

Meeting Items

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approve Order of Agenda
- E. Approval of Minutes -- May 20, 2024
- F. Building Permits

Consent Agenda - Approve the Following:

- a. Bills
- b. Improvement District No. 1345 – Sandhill’s 6th Addition
 - Adopt Resolution Approving Contract and Contractors Bond and Authorize Notice to Proceed
- c. Approval of updated Joint Powers Agreement with Cass County regarding assignment of addresses within the City’s extraterritorial jurisdiction
- d. Games of Chance for ND Dem-NPL District 16
- e. Gaming Site Authorization for Boys & Girls Club of the Red River Valley
- f. Gaming Site Authorization for Metro Sports Foundation at Brewtus Brickhouse
- g. Gaming Site Authorizations for West Fargo Baseball at The Local 701, Barcode and Boston's
- h. Purchasing Policy
 - Approve the positions noted as designees to the City Administrator

Regular Agenda

- 1. Public Comment

Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period. Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend. [City Commission Meeting Public Comment | West Fargo, ND \(westfargond.gov\)](https://www.westfargond.gov/city-commission-meeting-public-comment)
- 2. 24-11 North Pond at the Preserve 14th Addition (previously advertised as North Pond at the Preserve 18th Addition) -- Aaron Nelson, Planning Director
 - Approval of Conditional Use Permit for automobile sales within the “C” Light Commercial zoning district
- 3. West Fargo-Essentia Health EMT -- Dan Fuller, Fire Chief
 - Approve the Agreement with EMT Services
- 4. Approve the purchase of a new utility billing software -- Matt Andvik, Public Works Director
- 5. 40th Avenue Improvements Update -- Dan Hanson, City Engineer
- 6. Second Reading of Electric Franchise Fee for Cass County Electric Cooperative -- John Shockley, City Attorney

7. Second Reading of Electric Franchise Fee for Xcel Energy
-- John Shockley, City Attorney
8. ~~Salary Survey Results~~ ***This item has been moved to a future meeting.***
~~-- Sarah Gasevic, Human Resources Manager & Dustin Scott, City Administrator~~
9. City Administrator's Report -- Dustin Scott, City Administrator
10. Correspondence
11. Non-Agenda Items
12. Adjourn



Meeting Items

A. Call to Order

The West Fargo City Commission meeting was held in the City of West Fargo Commission Chambers on Monday, May 20, 2024.

B. Pledge of Allegiance

The Pledge of Allegiance was recited.

C. Promotional ceremony for Sgt. James Ellefson and the swearing in ceremony for Officer Hunter Hicks, Officer Chesney Braun and Officer Bailey Tulus

D. Roll Call

Commissioner Mandy George – present; Commissioner Mark Simmons – present; Commissioner Bernie Dardis – present; Commissioner Brad Olson – present; Commissioner Roben Anderson – present; All Commissioners were present, there was no Commissioner absent from the meeting.

E. Approve Order of Agenda

Commissioner Olson moved and Commissioner Anderson seconded to approve the order of agenda. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

F. Approval of Minutes -- May 6, 2024

Commissioner Simmons moved and Commissioner George seconded to approve the minutes of May 6, 2024. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

G. Building Permits

Commissioner George moved and Commissioner Anderson seconded to approve the building permit report as presented. Commissioners George, Simmons, Dardis, Olson and Anderson, voted aye. No Commissioners present voted nay, the motion was declared carried.



Consent Agenda - Approve the Following:

- a. Bills**
- b. A24-9 Charleswood River Estates 12th Addition, Approval of Final Plat**
- c. Approve 2024 Vector Control Contract**
- d. Gaming Site Authorization for Horace Lions at Unhynged**

Commissioner Olson moved and Commissioner Simmons seconded to approve the consent agenda. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

Regular Agenda

1. Public Comment

Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend. City Commission Meeting Public Comment | West Fargo, ND (westfargond.gov)

There were three residents from West Fargo that spoke during this time.

