



West Fargo City Commission Meeting
Monday August 7, 2017
Commission Chambers 5:30 PM

- A. Pledge of Allegiance
- B. Approve Order of Agenda
- C. Approval of Minutes – July 17, 2017
- D. Building Permits

Consent Agenda – Approve the Following:

- a. Games of Chance for Faith Journey Church. Games Conducted: Raffle on 08/01/17 to 11/01/17 at Faith Journey Church, 127 2nd Avenue E. **(Page 15)**
- b. Games of Chance for Holy Cross Catholic Church. Games Conducted: Raffle on 10/22/17 at Holy Cross Catholic Church, 2711 7th Street E. **(Page 16)**
- c. Games of Chance for Dakota SE Chapter of Pheasants Forever. Games Conducted: Raffle on 09/21/17 at Speedway Events Center, 680 Main Avenue W. **(Page 17)**
- d. Games of Chance for Interested Parents of Packatahnas. Games Conducted: Calendar Raffle on 11/01/17 to 11/30/17 at IPOP, 1423 Maple Lane. **(Page 18)**
- e. Resolution Approving Contracts and Contractor's Bonds in Storm Improvement Project No. 4062. **(Page 19)**
- f. Resolution Approving Contracts and Contractor's Bonds in Storm Improvement Project No. 4060. **(Page 20)**
- g. Resolution Approving Contracts and Contractor's Bonds in Sewer, Water, Storm and Street Improvement District No. 1295. **(Page 21)**
- h. Temporary Use Permit for Mobile Office Building for training and conference room space at a Soybean Cleaning & Conditioning Facility. **(Pages 22-24)**
- i. Approve Plans and Specifications for Street Improvement District No. 2243; Authorize the Ad for Bids (advertisement and bid letting done by NDDOT). **(Page 25)**
- j. Resolution Approving Contracts and Contractor's Bonds in Street Improvement District No. 2243. **(Page 26)**

Regular Agenda

- 1. **5:30 pm Public Hearing:** new retail on premise liquor and beer license at New Perspectives, 645 33rd Avenue East – **Tina Fisk (Pages 27-38)**
- 2. Library Board Appointment – **Rich Mattern**
- 3. Labor Day Holiday/Commission Meeting – **Rich Mattern**
- 4. **First Reading:** Ordinance No. 1102 Relating to Medical Marijuana – **Tina Fisk (Pages 39-47)**
- 5. Sheyenne Street Corridor Decision Analysis – **Tina Fisk (Page 48-54)**



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6. Amendment to Developer's Agreement for the Wilds 8th Addition – **Larry Weil**
(Pages 55-67)
7. Replat of Butler's 12th Addition – **Tim Solberg** (Pages 68-73)
8. Review bid tab for Sewer, Water, Storm and Street Improvement District No. 1305 –
Dustin Scott (Pages 74-76)
9. Preliminary Budget – **Tina Fisk**
10. Report from the City Administrator
11. Non-Agenda Items
12. Correspondence
13. Adjourn



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Monday July 17, 2017
Commission Chambers 5:30 PM

The West Fargo City Commission met on Monday July 17, 2017, at 5:30 pm. Those present were Rich Mattern, Duane Hanson, Mark Simmons, Mark Wentz and Mike Thorstad. The President of the Board Rich Mattern called the meeting to order.

The Pledge of Allegiance was recited.

Police Chief Heith Janke was sworn in by Mayor Mattern and the Oath was signed accordingly. Time was taken to congratulate Police Chief Heith Janke.

Commissioner Simmons moved and Commissioner Hanson seconded to approve the order of agenda. No opposition. Motion carried.

Commissioner Wentz moved and Commissioner Thorstad seconded to approve the minutes of July 5, 2017. No opposition. Motion carried.

The Commission reviewed building permit numbers 463-489 and the Building Department Activity Report dated July 17, 2017.

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

- a. Payroll Checklist.
- b. Games of Chance for the Veterans Warrior Foundation. Games Conducted: Raffle on 09/02/17 to 09/02/17 at the West Fargo VFW, 308 Sheyenne Street.
- c. Resolution Directing Assessments to be Levied for Sewer, Water, Storm and Street Improvement District No. 1294.
- d. Resolution Directing Assessments to be Levied for Sewer, Water, Storm and Street Improvement District No. 1273.
- e. Resolution Directing Assessments to be Levied for Sewer, Water, Storm and Street Improvement District No. 1289.
- f. Resolution Directing Assessments to be Levied for Sewer, Water, Storm and Street Improvement District No. 1293.
- g. Resolution Directing Assessments to be Levied for Sewer, Water, Storm and Street Improvement District No. 1298.
- h. Resolution Directing Assessments to be Levied for Street Improvement District No. 2239.
- i. Resolution Directing Assessments to be Levied for Storm Improvement District No. 4054.
- j. Resolution Directing Assessments to be Levied for Storm Improvement District No. 4057.

k. 2018-2019 Contract for Indigent Defendants.

No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission regarding a public hearing for a PILOT Application for an affordable senior living facility. A public hearing was held. The developer James Twomey approached the Commission and offered further information regarding the project. There was no further public comment, and the public hearing was closed. After discussion, Commissioner Simmons moved and Commissioner Wentz seconded to approve the PILOT Application and to provide a formal letter of approval. No opposition. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission regarding a public hearing for a new TIF District, 2017-1. A public hearing was held. There was no public comment, and the public hearing was closed. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the TIF District 2017-1. Commissioners Hanson, Simmons, Mattern and Wentz approved the motion. Commissioner Thorstad opposed. Motion carried.

Director of Economic Development and Community Services Matt Marshall appeared before the Commission regarding a public hearing for a TIF Amendment for the West Fargo 3rd TIF. The request is to include additional parcels, nothing more. A public hearing was held. There was no public comment, and the public hearing was closed. After discussion, Commissioner Thorstad moved and Commissioner Simmons seconded to approve the West Fargo 3rd TIF Amendment. No opposition. Motion carried.

Fire Chief Dan Fuller appeared before the Commission regarding the Fire Department Budget. Still on track for hiring and placing full time staff. Current numbers show, the cost per resident is about \$45.48 compared to Fargo/Moorhead rates of about \$99.00 per resident. No motion was before the Commission, informational purposes only.

Senior Planner Tim Solberg appeared before the Commission regarding the final plat approval for the North Pond at the Preserve 11th Addition. Commissioner Wentz moved and Commissioner Hanson seconded to approve the final plat for the North Pond at the Preserve 11th Addition. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission regarding the Second Reading of Oak Ridge 13th Addition Rezoning from A: Agriculture to C: Light Commercial. Commissioner Thorstad moved and Commissioner Wentz seconded to approve the rezoning of Oak Ridge 13th Addition from A: Agriculture to C: Light Commercial. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission regarding the Second Reading of Oak Ridge 11th to C: Light Commercial. Commissioner Hanson moved and Commissioner Simmons seconded to approve the rezoning of Oak Ridge 11th Addition to C: Light Commercial. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission regarding the Second Reading and final plat approval for the North Pond at the Preserve 10th Addition. Commissioner Wentz moved and Commissioner Thorstad seconded to place on Second Reading and approve the final plat for the North Pond at the Preserve 10th Addition, based on recommendations listed in the staff report. No opposition. Motion carried.

City Attorney John Shockley appeared before the Commission regarding the First Reading of Ordinance 1096 relating to Crime Victim and Witness Fees. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to place Ordinance 1096 on first reading. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission regarding the Second Reading and final plat approval for Highland Meadows 1st Addition. After discussion, Commissioner Hanson moved and Commissioner Simmons seconded to place on Second Reading and approve the final plat for Highland Meadows 1st Addition. No opposition. Motion carried.

Planning and Community Development Director Larry Weil appeared before the Commission regarding the Second Reading and final plat approval for Highland Meadows 2nd Addition. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to place on Second Reading and approve the final plat for Highland Meadows 2nd Addition. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission in regards to awarding the contract for Sewer, Water, Storm and Street Improvement District No. 1295 to Dakota Underground Company for their bid of \$3,023,383.06. Commissioner Simmons moved and Commissioner Wentz seconded to award the contract to Dakota Underground Company for their bid of \$3,023,383.06. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission in regards to awarding the contract for Sewer, Water, Storm and Street Improvement District No.1279 - Phase I to Tom's Backhoe Service, Inc. for their bid of \$1,315,115.00. Commissioner Simmons moved and Commissioner Hanson seconded to award the contract to Tom's Backhoe Service, Inc. for their bid of \$1,315,115.00. No opposition. Motion carried.

City Engineer Dustin Scott appeared before the Commission regarding the Preliminary Bid Results for NDDOT-HEU-8-992(038)039 Street Improvement District No. 2243. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to concur with the NDDOT to award the contract conditional upon receipt, and City staff and a Commissioner review of final "Abstract of Bids". No opposition. Motion carried.

City Administrator Tina Fisk appeared before the Commission regarding the Administrator Report and reported the following:

- City staff met to discuss the Sheyenne Street project and will send the Commission a summary report with recommendations, to allow the Commission to ask questions and make comments.
- Budget Review Meetings are taking place, and the Preliminary Budget Hearing is scheduled for 8/7/17.

There was no correspondence.

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

Rich Mattern
President of the Board

Tina Fisk
City Auditor

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74292	S	2499 FM CONVENTION & VISITORS BUREAU	12913.95	07/18/17			
						CL 73495	12913.95
74293	S	2499 FM CONVENTION & VISITORS BUREAU	6456.98	07/18/17			
						CL 73496	6456.98
74294	S	2954 A-OX WELDING SUPPLY CO INC	119.44	07/18/17			
						CL 73473	12.64
						CL 73482	106.80
74295	S	289 ACME TOOLS	2910.46	07/18/17			
						CL 73464	154.00
						CL 73604	14.47
						CL 73605	23.99
						CL 73678	2718.00
74296	S	317 AMERICAN WELDING & GAS, INC.	105.35	07/18/17			
						CL 73519	105.35
74297	S	22 ASPLIN EXCAVATING	4884.20	07/18/17			
						CL 73589	4884.20
74298	S	3032 AXON ENTERPRISE INC	1157.16	07/18/17			
						CL 73588	1157.16
74299	S	1069 BAKER NURSERY GARDENS	779.95	07/18/17			
						CL 73472	779.95
74300	S	3033 BARBARA WHEELING	1000.00	07/18/17			
						CL 73682	1000.00
74301	S	31 BERG AUTO SUPPLY, LLC	11.34	07/18/17			
						CL 73596	11.34
74302	S	1127 BIERSCHBACH EQUIPMENT & SUPPLY	45.50	07/18/17			
						CL 73504	45.50
74303	S	26 BORDER STATES ELECTRIC SUPPLY	4440.77	07/18/17			
						CL 73443	33.46
						CL 73444	127.31
						CL 73520	4280.00
74304	S	2704 BRAD'S COFFEE SERVICE	77.00	07/18/17			
						CL 73637	77.00
74305	S	73 BRAUN INTERTEC	4285.00	07/18/17			
						CL 73645	294.00
						CL 73679	3991.00
74306	S	16 BROKERAGE PRINTING	81.70	07/18/17			
						CL 73501	22.00
						CL 73582	59.70
74307	S	351 BUSINESS ESSENTIALS	593.00	07/18/17			
						CL 73565	114.28
						CL 73644	260.00
						CL 73689	17.40
						CL 73693	201.32
74308	S	51 CASS COUNTY ELECTRIC COOP	36190.36	07/18/17			
						CL 73695	36190.36
74309	S	63 CASS COUNTY SHERIFF	65.50	07/18/17			
						CL 73489	33.50
						CL 73490	32.00

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74310	S	61 CASS COUNTY TREASURER	15358.09	07/18/17			
74311	S	46 CASS RURAL WATER USERS	36960.00	07/18/17		CL 73635	15358.09
74312	S	1512 CDW GOVERNMENT, INC	573.29	07/18/17		CL 73559	36960.00
74313	S	56 CENTRE, INC.	2730.00	07/18/17		CL 73580	183.29
74314	S	1777 CENTURY LINK	224.54	07/18/17		CL 73691	390.00
74315	S	2097 CITI LITES	11333.00	07/18/17		CL 73492	2730.00
74316	S	111 CITY OF FARGO	39829.49	07/18/17		CL 73602	224.54
74317	S	2880 CITY OF FARGO	398897.25	07/18/17		CL 73438	11333.00
74318	S	3021 CIVICPLUS	18974.02	07/18/17		CL 73475	420.00
74319	S	229 CONSOLIDATED COMMUNICATIONS	1387.44	07/18/17		CL 73634	39409.49
74320	S	24 CULLIGAN WATER CONDITIONING	30.00	07/18/17		CL 73488	8.50
74321	S	65 CURTS LOCK & KEY	50.00	07/18/17		CL 73607	398888.75
74322	S	999999 DABBERT CUSTOM HOMES	200.00	07/18/17		CL 73640	18974.02
74323	S	182 DAKOTA AG COOPERATIVE - DIV OF CHS INC	535.00	07/18/17		CL 73626	1387.44
74324	S	91 DAKOTA FENCE CO.	1560.00	07/18/17		CL 73502	30.00
74325	S	1675 DAKOTA FLUID POWER, INC	330.19	07/18/17		CL 73629	50.00
74326	S	624 DAKOTA SUPPLY GROUP	1592.23	07/18/17		CL 73629	50.00
74327	S	2890 DATA MANAGEMENT, INC	4500.00	07/18/17		CL 73561	200.00
74328	S	856 DAVE'S WEST FARGO TIRE	1160.91	07/18/17		CL 73561	200.00
74329	S	999999 DAVID STAFFNE	190.00	07/18/17		CL 73616	535.00
						CL 73616	535.00
						CL 73468	1560.00
						CL 73466	42.19
						CL 73484	288.00
						CL 73521	260.08
						CL 73608	465.44
						CL 73622	866.71
						CL 73439	4500.00
						CL 73568	371.92
						CL 73597	767.60
						CL 73641	21.39
						CL 73662	190.00

