47-01.1 and 40-48.18.

As per NDCC 40-47-01.1, subdivision 5, the City of West Fargo is notifying the City of Fargo regarding a zoning transition meeting to be held at its regularly scheduled Planning and Zoning Commission meeting on Tuesday June 12, 2018 at 5:30pm to review existing zoning rules, regulations, and restrictions currently in place in the territory to be extraterritorially zoned and to plan for an orderly transition.

Should you have any comments, please submit them in writing, or you may attend the Planning and Zoning Commission meeting on Tuesday, June 12, 2018 at 5:30 p.m. in the West Fargo City Hall Commission Chambers (800 4th Avenue East), when the zoning transition meeting will be held. You may also call me at 433-5321 or email Tim.Solberg@westfargond.gov.

Thank you for your attention on this matter.

Sincerely,

A handwritten signature in black ink that reads "Tim Solberg".

Tim Solberg, AICP
Director of Planning and Zoning

TS/las

cc: Tina Fisk, City of West Fargo Administrator; Bruce Grubb, City of Fargo Administrator

CHAPTER 4-02 COMPREHENSIVE PLAN

SECTIONS:

- 4-0201. Declaration of Purpose.
- 4-0202. Adoption of Official Comprehensive Plan.
- 4-0203. Copy on File with City Auditor. 4-0204. Amendments to Land Use Plan.

4-0201. DECLARATION OF PURPOSE. The purpose of this chapter in establishing an official Comprehensive Plan is to accomplish a coordinated, adjusted and harmonious development of the City of West Fargo and its environs, and generally to conserve and promote the public health, safety and general welfare of the municipality.

4-0202. ADOPTION OF OFFICIAL COMPREHENSIVE PLAN. The West Fargo Comprehensive Plan shall consist of the ~~2007 Comprehensive Plan~~ 2018 Comprehensive Plan also referred to as "West Fargo 2.0" adopted by the City Commission on ~~December 17, 2007~~ enter new date.

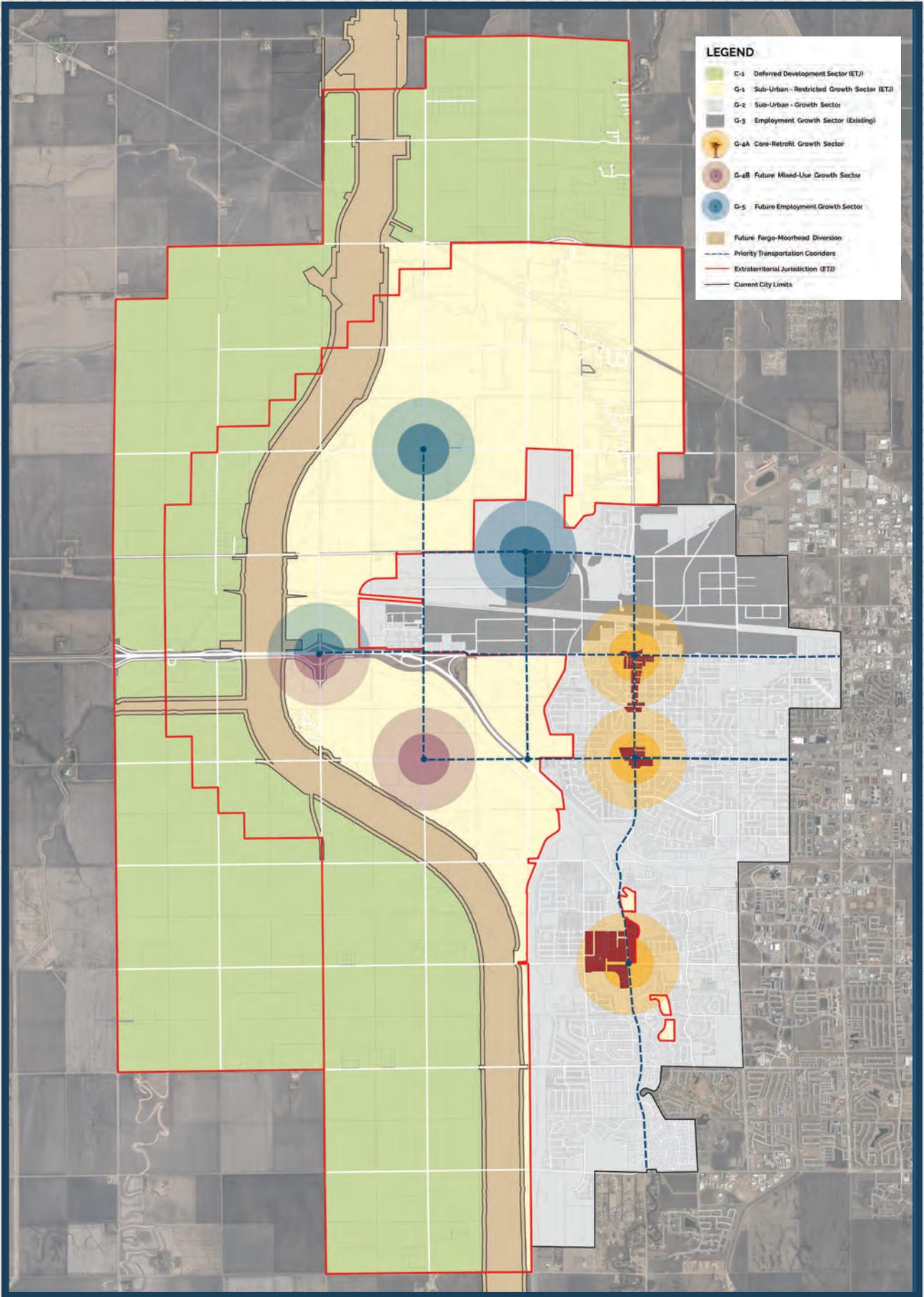
Source: Ord. 584, Sec. 1 (2000); Ord. 813, Sec. 1 (2007).

