



West Fargo City Commission Meeting
Monday December 4, 2017
Commission Chambers 5:30 PM

- A. Pledge of Allegiance
- B. Approve Order of Agenda
- C. Approval of Minutes – November 20, 2017 (Pg 2-13)
- D. Building Permits
- E. October Auditor Report (Pg 14-20)

Consent Agenda – Approve the Following:

- a. Bills
- b. October Payroll Checks (Pg 21)
- c. Pledging of Assets

Regular Agenda

1. **5:30pm First Reading and Public Hearing** concerning the Highland Meadows 3rd Addition, a Replat and Rezoning from R-1: One & Two Family Dwellings to R-1SM: Mixed One & Two Family Dwellings. – **Larry Weil (Pg 22-30)**
2. **5:30pm Public Hearing** regarding Resolution Determining That Not Sufficient Protests Were Filed on Improvement in Street Improvement District No. 2250. – **John Shockley (Pg 31-33)**
3. **5:30pm Public Hearing** regarding Resolution Determining That Not Sufficient Protests Were Filed on Improvement in Street Improvement District No. 2244. – **John Shockley (Pg 34-35)**
4. **6:00pm** – Hearing before City Commission concerning the revocation of the liquor and beer license of African Rainforest LLP – **John Shockley, Tina Fisk (Pg 36-65)**
5. Amendment to modify the City of West Fargo's Ordinance 13-0305 to be consistent with wording used in state law. – **John Shockley (Pg 66-67)**
6. Board Appointment – FM Metro Cog – **Rich Mattern (Pg 68)**
7. January 1, 2018 Meeting: date change due to holiday – **Rich Mattern**
8. Report from the City Administrator
9. Non-Agenda Items
10. Correspondence
11. Adjourn



West Fargo City Commission Meeting
Monday, November 20, 2017
Commission Chambers 5:30 PM

The West Fargo City Commission met on Monday November 20, 2017, at 5:30 pm. Those present were Duane Hanson, Mark Simmons, Rich Mattern, Mark Wentz and Mike Thorstad. The President of the Board Rich Mattern called the meeting to order.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Regular Agenda Item #6 would be moved to Regular Agenda Item #1. Commissioner Wentz moved and Commissioner Thorstad seconded to approve the order of agenda. No opposition. Motion carried.

Commissioner Hanson moved and Commissioner Wentz seconded to approve the minutes of November 6, 2017. No opposition. Motion carried.

The Commission reviewed the Building Department Activity Report dated November 20, 2017 and Building Permits #812-831.

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

- a) Bills
- b) Schedule a Public Hearing on Monday, December 4, 2017 concerning the Highland Meadows 3rd Addition, a Replat and Rezoning from R-1: One & Two Family Dwellings to R-1SM: Mixed One & Two Family Dwellings.
- c) Games of Chance for the North Dakota Association of School Resource Officers. Games Conducted: Raffle on 1/1/18 to 6/22/18 at Liberty Middle School, 801 36 Ave E.
- d) Games of Chance for the VFW Department of North Dakota. Games Conducted: Raffle on 12/4/17 to 4/1/18 at the Arthur W. Jones VFW Post 7564, 308 Sheyenne St.
- e) Games of Chance for the Fargo Chapter Ducks Unlimited. Games Conducted: Raffle on 12/7/17 at Speedway Event Center, 680 Main Ave W.
- f) Approve Amended Engineer's Report for Street Improvement District No. 2251, Authorize preparation of Plans & Specs.
- g) Approve Plans & Specs for Street Improvement District No. 2250, Authorize Ad for Bids for Street Improvement District No. 2250.

No opposition. Motion carried.

Justin Forde with Midco presented a grant check to the West Fargo Fire Department from the Midco Foundation, to be used for thermal imaging cameras. Fire Chief Dan Fuller accepted the check.

City Administrator Tina Fisk appeared before the Commission regarding the Public Hearing for a liquor license application for Barcode Bar and Grill at 825 23 Avenue East, Suite 208. The public hearing was held. There was no public comment. The public hearing was closed. Commissioner Thorstad moved and Commissioner Hanson seconded to approve the liquor license. No opposition. Motion carried.

Commissioner Mattern introduced two new City Hall staff members: Courtney Williams, Administrative Assistant, and Callie Roth, Economic Development Specialist.

West Fargo Police Department Chief Heith Janke appeared before the Commission to provide an update on the structural changes taking place in the police department, as well as to amend the 2018 budget in order to hire seven additional patrol officers. After discussion, Commissioner Thorstad moved and Commissioner Wentz seconded to approve Chief Janke's request to amend the 2018 budget in order to hire seven new patrol officers. No opposition. Motion carried.

Commissioner Wentz accepted the request to continue serving on the Cass County Planning Commission Board. Commissioner Hanson moved and Commissioner Thorstad seconded to approve Commissioner Wentz's appointment to the Planning Commission. No opposition. Motion carried.

Senior Planner Tim Solberg appeared before the Commission regarding Final Plat Approval and Approval of the Conditional Use Permit for the Riverview Estates 2nd Subdivision. There was no discussion. Commissioner Hanson moved and Commissioner Wentz seconded to approve the final plat and conditional use permit. No opposition. Motion carried.

City Engineer Dustin Scott and Public Works Director Chris Brungardt appeared before the Commission to review the project concept alternate for Street Improvement District No. 2249. The original plan was to install a traffic signal at 7 Avenue / Sheyenne St. The potential alternative would be to install a roundabout. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to move forward with the alternative plan of pursuing the installation of a roundabout instead of a traffic signal. No opposition. Motion carried.

Public Works Director Chris Brungardt appeared before the Commission to review the RFP for the Core Area Infrastructure Plan, and request approval to publish the RFP and interview Engineering consultants. After discussion, Commissioner Hanson moved and Commissioner Wentz seconded to approve the publication of the RFP and to interview

engineering consultants in order to finance the Core Area Infrastructure Plan. No opposition. Motion carried.

City Administrator Tina Fisk appeared before the Commission regarding the Administrator's Report and discussed the following:

- Recap of the League of Cities conference in North Carolina
- Utilizing new technologies to connect with West Fargo citizens
- Review of the alcohol ordinance
- CIP Meeting on November 30

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

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Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
75900	S	2499 FM CONVENTION & VISITORS BUREAU	12292.63	11/21/17			
						CL 76319	12292.63
75901	S	2499 FM CONVENTION & VISITORS BUREAU	6146.31	11/21/17			
						CL 76320	6146.31
75902	S	2646 4IMPRINT	263.15	11/21/17			
						CL 76072	263.15
75903	S	289 ACME TOOLS	829.83	11/21/17			
						CL 76164	20.84
						CL 76165	98.99
						CL 76171	668.00
						CL 76219	42.00
75904	S	317 AMERICAN WELDING & GAS, INC.	178.05	11/21/17			
						CL 76256	178.05
75905	S	999999 ANTHONY PISCIONE	190.00	11/21/17			
						CL 76287	190.00
75906	S	2375 APEX ENGINEERING GROUP, INC.	893.00	11/21/17			
						CL 76278	893.00
75907	S	2920 ARNTSON STEWART WEGNER PC	3608.95	11/21/17			
						CL 76281	3608.95
75908	S	3090 ARVIG	40.00	11/21/17			
						CL 76046	40.00
75909	S	2786 BAYMONT INN & SUITES	180.58	11/21/17			
						CL 76220	180.58
75910	S	1403 BLUE TARP FINANCIAL, INC	86.94	11/21/17			
						CL 76302	86.94
75911	S	26 BORDER STATES ELECTRIC SUPPLY	850.02	11/21/17			
						CL 76231	240.43
						CL 76232	143.52
						CL 76233	186.37
						CL 76301	279.70
75912	S	2704 BRAD'S COFFEE SERVICE	115.50	11/21/17			
						CL 76192	115.50
75913	S	73 BRAUN INTERTEC	67964.00	11/21/17			
						CL 76280	67964.00
75914	S	16 BROKERAGE PRINTING	429.11	11/21/17			
						CL 76011	308.31
						CL 76196	58.80
						CL 76279	62.00
75915	S	351 BUSINESS ESSENTIALS	701.38	11/21/17			
						CL 76013	33.75
						CL 76098	13.30
						CL 76130	367.51
						CL 76189	13.70
						CL 76202	71.34
						CL 76221	136.62
						CL 76328	65.16
75916	S	39 BUTLER MACHINERY	32.13	11/21/17			
						CL 76224	32.13

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75917	S	1509 CARRIE SCARR	636.90	11/21/17			
75918	S	51 CASS COUNTY ELECTRIC COOP	41985.83	11/21/17		CL 76188	636.90
75919	S	1512 CDW GOVERNMENT, INC	2582.24	11/21/17		CL 76317	41985.83
75920	S	1777 CENTURY LINK	224.54	11/21/17		CL 76082	372.04
75921	S	52 CHIEF SUPPLY COMPANY	238.29	11/21/17		CL 76097	2210.20
75922	S	2097 CITI LITES	3941.25	11/21/17		CL 76100	224.54
75923	S	111 CITY OF FARGO	67512.33	11/21/17		CL 76031	238.29
75924	S	2880 CITY OF FARGO	240609.25	11/21/17		CL 76090	3941.25
75925	S	999999 CLOYCE JOHNSON	190.00	11/21/17		CL 76099	39467.08
75926	S	1904 CODE 4 SERVICES, LLC	15976.89	11/21/17		CL 76107	28045.25
75927	S	2482 CODY BEILKE	250.03	11/21/17		CL 76101	240600.75
75928	S	850 COMFORT SUITES - BISMARCK	167.40	11/21/17		CL 76104	8.50
75929	S	3099 COMMERCIAL 2ND WIND EXERCISE	20849.24	11/21/17		CL 76284	190.00
75930	S	229 CONSOLIDATED COMMUNICATIONS	1395.42	11/21/17		CL 76036	4172.50
75931	S	999999 CORY RAMSEY	190.00	11/21/17		CL 76269	6965.61
75932	S	1834 CRARY INDUSTRIES	92.12	11/21/17		CL 76291	4838.78
75933	S	60 CROSSCOUNTRY FREIGHT SOLUTIONS	178.32	11/21/17		CL 76012	250.03
75934	S	65 CURTS LOCK & KEY	29.95	11/21/17		CL 76272	167.40
75935	S	1675 DAKOTA FLUID POWER, INC	178.38	11/21/17		CL 76276	20849.24
75936	S	624 DAKOTA SUPPLY GROUP	247.40	11/21/17		CL 76208	1395.42
75937	S	856 DAVE'S WEST FARGO TIRE	147.07	11/21/17		CL 76286	190.00
						CL 76141	92.12
						CL 76140	178.32
						CL 76226	29.95
						CL 76250	178.38
						CL 76167	247.40
						CL 76022	44.40
						CL 76201	102.67

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75938	S	1121 DAWSON INSURANCE	50.00	11/21/17			
						CL 76216	50.00
75939	S	807 DISCOVERY BENEFITS, INC.	419.75	11/21/17			
						CL 76008	419.75
75940	S	2225 DTN, LLC	310.00	11/21/17			
						CL 76273	310.00
75941	S	1502 EIDE BAILLY	75.00	11/21/17			
						CL 76068	75.00
75942	S	999999 ELMA IMAMOVIC	190.00	11/21/17			
						CL 76285	190.00
75943	S	877 ENVIRONMENTAL TOXICITY CONTROL INC.	775.00	11/21/17			
						CL 76110	775.00
75944	S	3013 EPIC MANAGEMENT, LLC	112129.11	11/21/17			
						CL 76283	112129.11
75945	S	999999 ERIC MARTENS	125.00	11/21/17			
						CL 76313	125.00
75946	S	2862 ESSENTIA HEALTH	4837.00	11/21/17			
						CL 76206	4596.00
						CL 76266	241.00
75947	S	1851 F/S MANUFACTURING INC	87.69	11/21/17			
						CL 76229	87.69
75948	S	1954 FAITH LUTHERAN CHURCH	1320.00	11/21/17			
						CL 76103	1320.00
75949	S	660 FARGO FREIGHTLINER	41.56	11/21/17			
						CL 76257	41.56
75950	S	144 FARMERS BROTHERS COFFEE	223.70	11/21/17			
						CL 76295	223.70
75951	S	728 FARNAM'S GENUINE PARTS, INC	12.90	11/21/17			
						CL 76184	12.90
75952	S	329 FERGUSON WATERWORKS #2516	41717.06	11/21/17			
						CL 76126	7.20
						CL 76166	31697.18
						CL 76169	10.80
						CL 76173	1994.84
						CL 76174	921.96
						CL 76238	2212.70
						CL 76239	368.78
						CL 76294	4503.60
75953	S	2471 FIRESTONE	258.00	11/21/17			
						CL 76018	258.00
75954	S	104 FORUM COMMUNICATIONS	132.84	11/21/17			
						CL 76005	132.84
75955	S	1554 FRED PRYOR SEMINARS	2938.00	11/21/17			
						CL 76217	2340.00
						CL 76267	598.00
75956	S	1857 G & K SERVICES - FARGO	81.19	11/21/17			
						CL 76116	81.19