07/18/17
15:04:20

CITY OF WEST FARGO, ND
Check Register
For the Accounting Period: 7/17

Page: 3 of 8
Report ID: AP300

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74330	S	1121 DAWSON INSURANCE	1112.00	07/18/17			
						CL 73594	1112.00
74331	S	807 DISCOVERY BENEFITS, INC.	415.75	07/18/17			
						CL 73494	415.75
74332	S	2100 EAGLE RUN CROSSING LLC	87.33	07/18/17			
						CL 73465	87.33
74333	S	3035 ELTON & MARY TUFTE	10000.00	07/18/17			
						CL 73685	10000.00
74334	S	1851 F/S MANUFACTURING INC	83.20	07/18/17			
						CL 73624	83.20
74335	S	329 FERGUSON WATERWORKS #2516	41244.24	07/18/17			
						CL 73470	2507.44
						CL 73506	3696.09
						CL 73507	365.67
						CL 73576	1338.79
						CL 73671	31658.83
						CL 73675	1677.42
74336	S	55 FLEETPRIDE	53.87	07/18/17			
						CL 73448	29.05
						CL 73485	24.82
74337	S	1036 FOOD SERVICES OF AMERICA	314.46	07/18/17			
						CL 73642	314.46
74338	S	104 FORUM COMMUNICATIONS	358.02	07/18/17			
						CL 73441	358.02
74339	S	1857 G & K SERVICES - FARGO	40.15	07/18/17			
						CL 73461	40.15
74340	S	93 GATEWAY CHEVROLET	56.62	07/18/17			
						CL 73453	33.56
						CL 73599	23.06
74341	S	2558 GOODYEAR COMMERCIAL TIRE	107.86	07/18/17			
						CL 73631	107.86
74342	S	556 GRAINGER, INC.	675.95	07/18/17			
						CL 73445	170.70
						CL 73459	58.92
						CL 73517	112.93
						CL 73590	333.40
74343	S	2877 GREATAMERICA FINANCIAL SERVICES	704.51	07/18/17			
						CL 73647	704.51
74344	S	135 HAWKINS WTR TREATMENT	3492.00	07/18/17			
						CL 73474	3492.00
74345	S	999999 HEATHER OMILD	190.00	07/18/17			
						CL 73661	190.00
74346	S	1107 HITCH 'N GO OF FARGO	112.88	07/18/17			
						CL 73511	18.00
						CL 73614	28.99
						CL 73615	65.89
74347	S	358 HUBERT OYE-SONS CONST.	1445.68	07/18/17			
						CL 73454	1445.68

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74348	S	687 INFORMATION TECHNOLOGY DEPT	659.05	07/18/17			
						CL 73575	659.05
74349	S	211 INTERSTATE BATTERIES	24.90	07/18/17			
						CL 73581	24.90
74350	S	1012 INTERSTATE POWER SYSTEMS, INC	1184.46	07/18/17			
						CL 73480	1184.46
74351	S	233 J & L SPORTS	2036.25	07/18/17			
						CL 73569	1961.75
						CL 73627	74.50
74352	S	2245 JAMES ANDERSON	252.00	07/18/17			
						CL 73655	252.00
74353	S	999999 JEREMY HONL	190.00	07/18/17			
						CL 73663	190.00
74354	S	2055 JOBS HQ	999.00	07/18/17			
						CL 73646	999.00
74355	S	999999 JOSH HEATH	190.00	07/18/17			
						CL 73664	190.00
74356	S	2735 KADRMAS, LEE & JACKSON, INC	175000.00	07/18/17			
						CL 73636	175000.00
74357	S	2305 KEEPRS, INC.	665.27	07/18/17			
						CL 73562	665.27
74358	S	999999 KEN LARSEN	300.00	07/18/17			
						CL 73656	300.00
74359	S	2752 KOST MATERIALS, LLC	1035.00	07/18/17			
						CL 73621	237.00
						CL 73669	324.00
						CL 73674	474.00
74360	S	2085 LANGUAGE LINE SERVICES	11.70	07/18/17			
						CL 73570	11.70
74361	S	767 LASER SYSTEMS	2037.62	07/18/17			
						CL 73440	2037.62
74362	S	711 LUTHER FAMILY FORD	550.82	07/18/17			
						CL 73462	430.08
						CL 73471	120.74
74363	S	301 MACS INC	737.18	07/18/17			
						CL 73595	143.72
						CL 73628	593.46
74364	S	2457 MATT MARSHALL	79.10	07/18/17			
						CL 73687	79.10
74365	S	999999 MEGAN OLSTAD	25.00	07/18/17			
						CL 73638	25.00
74366	S	999999 MELANIE SHIPEK	190.00	07/18/17			
						CL 73657	190.00
74367	S	299 MENARDS	400.07	07/18/17			
						CL 73446	59.29
						CL 73499	74.97
						CL 73508	68.95
						CL 73514	196.86

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74368	S	999999 MICHAEL FOLEY	190.00	07/18/17			
74369	S	999999 MICHAEL HAGEN	190.00	07/18/17		CL 73667	190.00
74370	S	102 MIDSTATES WIRELESS	102.00	07/18/17		CL 73660	190.00
74371	S	3031 MIDWEST WATER GROUP, INC	3900.00	07/18/17		CL 73586	102.00
74372	S	2121 MOEN PORTABLE TOILETS	160.00	07/18/17		CL 73479	3900.00
74373	S	1022 ND DEPT OF HEALTH	223.63	07/18/17		CL 73578	160.00
74374	S	2120 ND DEPT OF HEALTH	25.00	07/18/17		CL 73680	223.63
74375	S	895 ND INSURANCE DEPT.	20338.88	07/18/17		CL 73632	25.00
74376	S	723 ND POST BOARD	45.00	07/18/17		CL 73497	20238.88
74377	S	334 ND STATE RADIO COMM.	1800.00	07/18/17		CL 73633	100.00
74378	S	281 NDACO RESOURCES GROUP	423.00	07/18/17		CL 73579	45.00
74379	S	1039 NDSWRA	150.00	07/18/17		CL 73583	1800.00
74380	S	756 NELCO FIRST AID	309.05	07/18/17		CL 73572	423.00
74381	S	364 NELSON INTERNATIONAL	12211.14	07/18/17		CL 73610	150.00
74382	S	2261 NETWORK CENTER INCORPORATED	715.00	07/18/17		CL 73469	140.25
74383	S	2626 NICK LEE	55.96	07/18/17		CL 73486	168.80
74384	S	1774 O'REILLY AUTOMOTIVE STORES, INC	1366.68	07/18/17		CL 73449	13.34
74385	S	352 OK TIRE	1427.62	07/18/17		CL 73450	299.26
74386	S	631 ONE CALL CONCEPT	902.15	07/18/17		CL 73451	11859.42
						CL 73609	39.12
						CL 73690	715.00
						CL 73567	55.96
						CL 73487	1057.86
						CL 73625	308.82
						CL 73447	927.40
						CL 73457	411.68
						CL 73458	21.50
						CL 73510	67.04
						CL 73668	902.15

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74387	S	563 PETRO SERVE USA	24029.17	07/18/17		CL 73452	5.10
						CL 73463	156.42
						CL 73467	46.07
						CL 73477	78.58
						CL 73483	117.69
						CL 73498	86.14
						CL 73512	6.50
						CL 73566	216.57
						CL 73591	45.05
						CL 73592	61.42
						CL 73593	107.78
						CL 73603	55.93
						CL 73623	95.30
						CL 73648	22424.16
						CL 73666	67.23
						CL 73670	388.62
						CL 73677	70.61
74388	S	411 POWER PLAN OIB	87.01	07/18/17		CL 73527	54.30
						CL 73606	32.71
74389	S	916 PRAIRIE SUPPLY INC	129.00	07/18/17		CL 73617	129.00
74390	S	3003 PRECISE MRM LLC	30.00	07/18/17		CL 73513	30.00
74391	S	1755 PRO SWEEP INC	8190.00	07/18/17		CL 73620	8190.00
74392	S	1295 PRO-WEST & ASSOCIATES, INC	151.63	07/18/17		CL 73688	151.63
74393	S	1166 PRODUCTIVITY PLUS ACCOUNT	273.67	07/18/17		CL 73500	240.40
						CL 73522	33.27
74394	S	1472 RAILROAD MANAGEMENT CO III, LLC	972.75	07/18/17		CL 73598	972.75
74395	S	663 ROAD EQUIPMENT PARTS CENTER	7.81	07/18/17		CL 73611	7.81
74396	S	452 SAM'S CLUB	237.91	07/18/17		CL 73529	122.50
						CL 73577	86.97
						CL 73619	28.44
74397	S	450 SCHEELS	109.97	07/18/17		CL 73573	109.97
74398	S	639 SECRETARY OF STATE	36.00	07/18/17		CL 73493	36.00
74399	S	1201 SHANE MARCUSON	28.00	07/18/17		CL 73560	28.00
74400	S	459 SHERWIN WILLIAMS	235.88	07/18/17		CL 73481	235.88

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74401	S	2986 SITEONE LANDSCAPE SUPPLY LLC	8.90	07/18/17			
						CL 73630	8.90
74402	S	38 STRATA CORPORATION	902.58	07/18/17			
						CL 73516	902.58
74403	S	88 STREICHER'S	441.96	07/18/17			
						CL 73563	27.97
						CL 73650	413.99
74404	S	733 SWANSTON EQUIPMENT CORP.	165.50	07/18/17			
						CL 73509	165.50
74405	S	2272 TALENT PRODUCTIONS	450.00	07/18/17			
						CL 73587	450.00
74406	S	2491 TEAM LABORATORY CHEMICAL CORP	2687.00	07/18/17			
						CL 73676	2687.00
74407	S	792 TERRY STYF	730.60	07/18/17			
						CL 73574	730.60
74408	S	1156 TESSMAN	367.50	07/18/17			
						CL 73455	367.50
74409	S	1900 THE UPS STORE #5998	41.40	07/18/17			
						CL 73456	14.27
						CL 73518	27.13
74410	S	999999 TOM ABLEIDINGER	190.00	07/18/17			
						CL 73665	190.00
74411	S	2952 Town Planning & Urban Design Collaborati	9596.00	07/18/17			
						CL 73639	9596.00
74412	S	1285 TRAFFIC CONTROL CORPORATION	165.00	07/18/17			
						CL 73503	85.00
						CL 73618	80.00
74413	S	3001 TRAVIS GENTY	252.00	07/18/17			
						CL 73653	252.00
74414	S	999999 TRISTIN FRANK	190.00	07/18/17			
						CL 73659	190.00
74415	S	965 VALLEN DISTRIBUTION, INC	233.67	07/18/17			
						CL 73505	233.67
74416	S	2478 VALLI	6148.67	07/18/17			
						CL 73600	537.96
						CL 73601	5610.71
74417	S	1267 VERIZON WIRELESS	9220.74	07/18/17			
						CL 73651	9220.74
74418	S	2436 VISA FINANCE	916.31	07/18/17			
						CL 73571	916.31
74419	S	2439 VISA IT	242.06	07/18/17			
						CL 73558	242.06
74420	S	2435 VISA POLICE	446.62	07/18/17			
						CL 73692	446.62
74421	S	2423 VISA PW	3439.68	07/18/17			
						CL 73672	3439.68
74422	S	544 WALLWORK TRUCK CENTER	38.62	07/18/17			
						CL 73460	38.62

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
74423	S	576 WALMART COMMUNITY	63.83	07/18/17	_____		
						CL 73564	63.83
74424	S	2740 WASTE MANAGEMENT OF WI-MN	54899.64	07/18/17	_____		
						CL 73476	20.25
						CL 73694	54879.39
74425	S	648 WEST FARGO AUTO BODY/GLASS	2881.68	07/18/17	_____		
						CL 73613	2881.68
74426	S	565 WEST FARGO FIRE DEPT.	398840.00	07/18/17	_____		
						CL 73442	398840.00
74427	S	2184 WEST SIDE STEEL	158.52	07/18/17	_____		
						CL 73612	148.52
						CL 73673	10.00
74428	S	3034 WEST TWO WIN PROPERTIES, LLC	245000.00	07/18/17	_____		
						CL 73683	230000.00
						CL 73684	15000.00
74429	S	569 WF ANIMAL HOSPITAL	2466.35	07/18/17	_____		
						CL 73585	2466.35
74430	S	338 XCEL ENERGY	36767.79	07/18/17	_____		
						CL 73643	47.72
						CL 73649	7969.90
						CL 73652	28750.17
Total for Claim Checks			1716601.58				
Count for Claim Checks			139				
# of Checks:	139	Total:	1716601.58				

JUL 24 2017



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 <i>Faith Journey Church</i>		Date(s) of Activity <i>Aug. 1, 2017 to Nov. 1, 2017</i>	
Person Responsible for the Gaming Operation and the Disbursement of Net Income <i>Eileen Lund</i>		Title	Business Phone Number <i>701-238-8711</i>
Business Address	City	State	Zip Code
Mailing Address (if different) <i>1447 Maple Lane</i>	<i>West Fargo</i>	<i>ND</i>	<i>58078</i>
Name of Site Where Game(s) will be Conducted <i>Faith Journey Church</i>		Site Address <i>127 2nd Ave. E</i>	
City <i>West Fargo</i>	State <i>ND</i>	Zip Code <i>58078</i>	County <i>Cass</i>
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
<i>Raffle</i>	<i>Queen sized Quilt</i>	<i>\$1,000.00</i>			
Total: (Limit \$12,000 per year)					<i>\$ 1,000.00</i>