4-0203. COPY ON FILE WITH CITY AUDITOR. A copy of the Comprehensive Plan of the City of West Fargo shall be kept on file at all times with the City Auditor.

~~4-0204. AMENDMENTS TO LAND USE PLAN. All amendments to the Land Use Plan of the West Fargo Comprehensive Plan shall be as set forth by Resolution and adopted by the West Fargo City Commission.~~

Source: Ord. 650, Sec. 1 (2002)

Map 1: Deferred Development and Growth Map



CHAPTER 4-300.

ESTABLISHMENTS OF DISTRICTS AND OFFICIAL ZONING MAP PROVISIONS.

Sections:

- 4-301. Establishment of Districts as Shown on Official Zoning Map.
- 4-302. Replacement of Official Zoning Map.
- 4-303. Rules for Interpretation of District Boundaries.

4-301. ESTABLISHMENT OF DISTRICTS AS SHOWN ON OFFICIAL ZONING MAP. The City is hereby divided into zones, or districts, as shown on the Official Zoning Map which, together with all explanatory matter thereon, is hereby adopted by reference and declared to be a part of this Ordinance.

The Official Zoning Map shall be identified by the signature of the Mayor attested by the City Clerk, and bearing the seal of the City under the following words: "This is to certify that this is the Official Zoning Map referred to in Section 4-300 of Ordinance 332 of the City of West Fargo, North Dakota," together with the date of adoption of this Ordinance.

If, in accordance with the provisions of this Ordinance and Chapter 40-47 of the North Dakota Century Code, changes are made in district boundaries or other matter portrayed on the Official Zoning Map, such changes shall be entered on the Official Zoning Map promptly after the amendment has been approved by the City Commission certifying such changes. No amendment to this Ordinance which involves matter portrayed on the Official Zoning Map shall become effective until such change has been made on said map and the amending ordinance duly published.

No changes of any nature shall be made in the Official Zoning Map or matter shown thereon except in conformity with the procedures set forth in this ordinance. Any unauthorized change of whatever kind by any person or persons shall be considered a violation of this ordinance and punishable as provided under Section 4-570.

Regardless of the existence of purported copies of the Official Zoning Map which may from time to time be made or published, the Official Zoning Map which shall be located in the Office of the City Auditor shall be the final authority as to the current zoning status of land and water areas, buildings, and structures in the City.

(The amendment of this section involves the amendment to the Official Zoning Map)

4-302. REPLACEMENT OF THE OFFICIAL ZONING MAP. In the event that the Official Zoning Map becomes damaged, destroyed, lost, or difficult to interpret because of the nature or number of changes and additions, the City Commission may by resolution or ordinance adopt a new Official Zoning Map which shall supersede the prior Official Zoning Map. The new Official Zoning Map may correct drafting or other errors or omissions in the prior Official Zoning Map, but no such correction shall have the effect of amending the original Official Zoning Map or any subsequent amendment thereof. The new Official Zoning Map shall be identified by the signature of the President of the Board of City Commissioners attested by the City Auditor, and bearing the seal of the City under the following words: "This is to certify that this Official Zoning Map adopted as part of Ordinance No. ~~1031~~ enter new number on ~~March 16, 2015~~ enter new date, supersedes and replaces the Official Zoning Map adopted ~~February 19, 2007~~ March 16, 2015, as part of Ordinance ~~795~~ 1031 of the City of West Fargo, North Dakota." Unless the prior Official Zoning Map has been lost, or has been totally destroyed, the prior map or any significant parts thereof remaining, shall be preserved, together with all available records pertaining to its adoption or amendment.