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75957	S	235 G & R CONTROLS	306.00	11/21/17			
75958	S	93 GATEWAY CHEVROLET	44.82	11/21/17		CL 76258	306.00
75959	S	2558 GOODYEAR COMMERCIAL TIRE	1835.44	11/21/17		CL 76112	44.82
75960	S	2877 GREATAMERICA FINANCIAL SERVICES	704.51	11/21/17		CL 76263	1062.00
75961	S	1226 HP INC.	3087.00	11/21/17		CL 76264	773.44
75962	S	3087 IBM CORPORATION	5400.00	11/21/17		CL 76324	704.51
75963	S	687 INFORMATION TECHNOLOGY DEPT	659.05	11/21/17		CL 76190	2598.00
75964	S	2500 INLAND TRUCK PARTS & SERVICE	4067.43	11/21/17		CL 76277	489.00
75965	S	233 J & L SPORTS	28.00	11/21/17		CL 76292	5400.00
75966	S	2618 JAMAR TECHNOLOGIES INC	3041.32	11/21/17		CL 76016	659.05
75967	S	999999 JARED JOHNSON	33.00	11/21/17		CL 76297	4067.43
75968	S	2055 JOBS HQ	666.00	11/21/17		CL 76135	28.00
75969	S	2305 KEEPRS, INC.	685.13	11/21/17		CL 76195	3041.32
75970	S	999999 KENNETH ANDERSON	150.00	11/21/17		CL 76075	33.00
75971	S	2122 KEY CONTRACTING	11400.00	11/21/17		CL 76067	666.00
75972	S	3095 LAKES & PRAIRIES CAP, INC.	50.00	11/21/17		CL 76034	56.99
75973	S	277 LARSONS WELDING/MACHINE	82.50	11/21/17		CL 76197	628.14
75974	S	767 LASER SYSTEMS	2011.18	11/21/17		CL 76315	150.00
75975	S	705 LAWSON PRODUCTS	379.10	11/21/17		CL 76009	11400.00
75976	S	301 MACS INC	88.41	11/21/17		CL 76212	50.00
75977	S	999999 MAX JOHNK	125.00	11/21/17		CL 76133	82.50
						CL 76311	2011.18
						CL 76113	379.10
						CL 76175	23.97
						CL 76176	28.56
						CL 76227	35.88
						CL 76312	125.00

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75978	S	3014 MELISSA RICHARD	1803.72	11/21/17	_____	CL 76289	1803.72
75979	S	299 MENARDS	731.15	11/21/17	_____	CL 76122	198.00
						CL 76123	21.78
						CL 76127	3.97
						CL 76129	198.00
						CL 76180	119.03
						CL 76183	24.78
						CL 76252	49.98
						CL 76261	25.88
						CL 76262	17.47
						CL 76303	4.47
						CL 76304	27.99
						CL 76326	39.80
75980	S	102 MIDSTATES WIRELESS	54690.01	11/21/17	_____	CL 76030	3420.00
						CL 76282	51270.01
75981	S	2779 MIDWEST OVERHEAD CRANE	250.00	11/21/17	_____	CL 76230	250.00
75982	S	298 MVTL LABORATORIES	2671.00	11/21/17	_____	CL 76143	984.00
						CL 76168	175.00
						CL 76274	1512.00
75983	S	2120 ND DEPT OF HEALTH	15.00	11/21/17	_____	CL 76185	15.00
75984	S	333 ND MOTOR VEHICLE DEPT.	65.50	11/21/17	_____	CL 76037	54.00
						CL 76038	11.50
75985	S	723 ND POST BOARD	25.00	11/21/17	_____	CL 76194	25.00
75986	S	281 NDACO RESOURCES GROUP	507.00	11/21/17	_____	CL 76044	507.00
75987	S	325 NDPA	90.00	11/21/17	_____	CL 76207	90.00
75988	S	1158 NDWPCC	200.00	11/21/17	_____	CL 76170	200.00
75989	S	271 NETWORK CENTER COMMUNICATIONS	270.00	11/21/17	_____	CL 76293	270.00
75990	S	3094 NFPA (NATIONAL FIRE PROTECTION ASSOC)	50.45	11/21/17	_____	CL 76210	50.45
75991	S	2826 NORIDIAN MUTUAL INSURANCE CO	57.60	11/21/17	_____	CL 76325	57.60
75992	S	141 NORTH STAR SAFETY, INC	470.36	11/21/17	_____	CL 76131	72.31
						CL 76132	9.05
						CL 76200	389.00

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75993	S	3096 NORTHLAND BUSINESS SYSTEMS	2745.75	11/21/17	_____	CL 76213	2745.75
75994	S	1017 O'KEEFFE, O'BRIEN, LYSON & FOSS LTD	4576.00	11/21/17	_____	CL 76307	4576.00
75995	S	1774 O'REILLY AUTOMOTIVE STORES, INC	217.83	11/21/17	_____	CL 76181	87.85
						CL 76234	99.99
						CL 76235	29.99
75996	S	352 OK TIRE	1400.84	11/21/17	_____	CL 76115	37.50
						CL 76178	631.56
						CL 76179	416.00
						CL 76237	315.78
75997	S	399 OLYMPIC SALES	1081.60	11/21/17	_____	CL 76240	437.76
						CL 76241	643.84
75998	S	631 ONE CALL CONCEPT	648.75	11/21/17	_____	CL 76134	648.75
75999	S	276 OSTROMS ACE HARDWARE	95.95	11/21/17	_____	CL 76007	95.95
76000	S	914 PATRICK & CO.	360.00	11/21/17	_____	CL 76073	360.00
76001	S	2251 PEI (PERSONNEL EVALUATION INC.)	20.00	11/21/17	_____	CL 76035	20.00
76002	S	999999 PETER ELIZONDO	263.00	11/21/17	_____	CL 76077	263.00
76003	S	563 PETRO SERVE USA	24540.50	11/21/17	_____	CL 76053	923.47
						CL 76081	500.00
						CL 76108	25.28
						CL 76109	14.82
						CL 76117	109.33
						CL 76118	94.06
						CL 76119	42.10
						CL 76120	62.86
						CL 76121	43.25
						CL 76125	71.38
						CL 76128	108.09
						CL 76137	74.11
						CL 76138	45.38
						CL 76139	112.39
						CL 76142	5.02
						CL 76145	90.72
						CL 76146	65.30
						CL 76147	28.50
						CL 76148	88.34
						CL 76149	91.41
						CL 76150	63.75
						CL 76151	120.75
						CL 76152	29.06
						CL 76153	38.99
						CL 76154	8.22

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Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
						CL 76155	59.71
						CL 76156	124.01
						CL 76157	26.17
						CL 76158	116.33
						CL 76159	8.90
						CL 76160	56.27
						CL 76161	45.00
						CL 76162	74.96
						CL 76163	13.14
						CL 76222	166.45
						CL 76225	62.82
						CL 76242	61.39
						CL 76243	98.03
						CL 76244	41.18
						CL 76245	50.89
						CL 76246	60.77
						CL 76247	160.15
						CL 76248	50.40
						CL 76253	76.70
						CL 76254	103.27
						CL 76288	20140.30
						CL 76296	87.08
76004	S	360 PIONEER RIM/WHEEL	58.68	11/21/17	_____	CL 76223	58.68
76005	S	411 POWER PLAN OIB	665.15	11/21/17	_____	CL 76236	171.93
						CL 76299	493.22
76006	S	1166 PRODUCTIVITY PLUS ACCOUNT	1421.03	11/21/17	_____	CL 76177	111.85
						CL 76251	665.43
						CL 76298	643.75
76007	S	623 QUALITY INN	167.40	11/21/17	_____	CL 76096	167.40
76008	S	663 ROAD EQUIPMENT PARTS CENTER	51.18	11/21/17	_____	CL 76265	51.18
76009	S	2513 SAFETY-KLEEN SYSTEMS, INC.	170.75	11/21/17	_____	CL 76300	170.75
76010	S	452 SAM'S CLUB	115.00	11/21/17	_____	CL 76006	34.96
						CL 76199	39.96
						CL 76215	40.08
76011	S	437 SANDY'S DONUTS	72.30	11/21/17	_____	CL 76218	72.30
76012	S	454 SANITATION PRODUCTS	50.06	11/21/17	_____	CL 76111	50.06
76013	S	639 SECRETARY OF STATE	36.00	11/21/17	_____	CL 76268	36.00

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76014	S	459 SHERWIN WILLIAMS	275.85	11/21/17	_____	CL 76259 CL 76260	116.41 159.44
76015	S	2935 STEPHEN ROLCZYNSKI	199.15	11/21/17	_____	CL 76318	199.15
76016	S	88 STREICHER'S	1140.48	11/21/17	_____	CL 76198	1140.48
76017	S	2821 STROHMAN ENTERPRISE, INC	627.00	11/21/17	_____	CL 76010	627.00
76018	S	999999 TERESA LUTHI MCDONOUGH	100.00	11/21/17	_____	CL 76314	100.00
76019	S	1156 TESSMAN	78.95	11/21/17	_____	CL 76136	78.95
76020	S	1979 THE CHAMBER	150.00	11/21/17	_____	CL 76191	150.00
76021	S	1900 THE UPS STORE #5998	20.97	11/21/17	_____	CL 76172	20.97
76022	S	2217 TINA FISK	1024.49	11/21/17	_____	CL 76290	1024.49
76023	S	3093 TRACKER PRODUCTS LLC	8199.00	11/21/17	_____	CL 76074	8199.00
76024	S	665 TWIN CITY GARAGE DOOR	50.00	11/21/17	_____	CL 76255	50.00
76025	S	1320 TYLER WILLIAMS	125.95	11/21/17	_____	CL 76014	125.95
76026	S	784 UNITED POWER EQUIPMENT	14.55	11/21/17	_____	CL 76124	14.55
76027	S	2478 VALLI	5729.72	11/21/17	_____	CL 76105 CL 76106	473.59 5256.13
76028	S	1553 VARITECH INDUSTRIES, INC	114.75	11/21/17	_____	CL 76114	114.75
76029	S	1267 VERIZON WIRELESS	8778.26	11/21/17	_____	CL 76193 CL 76271	91.26 8687.00
76030	S	1658 VERN BAARDSON	35.00	11/21/17	_____	CL 76306	35.00
76031	S	2436 VISA FINANCE	910.64	11/21/17	_____	CL 76270	910.64
76032	S	2439 VISA IT	889.58	11/21/17	_____	CL 76187	889.58
76033	S	2438 VISA PLANNING	30.00	11/21/17	_____	CL 76088	30.00
76034	S	2435 VISA POLICE	475.49	11/21/17	_____	CL 76089	475.49
76035	S	2423 VISA PW	3606.18	11/21/17	_____	CL 76186	3606.18

Claim Checks

Check #	Type	Vendor #/Name	Check Amount	Date Issued	Period Redeemed	Claim #	Claim Amount
76036	S	576 WALMART COMMUNITY	21.58	11/21/17	_____		
						CL 76071	21.58
76037	S	2740 WASTE MANAGEMENT OF WI-MN	54542.80	11/21/17	_____		
						CL 76069	51589.76
						CL 76321	536.90
						CL 76322	2416.14
76038	S	999999 WAYNE GRINDBERG	250.00	11/21/17	_____		
						CL 76316	250.00
76039	S	577 WAYNE TROPHIES	16.00	11/21/17	_____		
						CL 76080	16.00
76040	S	648 WEST FARGO AUTO BODY/GLASS	123.73	11/21/17	_____		
						CL 76182	123.73
76041	S	566 WEST FARGO PARK DISTRICT	90626.87	11/21/17	_____		
						CL 76211	90626.87
76042	S	2625 WEST FARGO POLICE EXPLORER POST	710.80	11/21/17	_____		
						CL 76070	710.80
76043	S	2184 WEST SIDE STEEL	681.85	11/21/17	_____		
						CL 76144	189.41
						CL 76228	94.71
						CL 76249	141.10
						CL 76305	256.63
76044	S	569 WF ANIMAL HOSPITAL	2036.00	11/21/17	_____		
						CL 76019	2036.00
76045	S	549 WF PUB SCHOOLS DIST #6	11990.00	11/21/17	_____		
						CL 76327	11990.00
76046	S	575 WHITE BANNER UNIFORM	36.48	11/21/17	_____		
						CL 76076	36.48
76047	S	338 XCEL ENERGY	25379.86	11/21/17	_____		
						CL 76308	25379.86
Total for Claim Checks			1012638.66				
Count for Claim Checks			148				