Intended uses of gaming proceeds: *All proceeds will go to Faith Journey Lutheran Church*

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: \$ *800.00* This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official <i>Eileen Lund</i>	Date <i>7-19-17</i>	Title	Business Phone Number <i>701-238-8711</i>
--	------------------------	-------	--

*\$10.00/ cash
7/24/17*



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 Holy Cross Catholic Church		Date(s) of Activity 10-22-17 to 10-22-17	
Person Responsible for the Gaming Operation and the Disbursement of Net Income Fr. Jim Meyer		Title Pastor	Business Phone Number 701-282-7217
Business Address 2711 7th. St. East	City West Fargo	State ND	Zip Code 58078-3411
Mailing Address (if different)	City	State	Zip Code
Name of Site Where Game(s) will be Conducted Holy Cross Catholic Church		Site Address 2711 7th. St. East	
City West Fargo	State ND	Zip Code 58078	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	Cash	1,000	Raffle	Propane Ice Auger	440.00
Raffle	Cash	1,000	Raffle	Kitchen Aid Mixer	399.00
Raffle	Cash	500	Raffle	DeWalt Tool Kit	250.00
Raffle	Cash	500	Raffle	Shark Vaccum	245.00
Raffle	Cash	250	Raffle	Bison Fire Ring	200.00
Raffle	Cash	250	Raffle	Sports Fire Ring	200.00
Raffle	Cash	250	Raffle	Elect. Smoker	200.00
Raffle	Cash	100	Raffle	Wall Heater	200.00
Raffle	Cash	100	Raffle	Ninji Coffe Bar	180.00
Raffle	Cash	100	Raffle	Bistro Table & Chairs	130.00
Raffle	Cash	100			(Limit \$12,000 per year)
Raffle	Cash	100	Total:		\$ 6,444.00

Intended uses of gaming proceeds: Walk of Saints Statues

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: \$ _____. This amount is part of the total prize limit of \$12,000 per year.

Signature of Organization's Top Executive Official 	Date 7-31-17	Title Pastor	Business Phone Number 701-282-7217
--	------------------------	------------------------	--

*\$10.00 cash
7-31-17*

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACTS AND CONTRACTORS' BONDS
IN STORM IMPROVEMENT PROJECT NO. 4062

BE IT RESOLVED by the City Commission of the City of West Fargo, North Dakota, that it is hereby found, determined and declared that the contract heretofore entered into by and between the City of West Fargo and Quam Construction Company, Inc., for general construction work is in full conformity with the law, including Section 40-22-36 of the North Dakota Century Code; that the contractor's bond of Quam Construction Company, Inc., heretofore received and filed with the City Auditor is in full conformity with the law including Section 48-02-06.2 of the North Dakota Century Code; and that the contract and contractor's bond are hereby approved.

BE IT FURTHER RESOLVED by the City Commission of the City of West Fargo, North Dakota, that it is hereby found, determined and declared that the contract heretofore entered into by and between the City of West Fargo and JDP Electric, Inc., for electrical construction work is in full conformity with the law, including Section 40-22-36 of the North Dakota Century Code; that the contractor's bond of JDP Electric, Inc., heretofore received and filed with the City Auditor is in full conformity with the law including Section 48-02-06.2 of the North Dakota Century Code; and that the contract and contractor's bond are hereby approved.

Dated: August 7, 2017

APPROVED:

President of Board of City
Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by
Commissioner _____. On roll call vote, the following commissioners voted aye: _____

_____. The following commissioners

voted nay: none. The following commissioners were absent and not voting: _____.

The majority having voted aye, the motion carried and the resolution was duly adopted.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACTS AND CONTRACTORS' BONDS
IN STORM IMPROVEMENT DISTRICT NO. 4060

BE IT RESOLVED by the City Commission of the City of West Fargo, North Dakota, that it is hereby found, determined and declared that the contract for general construction heretofore entered into by and between the City of West Fargo and CC Steel, LLC, is in full conformity with the law, including Section 40-22-36 of the North Dakota Century Code; that the contractor's bond of CC Steel, LLC, heretofore received and filed with the City Auditor is in full conformity with the law including Section 48-02-06.2 of the North Dakota Century Code; and that the contract and contractor's bond are hereby approved.

BE IT FURTHER RESOLVED by the City Commission of the City of West Fargo, North Dakota, that it is hereby found, determined and declared that the contract for electrical construction heretofore entered into by and between the City of West Fargo and John's Refrigeration & Electric, Inc., is in full conformity with the law, including Section 40-22-36 of the North Dakota Century Code; that the contractor's bond of John's Refrigeration & Electric, Inc., heretofore received and filed with the City Auditor is in full conformity with the law including Section 48-02-06.2 of the North Dakota Century Code; and that the contract and contractor's bond are hereby approved.

Dated: August 7, 2017.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote, the following commissioners voted aye: _____
_____. The following commissioners voted nay: none. The following commissioners were absent and not voting: _____.

The majority having voted aye, the motion carried and the resolution was duly adopted.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
IN SEWER, WATER, STORM AND STREET IMPROVEMENT DISTRICT NO. 1295

BE IT RESOLVED by the City Commission of the City of West Fargo, North Dakota, that it is hereby found, determined and declared that the contract heretofore entered into by and between the City of West Fargo and Dakota Underground Company is in full conformity with the law, including Section 40-22-36 of the North Dakota Century Code; that the contractor's bond of Dakota Underground Company heretofore received and filed with the City Auditor is in full conformity with the law including Section 48-02-06.2 of the North Dakota Century Code; and that the contract and contractor's bond are hereby approved.

Dated: August 7, 2017.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote, the following commissioners voted aye: _____
_____. The following commissioners voted nay: _____. The following commissioners were absent and not voting: _____.
The majority having voted aye, the motion carried and the resolution was duly adopted.

*** Consent Agenda ***

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # h.

***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: 433-5320 DATE: August 1, 2017

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

Temporary Use Permit for Mobile Office Building for training and conference room space at a Soybean Cleaning & Conditioning Facility.

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

Located at 304 Center Street (Lot 1, Block 1 of Interstate Seed First Addition),
City of West Fargo, North Dakota.

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Approval through January 31, 2018.

294

Center St

MOBILE
OFFICE



Monsanto Soybean
Seed Production

Sheyenne Riv

Ce

Tim P. Solberg

From: JOHNSON, GARY DALE [AG/2069] <gary.dale.johnson@monsanto.com>
Sent: Tuesday, August 01, 2017 8:46 AM
To: Tim P. Solberg
Subject: FW: Scan from Monsanto copier West Fargo Temp. office
Attachments: SA72917073108320.pdf

Hi Tim,

The West Fargo Monsanto Site will be conducting training for all the employees from Aug. 1 to Jan 31. We need additional office space and conference room space for this training. This mobile office is only a temporary building needed for 6 months, Aug.1-Jan.31.

Thanks,
Gary

From: my.name@monsanto.com [mailto:my.name@monsanto.com]
Sent: Monday, July 31, 2017 8:32 AM
To: JOHNSON, GARY DALE [AG/2069] <gary.dale.johnson@monsanto.com>
Subject: Scan from Monsanto copier West Fargo

This email and any attachments were sent from a Monsanto email account and may contain confidential and/or privileged information. If you are not the intended recipient, please contact the sender and delete this email and any attachments immediately. Any unauthorized use, including disclosing, printing, storing, copying or distributing this email, is prohibited. All emails and attachments sent to or from Monsanto email accounts may be subject to monitoring, reading, and archiving by Monsanto, including its affiliates and subsidiaries, as permitted by applicable law. Thank you.

Agenda #	<u>i.</u>
Agenda Code	<u>Consent</u>
Project #	<u>16880</u>

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

***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: Dustin Scott

2. PHONE NO. 282-4692 DATE: August 7, 2017

3. PLEASE BRIEFLY DESCRIBE YOUR REQUEST: _____

Review Plans and Specifications for Street Improvement District No. 2243

9th St E & 13th Ave E Intersection (2017 T.I.P.)

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

5. ACTION BEING REQUESTED FROM CITY COMMISSION: _____

Approve Plans and Specifications for Street Improvement District No. 2243

Authorize the Ad for Bids (advertisement and bid letting done by NDDOT)

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND
IN STREET IMPROVEMENT DISTRICT NO. 2243

BE IT RESOLVED by the City Commission of the City of West Fargo, North Dakota, that it is hereby found, determined and declared that the contract heretofore entered into by and between the City of West Fargo and Dakota Underground Company is in full conformity with the law, including Section 40-22-36 of the North Dakota Century Code; that the contractor's bond of Dakota Underground Company heretofore received and filed with the City Auditor is in full conformity with the law including Section 48-02-06.2 of the North Dakota Century Code; and that the contract and contractor's bond are hereby approved.

Dated: August 7, 2017.

APPROVED:

President of Board of City
Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____. On roll call vote, the following commissioners voted aye: _____
_____. The following commissioners voted nay: _____. The following commissioners were absent and not voting: _____.
The majority having voted aye, the motion carried and the resolution was duly adopted.

Regular Agenda Item: 1.

NOTICE

PLEASE TAKE NOTICE that the City Commission of the City of West Fargo will hold a public hearing at 5:30 p.m. on August 7, 2017, at the City Commission Chambers in West Fargo City Hall, 800 Fourth Avenue East, West Fargo, North Dakota, concerning the granting of a new retail on-premise liquor and beer license at 645 33rd Avenue East in the City of West Fargo. This application is being made by West Fargo Ops, LLC, d/b/a New Perspective Senior Living - West Fargo. Any person interested in this matter may attend the hearing.

Tina Fisk
City Auditor



When completed please mail to: West Fargo City Hall
800 4th AVE E STE 1
West Fargo ND, 58078
If you have any questions, please call: (701)433-8300

LIQUOR LICENSE APPLICATION - PRE-APPROVAL REVIEW (FORM A)

All licenses expire each year on June 30th. (New license fees will be prorated with the number of months remaining in a license year)

Requests for Liquor Licenses require an administrative review prior to consideration by the City Commission. Administrative fees are utilized to offset the cost of this process and are non-refundable. If your license request is granted, you will be asked to complete a Post Approval Liquor License form to calculate final license fees.

For period beginning 01/1/17 and ending June 30, 2018
Business Name: West Fargo Ops, LLC
DBA/Name: New Perspective Senior Living - West Fargo
Business Address: 645 33rd Ave E
Phone #: _____ Cell Phone: 701-541-7212 Email: dnamu@npseiorliving.com

L TYPE OF LICENSE(S) APPROVED:

(CIRCLE THE APPROPRIATE LICENSES AND CALCULATE TOTAL FEES)

Application Review Fees

Retail On and Off Premises Liquor	\$375
Retail On and Off Premises Beer/Wine	\$100
Retail On Premises Liquor	\$275
Retail On Premises Beer/Wine	\$150
Retail Off Premises Liquor	\$275
Retail Off Premises Beer/Wine	\$150
Retail Club/Lodge On Sale Liquor	\$250
Retail Club/Lodge On Sale Beer/Wine	\$38
Wholesale	\$250
Total Due	425.00

- * If you are applying for a Club License, how many members do you have at this time? N/A
- * If you are applying for a On-Premises Liquor License and plan to serve food:
Will you allow people under the age of 21 in your establishment? YES If yes, do you anticipate that the sale of food will exceed the sale of alcoholic beverages? NO YES
(in future years you will be required to provide proof of food to alcohol sales)

*1 CK# 1418
Pd. 6-28-17
\$425.-*

II. APPLICANT DATA: (Individual filling out application for license):

Your Full Name: (First, Middle, Last): Dawn, Renee Vaux

Applicant Legal Address: 138 33rd Ave E.

Date of Birth: 04/01/1962 Social Security #: _____ US Citizen or N

Applicant Email Address: dvaux

Applicant Phone #: 701-541-7212 How long have you been a resident of ND? 5 1/2 yrs. Have you ever been convicted of any violation, or any law, other than a traffic offense in the U.S.? NO If yes, what crime?

What Court? N/A

Have you ever been convicted of any violation of laws governing the manufacture, sale, consumption or possession of intoxicating beverages? NO If yes provide details: _____

Please list any current or previous liquor licenses held: N/A

Have you ever had a liquor license revoked or rejected by any municipality or state? N/A

If yes, provide details: _____

Will you be engaged in any other form of business besides the sale of liquor under the applied license? NO If yes provide details: _____

List names, addresses and phone numbers of three business references (at least one bank), and state the extent of your business relations with each:

- Leonard Street - Deinerd - David Ezibor
150 S 5th St Ste 2300 Minneapolis MN 55402 ph# 612-335-1839
- Christenson Group - Tylee Simmons
11100 Bren Road West Minnetonka, MN 55343 ph# 952-653-1000
- Healthcare REIT / Steve Wierzbicki
4500 Dorr Street Toledo, OH 43615 ph# 419-247-5652
→ Private Bank REIT Joanne 912-564-1392.