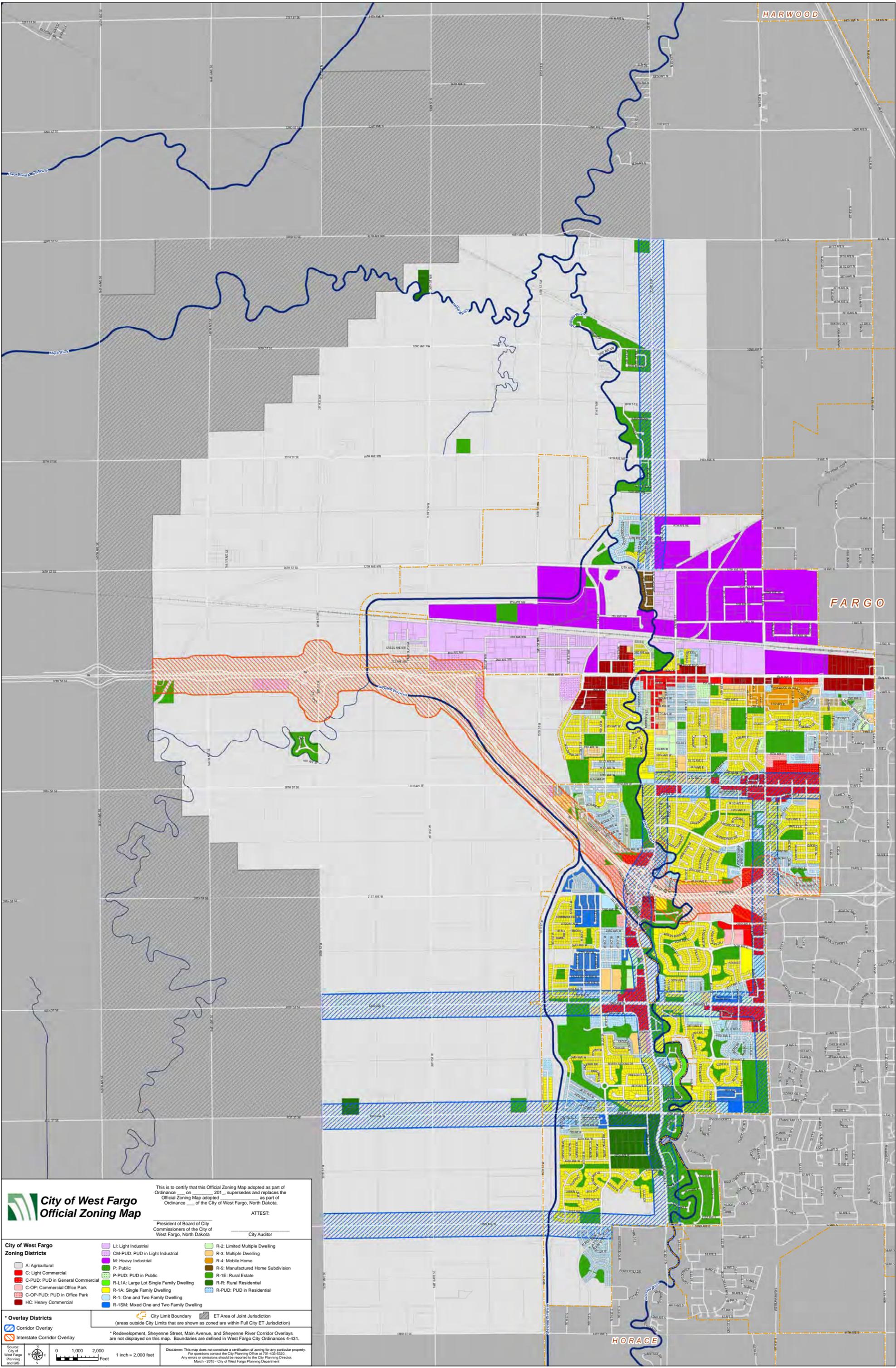
Source: Ord. 565, Sec. 2 (1999); Ord. 717, Sec. 2 (2004); Ord. 795, Sec. 2 (2007); Ord. 1031, Sec. 1 (2015)

4-303. RULES FOR INTERPRETATION OF DISTRICT BOUNDARIES. Where uncertainty exists as to the boundaries of districts as shown on the Official Zoning Map, the following rules shall apply:

- (1) Boundaries indicated as approximately following the center lines of streets, highways, or alleys shall be construed to follow such center lines;
- (2) Boundaries indicated as approximately following platted lot lines shall be construed as following such lot lines;
- (3) Boundaries indicated as following railroad lines shall be construed to be midway between the main tracks;
- (4) Boundaries indicated as approximately following city limits shall be construed as following such city limits;
- (5) Boundaries indicated as following shore lines shall be construed to follow such shore lines, and in the event of change in the shore line shall be construed as moving with the actual shore line; boundaries indicated as approximately following the center line of streams, rivers, canals, lakes, or other bodies of water shall be construed to follow such center lines;
- (6) Boundaries indicated as parallel to or extensions of features indicated in subsections (1) through (5) above shall be so construed. Distances not specifically

indicated on the Official Zoning Map shall be determined by the scale of the map;

- (7) Where physical or cultural features existing on the ground are at variance with those shown on the Official Zoning Map, or in other circumstances not covered by Subsections (1) through (7) above, the Board of Adjustment shall interpret the district boundaries;
- (8) Where a zoning district boundary line divides a lot which was in single ownership at the time of passage of this Ordinance, the Board of Adjustment may permit, as a permitted conditional use, the extension of the regulations for either portion of the lot not to exceed fifty (50) feet beyond the zoning district line into the remaining portion of the lot.
- (9) Whenever any street, alley, or other public way is vacated in the manner authorized by law, the zoned district adjoining each side of such street, alley or public way shall be automatically extended to the center of such vacation and all included in the vacation shall then and henceforth be subject to all regulations of the extended district.



City of West Fargo Official Zoning Map

This is to certify that this Official Zoning Map adopted as part of Ordinance _____ on _____, 201____, supersedes and replaces the Official Zoning Map adopted _____ as part of Ordinance _____ of the City of West Fargo, North Dakota.