* denotes missing check number(s)

of Checks: 148 Total: 1012638.66

October Auditor Report

11/29/17
16:16:29

CITY OF WEST FARGO, ND
Cash Report
For the Accounting Period: 10/17

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Report ID: L160

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
1000 GENERAL						
101000 CASH - OPERATING	15,165,997.88	842,969.48	2,105.69	2,000,661.28	1,050,486.94	12,959,924.83
1001 GENERAL FUND RESERVE						
101000 CASH - OPERATING	7,775,242.62	10,252.26	0.00	0.00	0.00	7,785,494.88
2000 SALES TAX						
101000 CASH - OPERATING	14,482,075.43	894,898.46	0.00	0.00	0.00	15,376,973.89
2030 CITY'S SHARE OF SPECIALS						
101000 CASH - OPERATING	21,506.30	510.50	0.00	0.00	0.00	22,016.80
2050 PARK						
101000 CASH - OPERATING	0.00	179,107.95	0.00	0.00	0.00	179,107.95
2060 FIRE FUND						
101000 CASH - OPERATING	105,029.88	4,229.58	0.00	0.00	3,935.89	105,323.57
2110 GAMING FUNDS						
101000 CASH - OPERATING	48,577.67	19.83	0.00	0.00	0.00	48,597.50
2130 MUNICIPAL HIGHWAY FUND						
101000 CASH - OPERATING	841,722.45	149,353.20	0.00	0.00	1,413.00	989,662.65
2140 TOURIST & EVENT COMMITTEE						
101000 CASH - OPERATING	59,432.31	138.26	0.00	0.00	0.00	59,570.57
2141 FM CONVENTION VISITOR'S BUREAU						
101000 CASH - OPERATING	23,075.08	21,264.44	0.00	0.00	44,339.52	0.00
2160 CASH IN LIEU OF LAND DEDICATION						
101000 CASH - OPERATING	486,208.06	145,700.55	0.00	0.00	347,198.97	284,709.64
2200 VECTOR CONTROL						
101000 CASH - OPERATING	42,763.02	7,455.88	287.37	8.44	16,626.05	33,871.78
2210 FORESTRY						
101000 CASH - OPERATING	115,018.24	7,538.59	168.60	8.94	17,537.95	105,178.54
2230 CITY UTILITY						
101000 CASH - OPERATING	392,500.53	10,135.21	0.00	0.00	5,510.48	397,125.26
2240 FLOOD CONTROL						
101000 CASH - OPERATING	-270.00	0.00	0.00	0.00	0.00	-270.00
2500 NIGHT TO UNITE						
101000 CASH - OPERATING	943.05	73.69	0.00	0.00	0.00	1,016.74
2600 FUTURE BUILDING						
101000 CASH - OPERATING	204,779.81	83.58	0.00	0.00	1,393.00	203,470.39
2800 WEST FEST						
101000 CASH - OPERATING	43,042.64	1,100.00	0.00	0.00	11,963.82	32,178.82
2900 CRUISE NIGHT						
101000 CASH - OPERATING	14,735.74	500.00	0.00	0.00	2,087.50	13,148.24
2950 ASSET FORFEITURES						
101000 CASH - OPERATING	49,775.68	39,688.32	0.00	0.00	0.00	89,464.00
102000 Cash - Restricted	58,024.93	0.00	0.00	34,694.38	0.00	23,330.55
Total Fund	107,800.61	39,688.32		34,694.38		112,794.55
2960 ECONOMIC DEVELOPMENT						
101000 CASH - OPERATING	-200,995.83	61,435.85	0.00	0.00	1,695.00	-141,254.98
2970 CAPITAL IMPROVEMENTS						
101000 CASH - OPERATING	894,835.35	18,755.24	0.00	0.00	7,810.00	905,780.59

CITY OF WEST FARGO, ND
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Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
2980 SOUTH FACILITIES HOOKUP						
101000 CASH - OPERATING	2,744,179.44	1,120.08	0.00	0.00	0.00	2,745,299.52
3339 RIB - 2011 SERIES C						
101000 CASH - OPERATING	2,034,755.02	1,326.05	0.00	0.00	123,803.00	1,912,278.07
3340 RIB 2011 B (recall 2004B)						
101000 CASH - OPERATING	90,472.00	1,934.16	0.00	0.00	11,554.75	80,851.41
3341 RIB 2011 A (recall 2005A)						
101000 CASH - OPERATING	1,684,964.85	1,017.02	0.00	0.00	32,369.75	1,653,612.12
3344 6043 SIDEWALK WARRANTS 2006						
101000 CASH - OPERATING	-36,083.61	0.00	0.00	0.00	0.00	-36,083.61
3345 SIDEWALK 6042 WARRANTS 2005						
101000 CASH - OPERATING	24,419.13	9.97	0.00	0.00	0.00	24,429.10
3347 SIDEWALK 6044 WARRANTS 2007						
101000 CASH - OPERATING	14,879.36	6.07	0.00	0.00	892.00	13,993.43
3348 RIB 2008-B						
101000 CASH - OPERATING	157,045.11	811.99	0.00	0.00	23,443.25	134,413.85
3349 RIB 2008 - C						
101000 CASH - OPERATING	1,931,274.93	7,576.50	0.00	0.00	71,549.00	1,867,302.43
3351 R. I. B. 2009 A (from 2001/2001C/2002						
101000 CASH - OPERATING	561,859.19	165.46	0.00	0.00	0.00	562,024.65
3353 RIB 2009 B (from 2003 C & 2003 D)						
101000 CASH - OPERATING	251,450.41	1,214.87	0.00	0.00	5,132.00	247,533.28
3355 REFUND BOND 2005C						
101000 CASH - OPERATING	31,180.53	12.73	0.00	0.00	0.00	31,193.26
3360 RIB 2012B (Ref 2006A)						
101000 CASH - OPERATING	118,817.67	2,150.84	0.00	0.00	19,216.75	101,751.76
3365 RIB 2007A						
101000 CASH - OPERATING	1,053,904.06	17,203.92	0.00	0.00	72,202.00	998,905.98
3366 RIB 2007-B						
101000 CASH - OPERATING	1,215,316.23	5,394.34	0.00	0.00	48,347.00	1,172,363.57
3368 GO BONDS OF 2009						
101000 CASH - OPERATING	-113,795.37	0.00	0.00	0.00	827,149.75	-940,945.12
3369 MUNICIPAL BONDS 2009 NDPFA						
101000 CASH - OPERATING	193,181.68	78.85	0.00	0.00	0.00	193,260.53
3370 R. I. B. 2009 SERIES C						
101000 CASH - OPERATING	753,224.94	2,108.61	0.00	0.00	112,312.75	643,020.80
3371 R. I. B. 2010 A (refund of 2003E & 2004A)						
101000 CASH - OPERATING	1,256,878.97	8,233.62	0.00	0.00	20,825.25	1,244,287.34
3372 REFUNDING IMPROVEMENT BONDS 2010 B						
101000 CASH - OPERATING	574,388.53	3,784.50	0.00	0.00	83,282.25	494,890.78
3373 SIDEWALK REFUNDING BONDS 2010						
101000 CASH - OPERATING	112,279.79	177.07	0.00	0.00	2,196.00	110,260.86
3375 RIB - 2012A						
101000 CASH - OPERATING	2,687,161.56	8,669.07	0.00	0.00	196,471.77	2,499,358.86
3376 SIDEWALK REFUNDING BONDS OF 2012						
101000 CASH - OPERATING	35,185.96	14.36	0.00	0.00	1,568.75	33,631.57

CITY OF WEST FARGO, ND
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3377 RIB 2012-C (Ref 2005B & 2005D)						
101000 CASH - OPERATING	833,197.82	5,525.96	0.00	0.00	84,873.00	753,850.78
3378 RIB 2012-D						
101000 CASH - OPERATING	4,305,075.45	66,380.28	0.00	0.00	368,565.01	4,002,890.72
3379 2012 Sales Tax Bonds - COSTCO						
101000 CASH - OPERATING	292,387.17	119.34	0.00	0.00	19,527.00	272,979.51
3380 RESERVE FUND FOR 2012 SALES TAX BONDS						
101000 CASH - OPERATING	207,131.25	84.54	0.00	0.00	0.00	207,215.79
3381 RIB 2013A						
101000 CASH - OPERATING	1,789,766.29	2,999.31	0.00	0.00	167,805.00	1,624,960.60
3382 RIB 2013B						
101000 CASH - OPERATING	2,004,101.94	35,866.84	0.00	0.00	200,948.88	1,839,019.90
3383 2012 SIDEWALK DISTRICT (6050)						
101000 CASH - OPERATING	-116,660.95	0.00	0.00	0.00	0.00	-116,660.95
3384 2014A REFUNDING IMPROVEMENT BOND						
101000 CASH - OPERATING	808,758.46	25,646.94	0.00	0.00	228,444.49	605,960.91
3385 2014B REFUNDING IMPROVEMENT BOND						
101000 CASH - OPERATING	-94,750.19	62,770.02	0.00	0.00	340,526.50	-372,506.67
3386 2015A RIB						
101000 CASH - OPERATING	2,794,016.32	46,605.51	0.00	0.00	498,661.00	2,341,960.83
3387 2015B RIB						
101000 CASH - OPERATING	2,726,341.91	19,453.69	0.00	0.00	375,461.00	2,370,334.60
3388 2016A RIB						
101000 CASH - OPERATING	1,936,513.18	24,863.83	0.00	0.00	459,697.37	1,501,679.64
3389 2017A RIB						
101000 CASH - OPERATING	-389,467.98	9,253.80	0.00	0.00	0.00	-380,214.18
3730 2067						
101000 CASH - OPERATING	363,378.46	148.32	0.00	0.00	0.00	363,526.78
3979 TIF WEST FARGO 2ND & 3RD						
101000 CASH - OPERATING	44,506.90	0.00	0.00	0.00	0.00	44,506.90
3981 TIF BONDS STERLING IND. PARK (to 3377)						
101000 CASH - OPERATING	1,172,738.26	0.00	0.00	0.00	0.00	1,172,738.26
3982 TIF - BUTLER (to 3360 and 3366)						
101000 CASH - OPERATING	2,317,358.12	9,755.40	0.00	0.00	0.00	2,327,113.52
3983 TIF BONDS 2009 TITAN MACHINERY (to 3370 30,000 per year)						
101000 CASH - OPERATING	485,720.13	0.00	0.00	0.00	7,883.50	477,836.63
4000 CONSTRUCTION TESTING						
101000 CASH - OPERATING	2,402.03	0.00	0.00	0.00	0.00	2,402.03
4011 3001 1ST AVE E RECONSTRUCT						
101000 CASH - OPERATING	-1,052,234.04	0.00	0.00	0.00	38,353.36	-1,090,587.40
4031 4057 STORM LIFT STATION (SM71)						
101000 CASH - OPERATING	390,669.19	0.00	0.00	0.00	7,596.10	383,073.09
4032 2241 5th ST WEST EXT. (27TH AVE W TO 28TH AVE W)						
101000 CASH - OPERATING	-291,465.40	0.00	0.00	0.00	0.00	-291,465.40
4033 2240 8TH AVE NW & 26TH ST NW - PAVING						
101000 CASH - OPERATING	-1,933,663.82	0.00	0.00	0.00	43,200.00	-1,976,863.82

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
4034 2242 STREET IMPROVEMENT DISTRICT						
101000 CASH - OPERATING	-82,485.07	0.00	0.00	0.00	6,245.43	-88,730.50
4048 4054 REGIONAL STM LIFT ((th Str & 12th Ave NE) SM70 IMPR						
101000 CASH - OPERATING	643,996.20	0.00	0.00	0.00	16,365.83	627,630.37
4052 4045 SOUTHSIDE GENERAL STORM SEWER DISTRICT						
101000 CASH - OPERATING	-8,330.50	0.00	0.00	0.00	0.00	-8,330.50
4053 4058 HAYDEN HEIGHTS DRAINAGE IMPROVEMENTS						
101000 CASH - OPERATING	-108,674.11	0.00	0.00	0.00	22,432.66	-131,106.77
4054 2243 Intersection at 9th & 13th						
101000 CASH - OPERATING	-772,983.23	0.00	0.00	0.00	15,237.14	-788,220.37
4055 4060 STORM SEWER LIFT SA 72 IMPROVEMENTS						
101000 CASH - OPERATING	-626,127.34	0.00	0.00	0.00	478,361.09	-1,104,488.43
4059 4059 STORM LIFT SM 33 REHABILITATION						
101000 CASH - OPERATING	-53,740.20	0.00	0.00	0.00	0.00	-53,740.20
4061 4061 STORM LIFT REHAB (SM 25, 28, 44)						
101000 CASH - OPERATING	-930,202.23	0.00	0.00	0.00	249,787.53	-1,179,989.76
4062 4062 Storm Lift SM 75 & CR 19 Abandonment						
101000 CASH - OPERATING	-39,522.44	0.00	0.00	0.00	79,393.77	-118,916.21
4278 2219 7th Ave - 17th to 45th Str SU-8992(035)036-SHARED W/FAR						
101000 CASH - OPERATING	-5,344.70	0.00	0.00	0.00	0.00	-5,344.70
4301 1279 12th AVE NORTH - 45TH STREET TO CTY RD 19						
101000 CASH - OPERATING	-8,113,620.05	0.00	0.00	0.00	3,792,339.70	-11,905,959.75
4302 1273 MAIN AVE PHASE III NHU-8-010(032)932						
101000 CASH - OPERATING	1,851,565.36	0.00	0.00	0.00	323,184.06	1,528,381.30
4336 1260 1.5MM GALLON WATER TANK IMPROVEMENT DISTRICT						
101000 CASH - OPERATING	-1,382,435.05	0.00	0.00	0.00	126,674.00	-1,509,109.05
4367 1289 26th STREET NE & DIVERSION RD IMPR						
101000 CASH - OPERATING	2,076,386.28	0.00	0.00	0.00	188,920.87	1,887,465.41
4369 1290 IMPROVEMENT DISTRICT AT 7TH AVE NW & CENTER ST						
101000 CASH - OPERATING	-1,972.00	0.00	0.00	0.00	0.00	-1,972.00
4371 1293 The Wild's 8th Addition						
101000 CASH - OPERATING	231,831.36	229,233.45	0.00	0.00	122,799.72	338,265.09
4372 1294 Eaglewood 5th Addition						
101000 CASH - OPERATING	317,675.83	0.00	0.00	0.00	7,365.32	310,310.51
4373 1295 Highland Meadows 2nd Addition						
101000 CASH - OPERATING	-531,008.02	0.00	0.00	0.00	1,230,569.43	-1,761,577.45
4374 1296 Lagoon System Improvements						
101000 CASH - OPERATING	-62,604.00	0.00	0.00	0.00	0.00	-62,604.00
4375 1297 LIFT STATION SA 27 & SA 40						
101000 CASH - OPERATING	-2,578,131.51	0.00	0.00	0.00	0.00	-2,578,131.51
4376 1298 EAGLE RUN PLAZA 5TH ADDITION						
101000 CASH - OPERATING	127,772.73	0.00	0.00	0.00	6,940.00	120,832.73
4377 1301 SANDHILLS 3rd ADDITION						
101000 CASH - OPERATING	-2,587,566.32	0.00	0.00	0.00	721,680.42	-3,309,246.74
4378 1292 North Pond at the Preserve 9th						
101000 CASH - OPERATING	-806,416.24	0.00	0.00	0.00	47,748.42	-854,164.66