III. RESIDENT MANAGER INFORMATION:

Name: Dawn Vaux Date of Birth: 04/01/1962

Address: 138 33rd Ave E, West Fargo ND 58078 Phone #: 701-541-7212

List resident manager's previous employment for past five years:

- Eventide - Sheyenne Crossing West Fargo ND 58078 (previous)
- New Perspective Senior Living WF (current)

VII. VALIDATION/SIGNATURES

Do you agree not to permit the sale of alcohol on said premises to a minor, incompetent person, or a person who is inebriated or a habitual drunkard? Yes No

Do you understand that any license granted with this application will not be transferable except by specific authority of the governing body and will authorize the sale of products as applied for only at the place and premises designated in the application and said license? Yes No

Have you reviewed the Alcoholic Beverage Ordinances(s) of the City of West Fargo and are familiar with the conditions and requirements of these ordinances? Yes No

If granted an alcoholic beverage license, will you comply with the State of North Dakota Liquor Control Act and the City of West Fargo Alcoholic Beverage Ordinances, as well as any amendments to either of these, which may be made in the future? Yes No
(copy of current ordinance provided with application)

Do you understand that approval of license application is contingent upon having completed successful inspections from the Police Department, Fire Department, Building Inspection Department and Cass County Health Department?

Do you certify that property owned in connection with this license does not have real and/or personal property taxes that are delinquent? Yes No

For leased/rented property, do you certify that all payments are current? Yes No

I(We) am (are) familiar with the information in this completed application, the answers and information contained herein are, to the best of my (our) knowledge true, complete and accurate

All signatures must be notarized.

List owner(s) names (In case of a Corporation only President and Secretary are required):

Name: Ryan Novaczyk
 Title: President + CFO
 Signature: [Signature]
 Date: 6/23/17
 Name: _____
 Title: _____
 Signature: _____
 Date: _____

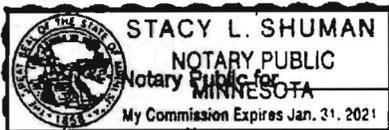
Name: Todd Novaczyk
 Title: CEO
 Signature: Todd Novaczyk
 Date: 6/23/17
 Name: _____
 Title: _____
 Signature: _____
 Date: _____

Before me personally appeared: (list names from above) Ryan Novaczyk & Todd Novaczyk

Subscribed and sworn before me on this 28th day of June, 2017

[Signature]
 (Signature of Notary Public)

My Commission expires: 1-31-2021



IV. BUSINESS DATA:

Name of Business (DBA): ~~WES~~ New Perspective Senior Living - West Fargo ND

Mailing Address of Licensed Establishment: 645 33rd Ave E.

Establishment Phone #: 701-541-7212

Business Type: (Sole Proprietorship, Partnership, Corporation) LLC as Partnership

Based on the business type above provide below the names, addresses and dates of birth of ALL individuals, partners, officers and directors. Include all persons with 1% or more interest in the business and indicate percentage of ownership: (add additional pages if necessary):

If Incorporated: Date of Charter: 10/2008 State of Charter: MN

List any person (including name, address, date of birth and association with business), other than the applicants listed, with any right, title, estate or interest in the leasehold, furniture, fixtures or equipment in the premises for which the license is requested:

Does the business have any interest, directly or indirectly, with any other liquor establishment in any state? NO

If yes give names and addresses of the establishments: _____

V. ATTACH A DETAILED FLOOR-PLAN OF BUSINESS

(HAND DRAWN FLOOR PLANS WILL NOT BE ACCEPTED)

See attached

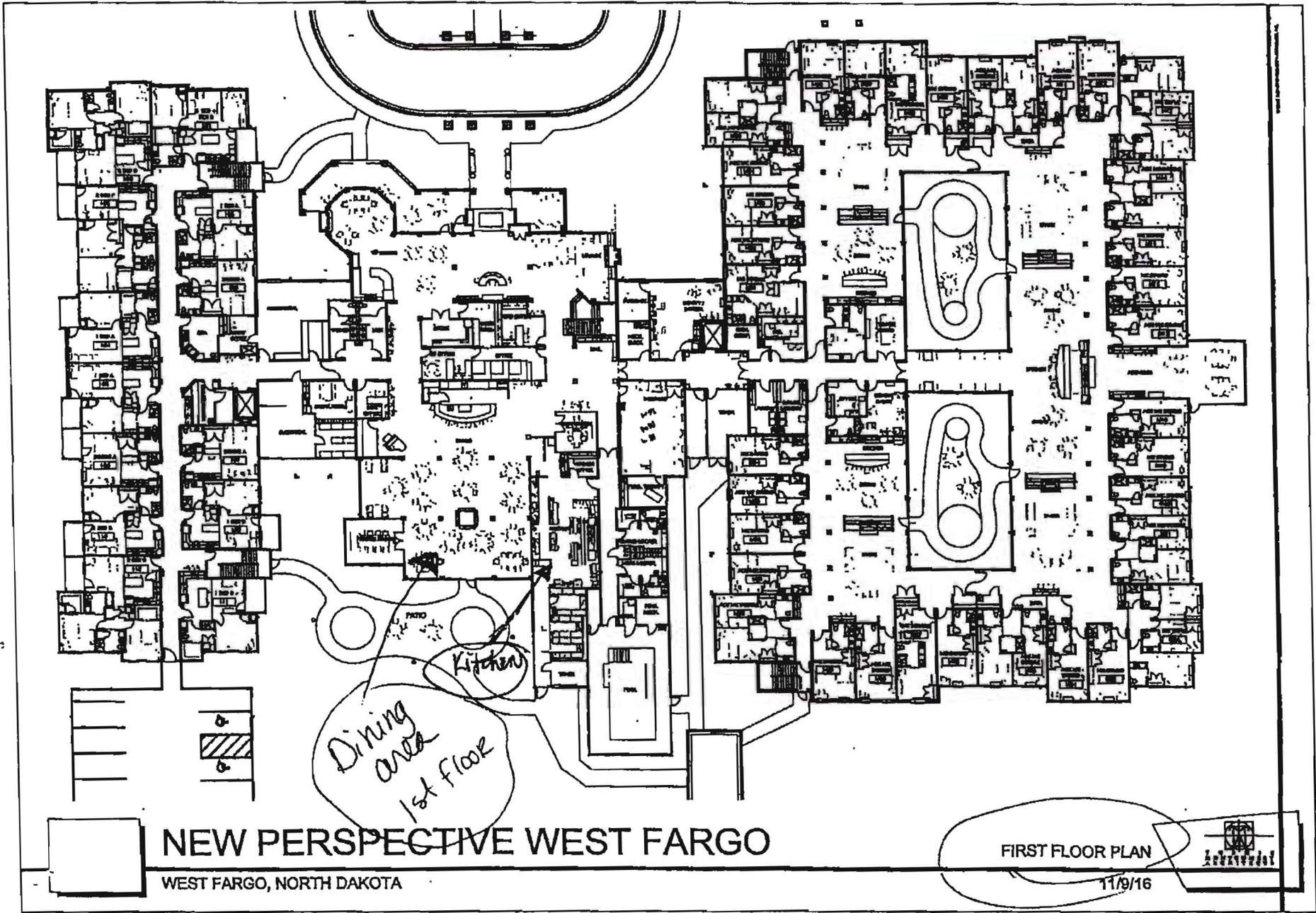
VI. EMPLOYEE ROSTER LIST - SERVER TRAINING (SEE ATTACHED FORM)

For new establishments, you will be given 90 days from date of opening to submit a server training roster which will list servers with completed training, as well as a detailed plan for completion of training for those who have not. Employee server training must be kept current and is subject to periodic review.

Information on signup and training is available online at Fargo Cass Public Health Department's Website:

www.fargocasspublichealth.com

See attached

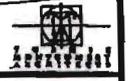


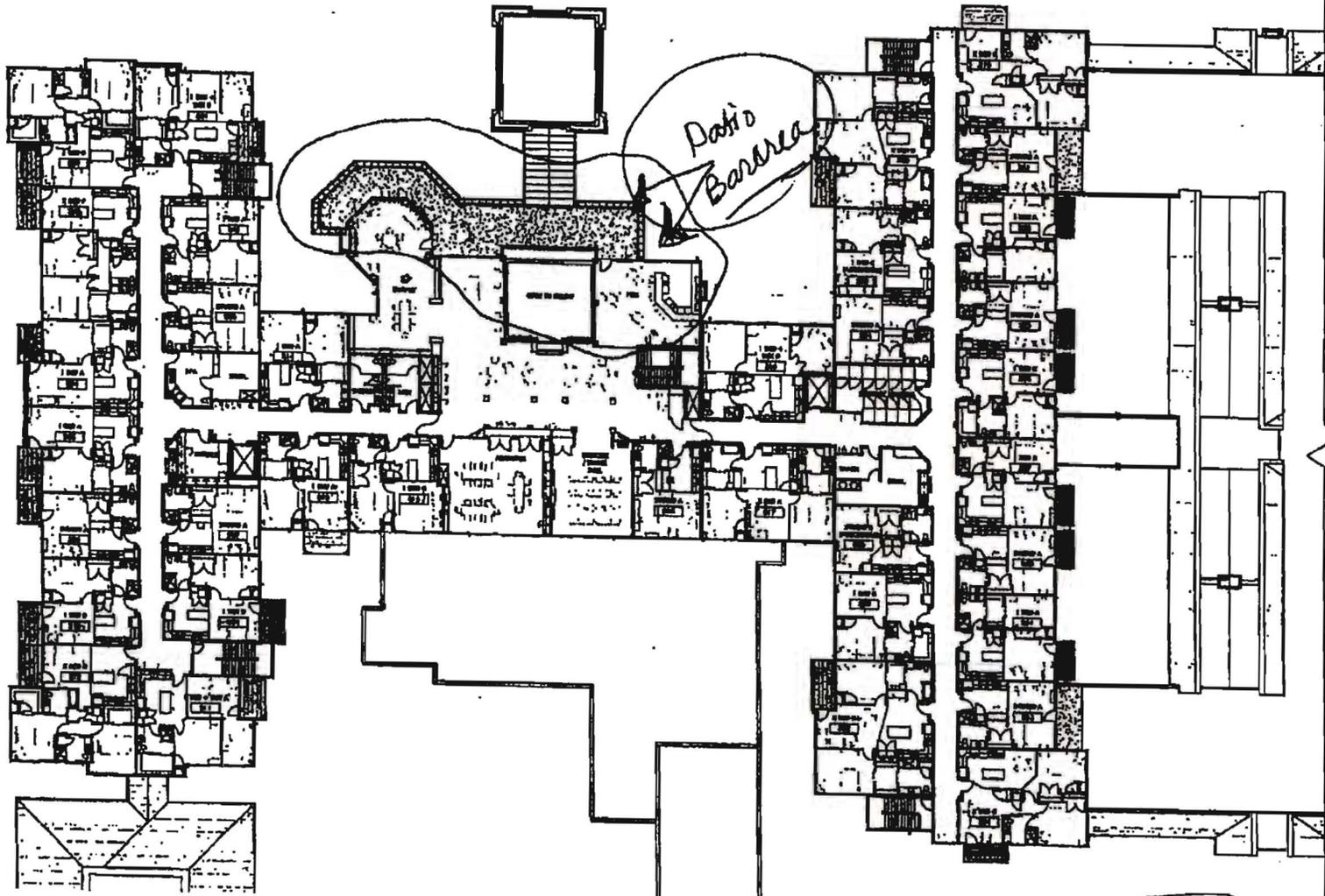
NEW PERSPECTIVE WEST FARGO

WEST FARGO, NORTH DAKOTA

FIRST FLOOR PLAN

11/9/16





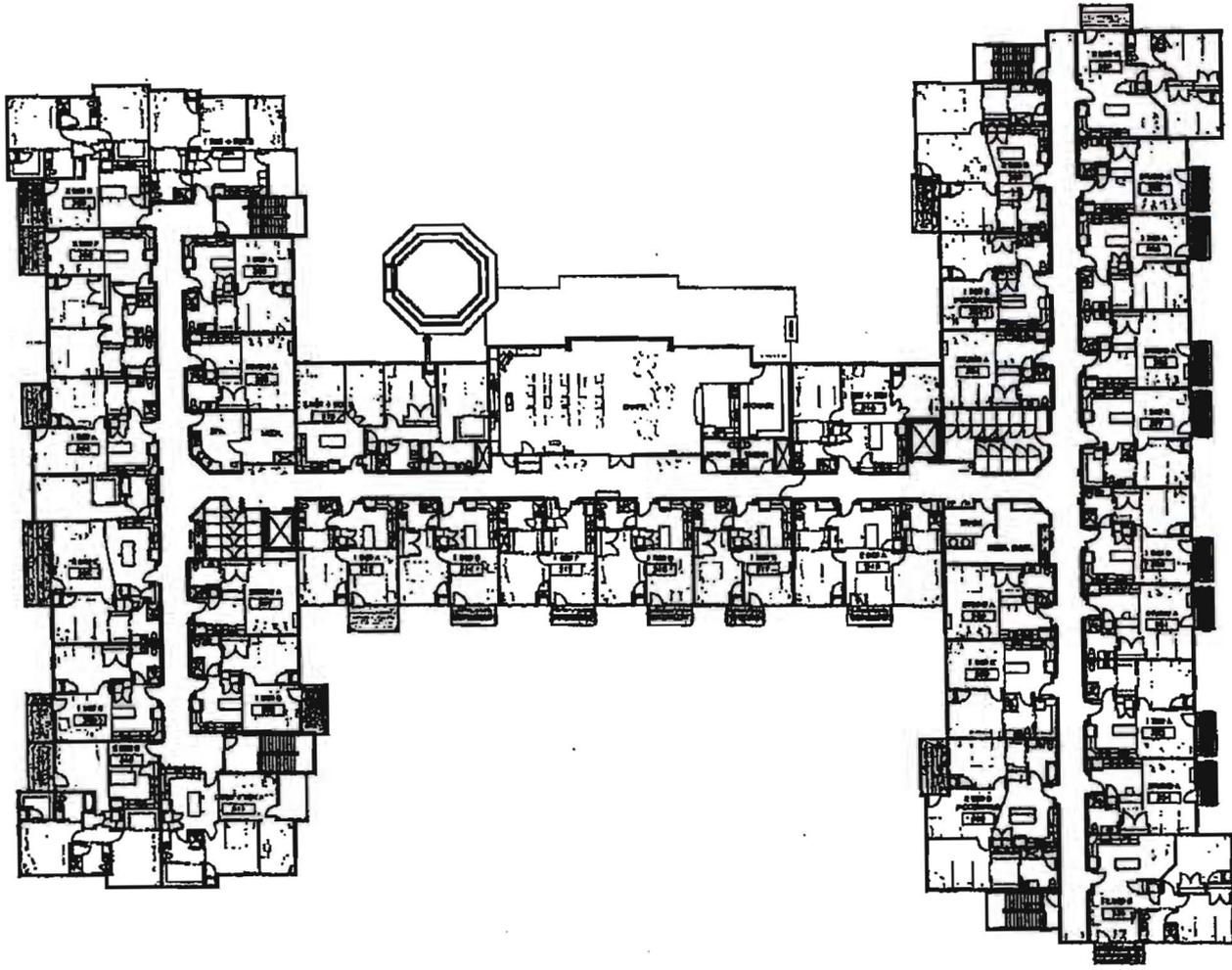
NEW PERSPECTIVE WEST FARGO

WEST FARGO, NORTH DAKOTA

SECOND FLOOR PLAN

11/8/16



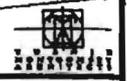


NEW PERSPECTIVE WEST FARGO

WEST FARGO, NORTH DAKOTA

THIRD FLOOR PLAN

11/9/16





Public Health
Texas Department of Health
and Human Services

Issuer's Initials DU

James Dehban

Name

Has successfully completed
Server Training on

6-27-17

Date of Training

This card expires three years from date of issue.