ATTEST:

President of Board of City Commissioners of the City of West Fargo, North Dakota

City Auditor

City of West Fargo Zoning Districts

A: Agricultural	LI: Light Industrial	R-2: Limited Multiple Dwelling
C: Light Commercial	CM-PUD: PUD in Light Industrial	R-3: Multiple Dwelling
C-PUD: PUD in General Commercial	M: Heavy Industrial	R-4: Mobile Home
C-OP: Commercial Office Park	P: Public	R-5: Manufactured Home Subdivision
C-OP-PUD: PUD in Office Park	P-PUD: PUD in Public	R-1E: Rural Estate
HC: Heavy Commercial	R-L1A: Large Lot Single Family Dwelling	R-R: Rural Residential
	R-1A: Single Family Dwelling	R-PUD: PUD in Residential
	R-1: One and Two Family Dwelling	
	R-1SM: Mixed One and Two Family Dwelling	

Overlay Districts

- City Limit Boundary
- ET Area of Joint Jurisdiction (areas outside City Limits that are shown as zoned are within Full City ET Jurisdiction)
- Corridor Overlay
- Interstate Corridor Overlay

* Redevelopment, Sheyenne Street, Main Avenue, and Sheyenne River Corridor Overlays are not displayed on this map. Boundaries are defined in West Fargo City Ordinances 4-431.

Source: City of West Fargo Planning and GIS

Scale: 0 1,000 2,000 Feet. 1 inch = 2,000 feet

Disclaimer: This map does not constitute a certification of zoning for any particular property. For questions contact the City Planning Office at 701-433-5200. Any errors or omissions should be reported to the City Planning Director. March - 2015 - City of West Fargo Planning Department

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 3

***Please Note: The following information must be completed and submitted to the West Fargo City Auditor's Office by the Thursday noon preceding the City Commission meeting. Failure to comply may result in no action being taken on your request.

1. CONTACT PERSON: Tim Solberg

2. PHONE NUMBER: 433-5321 DATE: June 26, 2018

3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:

Halverson's Industrial Park 2nd Addition, a replat.

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):

Lots 15-20, Block 2; Lots 1-6, Block 3 and dedicated road between Blocks 2 & 3 of Halverson's Industrial Park Addition, City of West Fargo, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Final Plat Approval subject to the conditions listed in the staff report.

STAFF REPORT

A18-17		REPLAT	
Halverson's Industrial Park 2 nd Addition			
Lots 15-20, Block 2; Lots 1-6, Block 3 and dedicated road between Blocks 2 & 3 of Halverson's Industrial Park Addition, City of West Fargo, North Dakota			
Owner/Applicant: Ryan Restad		Staff Contact: Tim Solberg, AICP	
Planning & Zoning Commission Introduction:		05-08-2018	
Public Hearing:		05-08-2018 - Approval	
City Commission:		07-02-2018	

PURPOSE:

Combine 12 lots and vacate an existing street.

STATEMENTS OF FACT:

Land Use Classification:	Light Industrial
Existing Land Use:	Light Industrial
Current Zoning District(s):	LI: Light Industrial
Zoning Overlay District(s):	None
Proposed Zoning District(s):	Unchanged
Proposed Lot size(s) or range:	33,154 – 175,794 ft ²
Total area size:	9.16 Acres
Adjacent Zoning Districts:	LI: Light Industrial
Adjacent street(s):	3 rd Avenue NW (local); 12 th Street NW (Local)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	Main Avenue multi-use path located about ¼ mile to the south.
Land Dedication Requirements:	Consideration required – the property has been platted – see discussion and recommendations.

DISCUSSION AND OBSERVATIONS:

- The applicant is proposing to combine several vacant lots into four, as well as vacate an existing, publicly dedicated street to accommodate a more efficient development. The City proposes to maintain an easement through the existing road area to provide City utilities and services.
- Lot 2 is intended to be used as a regional storm water retention pond which the City is currently developing.
- The proposed lot sizes will adequately meet yard requirements for development in the LI: Light Industrial zoning district.
- Section 4-0407.1 may currently be interpreted to require a land dedication or fee-in-lieu of land dedication as it has not yet developed although it has been previously platted. Staff has been directed to remove the requirement of land dedication for industrial platting, however this amendment has not come through yet at this time. The property has already been platted, but at the time of platting land dedication was not a requirement of the ordinance. Further guidance may

STAFF REPORT

be required from the City Commission in the approval of this plat regarding the requirements of land dedication.

NOTICES:

Sent to: Applicable agencies and departments

Comments Received:

- None

CONSISTENCY WITH COMPREHENSIVE PLAN AND OTHER APPLICABLE CITY PLANS AND ORDINANCES:

- The proposed application is consistent with the City plans and ordinances.