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Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
4379 1299 Lift Station SA13 Rehabilitation						
101000 CASH - OPERATING	-128,946.49	0.00	0.00	0.00	0.00	-128,946.49
4381 1300 RIVERS BEND AT PRESERVE 4TH ADDITION						
101000 CASH - OPERATING	-1,780,875.53	0.00	0.00	0.00	146,761.29	-1,927,636.82
4382 1303 OAK RIDGE 11TH ADDITION						
101000 CASH - OPERATING	-714,263.05	0.00	0.00	0.00	191,964.54	-906,227.59
4383 1302 WATER TANK REHABILITATION						
101000 CASH - OPERATING	-635,642.52	0.00	0.00	0.00	47,757.38	-683,399.90
4384 1304 26th AVE W & 5th CT W						
101000 CASH - OPERATING	-255,136.72	0.00	0.00	0.00	19,528.08	-274,664.80
4385 1305 WILDS 9th & SA 46						
101000 CASH - OPERATING	-372,780.01	0.00	0.00	0.00	414,902.20	-787,682.21
4386 1308 FARGO WASTEWATER CONNECTION PROJECT						
101000 CASH - OPERATING	0.00	0.00	0.00	0.00	124.00	-124.00
4387 1309 LAGOON DECOMMISSIONING PROJECT						
101000 CASH - OPERATING	0.00	0.00	0.00	0.00	124.00	-124.00
4388 1310 South Regional Sanitary Sewer Forcemain						
101000 CASH - OPERATING	0.00	0.00	0.00	0.00	2,978.00	-2,978.00
4389 2248 1st Ave & 10th ST E Improvement District						
101000 CASH - OPERATING	0.00	0.00	0.00	0.00	270.00	-270.00
4391 2250 Sheyenne St (Beaton to 40th) Improvement District						
101000 CASH - OPERATING	0.00	0.00	0.00	0.00	124.00	-124.00
4396 6052 SIDEWALK IMPROVEMENT DISTRICT 2016						
101000 CASH - OPERATING	-328,988.82	0.00	0.00	0.00	120.00	-329,108.82
4397 6053 Sidewalk Improvement District						
101000 CASH - OPERATING	-105,943.82	0.00	0.00	0.00	0.00	-105,943.82
4480 2157 13TH AVENUE W CMU8992(027)028						
101000 CASH - OPERATING	-300.00	0.00	0.00	0.00	0.00	-300.00
4498 2245 CITY STRIPING IMPROVEMENT PROJECT						
101000 CASH - OPERATING	-238,013.01	0.00	0.00	0.00	14,604.80	-252,617.81
4499 2244 - SHEYENNE ST CIP (SOUTH OF I94)						
101000 CASH - OPERATING	-1,623,091.93	2,000,000.04	0.00	0.00	57,449.50	319,458.61
4501 2246 Traffic Calming Elmwood Ct						
101000 CASH - OPERATING	-339.85	0.00	0.00	0.00	62,446.83	-62,786.68
4579 2234 33rd Ave E to Prairie Heights Drive Str. Impr.						
101000 CASH - OPERATING	-15,190.80	0.00	0.00	0.00	0.00	-15,190.80
4586 2239 32 & 40th Ave West to Diversion						
101000 CASH - OPERATING	1,210,311.51	0.00	0.00	0.00	226,320.60	983,990.91
5000 TREE PLANTING						
101000 CASH - OPERATING	476,108.85	10,094.33	0.00	0.00	5,900.00	480,303.18
6010 HEALTH & SANITATION						
101000 CASH - OPERATING	1,260,798.55	294,593.81	6,752.03	428.20	248,260.16	1,313,456.03
6020 SEWER AND WATER OPERATING						
101000 CASH - OPERATING	7,126,298.44	978,379.04	138.89	3,992.56	1,555,300.37	6,545,523.44
6040 REPL & DEPRECIATION SWOP						
101000 CASH - OPERATING	30,000.00	0.00	0.00	0.00	0.00	30,000.00

Fund/Account	Beginning Balance	Received	Transfers In	Disbursed	Transfers Out	Ending Balance
6050 SEWAGE SURCHARGE						
101000 CASH - OPERATING	300,779.52	140.02	0.00	0.00	0.00	300,919.54
6060 W/S 2012 REF (2005) RESERVE FUND						
101000 CASH - OPERATING	665,660.22	0.00	0.00	0.00	0.00	665,660.22
6070 W/S 2009 RESERVE FUND						
101000 CASH - OPERATING	601,646.26	0.00	0.00	0.00	0.00	601,646.26
7000 LIBRARY						
101000 CASH - OPERATING	1,215,232.39	7,279.30	0.00	0.00	82,149.11	1,140,362.58
7040 AIRPORT AUTH BOND CONSTRUCTION						
101000 CASH - OPERATING	137,107.28	55.96	0.00	0.00	0.00	137,163.24
7050 AIRPORT AUTHORITY						
101000 CASH - OPERATING	242,506.29	1,261.11	0.00	0.00	9,721.41	234,045.99
7501 MARVIN WINDOWS ESCROW SP. ASSMTS						
101000 CASH - OPERATING	170,658.00	0.00	0.00	0.00	0.00	170,658.00
7551 TITAN JOB TRAINING GRANT 5%						
101000 CASH - OPERATING	12,566.65	0.00	0.00	0.00	0.00	12,566.65
7570 ENERGY GRANT						
101000 CASH - OPERATING	15,800.00	0.00	0.00	0.00	0.00	15,800.00
7601 DOWNTOWN BUSINESS ASSOCIATION						
101000 CASH - OPERATING	10,042.01	100.00	0.00	0.00	0.00	10,142.01
7650 WAGE GARNISHMENTS						
101000 CASH - OPERATING	240.81	0.00	0.00	0.00	240.81	0.00
7700 WINSOR GREEN SUBDIVISION						
101000 CASH - OPERATING	15,910.81	0.00	0.00	0.00	0.00	15,910.81
7710 Eagle Run 8th-Gustafson Land Development						
101000 CASH - OPERATING	118,516.89	0.00	0.00	0.00	0.00	118,516.89
7750 BORUD'S SUBDIVISION						
101000 CASH - OPERATING	21,739.37	0.00	0.00	0.00	0.00	21,739.37
7910 PAYROLL FUND						
101000 CASH - OPERATING	249,411.30	0.00	962,257.18	974,106.05	0.00	237,562.43
7930 CLAIMS FUND						
101000 CASH - OPERATING	96,740.93	0.00	15,557,479.06	15,520,687.64	0.00	133,532.35
8600 2003-1 SP ASSMT PARK-40TH AVE						
101000 CASH - OPERATING	32.60	105.16	0.00	0.00	0.00	137.76
8605 2017-1 BROOKS HARBOR ELEMENTARY PARK						
101000 CASH - OPERATING	0.00	669.30	0.00	0.00	120.00	549.30
8610 2014-2 GOLDENWOOD AREA PARK						
101000 CASH - OPERATING	0.00	784.68	0.00	0.00	120.00	664.68
8625 Park Improvement District 2011-1						
101000 CASH - OPERATING	3,492.67	4,174.37	0.00	0.00	0.00	7,667.04
8635 2014 PARK SPECIAL ASSESSMENTS-RIVER'S BEND						
101000 CASH - OPERATING	627.56	0.00	0.00	0.00	0.00	627.56
8700 2007-1 SP ASSMT PARK BURLINGTON						
101000 CASH - OPERATING	2,307.94	0.00	0.00	0.00	0.00	2,307.94
9000 CDBG FUND						
101000 CASH - OPERATING	1,921.91	0.00	0.00	0.00	0.00	1,921.91
Totals	70,941,792.68	6,294,565.30	16,529,188.82	18,534,587.49	16,529,188.82	58,701,770.49

*** Transfers In and Transfers Out columns should match. There are a couple exceptions to this: 1) Canceled Electronic Checks and 2) Payroll Journal Vouchers that include local deductions set up with receipt accounting. Please see cash reconciliation procedure in manual or call for more details.

Consent Agenda Item (b)

11/29/17
16:18:05

CITY OF WEST FARGO, ND
Payroll Check Register for Accounting Period 10/17

Page: 1 of 1
Report ID: W100A

Check #	Payee #/Name	Check Amount	Date Issued	Period Redeemed
75437 *	DEP CARE PRETAX DISCOVERY BENEFITS	1494.65	10/11/17	10/17
75438	MNCHILDSUPPORT MINNESOTA CHILD SUPPORT	201.60	10/11/17	10/17
75627 *	ALERUS FIN/DEF ALERUS FINANCIAL SECURIT	2693.92	10/26/17	_____
75628	COLONIAL POST T COLONIAL INSURANCE - BCN	134.50	10/26/17	_____
75629	DEP CARE PRETAX DISCOVERY BENEFITS	1494.65	10/26/17	_____
75630	EQ DEF COMP AXA EQUITABLE LIFE INSUR	1933.04	10/26/17	_____
75631	FOP DUES RED RIVER VALLEY FOP LOD	550.00	10/26/17	_____
75632	FOP LEGAL FEES ND FRATERNAL ORDER OF PO	1100.00	10/26/17	_____
75633	FTJ DEF COMP TD AMERITRADE TRUST COMP	1261.60	10/26/17	_____
75634	MAIN STAY - IRA MAIN STAY FUNDS	1651.66	10/26/17	_____
75635	MNCHILDSUPPORT MINNESOTA CHILD SUPPORT	201.60	10/26/17	_____
75636	NATIONWIDE NATIONWIDE INVESTMENT AD	1219.50	10/26/17	_____
75637	NY LF DEF COMP NEW YORK LIFE INSURANCE	11631.54	10/26/17	_____
75638	UNION DUES VICKIE PETERS - TEAMSTER	50.00	10/26/17	_____
75639	UNITED WAY UNITED WAY OF CASS CLAY	44.00	10/26/17	_____
75640	VOYA - ING DEF VOYA INSTITUTIONAL TRUST	600.00	10/26/17	_____
75641	PENSION-NDPERS PENSION - NDPERS	91823.06	10/27/17	_____
75642	BCBS PRETAX-DEN BLUE CROSS BLUE SHIELD	114625.25	10/27/17	_____

* denotes missing check number(s)

of Checks: 18

Total: 232710.57

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # 1

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

1. CONTACT PERSON: Larry Weil

2. PHONE NUMBER: 433-5320 DATE: November 30, 2017

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

Highland Meadows 3rd Addition, a Replat and Rezoning from R-1: One & Two Family Dwellings to R-1SM: Mixed One & Two Family Dwellings.

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

Lots 3-46, Block 1 of Highland Meadows 1st Addition (Replat); Lots 1-46, Block 1 and all of Block 2 of Highland Meadows 1st Addition, City of West Fargo, North Dakota (Rezoning).

5. ACTION BEING REQUESTED FROM CITY COMMISSION:

Hold First Reading and Public Hearing on the rezoning at 5:30 pm on Monday, December 4, 2017.

CITY OF WEST FARGO PLANNING & COMMUNITY DEVELOPMENT

STAFF REPORT

A17-41		REPLAT & REZONING
Highland Meadows 3 rd Addition		
Lots 1-46, Block 1 & Rezoning of all of Block 2 of Highland Meadows First Addition, City of West Fargo, North Dakota		
Applicant/Owner: HM Development LLC	Staff Contact: Larry Weil	
Planning & Zoning Commission Introduction:	11-13-2017	
Public Hearing:	11-13-2017 – Approval	
City Commission Introduction:	11-20-2017	
Public Hearing & 1 st Reading:	12-04-2017	
2 nd Reading & Final Plat Approval:		

PURPOSE:

Replat a block within a previously subdivided property intended to be developed with twin-home lots and rezone that block, as well as Block 2 to allow for a mix of twin-home and detached single family lots.

STATEMENTS OF FACT:

Land Use Classification:	Low Density Residential
Existing Land Use:	Vacant
Current Zoning District(s):	R-1: One & Two Family Dwellings
Zoning Overlay District(s):	None
Proposed Zoning District(s):	R-1SM: Mixed One and Two-Family Dwellings
Proposed Lot size(s) or range:	35' wide or greater lots
Total area size:	Not provided
Adjacent Zoning Districts:	North, East, and West – A: Agricultural (Sheyenne Diversion) South – R-1: One and Two Family Dwellings
Adjacent street(s):	21 st Avenue West (Collector); Highland Drive West (local)
Adjacent Bike/Pedestrian Facilities:	Future Path planned along 21 st Ave West
Available Parks/Trail Facilities:	Brooks Harbor Elementary and adjacent park property as well as trail connections to parks within the Brooks Harbor development within ½ mile
Park Dedication Requirements:	Provided with previous subdivision

DISCUSSION AND OBSERVATIONS:

- In July, the City Commission approved Highland Meadows 1st Addition in which the applicant platted a former large rural lot with one home into a Residential Development consisting of 170 lots for a single-family attached (twin home) residential development and 1 lot for a retention pond.
- The applicant has submitted a replat Block 1 of Highland Meadows 1st Addition and a request to rezone this new plat as well as Block 2 along 21st Avenue and Barnes Drive West to the south to R-1SM: Mixed One and Two Family Dwellings.
- The proposed rezoning will require at least 20% of the lots to be between 50-60' in width and no more than 30 percent of the lots to be between the widths of 36-40' in width and no more than two lots side by side between those widths. On the preliminary plat, it appears that in Block One, the

STAFF REPORT

developer will need to reduce the number of lots between the width of 36-40 feet by two lots and rearrange lots so that no more than two of these sized lots are side by side. The other standards for the R-1SM District appear to be adequately met.