2



Public Health
Prevent. Promote. Protect.
Village Green Public Health

Issuer's initials PLW

Hailey Crosswhite

Name

Has successfully completed
Server Training on

10-30-14

Date of Training

This card expires three years from date of issue.



Public Health
Prevent. Promote. Protect.
Keep What Public Health

Issuer's Initials PLES

Dawn Vaux

Name

Has successfully completed
Server Training on

3-15-16

Date of Training

This card expires three years from date of issue.

CERTIFICATE DOES NOT AFFIRMATIVELY OR NEGATIVELY AMEND, EXTEND OR ALTER THE COVERAGE AFFORDED BY THE POLICIES BELOW. THIS CERTIFICATE OF INSURANCE DOES NOT CONSTITUTE A CONTRACT BETWEEN THE ISSUING INSURER(S), AUTHORIZED REPRESENTATIVE OR PRODUCER, AND THE CERTIFICATE HOLDER.

IMPORTANT: If the certificate holder is an ADDITIONAL INSURED, the policy(ies) must be endorsed. If SUBROGATION IS WAIVED, subject to the terms and conditions of the policy, certain policies may require an endorsement. A statement on this certificate does not confer rights to the certificate holder in lieu of such endorsement(s).

PRODUCER Christensen Group Insurance 11100 Bren Road West Minnetonka MN 55343	CONTACT NAME: Dawn Blaisdell PHONE (A.C. No. Exch): (952) 653-1000 FAX (A.C. No.): (952) 653-1100 E-MAIL ADDRESS: dblaisdall@christensengroup.com
	INSURER(S) AFFORDING COVERAGE
INSURED West Fargo Ops, LLC dba New Perspective - West Fargo 645 32nd Avenue East West Fargo ND 58078	INSURER A: Columbia Casualty Company NAIC # 31127
	INSURER B: Continental Casualty Company 20443
	INSURER C: Accident Fund National Insurance Co 12305
	INSURER D:
	INSURER E:
	INSURER F:

COVERAGES CERTIFICATE NUMBER: New Perspective Senior Living REVISION NUMBER:

THIS IS TO CERTIFY THAT THE POLICIES OF INSURANCE LISTED BELOW HAVE BEEN ISSUED TO THE INSURED NAMED ABOVE FOR THE POLICY PERIOD INDICATED. NOTWITHSTANDING ANY REQUIREMENT, TERM OR CONDITION OF ANY CONTRACT OR OTHER DOCUMENT WITH RESPECT TO WHICH THIS CERTIFICATE MAY BE ISSUED OR MAY PERTAIN, THE INSURANCE AFFORDED BY THE POLICIES DESCRIBED HEREIN IS SUBJECT TO ALL THE TERMS, EXCLUSIONS AND CONDITIONS OF SUCH POLICIES. LIMITS SHOWN MAY HAVE BEEN REDUCED BY PAID CLAIMS.

INSUR LTR	TYPE OF INSURANCE	ADDITIONAL INSURER (IND) (NOV)	POLICY NUMBER	POLICY EFF (MM/DD/YYYY)	POLICY EXP (MM/DD/YYYY)	LIMITS		
A	<input checked="" type="checkbox"/> COMMERCIAL GENERAL LIABILITY		6014909298	9/1/2016	9/1/2017	EACH OCCURRENCE	\$ 1,000,000	
	<input type="checkbox"/> CLAIMS-MADE <input checked="" type="checkbox"/> OCCUR					DAMAGE TO RENTED PREMISES (Ea occurrence)	\$ 100,000	
	<input checked="" type="checkbox"/> PROFESSIONAL LIABILITY	\$1M OCC/\$3M AGG				MED EXP (Any one person)	\$ 10,000	
	<input checked="" type="checkbox"/> ERL - CLAIMS MADE	\$1M OCC/\$3M AGG				PERSONAL & ADV INJURY	\$ 1,000,000	
GENL AGGREGATE LIMIT APPLIES PER: <input checked="" type="checkbox"/> POLICY <input type="checkbox"/> PROJECT <input type="checkbox"/> LOC OTHER:						GENERAL AGGREGATE	\$ 3,000,000	
						PRODUCTS - COMP/OP AGG	\$ Included	
							\$	
B	AUTOMOBILE LIABILITY		6014909270	9/1/2016	9/1/2017	COMBINED SINGLE LIMIT (Ea accident)	\$ 1,000,000	
	<input checked="" type="checkbox"/> ANY AUTO					BODILY INJURY (Per person)	\$	
	<input type="checkbox"/> ALL OWNED AUTOS	<input type="checkbox"/> SCHEDULED AUTOS				BODILY INJURY (Per accident)	\$	
	<input type="checkbox"/> HIRED AUTOS	<input type="checkbox"/> NON-OWNED AUTOS				PROPERTY DAMAGE (Per accident)	\$	
							\$	
A	<input checked="" type="checkbox"/> UMBRELLA LIAB	<input checked="" type="checkbox"/> OCCUR	6014909303	9/1/2016	9/1/2017	EACH OCCURRENCE	\$ 10,000,000	
	<input type="checkbox"/> EXCESS LIAB	<input type="checkbox"/> CLAIMS-MADE				AGGREGATE	\$ 10,000,000	
	<input type="checkbox"/> DED	<input checked="" type="checkbox"/> RETENTION \$ 10,000					\$	
C	WORKERS COMPENSATION AND EMPLOYERS' LIABILITY		1800006057	7/1/2016	7/1/2017	<input checked="" type="checkbox"/> PER STATUTE <input type="checkbox"/> OTHER		
	ANY PROPRIETOR/PARTNER/EXECUTIVE OFFICER/MEMBER EXCLUDED? (Mandatory in NH)	<input type="checkbox"/> Y/N				E.L. EACH ACCIDENT	\$ 500,000	
	If yes, describe under DESCRIPTION OF OPERATIONS below						E.L. DISEASE - EA EMPLOYEE	\$ 500,000
							E.L. DISEASE - POLICY LIMIT	\$ 500,000
B	LYQUOR LIABILITY		6049866981	8/1/2017	8/1/2018	OCCUR CLAIM PER PERSON	\$ 1,000,000	
						AGGREGATE	\$ 1,000,000	

DESCRIPTION OF OPERATIONS / LOCATIONS / VEHICLES (ACORD 101, Additional Remarks Schedule, may be attached if more space is required)

CERTIFICATE HOLDER City of West Fargo West Fargo City Hall 800 4th Avenue East Suite 1 West Fargo, ND 58078	CANCELLATION SHOULD ANY OF THE ABOVE DESCRIBED POLICIES BE CANCELLED BEFORE THE EXPIRATION DATE THEREOF, NOTICE WILL BE DELIVERED IN ACCORDANCE WITH THE POLICY PROVISIONS.
	AUTHORIZED REPRESENTATIVE C Christensen/DMB 

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MEDICAL MARIJUANA 2-PAGER

OVERVIEW

In November 2016, North Dakota voters approved Measure 5, a measure legalizing medical marijuana use in the State of North Dakota. During the 65th Legislative Session, North Dakota lawmakers repealed and revised Measure 5 with Senate Bill No. 2344 which was enacted on April 17, 2017. The revisions from SB 2344 were then incorporated into North Dakota Century Code Chapter 19-24.1. Pursuant to the newly enacted legislation, the City of West Fargo requested that its ordinances be updated to comply with N.D.C.C. Chapter 19-24.1.

It is recommended that the City revise its zoning code and criminal code to comply with state law. Our office met with City officials to determine proper zoning regulations and to revise the criminal code. As a result of these meetings, Ordinance No. 1102, relating to medical marijuana and compassion centers, was drafted.

ANALYSIS – ORDINANCE No. 1102

Ordinance No. 1102, Section 1

Section 1 revises Section 1-0810(k) of the Revised Ordinances (Conditions of Probation – Revocation) which prohibits probationers from associating with known users of marijuana. This section was revised to allow probationers to associate with users of medical marijuana as permitted under state law.

Ordinance No. 1102, Section 2

Section 2 revises Section 4-428-A3 of the Revised Ordinances ("LI" District or Light Industrial District – Conditionally Permitted Uses) to allow compassion centers to be a conditionally permitted use in Light Industrial Districts within the City.

Ordinance No. 1102, Section 3

Section 3 revises Section 4-429.3 of the Revised Ordinances ("M" District or Heavy Industrial District – Conditionally Permitted Uses) to allow compassion centers to be a conditionally permitted use in Heavy Industrial Districts within the City.

Ordinance No. 1102, Section 4

Section 4 revises Section 12-0401 of the Revised Ordinances (Criminal Offenses – Possession of Marijuana – Definitions) by adding definitions from N.D.C.C. Chapter 19-24.1.

Ordinance No. 1102, Section 5

Section 5 revises Section 12-0402 of the Revised Ordinances (Criminal Offenses – Possession of Marijuana – Possession of Marijuana and Drug Paraphernalia) to allow for the possession of medical marijuana as permitted under N.D.C.C. Chapter 19-24.1.

Ordinance No. 1102, Section 6

Section 6 creates Section 4-429.8 of the Revised Ordinances (Compassion Centers – Location Restricted) which implements zoning regulations for compassion centers consisting of manufacturing facilities and dispensaries. N.D.C.C. § 19-24.1-14(1)(d)(1) requires compassion centers to provide “[e]vidence of approval from local officials as to the proposed compassion center applicant’s compliance with local zoning laws for the physical address to be used by the proposed compassion center.”

The proposed zoning regulations prohibit a compassion center from being located within 1,250 feet of a pre-existing school, daycare facility, or any property zoned residential. In addition, the business premises of the compassion center must be open to the police department and City health officer.

Ordinance No. 1102, Section 7

Section 7 is simply the effective date.

CONCLUSION

N.D.C.C. Chapter 19-24.1 is the primary source of regulations for compassion centers in the State of North Dakota. The ND Department of Health has the authority to oversee the application, licensing, and operation of compassion centers, compassion center agents, qualifying patients, and designated caregivers. Local governments have the authority to enact local zoning regulations that compassion centers must comply with before the Department of Health will approve/award a compassion center license. The term “award” is used because the Department of Health will only issue two (2) statewide manufacturing facility licenses and eight (8) statewide dispensary licenses.

There is a possibility that a compassion center (either a manufacturing facility or a dispensary) will be located on the eastern side of the state. The location could very well be in the City of West Fargo, because of this possibility, the City is being proactive in establishing local zoning regulations that compassion centers will have to abide by before the North Dakota Department of Health will issue a compassion center license.

DRAFT

ORDINANCE NO. 1102

AN ORDINANCE TO AMEND AND REENACT SECTIONS 1-0810.2, 4-428-A.3, 4-429.3, 12-0401, AND 12-0402, AND TO CREATE AND ENACT SECTION 4-429.8 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO MEDICAL MARIJUANA AND COMPASSION CENTERS.

BE IT ORDAINED BY THE BOARD OF CITY COMMISSIONERS OF THE CITY OF WEST FARGO, NORTH DAKOTA:

SECTION 1. Section 1-0810.2 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

1-0810. CONDITIONS OF PROBATION - REVOCATION.

* * *

2. When imposing a sentence to probation, the court may impose such conditions as it deems appropriate, and may include any one or more of the following:
 - a. Work faithfully at a suitable employment or faithfully pursue a course of study or of vocational training that will equip him for suitable employment;
 - b. Undergo available medical or psychiatric treatment and remain in a specified institution if required for that purpose;
 - c. Attend or reside in a facility established for the instruction, recreation, or residence of persons on probation;
 - d. Support his dependents and meet other family responsibilities;
 - e. Make restitution or reparation to the victim of his conduct for the damage or injury which was sustained, or perform other reasonable assigned work. When restitution, reparation, or assigned work is a condition of the sentence, the court shall proceed as provided in Section 1-0811;
 - f. Pay a fine imposed after consideration of the provisions of Section 1-0808;
 - g. Refrain from possessing a firearm, destructive device, or other dangerous weapon unless granted written permission by the court;
 - h. Refrain from excessive use of alcohol, or any use of narcotics or of another dangerous or abusable drug without a prescription;
 - i. Promptly notify the court of any change in address or employment;

- j. Remain within the jurisdiction of the court, unless granted permission to leave by the court; and
- k. Refrain from associating with known users or traffickers in narcotics, marijuana, or other controlled substances, except medical marijuana as permitted under Chapter 19-24.1 of the N.D.C.C.