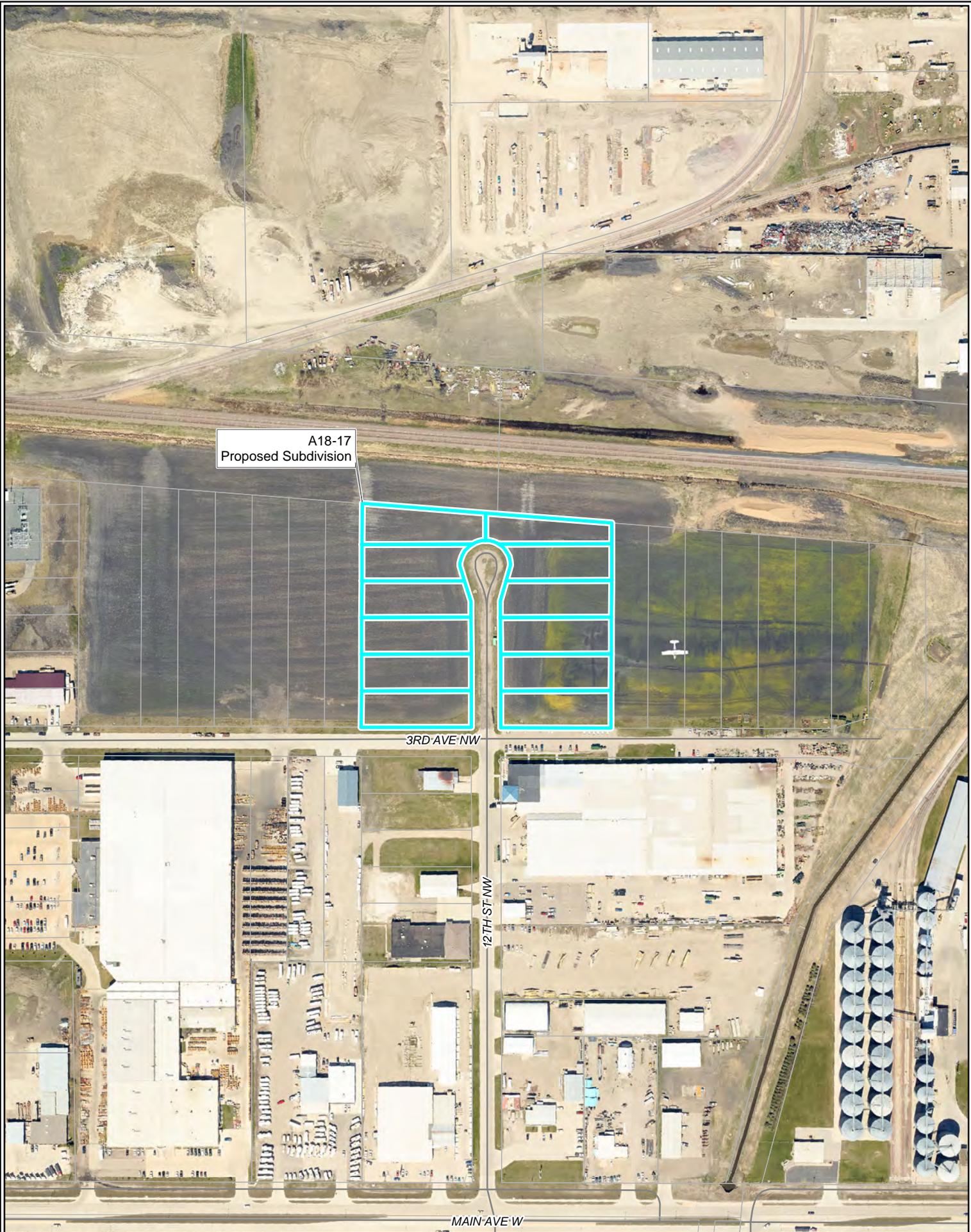
RECOMMENDATIONS:

It is recommended that the City approve the proposed application on the basis it is consistent with City plans and ordinances with recommended conditions of approval as follows:

1. An updated drainage plan is approved by the City Engineer.
2. Park or land dedication guidance is provided by the City Commission.
3. A signed subdivision improvement agreement is received.
4. An Attorney Title Opinion to the City of West Fargo is received.
5. Signed Final Plat is received with any necessary easements.
6. A certificate is received showing taxes are current.

PLANNING AND ZONING RECOMMENDATION:

At their May 8, 2018 meeting, the Planning and Zoning Commission approved the replat, subject to the six conditions listed above.