- The replat will result in a reduction of density by three lots.

NOTICES:

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

Comments Received:

- None to date

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

- The proposed application is consistent with the City's land use plan which depicts the area developing as low density residential.

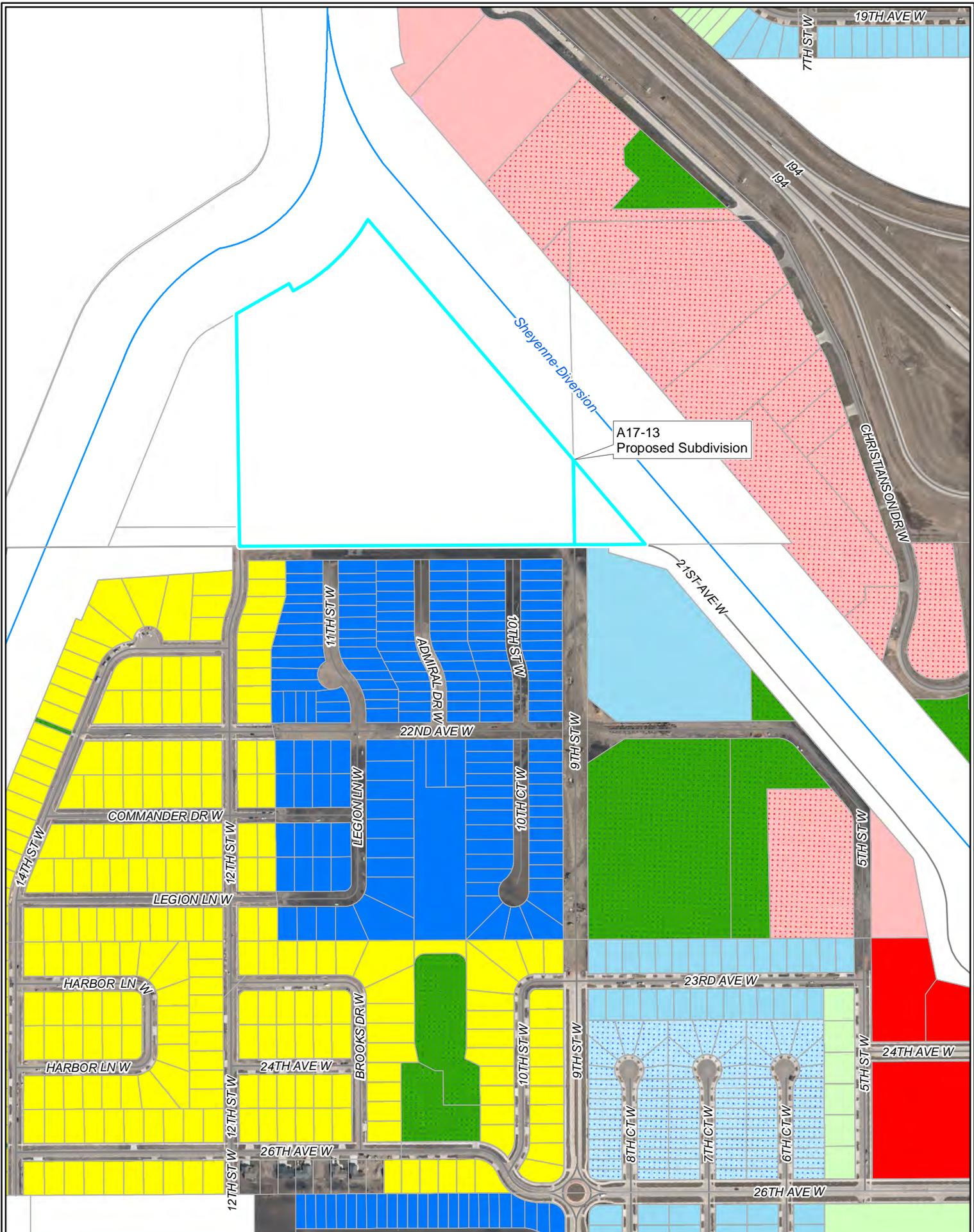
RECOMMENDATIONS:

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. The final plat lot sizes be revised to meet R-1SM district standards.
2. A drainage plan is received and approved by the City Engineer.
3. An Attorney Title Opinion is received and addressed to the City of West Fargo.
4. Signed Final Plat is received with any necessary easements.
5. A certificate is received showing taxes are current.

PLANNING AND ZONING RECOMMENDATION:

At their November 13, 2017 meeting, the Planning and Zoning Commission approved the application based on the five conditions listed above.

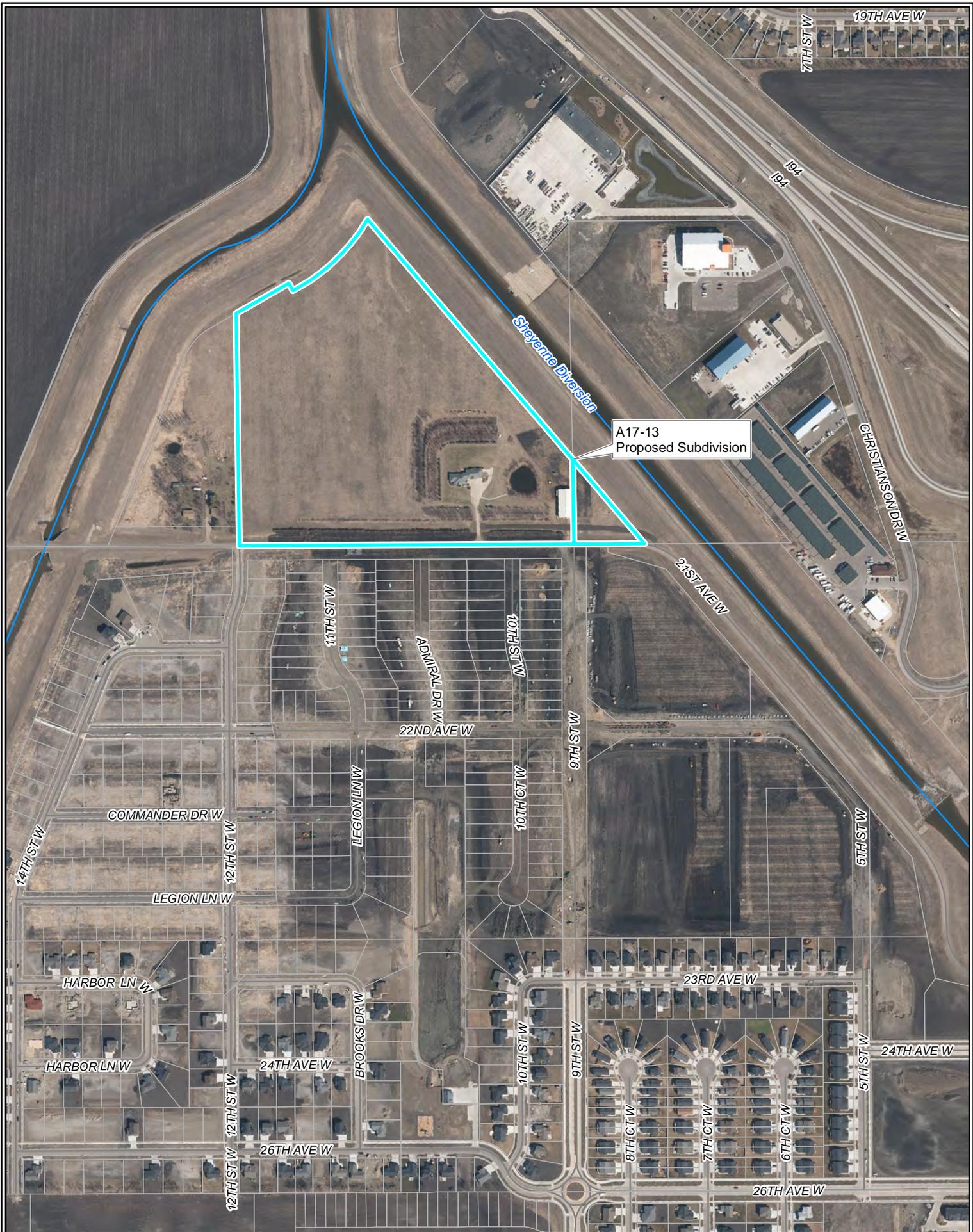


A17-13
Proposed Subdivision

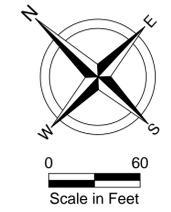
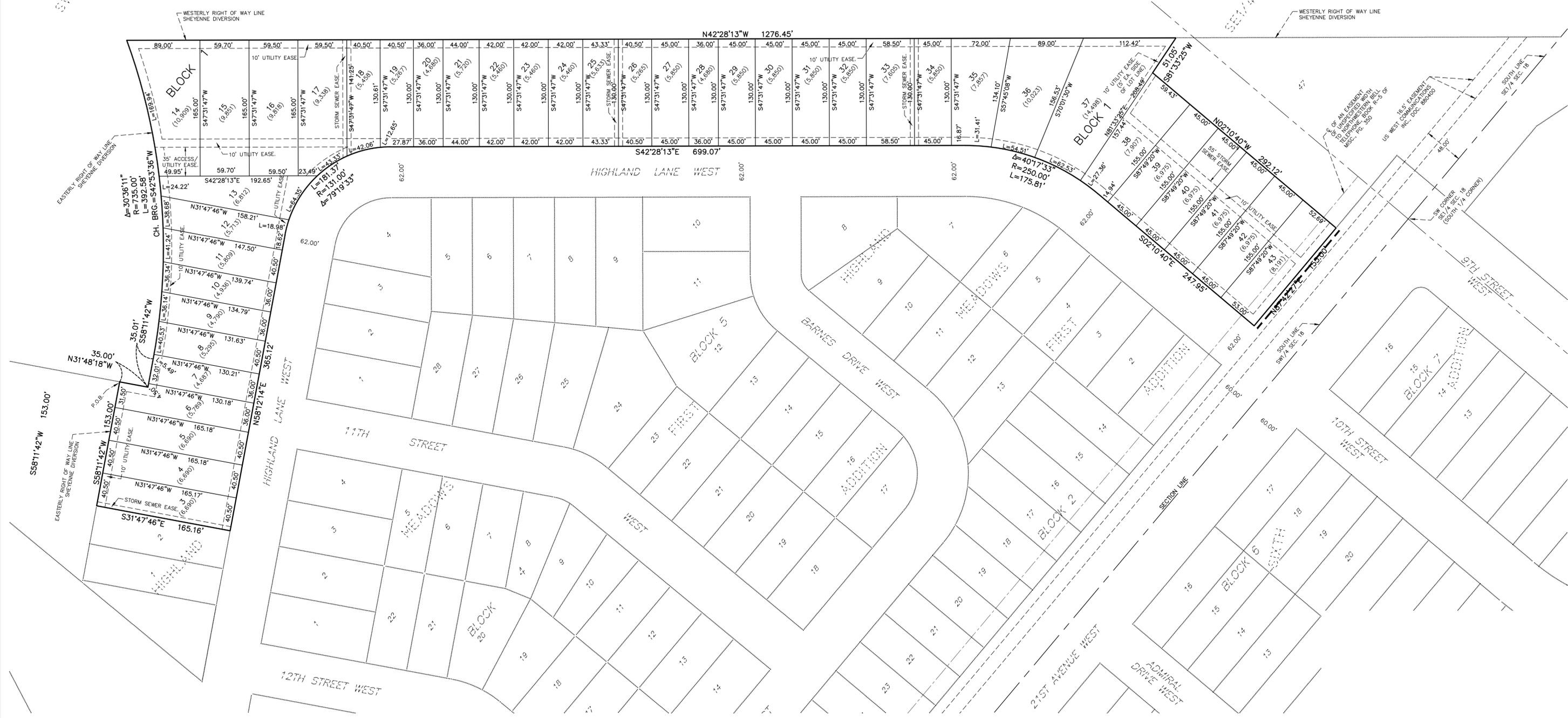


- | | | | | |
|----------------------------------|---------------------------------|---|--|------------------------------------|
| A: Agricultural | HC: Heavy Commercial | P-PUD: PUD in Public | R-1SM: Mixed One and Two Family Dwelling | R-5: Manufactured Home Subdivision |
| C: Light Commercial | LI: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





PLAT OF
HIGHLAND MEADOWS THIRD ADDITION
 TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 3 THRU 46,
 BLOCK 1, HIGHLAND MEADOWS FIRST ADDITION TO THE CITY
 OF WEST FARGO, CASS COUNTY, NORTH DAKOTA



LEGEND

IRON MONUMENT FOUND
 SET 5/8"X18" REBAR WITH
 YELLOW PLASTIC CAP #6571

(5,800)
 LOT AREAS IN SQ. FT.