SECTION 2. Section 4-428-A.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-428-A.3. Conditionally Permitted Uses.

- 1. Grain elevators, seed cleaning, feed mixing and grinding plants.
- 2. Above-ground class 1 and 2 liquid storage tanks with a maximum tank size of 20,000 gallons and overall capacity of 200,000 gallons; and propane fuel tanks subject to no more than 30,000 container capacity (water gallons), subject to the following:
 - a. A minimum distance of 75 feet is maintained from property lines, as well as placement and screening to ensure both aesthetic and public safety purposes.
 - b. The use is reviewed and approved by the Fire Department for quantities and separation from other lots of record and buildings.
- 3. Eating and drinking establishments, and commercial and professional office buildings, single or multi-tenant, subject to the following:
 - a. The facilities have adequate separation from uses which may be injurious to health or pose life safety risks.
- 4. Indoor Personal Training Facilities, provided the facility has adequate separation from uses which may be injurious to health or pose life safety risk.
- 5. Compassion centers as described further in Section 4-429.8.

SECTION 3. Section 4-429.3 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-429.3. Conditionally Permitted Uses. The following uses may be permitted to the M District subject to the conditions hereinafter imposed for each use and subject further to review and approval by the City Commission as required by Section 4-550 of this ordinance dealing with conditional use permits:

1. Above-ground class 1 and class 2 liquid storage tanks.
2. Wrecking and salvage yards when completely enclosed within a solid fence.
3. Stockyards.
4. Petroleum refining or storage.
5. Fertilizer manufacture.
6. Acid manufacture.
7. Cement, lime or gypsum manufacture.
8. Stockpiling of sand, gravel or fill dirt and any other materials.
9. Child Care Facility or Child Care Center which is connected to a business and is limited to handling children of employees of that business.
10. Landfills (but only outside of the limits of the City of West Fargo and within the City's extra-territorial jurisdiction as provided in section 4-130 of these ordinances).
11. Animal slaughter or rendering (but only outside of the limits of the City of West Fargo and within the City's extra-territorial jurisdiction as provided in Section 4-130 of these ordinances).
12. Temporary or permanent industrial wood burners, including air curtain destructors, subject to the following conditions:
 - a. For a permanent site, the site must be fenced with a sight obscuring fence and screened if necessary to keep materials out of sight.
 - b. The site is located a minimum of 2,640 feet from any residential or neighboring business structure.
 - c. The waste wood products may not be stored on a permanent or temporary site for more than two (2) months. For a permanent site, all waste wood products on site must be disposed of within a

two (2) month period. At the time the site is completely cleared, another two-month cycle of storage may begin. An extension to the two-month period may be granted by the Fire Chief during the high fire risk times when burning is not allowed.

- d. The use has received State Health Department and local Fire Department approval.
- e. A permit for a temporary site may not exceed sixty (60) days, and only two (2) temporary permits may be granted for the same site in any year. The 60-day period may be extended by the Fire Chief if during that period burning is not allowed because of high risk conditions.
- f. Other conditions as deemed necessary.

13. Indoor Personal Training Facilities, provided the facility has adequate separation from uses which may be injurious to health or pose life safety risk.

14. Compassion centers as described further in Section 4-429.8.

SECTION 4. Section 12-0401 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota is hereby amended and reenacted to read as follows:

12-0401. DEFINITIONS.

- 1. "Cannabinoid" means a chemical compound that is one (1) of the active constituents of marijuana.
- ~~1-2.~~ "Marijuana" means all parts of the plant cannabis whether growing or not; the seeds thereof; the resinous product of the combustion of the plant cannabis; and every compound, manufacture, salt, derivative, mixture, or preparation of the plant or its seeds. It does not include the mature stalks of the plant, fiber produced from the stalks, oil or cake made from the seeds of the plant, any other compound, manufacture, salt, derivative, mixture, or preparation of mature stalks, fiber, oil, or cake, or the sterilized seed of the plant which is incapable of germination.
- 3. "Medical marijuana" means a cannabinoid concentrate or a medical cannabinoid product.

4. "Medical use of marijuana" means the acquisition, use, and possession of usable marijuana to treat or alleviate a qualifying patient's debilitating medical condition.
5. "Qualifying patient" means an individual who has been diagnosed by a health care provider as having a debilitating medical condition.
6. "Usable marijuana" means a medical marijuana product or the dried leaves or flowers of the plant of the genus cannabis in a combustible delivery form. However, the term does not include the dried leaves or flowers unless authorized through a written certification and does not include a cannabinoid edible product. In the case of a registered qualifying patient who is a minor, "usable marijuana" is limited to pediatric medical marijuana.

SECTION 5. Section 12-0402 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

12-0402. POSSESSION OF MARIJUANA AND DRUG PARAPHERNALIA.

1. It shall be unlawful to possess marijuana within the jurisdiction of the City of West Fargo, North Dakota, unless permitted under Chapter 19-24.1 of the N.D.C.C. For purposes of this section, possession includes actual or constructive possession. Constructive possession shall mean the power and capability to exercise dominion and control over the marijuana.
2. It shall be unlawful to use or possess with the intent to use drug paraphernalia to ingest, inhale, or otherwise introduce marijuana into the human body, unless permitted under Chapter 19-24.1 of the N.D.C.C. Any person violating this section shall be guilty of a class B misdemeanor.

SECTION 6. Section 4-429.8 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby created and enacted to read as follows:

4-429.8. Compassion Centers-Location Restricted. The location of compassion centers, as hereinafter defined, shall be limited as hereinafter provided:

A. DEFINITIONS.

1. Compassion center: a medical marijuana manufacturing facility or dispensary.
2. Dispensary: an entity registered by the North Dakota State Department of Health as a compassion center authorized to dispense usable marijuana to a registered qualifying patient and a registered designated caregiver.
3. Manufacturing facility: an entity registered by the North Dakota State Department of Health as a compassion center authorized to produce and process and to sell usable marijuana to a dispensary.

B. LOCATION: Notwithstanding anything in this Zoning Ordinance to the contrary, a compassion center shall be permitted only in the LI District and M District, no other district shall be permitted, and then only if the compassion center meets the following conditions:

1. The compassion center is located no closer than one thousand two hundred fifty feet (1,250') from any pre-existing school, daycare facility, or any property zoned residential.
2. The business premises of the compassion center which are generally open to its patrons are open equally at the same time to members of the City police department and the City health officer who may wish to enter thereon provided the entry is in the course of the discharge of police duties and health inspection duties.

SECTION 7. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

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

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:



Sheyenne Street Corridor Decision Analysis

Prepared for City of West Fargo Board of Commissioners

Project Goals:

The Sheyenne Street corridor project is a traffic system improvement for the City of West Fargo that will accommodate the city's population growth through strategies that improves connectivity for our residents. This includes a balance of increasing traffic capacity and increasing walkability for residents.

Project Influences:

- Public input
- City of West Fargo projected growth
- Horace projected growth
- Comprehensive plan
- Technical knowledge

Timeline:

The City of West Fargo's project is divided in two ways: segment and construction season.

- 13th Avenue East to south of Beaton Drive
 - Segment 1
 - 2018 construction season
- South of Beaton Drive to 32nd Avenue East
 - Segment 2*
 - 2018 construction season
- 32nd Avenue East to 40th Avenue East
 - Segment 3
 - 2019 construction season

*The ND DOT I-94 interchange project is considered part of segment 2, but will occur during the 2018 and 2019 construction seasons.

Segment 1 Key Decision(s):

Options:	Cost:	Staff Recommendation	Pros of recommendation:	Cons of recommendation:
Proceed with a 5-lane section between 13 th Avenue and Beaton Drive	\$7.54 million	Proceed with a 5-lane section between 13 th Avenue and Beaton Drive	Previously discussed	Previously discussed

Segment 1 Additional Project Details:

- While crews work on the west side of Sheyenne Street, between 13th Avenue and Beaton Drive, residents with driveways along Sheyenne will be provided a temporary, gravel road to access their homes.
- Residents living along Sheyenne Street, between 13th Avenue and Beaton Drive, will have their driveways, up until the right of way, replaced through the project.
- A majority of boulevard trees on the east side of Sheyenne Street, between 13th Avenue and Beaton Drive will have to be removed to accommodate the new alignment of the street.
- Signal light will be added to intersection of Sheyenne Street and Beaton Drive.

Segment 2 Key Decision(s):

The following elements were discussed and weighed during the discussion regarding number of lanes from Beaton Drive to 40th Avenue:

- Signal lights can be coordinated to create a smooth flow of traffic.
- Effects of four and six lanes on commercial and residential development in the area.
- Ability of pedestrian amenities, such as an underpass, signal lights and pedestrian refuges, to maintain safety on a four or six lane road
- Internal review of projected Horace population growth suggests that four lanes is appropriate for accommodating increased traffic from the south
- Public perception of city’s long-term planning for four and six lanes.

Options:	Cost:	Staff Recommendation	Pros of recommendation:	Cons of recommendation:
Proceed with a 6-lane section between Beaton Drive and 26th Avenue and a 4-lane section between 26th Avenue and 32nd Avenue	\$18.04 million	Proceed with right of way acquisition for six lanes between Beaton Drive and 32 nd Avenue, but construct only four lanes with base alignment.	<ul style="list-style-type: none"> - Public input reports residents prefer fewer lanes near homes - Construction costs for building 4-lanes lower 	<ul style="list-style-type: none"> - It would be less expensive to build six lanes now, as compared to in the future.
Proceed with a 6-lane section between Beaton Drive and 32nd Avenue	\$18.67 million	Include option to add pedestrian underpass near Sheyenne Street and 32nd Avenue with bids as an alternate.	<ul style="list-style-type: none"> - Operational costs to maintain 4-lanes lower 	<ul style="list-style-type: none"> - Traffic may remain congested at peak times - Public perception of improper planning
Proceed with the base alignment from 32nd Avenue to 29th Avenue	No additional costs		<ul style="list-style-type: none"> - Fewer lanes reduces risk of Sheyenne Street becoming alternative to Veterans Boulevard 	
Evaluate an alternative to install a pedestrian underpass (box culvert) under Sheyenne Street just north of 32 nd Avenue in the environmental document	Cost estimate not completed		<ul style="list-style-type: none"> - Smaller streets are a method to lower specials and create safer, walkable streets for residents, which aligns with initial draft of new comprehensive plan - Right of way will stay at six lane distance if future development necessitates expansion - Driver’s speed, despite speed limits, increases as number of lanes increase - Increases walkability and connectivity, especially to new lifestyle district Sheyenne 32 	

Segment 2 Additional Project Details:

- The City of West Fargo will continue to collect data on Fifth Street West to determine what access would be appropriate. This has the potential to impact the Hayden driveway.
- Sidewalks will be installed on the west side of Sheyenne Street from 40th Avenue West to the Sheyenne Diversion.
- 24th Avenue West is going from a full access to ¾ access
- 26th Avenue West will have a full access
- Signal light will be added to intersection of Sheyenne Street and Christianson Drive.

Segment 3 Key Decision(s):

Options:	Cost:	Staff Recommendation	Pros of recommendation:	Cons of recommendation:
Proceed with a 4-lane section from 32 nd Avenue to 40 th Avenue	\$12.65 million	Proceed with right of way acquisition for six lanes between 32 nd Avenue and 40 th Avenue, but construct only four lanes.	<ul style="list-style-type: none"> - See segment 2 pros - Traffic south of 32nd Avenue is not projected to support a 6-lane road 	<ul style="list-style-type: none"> - See segment 2 cons
Proceed with a 6-lane section from 32 nd Avenue to 40 th Avenue	\$13.73 million			

Options:	Cost:	Staff Recommendation	Pros of recommendation:	Cons of recommendation:
It is necessary for the City of West Fargo to obtain right of way along the Eagle Run development to construct the new road. This right of way will come very close to the Eagle Run fence, which could also be acquired in the right of way.				
Right of way acquired to own and maintain the existing fence along the west side of Sheyenne Street through the Eagle Run development	Cost estimate not completed	Not acquire right of way and cease city maintaining fence and property	<ul style="list-style-type: none"> - Eliminates the city working on private property - Eliminates the ongoing operational costs of maintaining the fence 	<ul style="list-style-type: none"> - Residents may not be willing to provide easements - Additional cost of easements - Residents will have to pay for expense of maintaining fence
Right of way not be acquired and the city ceases maintenance of the fence	No additional costs			

Segment 3 Additional Project Details:

- Sidewalks will be installed on the west side of Sheyenne Street from 40th Avenue West to the Sheyenne Diversion.
- 37th Avenue is going from a full access to a ¾ access.