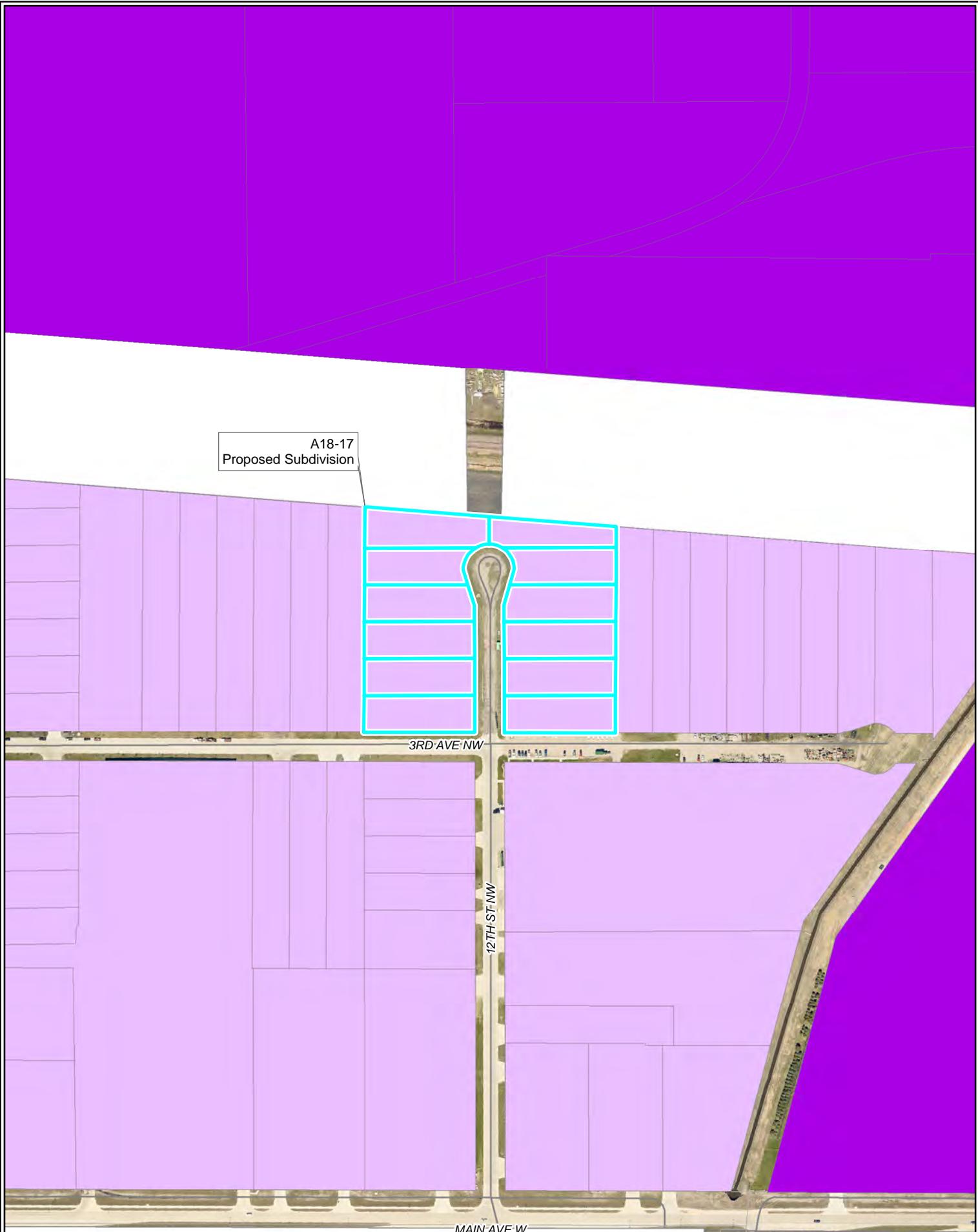
A18-17
Proposed Subdivision

3RD AVE NW

12TH ST NW

MAIN AVE W





A18-17
Proposed Subdivision

3RD AVE NW

12TH ST NW

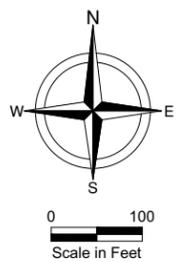
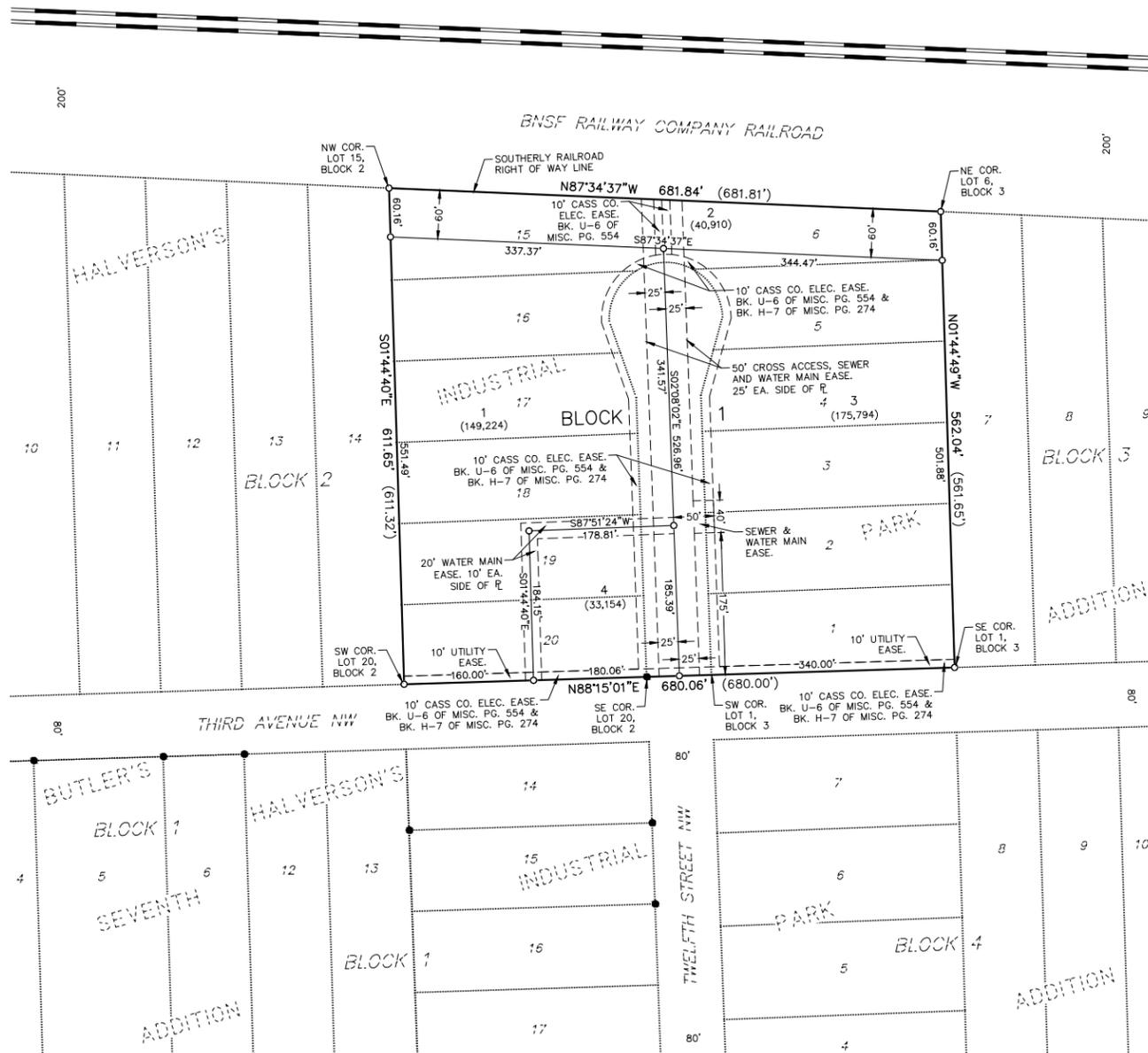
MAIN AVE W