P.O.C.
 POINT OF COMMENCEMENT

P.O.B.
 POINT OF BEGINNING

L
 ARC LENGTH

R
 RADIUS LENGTH

Δ
 CENTRAL ANGLE

CH. BRG.
 CHORD BEARING

 ACCESS CONTROL

EASEMENT OF RECORD

1. GAS LINE EASEMENT, BK. 1-2 PG. 344

BASIS OF BEARINGS: THE NORTH LINE OF THE SOUTHWEST
 QUARTER OF SECTION 18 HAS AN ASSUMED BEARING OF
 N87°45'06"E.

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

STORM SEWER EASEMENTS ARE 10' WIDE LYING 5' ON
 EACH SIDE OF SIDE PROPERTY LINES AS SHOWN UNLESS
 OTHERWISE NOTED.

**PLAT OF
HIGHLAND MEADOWS THIRD ADDITION
TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 3 THRU 46,
BLOCK 1, HIGHLAND MEADOWS FIRST ADDITION TO THE CITY
OF WEST FARGO, CASS COUNTY, NORTH DAKOTA**

CERTIFICATE

STEVEN W. HOLM, BEING DULY SWORN, DEPOSES AND SAYS THAT HE IS THE REGISTERED LAND SURVEYOR WHO PREPARED AND MADE THE ATTACHED PLAT OF "HIGHLAND MEADOWS THIRD ADDITION" TO THE CITY OF WEST FARGO, A REPLAT OF LOTS 3 THRU 46, BLOCK 1, HIGHLAND MEADOWS FIRST ADDITION TO THE CITY OF WEST FARGO CASS COUNTY, NORTH DAKOTA; THAT SAID PLAT IS A TRUE AND CORRECT REPRESENTATION OF SAID SURVEY; THAT ALL DISTANCES ARE CORRECTLY SHOWN ON SAID PLAT; THAT MONUMENTS HAVE BEEN PLACED IN THE GROUND AS INDICATED FOR THE GUIDANCE OF FUTURE SURVEYS AND THAT THE EXTERIOR BOUNDARY LINES OF SAID ADDITION ARE DESCRIBED AS FOLLOWS, TO WIT:

LOTS 3 THRU 46, BLOCK 1, HIGHLAND MEADOWS FIRST ADDITION TO THE CITY OF WEST FARGO, ACCORDING TO THE RECORDED PLAT THEREOF ON FILE AND OF RECORD IN THE OFFICE OF THE RECORDER, CASS COUNTY, NORTH DAKOTA.

SAID TRACT CONTAINS 6.34 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS, RESTRICTIONS, RESERVATIONS AND RIGHTS OF WAY OF RECORD, IF ANY.

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

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED STEVEN W. HOLM, REGISTERED LAND SURVEYOR, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

DEDICATION

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF "HIGHLAND MEADOWS THIRD ADDITION" TO THE CITY OF WEST FARGO, A PART OF THE SOUTH HALF OF SECTION 18, TOWNSHIP 139 NORTH, RANGE 49 WEST, CASS COUNTY, NORTH DAKOTA; THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT AND CERTIFICATE OF STEVEN W. HOLM, REGISTERED LAND SURVEYOR, AND THAT THE DESCRIPTION AS SHOWN IN THE CERTIFICATE OF THE REGISTERED LAND SURVEYOR IS CORRECT. WE HEREBY DEDICATE ALL STREETS, AVENUES, LANES, DRIVES, ACCESS EASEMENTS, UTILITY EASEMENTS AND STORM SEWER EASEMENTS SHOWN ON SAID PLAT TO THE USE OF THE PUBLIC.

OWNER: HM DEVELOPMENT, LLC

MORTGAGEE: BLACKRIDGEBANK

DONALD A. DABBERT, JR.

MARC KNUTSON, COMMERCIAL LOAN OFFICER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DONALD A. DABBERT, JR., _____ OF HM DEVELOPMENT, LLC, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF HM DEVELOPMENT, LLC.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED MARC KNUTSON, COMMERCIAL LOAN OFFICER OF BLACKRIDGEBANK, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF BLACKRIDGEBANK.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO PLANNING COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2017.

TOM MCDUGALL, CHAIRMAN

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED TOM MCDUGALL, CHAIRMAN OF THE WEST FARGO PLANNING COMMISSION, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME IN THE NAME OF THE WEST FARGO PLANNING COMMISSION.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY COMMISSION APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2017.

RICH MATTERN, PRESIDENT OF
THE WEST FARGO CITY COMMISSION

TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED RICH MATTERN, PRESIDENT OF THE WEST FARGO CITY COMMISSION, AND TINA FISK, CITY AUDITOR, KNOWN TO ME TO BE THE PERSONS DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT THEY EXECUTED THE SAME IN THE NAME OF THE CITY OF WEST FARGO.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

WEST FARGO CITY ATTORNEY APPROVAL

I HEREBY CERTIFY THAT PROPER EVIDENCE OF TITLE HAS BEEN EXAMINED BY ME AND I APPROVE THE PLAT AS TO FORM AND EXECUTION THIS _____ DAY OF _____, 2017.

JOHN T. SHOCKLEY, CITY ATTORNEY

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY, CITY ATTORNEY, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS THE CITY ATTORNEY.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA

CITY ENGINEER'S APPROVAL

THIS PLAT IN THE CITY OF WEST FARGO IS HEREBY APPROVED THIS _____ DAY OF _____, 2017.

DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
COUNTY OF CASS)

ON THIS _____ DAY OF _____, 2017, BEFORE ME, A NOTARY PUBLIC IN AND FOR SAID COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT, CITY ENGINEER, KNOWN TO ME TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED THE FOREGOING INSTRUMENT AND ACKNOWLEDGED TO ME THAT HE EXECUTED THE SAME AS HIS FREE ACT AND DEED.

NOTARY PUBLIC, CASS COUNTY, NORTH DAKOTA



ORDINANCE NO. 1107

AN ORDINANCE TO AMEND THE OFFICIAL ZONING MAP OF THE CITY OF WEST FARGO, NORTH DAKOTA, AS ADOPTED IN SECTION 4-301 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO.

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

SECTION 1. Amendment. The Official Zoning Map of the City of West Fargo, North Dakota, as adopted in Section 4-301 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended as follows:

The district as shown upon the following described area shall be and the same is hereby rezoned from R-1 (One and Two Family Dwellings District) to R-1SM (Mixed One and Two Family Dwellings District):

Lots 1-46, Block 1, and all of Block 2 of Highland Meadows First Addition to the City of West Fargo (also known as part of the proposed plat of Highland Meadows Third Addition).

SECTION 2. Amendment of Zoning Map. The proper City Officials are hereby authorized to amend and change the City Zoning Map to correspond thereto.

SECTION 3. 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:

The City Auditor presented an affidavit showing publication in the official newspaper of the City of the Resolution of Necessity heretofore adopted to the improvement proposed to be made in Street Improvement District No. 2250 as directed by the provisions of said Resolution which affidavit was examined, found to be satisfactory and ordered to be placed on file.

The City Auditor reported that no less than thirty days having expired since the first publication of said Resolution, there were not sufficient property owners liable to be specially assessed for said improvement who filed protests against the making thereof in the office of said City Auditor within the said thirty day period as provided by law.

Commissioner _____ introduced the following Resolution and moved its adoption:

RESOLUTION DETERMINING THAT NOT SUFFICIENT PROTESTS WERE FILED ON
IMPROVEMENT IN STREET IMPROVEMENT DISTRICT NO. 2250

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that said Board of City Commissioners has heretofore by Resolution determined and declared it necessary to construct an improvement in Street Improvement District No. 2250 of the City of West Fargo, consisting of a 6 lane concrete roadway with curb and gutter from Beaton Drive to 32nd Avenue, and a 4 lane concrete roadway with curb and gutter from 32nd Avenue to 40th Avenue, sidewalks, multi-use path, storm sewer, sanitary sewer force main relocation, sewer and water extensions, traffic signals, street lighting, and miscellaneous installations, as well as including the local share of cost related to the NDDOT reconstruction of the interchange at Interstate Highway 94 and Sheyenne Street, including concrete pavement, storm sewer, traffic signals, street lighting, other miscellaneous installations, and all other appurtenances, contrivances and structures used or useful in connection with the above specified improvements and that said Resolution has been duly published as required by law, and that not less than thirty days have expired since the first publication thereof, and the opportunity having been afforded as provided by law for the property owners liable to be specially assessed for said improvement to file protests against the making thereof, and this Board having duly met to consider all protests so filed, and being fully advised in the premises, it is hereby determined that not sufficient protests were filed within the time and manner provided by law against the making of said improvement; therefore, the Board of City Commissioners and this City are authorized to proceed with the construction of the same and to pay the cost thereof by the levy of special assessments.

Dated: December 4, 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 #3

The City Auditor presented an affidavit showing publication in the official newspaper of the City of the Resolution of Necessity heretofore adopted to the improvement proposed to be made in Street Improvement District No. 2244 as directed by the provisions of said Resolution which affidavit was examined, found to be satisfactory and ordered to be placed on file.

The City Auditor reported that no less than thirty days having expired since the first publication of said Resolution, there were no property owners liable to be specially assessed for said improvement who filed protests against the making thereof in the office of said City Auditor within the said thirty day period as provided by law.

Commissioner _____ introduced the following Resolution and moved its adoption:

RESOLUTION DETERMINING THAT NO PROTESTS WERE FILED ON IMPROVEMENT IN STREET IMPROVEMENT DISTRICT NO. 2244

BE IT RESOLVED by the Board of City Commissioners of the City of West Fargo, North Dakota, that said Board of City Commissioners has heretofore by Resolution determined and declared it necessary to construct an improvement in Street Improvement District No. 2244 of the City of West Fargo, consisting of a five lane concrete roadway with curb and gutter, sidewalks, multi-use paths, sanitary sewer, water main, storm sewer, traffic signals, street lighting, miscellaneous installations, and all other appurtenances, contrivances and structures used or useful in connection with the above specified improvements and that said Resolution has been duly published as required by law, and that not less than thirty days have expired since the first publication thereof, and the opportunity having been afforded as provided by law for the property owners liable to be specially assessed for said improvement to file protests against the making thereof, and this Board having duly met to consider all protests so filed, and being fully advised in the premises, it is hereby determined that no protests were filed within the time and manner provided by law against the making of said improvement; therefore, the Board of City Commissioners and this City are authorized to proceed with the construction of the same and to pay the cost thereof by the levy of special assessments.

Dated: December 4, 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 #4

Offices in West Fargo, Hillsboro, Casselton and
Page, North Dakota, and Barnesville, Minnesota

Manfred R. Ohnstad 1914 - 1987
Bradley J. Burgum 1952 - 2010
Daniel R. Twichell 1927 - 2013
Brian D. Neugebauer 1951 - 2014

November 27, 2017

COPY

Lukas D. Andrud*
Katie J. Bertsch*
Calley B. Campbell
Andrew D. Cook*
Lukas W. Croaker*
Susan L. Ellison*
Sean M. Fredricks*
Jacob L. Geiermann*
Alexander B. Gruchala
Stephen R. Hanson II*
Robert G. Hoy*
John A. Juelson
Keven J. Kercher*
Tyler J. Leverington*
Delvin J. Losing*
Marshall W. McCullough*
Christopher M. McShane*
Robert E. Rosenfold*
John T. Shockley*
Sara K. Sorenson*
Michel W. Stefonowicz
Jeffrey R. Strom
David L. Wanner
Sarah M. Wear*

Stephen Luogon
2514 8th Cr. W
West Fargo, ND 58078-5009

RE: Notice of Hearing - African Rainforest License Revocation

Dear Mr. Luogon:

I am the City Attorney for the City of West Fargo. I have enclosed a hearing notice addressed to you and Mercy Karbaker regarding a hearing before the City Commission concerning the revocation of the liquor and beer license of African Rainforest LLP on:

Monday, December 4, 2017 at 6:00 p.m.

The hearing will be held at the City Commission Chambers in West Fargo City Hall, 800 Fourth Avenue East, West Fargo, North Dakota. I will be recommending that your liquor and beer license be revoked for a period of three (3) years for multiple reasons, including but not limited to failure to permit officers of the West Fargo Police Department to inspect your licensed premises as set out in the enclosed police report. If you would like to voluntarily surrender your liquor license, please contact me.

Sincerely yours,

OHNSTAD TWICHELL, P.C.

John T. Shockley

MPS
Encl.

cc: Mercy Karbaker
Tina Fisk ✓
West Fargo Police Department

NOTICE OF HEARING TO REVOKE LICENSE

PLEASE TAKE NOTICE that the City Commission of the City of West Fargo will hold a hearing at 6:00 p.m. on December 4, 2017, at the City Commission Chambers in West Fargo City Hall, 800 Fourth Avenue East, West Fargo, North Dakota, concerning the revocation of Liquor License No. 41 granted by the City June 30, 2017 to African Rainforest LLP for the premises at 405 Main Avenue, Unit 5C in the City of West Fargo. Attached hereto as **Exhibit A** is a copy of the Liquor License. The Managing Partners of African Rainforest LLP are Mercy Karbaker and Stephen Luogon.