Additional Recommendations for Consideration:

Staff Recommendation	Pros of recommendation:	Cons of recommendation:
Research utilizing a landscape architect to plan a streetscape for the Sheyenne Street corridor.	<ul style="list-style-type: none"> - Provides opportunity to instill personality into West Fargo - Provides opportunity to create visual cues to help improve pedestrian safety - Provides opportunity to utilize cost-effective, creative options to calm traffic and make pedestrian crossing safer (Ex: Stamped concrete, overhead signs, narrowing streets to accommodate planters and benches) - Reinforces the community engagement goals of the Comprehensive plan and Sheyenne 32 project. 	<ul style="list-style-type: none"> - Additional expense
Sheyenne Street from 13th Avenue to 32nd Avenue is a priority corridor and will be given a substantial completion date of Sept. 1, 2018.	<ul style="list-style-type: none"> - Minimizes disruption to residents and businesses 	<ul style="list-style-type: none"> - May increase project costs due to extra crews needed to reach deadline
Sidewalks will be installed at the location of a 6-lane road, regardless of a section's amount of lanes.	<ul style="list-style-type: none"> - Allows for future expansion - Provides consistency for efficient construction and landscape 	<ul style="list-style-type: none"> - Additional cost for obtaining easements
Remove guard shack at the 38 th Avenue West entrance of Eagle Run.	<ul style="list-style-type: none"> - Allows for road to be realigned and expanded to four or six lanes - Less expensive to remove shack than to relocate it 	<ul style="list-style-type: none"> - Eagle Run residents will lose a feature of the development
The City of West Fargo will no longer be able to maintain the private roads in Windsor Green due to the neighborhood's decision regarding access. The new access the residents have chosen will have a right-out only at the Sheyenne Street intersection and the only other entrance will be at the intersection of Kensington Drive and 38 th Avenue West.	<ul style="list-style-type: none"> - Eliminates extra operational costs to maintain access road - Private roads are not intended to be maintained by the city - This access plan was formulated and agreed upon by the Kensington Drive community. 	<ul style="list-style-type: none"> - Residents will have to cover the cost of snow removal and maintenance

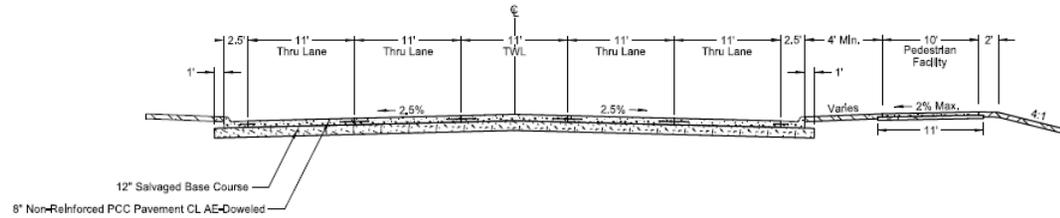
Additional Overall Project Details:

- Throughout the project, instead of closing down entire sections of road, crews will split the work to occur on the east or west side of the street.

Access Location Decision Document

Segment 1 - 13th Avenue East to Beaton Drive; 2018 Construction

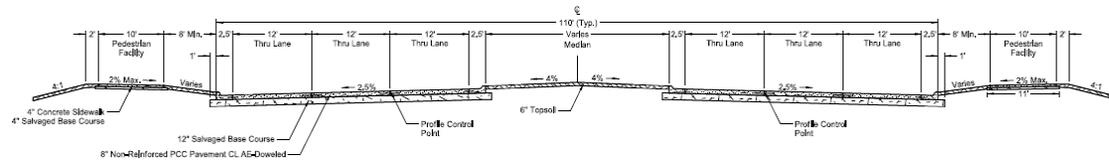
_____ *Do you concur with the access locations as shown



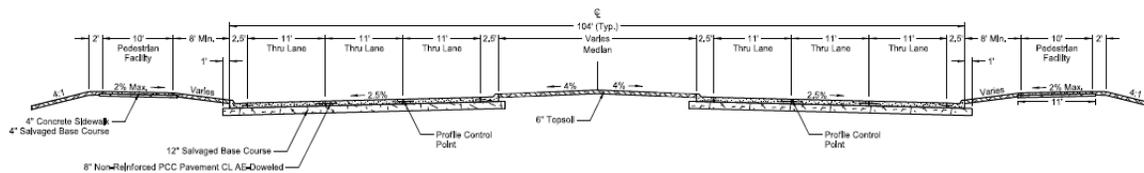
Typical Section 1 - 5-Lane Section from 13th Avenue to Beaton Drive

Segment 2 – Beaton Drive to 32nd Avenue East including Sheyenne Street/I-94 interchange; 2018-2019 Construction

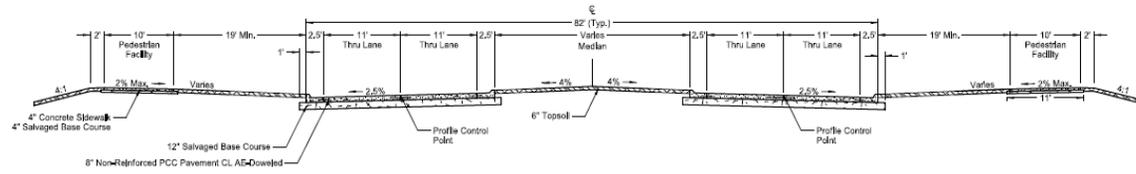
_____ *Do you concur with the access locations as shown



Typical Section 2 - 6-Lane Section (12' lanes) from Beaton Drive to Christianson Drive/21st Avenue



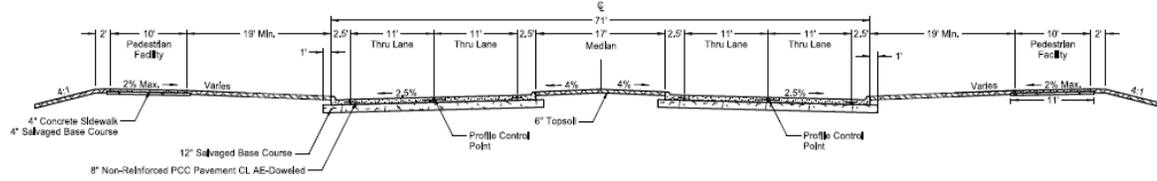
Typical Section 3 - 6-Lane Section (11' lanes) south of Christianson Drive/21st Avenue



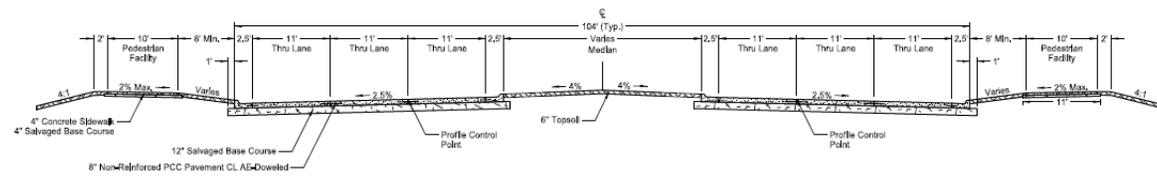
Typical Section 4 - 4-Lane Section from 26th Avenue to 32nd Avenue

Segment 3 – 32nd Avenue East to 40th Avenue East; 2019 Construction

_____ *Do you concur with the access locations as shown



Typical Section 5 - 4-Lane Section from 32nd Avenue to 40th Avenue



Typical Section 6 - 6-Lane Section from 32nd Avenue to 40th Avenue

*Staff recommendation

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 6.

***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: Larry Weil

2. PHONE NUMBER: 433-5320 DATE: August 3, 2017

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

Amendment to Developers Agreement for The Wilds 8th Addition.

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

N/A

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Consider and approve revised date requirements for subdivision plat for street right-of-way.

**FIRST AMENDMENT TO SUBDIVISION AGREEMENT
THE WILDS EIGHTH ADDITION**

THIS AMENDMENT (the “Amendment”) is made and entered into by and between the City of West Fargo, a political subdivision of the State of North Dakota (the “City”) and Westport Investments, LLC (the “Developers”).

WHEREAS, the City and the Developers entered into an Agreement, signed by the City on September 26, 2016, and by the Developers on September 19, 2016, recorded as document number 1497826 on December 8, 2016, in the office of the Cass County Recorder (the “Subdivision Agreement”) relating to conditions of plat approval and responsibilities of the parties for The Wilds Eighth Addition to the City; and

WHEREAS, the parties desire to change certain language in the Subdivision Agreement relating to the final plat submission deadline.

NOW, THEREFORE, the parties do hereby agree as follows:

1. Article III, Paragraph 8 of the Subdivision Agreement is hereby replaced with the following:
 8. The Developers have submitted a concept area plan for the development for consideration as the framework development plan (Exhibit 1) which may be modified with future subdivisions, subject to City concurrence. The concept area plan provides for connectivity to dedicated street right-of ways to the City of Horace (78th Street South & 79th Street South), which are viewed as essential street connections for the development for emergency response. The Developers agree to submit a final plat to the City of West Fargo prior to _____, which will plat the 9th Street West right-of-way connection from the Wilds Eighth Addition to 78th Street South, as well as the 11th Street West connection to 79th Street South. The Developers agree and acknowledge that its failure to comply with this provision shall result in the City ceasing to issue any new building permits within any part of the Development Area being platted as The Wilds Eighth Addition until such time as Developers comply with this requirement to any individual or entity purchasing property from the Developers within The Wilds Eighth Addition. It is the intention of the City of Horace to make improvements to 78th Street South and 79th Street



SUBDIVISION AGREEMENT

THIS AGREEMENT, entered into this 19 day of Sept, 2016, by and between the City of West Fargo, North Dakota (the "City") and Westport Investments, LLC (the "Developers").

WHEREAS, the Developers are the owners of the following described property: plat of The Wilds Eighth Addition to the City of West Fargo, Cass County, North Dakota; and

WHEREAS, the City is considering for approval the plat of The Wilds Eighth Addition to the City (the "Property"); and

WHEREAS, the Developers and the City desire to set out in writing certain conditions of plat approval and responsibilities of the parties to this Agreement; and

WHEREAS, the Developers desire the City to construct water, sanitary sewer, storm sewer mains and development buffer fence (the "Public Improvements") which will be special assessed.

NOW THEREFORE, it is agreed between the parties as follows:

I. PARTIES

1. The City, a North Dakota Home Rule Charter City, is vested with the authority to control access to its streets and municipal infrastructure. The City has authority to approve or disapprove of all subdivision plats within its territorial jurisdiction. The City has the express authority to withhold building permit approval for any structure on the Property for a failure by the Developers to comply with the terms and conditions of this Agreement.

2. Westport Investments, LLC is a legally recognized North Dakota corporation, with the authority to own and develop land. The Developers are the legal and equitable owners

of the Property. The Individuals signing this Agreement are expressly authorized to execute this Agreement on behalf of the Developers.

II. JURISDICTION

1. The Developers agree to submit to the authority of the City of West Fargo. The Developers agree and acknowledge that they must receive approval from the City of West Fargo for any proposed platting, zoning, flood plain permits, building permits and any other permit required by the City.

2. The Developers agree and acknowledge that they must comply with all Federal, State and City statutes, rules and regulations regarding the development of the Property.

3. The Developers are the "responsible party" for compliance with all Federal and State environmental statutes, rules and regulations including storm water runoff regulations.

4. This Agreement only covers the plat of The Wilds Eighth Addition. In the event that the Developers construct future phases of development they shall have a signed Subdivision Agreement with the City prior to commencing construction of future phases.

5. The Developers have submitted final plat of The Wilds Eighth Addition which will be considered by the City Commission on September 19 2016. Required parking and landscaping will be determined at the time of permitting and shall meet the City's Parking Regulations and Landscape Standards for the Property and boulevards. The Developers agree that landscaping will be installed and continually maintained.

III. IMPROVEMENTS

1. The Developers have requested the City to create Special Assessment District No. 1293 for sewer, water, storm sewer, streets and development of a buffer fence, which

improvements the City will install and assess to the benefited property. The Developers will enter into an Improvement District Agreement for Special Assessment District No. 1293.

2. In the event that any portion or portions of the Improvements are constructed on private property, the owner shall deliver to the City a recordable easement giving the City perpetual access to that portion constructed on private property.

3. All water, sanitary sewer, and storm sewer improvements shall be constructed on property platted as public right of way so as to allow the City of West Fargo to service said infrastructure. Water services will be supplied by Cass Rural Water District. The Developers will enter into an Improvement District Agreement for Improvement District No. 1293 with the City, as well as an agreement with Cass Rural Water District, subject to a cooperative Agreement between the City and Cass Rural Water District.

4. The Developers shall pay all costs relating to said construction including but not limited to constructions costs, hook-up charges, permit fees, sales tax and any other fees associated with construction of the Improvements. The hook-up fees associated with the West Fargo main sewer lift station south of I-94 shall be in the amount of \$54,128.40, and such amount shall be added to the cost of District No. 1293 and spread in the same manner as the other costs of District No. 1293. When the Developers sell a lot on the Property, the Developers shall notify the buyer that he/she is required to pay hook-up charges for the water and sewer service directly to the City of West Fargo.

5. The Developers agree to comply with the City's storm water retention policy. Overall storm water retention requirements for the subdivision will be held within The Wilds development located in the West ½ of Section 6, T138N, R49W, City of West Fargo, North Dakota, as is identified in the submitted area plan and approved by the City Engineer.

6. The Developers are responsible for establishing screening/buffering for the residential lots along 52nd Avenue West and for boulevard tree plantings along 9th Street West according to City ordinances (Landscape Standard) and boulevard planting requirements. The Developers will provide a buffer easement on the subdivision plat for the residential properties along 52nd Avenue West and shall install a private development fence similar to the solid polyvinyl chloride compound (PVC) fence (CertainTweed) approved for The Wilds Seventh Addition. The development buffer fence and boulevard tree plantings along 9th Street West shall be included within the street improvement district. The Developers shall establish development covenants and provisions for continued maintenance of the development buffer fence, as well as any development sign and landscaping. The Developers are responsible for establishing boulevard trees along local street boulevards which will be addressed at the time of the building permit. Tree sizes shall be according to the City boulevard specifications for the street boulevards. The Developers will provide a copy of this agreement to the future property owner upon sale of any portion of the Property. The property owner shall be responsible for installing the trees for the streets as part of the building permit. The property owner shall be responsible for continued maintenance of all boulevard landscaping, and replacement if necessary.