A: Agricultural	HC: Heavy Commercial	P-PUD: PUD in Public	R-1SM: Mixed One and Two Family Dwelling	R-5: Manufactured Home Subdivision
C: Light Commercial	LI: Light Industrial	R-L1A: Large Lot Single Family Dwelling	R-2: Limited Multiple Dwelling	R-1E: Rural Estate
C-PUD: PUD in General Commercial	CM-PUD: PUD in Light Industrial	R-1A: Single Family Dwelling	R-3: Multiple Dwelling	R-R: Rural Residential
C-OP: Commercial Office Park	M: Heavy Industrial	R-1: One and Two Family Dwelling	R-4: Mobile Home	R-PUD: PUD in Residential
C-OP-PUD: PUD in Office Park	P: Public			



**PLAT OF
HALVERSON'S INDUSTRIAL PARK SECOND ADDITION**
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 15 THROUGH 20 INCLUSIVE, BLOCK 2
AND LOTS 1 THROUGH 6 INCLUSIVE, BLOCK 3 AND A VACATION PLAT OF DEDICATED
TWELFTH STREET NORTHWEST LYING BETWEEN SAID BLOCKS 2 AND 3, ALL IN HALVERSON'S
INDUSTRIAL PARK ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

- IRON MONUMENT FOUND
- SET 5/8"x18" REBAR WITH YELLOW PLASTIC CAP #6571
- (680.00') RECORD PLAT DISTANCE
- (33,154) LOT AREAS IN SQ. FT.
- ℓ PROPERTY LINE

BASIS OF BEARINGS:
THE SOUTH LINE OF LOT 20, BLOCK 2, HALVERSON'S INDUSTRIAL PARK ADDITION HAS AN ASSUMED BEARING OF N88°15'01"E.

UTILITY EASEMENTS ARE 10' WIDE ALONG AND ADJACENT TO ALL STREET RIGHT OF WAYS AS SHOWN UNLESS OTHERWISE NOTED.

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "HALVERSON'S INDUSTRIAL PARK SECOND ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 15 THROUGH 20 INCLUSIVE, BLOCK 2 AND LOTS 1 THROUGH 6 INCLUSIVE, BLOCK 3 AND A VACATION PLAT OF DEDICATED TWELFTH STREET NORTHWEST LYING BETWEEN SAID BLOCKS 2 AND 3, ALL IN HALVERSON'S INDUSTRIAL PARK ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF THE SURVEY THEREOF; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT SAID ADDITION IS DESCRIBED AS FOLLOWS, TO WIT:

ALL OF LOTS 15 THROUGH 20 INCLUSIVE IN BLOCK 2 AND ALL OF LOTS 1 THROUGH 6 INCLUSIVE IN BLOCK 3 AND THAT PART OF DEDICATED TWELFTH STREET NORTHWEST LYING NORTH OF A LINE DRAWN FROM THE SOUTHEAST CORNER OF LOT 20, SAID BLOCK 2 TO THE SOUTHWEST CORNER OF LOT 1, SAID BLOCK 3, ALL IN HALVERSON'S INDUSTRIAL PARK ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 9.16 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.



STEVEN W. HOLM
REGISTERED LAND SURVEYOR
REG. NO. LS-6571

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "HALVERSON'S INDUSTRIAL PARK SECOND ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 15 THROUGH 20 INCLUSIVE, BLOCK 2 AND LOTS 1 THROUGH 6 INCLUSIVE, BLOCK 3 AND A VACATION PLAT OF DEDICATED TWELFTH STREET NORTHWEST LYING BETWEEN SAID BLOCKS 2 AND 3, ALL IN HALVERSON'S INDUSTRIAL PARK ADDITION TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL UTILITY, CROSS ACCESS, SEWER AND WATER MAIN EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC AND WE HEREBY DEDICATE LOT 2, BLOCK 1 SHOWN ON SAID PLAT TO THE CITY OF WEST FARGO.

OWNER:

RYAN RESTAD

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RYAN RESTAD, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

MORTGAGEE: ISCO, INC.

BY: _____
TITLE: _____

STATE OF _____)
COUNTY OF _____)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED _____, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING DEDICATION AND ACKNOWLEDGED TO ME THAT HE/SHE EXECUTED THE SAME IN THE NAME OF ISCO, INC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

RECIPIENT: LOT 2, BLOCK 1: CITY OF WEST FARGO

RICH MATTERN, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RICH MATTERN, PRESIDENT OF THE WEST FARGO CITY COMMISSION AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2018.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2018.