Attached hereto as **Exhibit B** is a copy of an Affidavit and Police Report by West Fargo Police Department Sergeant Randy Burkhartsmeier. The basis for consideration of license revocation is African Rainforest LLP's alleged violation of West Fargo City Ordinance 10-0124 ("Inspection of Licensed Premises to Be Allowed"). Specifically, African Rainforest LLP refused to allow West Fargo Police Department access to its licensed premises and thereby obstructed the administration of a lawful public inspection.

African Rainforest LLP may appear before the West Fargo City Commission and offer any testimony or evidence at the hearing to show cause why its licensed should not be revoked.

Tina Fisk
City Auditor

Exhibit A

Liquor and Beer License

(One (1) page)



LICENSE # 41

LIQUOR LICENSE

CITY OF WEST FARGO, STATE OF NORTH DAKOTA

THIS IS TO CERTIFY THAT, AFRICAN RAINFOREST LLP, AFRICAN RAINFOREST is hereby licensed to sell alcohol and alcoholic beverages for retail in the areas indicated in the floor plan at the building located at: 405 Main Ave, Unit 5C. Licensee herein named, in consideration of the issuance of this license, hereby agrees to abide by each provision of Ordinance # 10-01 of the City of West Fargo and the State of North Dakota's Liquor Control Act and to any future amendments that are passed by the governing body of the City of West Fargo and/or the State of North Dakota. The licensee having paid the required license fees and having otherwise qualified as required by Ordinance 10-01 has been granted this license by the Board of City Commissioners of the City of West Fargo, North Dakota, to engage in the following:

**RETAIL ON PREMISES LIQUOR
RETAIL ON PREMISES WINE & BEER
SUNDAY BEER & WINE/LIQUOR ON**

This license is for the period of June 30, 2017 to June 30, 2018, unless revoked, suspended or cancelled. This license is nontransferable without specific authorization from the governing body of West Fargo.

Dated June 30, 2017

Board of City Commissioners
Of the City of West Fargo

A handwritten signature in cursive script, appearing to read 'Tina Fisk'.

Tina Fisk, Auditor

Exhibit B

Affidavit and Police Report

(Eight (8) pages)

BEFORE THE CITY COMMISSION
OF THE CITY OF WEST FARGO, NORTH DAKOTA

In the Matter of the)
License Revocation of) AFFIDAVIT
African Rainforest LLP)

STATE OF NORTH DAKOTA)
)ss.
COUNTY OF CASS)

Randy Burkhartsmeier, being first duly sworn on oath, deposes and states that the following is true and correct to the best of his knowledge:

1. I am a duly-licensed peace officer in the State of North Dakota, Badge Number 069 and am employed by the West Fargo Police Department with the rank of Sergeant.
2. On October 27, 2017, Officer Ben Orr and I were dispatched to investigate a report of a loud party and serving of alcohol to minors at 405 Main Avenue, Unit 5C, West Fargo, North Dakota.
3. On or about November 14, 2017, I prepared a Police Report pertaining to facts I observed on the night of Friday, October 27, 2017 at and around the premises of African Rainforest at 405 Main Ave Unit 5C in West Fargo, North Dakota.
4. The complete Police Report is attached hereto as **Exhibit A**.

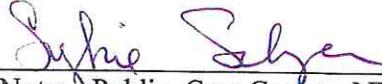
FURTHER AFFIANT SAITH NAUGHT.

November 10, 2017.


Sergeant Randy Burkhartsmeier
West Fargo Police Department

Subscribed and sworn before me this 20 day of November, 2017.

(SEAL)


Notary Public, Cass County, ND

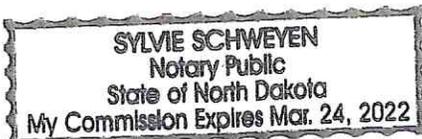


Exhibit "B"

Exhibit 1
Police Report
(Six (6) pages)



West Fargo Police Department

Summary



Print Date/Time: 11/15/2017 06:51
 Login ID: westfargo\larsonm
 Case Number: 2017-00023042

WEST FARGO POLICE DEPARTMENT
 ORI Number: ND0090300

Case

Case Number: 2017-00023042
 Location: 405 MAIN AVE W 5
 WEST FARGO, ND 58078
 Reporting Officer ID: 069 -
 BURKHARTSMEIER

Incident Type: Medical Assist
 Occurred From: 10/27/2017 23:14
 Occurred Thru: 10/27/2017 23:14
 Disposition:
 Disposition Date:
 Reported Date: 10/27/2017 23:14 Friday

Offenses

No.	Group/ORI	Crime Code	Statute	Description	Counts
1	ND0090300	86L	12-0802	LOUD PARTY/UNLAWFUL NOISE	1

Subjects

Type	No.	Name	Address	Phone	Race	Sex	DOB/Age
Mentioned	1	AFRICAN RAINFOREST	405 MAIN AVE W 5 WEST FARGO, ND 58078				
Reporting Officer	1	BURKHARTSMEIER, RANDY LEE	800 4 AVE E 2 WEST FARGO, ND 58078	(701)433-5500			
Victim	1	SOCIETY					

Arrests

Arrest No.	Name	Address	Date/Time	Type	Age
------------	------	---------	-----------	------	-----

Property

Date	Code	Type	Make	Model	Description	Tag No.	Item No.
------	------	------	------	-------	-------------	---------	----------

Vehicles

No.	Role	Vehicle Type	Year Make	Model	Color	License Plate	State
-----	------	--------------	-----------	-------	-------	---------------	-------



West Fargo Police Department Summary



Print Date/Time: 11/15/2017 06:51
Login ID: westfargo\larsonm
Case Number: 2017-00023042

WEST FARGO POLICE DEPARTMENT
ORI Number: ND0090300

Routing:

- City Prosecutor-long form
- City Prosecutor-citation
- WF Investigations
- LaserFiche Documents Exist
- LaserFiche Documents - Not Sent
- LaserFiche Documents - Sent
- College
- State Medical Examiner
- Probation & Parole
- Other Agency *City of West Fargo 11/15/17*
- Coroner
- Rape & Abuse
- Juvenile Court
- Social Services
- States Attorney
- Chief
- File

OfficerID: WESTFARGO\BurkhartsR, Synopsis

On 10/27/2017 at 2314 hours, officers were dispatched to the African Rainforest for an intoxicated female. Officers located an extremely intoxicated minor that ended up going to Sanford Hospital because she couldn't take care of herself. While investigating the call, officers observed a constant flow of foot traffic going into the business. The organizers of the party would not let officers into the building to investigate further. While officers were attempting to locate the female, several residents of the neighborhood complained about the large and constant parties at the business.

SUPP01.W415.11/15/2017

2017-00023042
Supplement 1
Sergeant Randy Burkhartsmeier #415
November 14, 2017

On October 27, 2017, I, SERGEANT RANDY BURKHARTSMEIER, was working a "C" shift for the West Fargo Police Department. At approximately 2314 hours officers were dispatched to the African Rainforest located at 405 Main Avenue West, #5 in West Fargo. The nature of the call was for an over intoxicated female.

When officers arrived on scene we were initially unable to locate the female. Officers drove through the address of the call as well as through the surrounding neighborhoods in attempt to locate the female in question. While attempting to locate the female I was approached by 2 residents of a neighborhood that wanted to make complaints about the loud and constant partying at the African Rainforest. As we were looking for the female I did observe that the parking lot directly east of the business was completely full of vehicles. There were so many vehicles that there were actually vehicles parked on the streets throughout the surrounding neighborhood. There were also several attendees of the party that were walking to the business from these vehicles and they were walking through people's lawns to get to the party. Most of the people that were going to the party appeared to be underage and consuming alcohol. It is not known if any alcohol was being served at the African Rainforest.

After officers looked for the female for approximately a half hour and being unable to locate her, officers did clear the scene. A short time later I was approached by a person at the party who was with the individual that

they had called about earlier outside of the business. Officers then did make contact with the female. The female was 19 years old and was so heavily intoxicated that she could not speak with officers. The people that reported the over intoxicated female stated that they did not know her, they just found her vomiting in the bathroom inside of the African Rainforest. The female was unable to provide any identification of her friends or anybody that would be able to take care of her. FM Ambulance arrived on scene and after speaking with the female for approximately 15 minutes, it was determined that the female would be transported to Sanford due to over intoxication.

OFFICER BEN ORR and I then went to the door of the African Rainforest to attempt to find anybody that this female had come to the party with. As we were standing outside the door officers could hear people inside, including security, yelling "Don't let them in." The door was locked and security was allowing people in as they approached the door. As we were standing outside one of the event organizers did come outside to speak with us and state that he did not know who this female would have come with. As we were on scene investigating this call, officers did observe what appeared to be several hundred people coming and going standing inside of this building. Officers would estimate that there were around 300 people at this party. After not being allowed inside and no way to gain entry, officers did clear the scene.

It should be noted that while we were standing outside the door the music coming from the party was loud enough that we were able to hear the music clearly standing outside the shut door of the business.

Please forward a copy of this report to the City of West Fargo.

Sergeant Randy Burkhartsmeier #415
November 14, 2017
RB/ak

BEFORE THE CITY COMMISSION
OF THE CITY OF WEST FARGO, NORTH DAKOTA

In the Matter of the)	FINDINGS OF FACT,
License Revocation of)SS	CONCLUSIONS OF LAW,
African Rainforest LLP)	AND ORDER

Findings of Fact

1. On April 17, 2017, the City Commission of the City of West Fargo, North Dakota approved a liquor and beer license for African Rainforest LLP, whose physical address is 405 Main Avenue W Unit 5C, West Fargo, North Dakota 58078-5009. The license number is 41. A copy of the license is attached as **Exhibit 1**.

2. Mercy Karbaker and Stephen Luogon are listed as General/Managing Partners of African Rainforest LLP on the entity's filing with the State of North Dakota. Their address is listed as 2514 8th Ct. W West Fargo, North Dakota 58078-5009.

3. On or around November 14, 2017, West Fargo Police Department Sergeant Randy Burkhartsmeier prepared a Police Report pertaining to facts he observed on the night of Friday, October 27, 2017, when he and West Fargo Police Department Officer Ben Orr were dispatched to investigate a call at the African Rainforest's premises on Main Avenue. A copy of the Police Report and Affidavit by Sergeant Burkhartsmeier attesting to the truth and correctness of its contents are attached as **Exhibit 2**. Sergeant Burkhartsmeier and Officer Orr were and continue to be duly-licensed peace officers of the State of North Dakota, employed by the West Fargo Police Department.

4. The material observations of the Police Report are as follows:

a. At approximately 11:14 p.m. on October 27, 2017, Sergeant Burkhartsmeier and Officer Orr were dispatched to the African Rainforest's premises.

b. The nature of the call pertained to reports of an intoxicated female minor. Sergeant Burkhartsmeier observed that most of the party's attendees appeared to be underage and consuming alcohol. After searching for the female minor for approximately thirty (30) minutes, officers located her. Sergeant Burkhartsmeier noted she was so heavily intoxicated she could not speak with police, had reportedly been vomiting in the African Rainforest bathroom, was unable to identify any acquaintances, and was transported vis

FM Ambulance to Sanford Health due to over intoxication. Sergeant Burkhartsmeier was not certain whether African Rainforest had served the female minor alcohol.

c. As officers conducted their search for the female minor through nearby neighborhoods, Sergeant Burkhartsmeier observed an estimated three hundred (300) people in attendance at and around the African Rainforest's premises. During his time on the scene at the African Rainforest's premises, Sergeant Burkhartsmeier observed "what appeared to be several hundred people coming and going" from the premises.

d. Sergeant Burkhartsmeier stated that two (2) residents of the neighborhood made complaints about the "loud and constant partying at the African Rainforest." He noted that the parking lot directly east of the African Rainforest's premises was completely overflowing and that many other patrons had parked their cars in adjacent streets throughout the surrounding neighborhood. He observed several patrons walking through nearby lawns on their way to the African Rainforest's premises. He stated that when standing outside the shut entrance of the African Rainforest, "the music coming from the party was loud enough that we were able to hear the music clearly."

e. While looking for the female minor, Sergeant Burkhartsmeier and Officer Orr approached the entrance to the African Rainforest in an attempt to find acquaintances of the female minor. As he stood outside the door, he heard security personnel and people inside "yelling 'Don't let them in.'" The entrance remained locked except for when security personnel would allow patrons access as they approached. An event organizer came outside to speak with police and stated he did not know any acquaintances of the African Rainforest. Sergeant Burkhartsmeier stated: "After not being allowed inside and no way to gain entry, officers did clear the scene" (emphasis added).

5. The Calculated Occupant Load (i.e., the maximum occupancy) for the African Rainforest under the West Fargo Fire Code is forty-nine (49) people. At this time, the City of West Fargo has filed a Complaint in Municipal Court of the City of West Fargo, North Dakota against African Rainforest LLP for a Fire Code violation on or about July 31, 2017.

6. On November 28, 2017, the City of West Fargo made personal service upon Mercy Karbaker and Stephen Luogon of a Notice of Hearing to Revoke License. The Notice stated that the City Commission was conducting a hearing on December 4, 2017 at 6:00 p.m. at the City Commission Chambers in West Fargo City Hall concerning the revocation of African Rainforest

LLP's license. A copy of the Notice is attached as **Exhibit 3**. Process server Nick Laid made personal service upon Mercy Karbaker and Stephen Luogon, as stated in an Affidavit of Process Server, a copy of which is attached as **Exhibit 4**.