7. The development (Developers and subsequent owners) shall be responsible for maintaining the boulevard areas from the property line to the street in accordance with Chapter 3-03 of the Municipal Ordinances.

8. The Developers have submitted a concept area plan for the development for consideration as the framework development plan (Exhibit 1) which may be modified with future subdivisions, subject to City concurrence. The concept area plan provides for connectivity to dedicated street right-of-ways to the City of Horace (78th Street South & 79th Street South),

which are viewed as essential street connections for the development for emergency response. The Developers agree to initiate a subdivision prior to June 1, 2017 which will plat the 9th Street West right-of-way connection from The Wilds Eighth Addition to 78th Street South, as well as the 11th Street West connection to 79th Street South. The Developers agree and acknowledge that its failure to comply with this provision shall result in the City ceasing to issue any new building permits within any part of the Development Area being platted as The Wilds Eighth Addition until such time as Developers comply with this provision. Developers agree and acknowledge that it must disclose this requirement to any individual or entity purchasing property from the Developers within The Wilds Eighth Addition. It is the intention of the City of Horace to make improvements to 78th Street South and 79th Street South. The Developers will work with the City of Horace to establish a schedule for constructing the streets which will be coordinated with the development of The Wilds development. If the City of Horace fails to make improvements to 78th Street South and 79th Street South, The Developers may be responsible for the costs of developing rural section gravel roadways to ensure access to 64th Avenue South.

IV. GENERAL MATTERS

1. This Agreement is to run with the land and shall be binding upon the Developers, their successors and assigns; and all parties claiming by, through or under it shall be taken to hold, agree and covenant with the Developers, its successors and assigns, to conform to and observe the terms and conditions of this Agreement and agree and consent to the construction of the Improvements upon the Property.

2. In addition to releasing and holding the City, its officers and employees harmless from any and all claims, liability, loss, costs, damages, expenses, actions, or judgments arising out of or related to the construction and installation of Improvements, the Developers agree to

indemnify and defend the City, its officers and employees from any and all claims, liability, loss, costs, damages, expenses, actions, or judgments brought against the City relating to or arising out of the Developers or their employees and agents construction and installation of the Improvements. Said indemnification shall include, *inter alia*, attorney's fees, damages, whether punitive, economic or compensatory, and costs and disbursements. However, this paragraph shall not apply to suits against the City arising out of its negligence or intentional acts, or those of its employees, agents or designees. The Developers specifically agree and acknowledge that this indemnification provision shall survive until six (6) years after the sale of the final lot.

3. Upon the occurrence of any non-performance of the Developers' obligations under this Agreement, which has not been cured within thirty (30) days after notice to the Developers, the City may take any one or more of the following remedial steps: (a) terminate this Agreement; (b) suspend the City's performance under this Agreement until it receives assurances from the Developers satisfactory to the City that the Developers will cure such Event of Default and perform its obligations under this Agreement; (c) take any other action deemed necessary or desirable by the City including any legal or administrative proceedings for the collection of any amounts due hereunder or the enforcement of any covenant, Agreement or obligation on the Developers including, *inter alia*, withholding approval of any plats or building permits for structures or buildings on the Property.

4. This Agreement terminates upon the Developers fulfilling all terms of the Agreement as deemed by the City and the City's issuance of a written "Completion Certificate", for the Property and Improvements.

5. 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.

6. 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.

7. Whenever the singular number is used herein, the same shall include the plural where appropriate, and the words of any gender shall include any other genders where appropriate.

8. 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.

9. This Agreement shall be binding upon and inure to the benefit of the parties hereto and their respective personal representatives, successors and assigns.

10. This Agreement shall be recorded.

11. 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.

12. This Agreement may be executed in counterparts with both the City and the Developers having a fully-executed counterpart.

Dated this 19th day of Sept, 2016.

CITY OF WEST FARGO
BY: [Signature]
Its: Mayor
BY: [Signature]
Its: Auditor

DEVELOPERS
BY: [Signature]
Its: President
BY: [Signature]
Its: Secretary

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 26th day of Sept, 2016, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Rich Mattern and Tina Fisk, known to me to be the persons who are described in and who executed the above and foregoing document and acknowledged to me that they executed the same.

[SEAL] **LISA SANKEY**
Notary Public
State of North Dakota
My Commission Expires Sept. 29, 2017

[Signature]
Notary Public

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 19th day of September, 2016, before me, the undersigned, a Notary Public in and for said county and state, personally appeared James Bullis, known to me

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 7.

***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: August 3, 2017
3. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:
Butler's 12th Addition, a replat.
4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):
Lots 9 & 10, Block 2 of Butler's 4th Addition, City of West Fargo, North Dakota.
5. ACTION BEING REQUESTED FROM CITY COMMISSION:
Approve the Final Plat subject to the conditions recommended in the staff report.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A17-17		REPLAT	
Butler's 12 th Addition			
Lots 9 & 10, Block 2 of Butler's 4 th Addition, City of West Fargo, North Dakota			
Applicant: Fluto Properties		Staff Contact: Tim Solberg	
Owners: Spanco LLC/Fluto Properties LLC			
Planning & Zoning Commission Introduction:		06-12-2017	
Public Hearing:		06-12-2017 - Approval	
City Commission:		08-07-2017	

PURPOSE:
Replat two lots to adjust lot lines.

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:	Lot 1: 53,228 ft ² ; Lot 2 73,157 ft ²
Total area size:	2.9 Acres
Adjacent Zoning Districts:	LI: Light Industrial
Adjacent street(s):	4 th Avenue NW (Local)
Adjacent Bike/Pedestrian Facilities:	None
Available Parks/Trail Facilities:	None
Land Dedication Requirements:	Provided with previous subdivision

DISCUSSION AND OBSERVATIONS:
<ul style="list-style-type: none"> The applicant is proposing to do a lot line adjustment, moving the common lot line 37 feet to the west. The lots are developed with light industrial uses. The new lots meet the current zoning district requirements and will remain legal conforming lots. The proposed replat does not appear to affect any easements or right of way.

NOTICES:
Sent to: Applicable agencies and departments
Comments Received:
<ul style="list-style-type: none"> None

STAFF REPORT

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 that 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. An Attorney Title Opinion to the City of West Fargo is received.
3. Signed Final Plat is received with any necessary easements.
4. A certificate is received showing taxes are current.

PLANNING AND ZONING RECOMMENDATION:

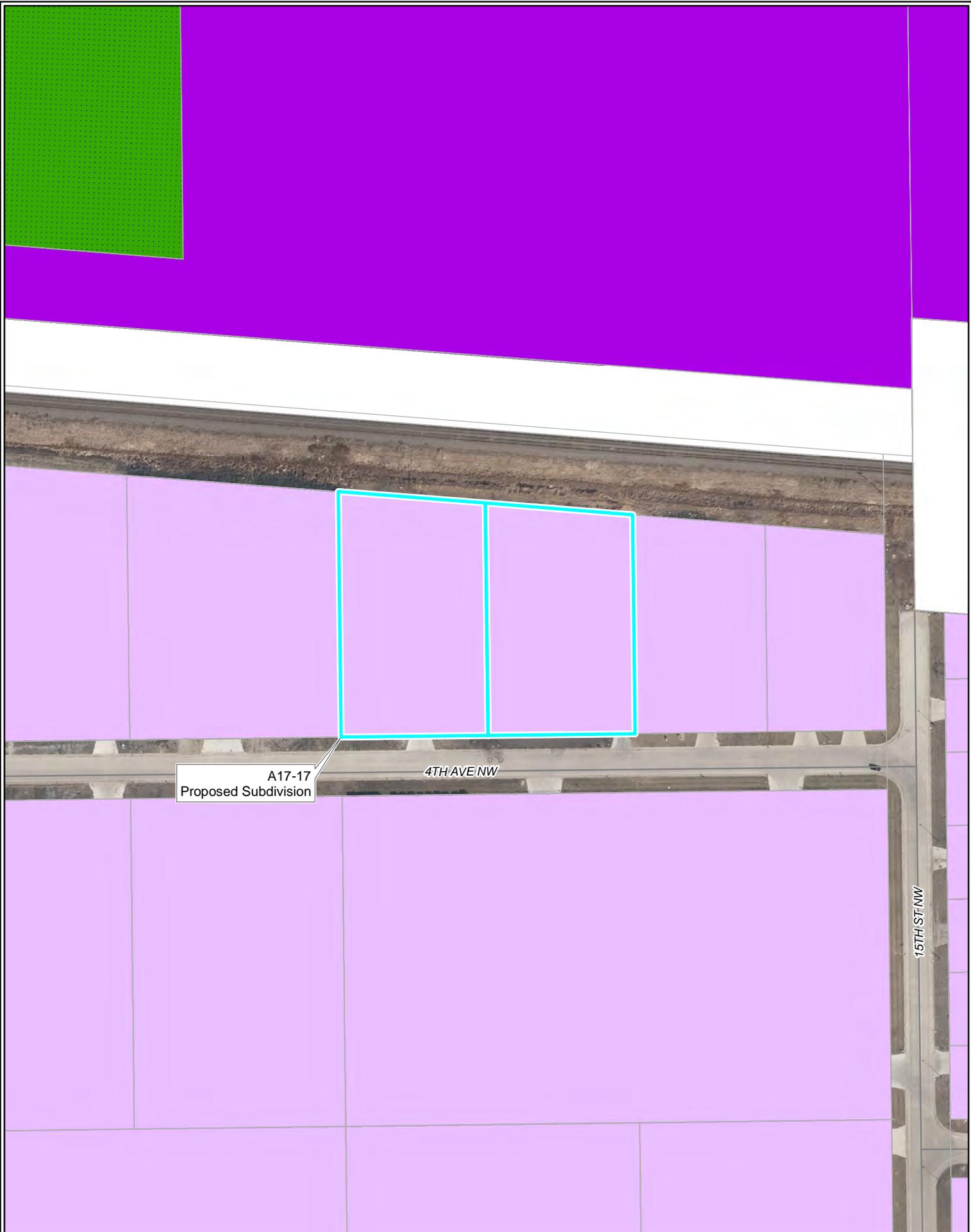
At their June 12, 2017 meeting, the Planning and Zoning Commission approved the request subject to the four conditions listed above.



A17-17
Proposed Subdivision

4TH AVE NW

16TH ST NW



A17-17
Proposed Subdivision

4TH AVE NW

16TH ST NW



- | | | | | |
|----------------------------------|---------------------------------|---|--|------------------------------------|
| 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 | Dwelling | | |



Agenda # 8.
Agenda Code Regular
Project # 19729

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

***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: Dustin Scott

2. PHONE NO. 282-4692 DATE: August 7, 2017

3. PLEASE BRIEFLY DESCRIBE YOUR REQUEST: _____
Review bid tab for Sewer, Water, Storm and Street Improvement District No. 1305

4. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable):
The Wilds 9th Addition & Sanitary Lift Station (SA 46)

5. ACTION BEING REQUESTED FROM CITY COMMISSION: _____
Award contract for Sewer, Water, Storm and Street Improvement District No. 1305
to Dakota Underground Company for Contract 1 – General Construction and
Moorhead Electric for Contract 2 – Electrical Construction
[contingent on final plat approval]



925 10th Avenue East
West Fargo, ND 58078

P: 701.282.4692
F: 701.282.4530



August 7, 2017

Board of Commissioners
800 4th Avenue East
West Fargo ND 58078

Re: Sewer, Water, Storm and Street Improvement District No. 1305
The Wilds 9th Addition & Sanitary Lift Station (SA 46)
West Fargo, ND

Dear Commissioners:

Attached is the bid tab for your review of the above referenced project.

I hereby recommend award of contract to Dakota Underground Company for their General Construction bid of \$5,218,551.46 and Moorhead Electric for their Electrical Construction bid of \$501,920.80 received on August 3, 2017.

Our Engineer's Opinion of Probable Cost with the Engineer's Report was \$5,114,938.75. Our final engineer's estimate was \$5,520,000.00 for General Construction and \$445,000.00 for Electrical Construction.

If the contract is awarded by the Commission, please sign, date, and return the Notice of Award.

Sincerely,

Kyle J. McCamy, PE
Project Engineer

Sewer, Water, Storm & Street Improvement District No. 1305
The Wilds 9th Addition & Sanitary Lift Station (SA 46)
West Fargo, ND
BID OPENING: August 3, 2017@ 10:00 AM

Project No.: 19729
Estimate: Contract 1: \$5,520,000.00
Contract 2: \$445,000.00
Addenda: 5

<u>COMPANY</u>	<u>TOTAL OF CONTRACT 1 – GENERAL CONSTRUCTION</u>
1. Dakota Underground Company	\$5,218,551.46
2. RL Larson Excavating Inc.	\$5,688,372.14
3. Ryan Contracting Co.	\$5,750,190.71
4. Sellin Brothers, Inc.	\$6,243,608.90
5. Quam Construction Company, Inc.	\$6,285,365.30
6. KPH, Inc.	\$6,298,067.39
7. Gladen Construction, Inc.	\$6,666,365.22

<u>COMPANY</u>	<u>TOTAL OF CONTRACT 2 – ELECTRICAL CONSTRUCTION</u>
1. Moorhead Electric	\$501,920.80
2. RL Larson Excavating Inc.	\$504,686.00
3. Sellin Brothers, Inc.	\$505,636.00
4. Dakota Underground Company	\$507,982.80
5. Gladen Construction, Inc.	\$508,976.00
6. Quam Construction Company, Inc.	\$522,311.00
7. KPH, Inc.	\$548,683.00
8. Ryan Contracting Co.	Withdraw Bid