RICH MATTERN, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RICH MATTERN, PRESIDENT OF THE WEST FARGO CITY COMMISSION AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2018.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2018.

DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2018, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



TINA FISK, CITY AUDITOR



City Commission Agenda Item Request

Please Note: The following information must be completed and submitted before noon on the Thursday preceding the City Commission Meeting. Failure to comply may delay action being taken on your request.

Office Use:

Regular Agenda Item #:

Consent Agenda Item #:

Agenda Item Information:

Contact Name: *

Jason

Phone Number: *

7633544538

Email Address:

jasonlbrunell@gmail.com

Date *

6/26/2018

Topic for Consent or Regular Agenda?

Please select one option:

Consent Agenda

Regular Agenda

Please Briefly Describe Your Request *

I am looking to purchase 5 acres of land south of exit 342 a 1/2 mile. The property is located in the ET zone. The land has not yet been surveyed. I wanted to propose my idea to the commission and get thoughts on the idea before I had it surveyed and an abstract created.

Site Address or Legal Description (if applicable)

South of Interstate 94 a 1/2 mile on exit 342. The land is located on the west side of road and would border the north side of Willow Creek development. The lot dimensions would be a long rectangle 250 feet by 850 feet.

Action Being Requested from City Commission *

Rezzone back 2 acres to rural estate and keep 3 acres in front zoned agriculture for future development.

Upload Additional Documentation (Optional):



City Commission Agenda Item Request

Please Note: The following information must be completed and submitted before noon on the Thursday preceding the City Commission Meeting. Failure to comply may delay action being taken on your request.

Office Use:

Regular Agenda Item #:

Consent Agenda Item #:

Agenda Item Information:

Contact Name: *

Melissa Richard

Phone Number: *

7014335314

Email Address:

melissa.richard@westfargond.gov

Date *

6/28/2018

Topic for Consent or Regular Agenda?

Please select one option:

Consent Agenda

Regular Agenda

Please Briefly Describe Your Request *

Review West Fargo Events contract

Site Address or Legal Description (if applicable)

800 Fourth Ave. E.

Suite 1

Action Being Requested from City Commission *

Approve contract to present to West Fargo Events

Upload Additional Documentation (Optional):

JUN 28 2018



APPLICATION FOR A LOCAL PERMIT OR CHARITY LOCAL PERMIT
 OFFICE OF ATTORNEY GENERAL
 SFN 9338 (9-2009)

Application for: Local Permit * Charity Local Permit (one event per year)

Name of Non-profit Organization American Legion Department Of North Dakota		Date(s) of Activity 9/11/2018 to 9/11/2018	
Person Responsible for the Gaming Operation and the Disbursement of Net Income Ronald Matthews		Title Adjutant	Business Phone Number (701) 293-3120
Business Address 405 West Main Ave Suite 4a	City West Fargo	State ND	Zip Code
Mailing Address (if different) Po Box 5057	City West Fargo	State ND	Zip Code
Name of Site Where Game(s) will be Conducted American Legion Department of North Dakota	Site Address 405 West Main Ave Suite 4a		
City West Fargo	State ND	Zip Code	County Cass
Check the Game(s) to be Conducted: * Poker, Twenty-one, and Paddlewheels may be Conducted only by a Charity Local Permit. <input type="checkbox"/> Bingo <input checked="" type="checkbox"/> Raffle <input type="checkbox"/> Calendar Raffle <input type="checkbox"/> Sports Pool <input type="checkbox"/> Poker * <input type="checkbox"/> Twenty-one * <input type="checkbox"/> Paddlewheels *			

DESCRIPTION AND RETAIL VALUE OF PRIZES TO BE AWARDED

Game Type	Description of Prize	Retail Value of Prize	Game Type	Description of Prize	Retail Value of Prize
Raffle-Sweepstake	1st Place Cash	\$2,000.00	Raffle-Sweepstake	10th Place Cash	\$100.00
Raffle-Sweepstake	2nd Place Cash	\$1,000.00			
Raffle-Sweepstake	3rd Place Cash	\$200.00			
Raffle-Sweepstake	4th Place Cash	\$200.00			
Raffle-Sweepstake	5th Place Cash	\$100.00			
Raffle-Sweepstake	6th Place Cash	\$100.00			
Raffle-Sweepstake	7th Place Cash	\$100.00			
Raffle-Sweepstake	8th Place Cash	\$100.00			
Raffle-Sweepstake	9th Place Cash	\$100.00			
Total:					\$ 4,000.00

Intended uses of gaming proceeds: To fund the activities of the American Legion programs which support the community, veterans, americanism and children/youth.

Does the organization presently have a state gaming license? No Yes - If "Yes," the organization is not eligible for a local permit or charity local permit and should call the Office of Attorney General at 1-800-326-9240.

Has the organization received a charity local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," the organization does not qualify for a local permit or charity local permit.

Has the organization received a local permit from this or another city or county for the fiscal year July 1 through June 30? No Yes - If "Yes," indicate the total value of all prizes previously awarded: \$ 8,000.00 . This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official <i>Ronald Matthews</i>	Date 6/26/2018	Title Adjutant	Business Phone Number (701) 293-3120
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CK# 32967
 pd 6-28-18
 #25.09