7. As process server Nick Laid stated in the Affidavit of Vacancy attached as **Exhibit 5**, Mercy Karbaker and Stephen Luogon could not be found at the address provided on the filing information kept by the North Dakota Secretary of State for the business filing of African Rainforest LLP. Nick Laid stated in the Affidavit that the residence was vacant. A copy of the business filing of African Rainforest LLP with the North Dakota Secretary of State is attached as **Exhibit 6**.

8. The City Commission conducted a hearing on December 4, 2017 regarding this matter. The City Commission received copies of all attachments referenced above. [The City Commission also received testimony from _____, _____, and _____.]

Conclusions of Law

1. Chapter 10 of the West Fargo City Ordinances governs "Business Regulations," including licensing for the sale of alcoholic beverages. City Ordinances, City of West Fargo, N.D. § 10-01 et seq. ("Ordinances").

2. Under Section 10-0124, all licensed businesses must allow police to inspect the licensed property at any time:

10-0124. INSPECTION OF LICENSED PREMISES TO BE ALLOWED. The licensee accepts the license privileged upon the condition, which need not elsewhere be expressed, that the Board of City Commissioners, the City Auditor, the Fire Department Chief, the Chief of Police, any officer of the Health Department or authorized representatives of any of the aforementioned departments may, at any time, enter upon the premises licensed for the purpose of police inspection, or to determine whether the premises are being conducted in compliance with the ordinances of the City.

Ordinances § 10-0124. In this case, as described by Sergeant Burkhartsmeier, security personnel and other agents of African Rainforest did not allow police officers entry to the African Rainforest premises on October 27, 2017. [Here: add any facts arising out of testimony.] The refusal of entry of police officers by African Rainforest LLP and its agents violates section 10-0124 because Sergeant Burkhartsmeier and Officer Orr were representatives of the Chief of Police and sought to enter the premises for the purpose of lawful police inspection. The City Commission views this as a serious violation given that officers were investigating reports involving an underage patron

of the African Rainforest who was so intoxicated that she was reportedly vomiting in the bathroom of the African Rainforest, could not effectively communicate with officers, and needed medical care in a hospital. Additionally, the City Commission views this as a serious violation given the present allegations of a Fire Code occupancy violation from a previous occasion along with Sergeant Burkhartsmeier's observations that approximately three hundred (300) people were in attendance despite the maximum occupancy of the premises being forty-nine (49) people. Therefore, the City Commission holds that African Rainforest LLP's denial of entry constitutes a serious violation of the condition imposed by section 10-0124.

3. The City Commission's conclusions under Paragraph 2 of this section are wholly sufficient to establish grounds for the revocation of African Rainforest LLP's liquor license. Nevertheless, the City Commission offers the following as additional grounds for the revocation of African Rainforest LLP's liquor license.

4. Under Section 10-0104, individual applicants for a liquor license in the City of West Fargo must provide an accurate address to the City Commission when applying for a license. See also N.D.C.C. § 5-02-01 to 02. According to the Affidavit of Vacancy, Mercy Karbaker and Stephen Luogon do not reside at the address listed as their residence on the North Dakota Secretary of State's filing information, 2514 8th Court West, West Fargo, North Dakota 58078-5009, as that address is vacant. Rather, according to process server Nick Laid, they reside at 1208 Westport Beach Way Unit B, West Fargo, North Dakota 58078. The City Commission considers this a serious breach of their duties as applicants to a liquor license. Therefore, the City Commission revokes the liquor license of African Rainforest LLP.

5. Under Section 10-0113, the City Commission may suspend or revoke a license "for any other reason [not previously enumerated in the section] deemed by the Commission to be sufficient in order to promote the public health, safety,[and] morals . . . of the people of the City of West Fargo." Ordinances § 10-0113(3). In this case, despite having security personnel posted at the entrance, African Rainforest LLP allowed what appeared to at least one police officer to be minors to enter their premises, including at least one overly-intoxicated female minor who required medical attention as a result of her alcohol consumption. African Rainforest LLP also allowed what appeared to at least one police officer to be approximately three hundred (300) people in or around the premises, despite having a maximum occupancy of forty-nine (49) under the Fire Code. This is exacerbated by the fact that the City of West Fargo has recently lodged a complaint against

African Rainforest LLP for separate maximum occupancy violations of the Fire Code. Among other things, these raise grave concerns about the safety of the people of the City of West Fargo, especially concerning the safety of minors from the hazards of underage alcohol consumption and the safety of African Rainforest patrons from fire hazards. The City Commission considers these grounds sufficient to justify the revocation of the license of African Rainforest LLP. See also N.D.C.C. § 05-02-06. Therefore, the City Commission revokes the liquor license of African Rainforest LLP.

6. Additionally, Section 10-0113 provides further authority to the City Commission to suspend or revoke a license “for any other reason [not previously enumerated in the section] deemed by the Commission to be sufficient in order to promote the . . . general welfare of the people of the City of West Fargo.” Ordinances § 10-0113(3). Sergeant Burkhartsmeier explained how multiple residents with homes near the premises of African Rainforest complained about the “loud and constant partying at the African Rainforest.” He observed a party of approximately three hundred (300) people, with hundreds of people coming to and from the premises during his time on the scene. He further explained that African Rainforest patrons had parked around the nearby neighborhood and had walked over private lawns to get to the African Rainforest premises. He also noted that the music was so loud he could clearly hear it through the closed door of the premises. Sergeant Burkhartsmeier’s depiction of these events matches the accounts the City of West Fargo has received through other individuals who have voiced similar concerns about the African Rainforest. Along with the facts elaborated upon in Paragraphs 2 and 4 of this Order, these facts raise serious concerns about the general welfare of the people of the City of West Fargo, especially the nearby residents of African Rainforest. The City Commission considers these grounds sufficient to justify the revocation of the license of African Rainforest LLP. Therefore, the City Commission revokes the liquor license of African Rainforest LLP.

Order

1. Liquor and Beer License No. 41 of African Rainforest LLP is hereby REVOKED, and the applicants shall not apply for another license with the City of West for a period of THREE (3) YEARS from the date of this Order.

THIS ORDER SHALL BECOME FINAL AND UNAPPEALABLE THIRTY (30) DAYS FROM THE DATE OF THIS ORDER PURSUANT TO N.D.C.C. § 28-34-01.

Dated this 4th Day of December, 2017.

Rich Mattern
President of the City Commission

ATTEST:

Tina Fisk, City Auditor

Commission Members voting in favor:

Commission Members voting in opposition:

Exhibit 1

Liquor License

(one (1) page)

Exhibit 2

Police Report and Affidavit by Sergeant Randy Burkhartsmeier

(eight (8) pages)

Exhibit 3

Notice of Hearing to Revoke License

(one (1) page)

NOTICE OF HEARING TO REVOKE LICENSE

PLEASE TAKE NOTICE that the City Commission of the City of West Fargo will hold a hearing at 6:00 p.m. on December 4, 2017, at the City Commission Chambers in West Fargo City Hall, 800 Fourth Avenue East, West Fargo, North Dakota, concerning the revocation of Liquor License No. 41 granted by the City June 30, 2017 to African Rainforest LLP for the premises at 405 Main Avenue, Unit 5C in the City of West Fargo. Attached hereto as **Exhibit A** is a copy of the Liquor License. The Managing Partners of African Rainforest LLP are Mercy Karbaker and Stephen Luogon.

Attached hereto as **Exhibit B** is a copy of an Affidavit and Police Report by West Fargo Police Department Sergeant Randy Burkhartsmeier. The basis for consideration of license revocation is African Rainforest LLP's alleged violation of West Fargo City Ordinance 10-0124 ("Inspection of Licensed Premises to Be Allowed"). Specifically, African Rainforest LLP refused to allow West Fargo Police Department access to its licensed premises and thereby obstructed the administration of a lawful public inspection.

African Rainforest LLP may appear before the West Fargo City Commission and offer any testimony or evidence at the hearing to show cause why its license should not be revoked.

Tina Fisk
City Auditor

Exhibit 4

Affidavit of Process Server

(two (2) pages)

Exhibit 5

Affidavit of Vacancy

(one (1) page)

Exhibit 6

North Dakota Secretary of State Business Filing Information (as of November 30, 2017)

(one (1) page)

AFFIDAVIT OF PROCESS SERVER

In the Matter of the
License Revocation of
African Rainforest LLP

Case No.

I, Nick Laid, being first duly sworn, depose and say: That I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was affected I was authorized by law to perform said service.

Service: I served Stephen Luogon with (list documents):

1. Correspondence Dated November 27, 2017; and
2. Notice of Hearing to Revoke License with Attached Exhibits.

By personally delivering true and correct copies to Stephen Luogon at 1208 Westport Beach Way Unit B, West Fargo, ND 58078 on November 28th, 2017 at 8:42 am.



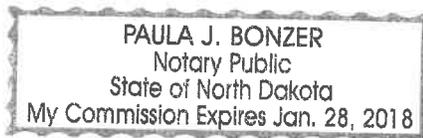
Signature of Process Server

Subscribed and Sworn to me this 28th day of November, 2017



Signature of Notary Public

Notary Public for the State of North Dakota, County of Cass



AFFIDAVIT OF PROCESS SERVER

In the Matter of the
License Revocation of
African Rainforest LLP

Case No.

I, Nick Laid, being first duly sworn, depose and say: That I am over the age of 18 years and not a party to this action, and that within the boundaries of the state where service was affected I was authorized by law to perform said service.

Service: I served Mercy Karbaker with (list documents):

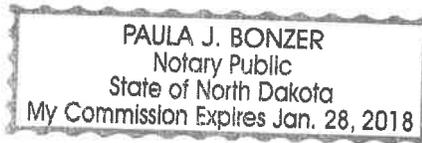
- 1. Correspondence Dated November 27, 2017; and
- 2. Notice of Hearing to Revoke License with Attached Exhibits.

By personally delivering true and correct copies to Mercy Karbaker at 1208 Westport Beach Way Unit B, West Fargo, ND 58078 on November 28th, 2017 at 8:42 am.

Signature of Process Server

Subscribed and Sworn to me this 28th day of November, 2017

Signature of Notary Public



Notary Public for the State of North Dakota, County of Cass

AFFIDAVIT OF VACANCY

In the Matter of the
License Revocation of
African Rainforest LLP

I, Nick Laid, being duly sworn on oath say that after due diligence in attempt to locate Stephen Luogon and Mercy Karbaker as General Managers of African Rainforest LLP at the Address of 2514 8th Court West, West Fargo, ND 58078 as listed on the North Dakota Secretary of State web site. I was unable to find Stephen Luogon and Mercy Karbaker and determined on November 29th 2017 that the address stated above is vacant.



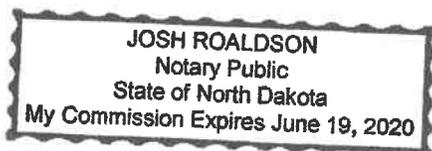
Signature of Process Server

Subscribed and Sworn to me this 29th day of November, 2017



Signature of Notary Public

Notary Public for the State of North Dakota, County of CASS



[Home](#) | [Business Records Search](#)

AFRICAN RAINFOREST LLP

Partnership Details

System ID: 42408200 **Phone:** (701) 799-2458
Type: LLP
Status: Active & Good Standing
Original File Date: 02/15/2017 **Effective Date:** 02/15/2017
State of Origin: North Dakota

Principal Office

405 MAIN AVE W UNIT 5C
WEST FARGO, ND 58078-1662

Registered Agent

STEPHEN LUOGON
2514 8TH CT W
WEST FARGO, ND 58078-5009
Established Date: Feb 15, 2017

Nature of Business

BANQUET HALL

General/Managing Partners

MERCY KARBAKER
2514 8TH CT W
WEST FARGO, ND 58078-5009

STEPHEN LUOGON
2514 8TH CT W
WEST FARGO, ND 58078-5009

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Regular Agenda Item #5

ORDINANCE NO. 1106

AN ORDINANCE TO AMEND AND REENACT SECTION 13-0305 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO RELATING TO SURRENDER OF DRIVER'S LICENSE.

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

SECTION 1. Section 13-0305 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

13-0305. DRIVER'S LICENSE.

1. Every licensee shall have the licensee's operator's license or permit in the licensee's immediate possession at all times when operating a motor vehicle and shall display physically surrender the same, upon demand of any district court, municipal court, a patrolman, peace officer or a field deputy or inspector of the State Highway Department. However, no person charged with violating this section may be convicted or assessed any court costs if the person produces in court, to the chief of police or in the office of the arresting officer an operator's license or permit theretofore issued to that person and valid and not under suspension, revocation or cancellation at the time of the person's arrest.
2. No person shall operate a motor vehicle in any manner in violation of the restrictions imposed upon a license or permit issued to him.

SECTION 2. 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:



Regular Agenda Item #6

December 21, 2016

William A. Christian, Executive Director
Fargo-Moorhead Metropolitan Council of Governments
Case Plaza, Suite 232
One 2nd Street North
Fargo, ND 58102-4807

Dear Mr. Christian,

At their City Commission Meeting on December 19, 2016, the West Fargo City Commission reappointed Commissioner Mark Simmons and Commissioner Mark Wentz to the Fargo-Moorhead Metropolitan Council of Governments Policy Board, for the year 2017; and also Planning and Community Development Director Larry Weil and Public Works Director Chris Brungardt, as alternates.

If you have any questions, please feel free to contact me via email carolyn.fiechtner@westfargond.gov or by phone (701) 433-5317.

Warm Regards,

Carolyn Fiechtner
Administrative Assistant
West Fargo City Commission