2. A24-7 Zoning Ordinance Amendment to Title IV regarding Nonconformities

- Approval of Second Reading of Ordinance -- Aaron Nelson, Planning Director**

Commissioner Olson moved and Commissioner Simmons seconded to approve the A24-7 Zoning Ordinance Amendment to Title IV regarding Nonconformities; approval of Second Reading of Ordinance. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

3. Approve Purchase of an Air Burner -- Matt Andvik, Public Works Director

Commissioner George moved and Commissioner Anderson seconded to approve purchase of Air Burner. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

4. Project No. 6061 – 2024 ADA Ramp Reconstruction -- Dan Hanson, City Engineer

- Reject All Bids Received**

Commissioner Simmons moved and Commissioner Olson seconded to approve Project No. 6061 – 2024 ADA Ramp Reconstruction; Reject All Bids Received. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.



5. First Reading of Electric Franchise Fee for Cass County Electric Cooperative

-- John Shockley, City Attorney

Commissioner Simmons moved and Commissioner George seconded to approve First Reading of Electric Franchise Fee for Cass County Electric Cooperative. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

6. First Reading of Electric Franchise Fee for Xcel Energy

-- John Shockley, City Attorney

Commissioner George moved and Commissioner Simmons seconded to approve First Reading of Electric Franchise Fee for Xcel Energy. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion was declared carried.

7. City Administrator's Report -- Dustin Scott, City Administrator

There was no report.

8. Correspondence

The correspondence was included in the packet.

9. Non-Agenda Items

Bernie Dardis, Commission President:

Thursday, May 23 at POW/MIA unveiling of statues

Additional information coming forward for RRRDC

10. Adjourn

Commissioner Simmons moved and Commissioner Olson seconded to adjourn. Commissioners George, Simmons, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the meeting was adjourned at 6:24 pm.

Bernie Dardis, Commission President

Dustin T. Scott, City Administrator

WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT MONTHLY COMPARISON REPORT
06/03/24

	MAY 2023			May 2024		
	# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
<u>BUILDING NEW</u>						
COMMERCIAL	1		\$ 1,450,000.00	3		\$ 1,380,000.00
RESIDENTIAL DWELLING	57	57	\$ 16,949,055.00	58	58	\$ 24,792,150.00
RESIDENTIAL TWINHOME						
RESIDENTIAL TOWNHOME						
RESIDENTIAL MULTIPLE						
PUBLIC				1		\$ 2,503,019.00
CHURCH						
ACCESSORY	42		\$ 722,099.00	50		\$ 1,550,010.00
FOUNDATION ONLY	1		\$ 2,000.00	1		\$ 350,000.00
<u>BUILDING REMODEL</u>						
COMMERCIAL	12		\$ 3,873,000.00	28		\$ 12,906,775.00
RESIDENTIAL	38		\$ 931,289.00	64		\$ 1,914,350.00
PUBLIC	6		\$ 3,450,452.00	1		\$ 1,151,500.00
CHURCH						
ACCESSORY						
<u>BUILDING OTHER</u>						
DEMOLITION	2		\$ 60,000.00	4		\$ 377,284.00
MOVE				1		\$ 20,000.00
PERMIT CANCELLATION				1		\$ (8,345.00)
TOTALS	159	57	\$ 27,437,895.00	210	58	\$ 46,936,743.00

**WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT ACTIVITY REPORT
06/03/24**

	AS OF 5/31/2024			YEAR TO DATE		
	# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
<u>BUILDING NEW</u>						
COMMERCIAL				3		\$ 1,380,000.00
RESIDENTIAL DWELLING	3	3	\$ 1,379,106.00	58	58	\$ 24,792,150.00
RESIDENTIAL TWINHOME						
RESIDENTIAL TOWNHOME						
RESIDENTIAL MULTIPLE						
PUBLIC				1		\$ 2,503,019.00
CHURCH						
ACCESSORY	8		\$ 96,780.00	50		\$ 1,550,010.00
FOUNDATION ONLY				1		\$ 350,000.00
<u>BUILDING REMODEL</u>						
COMMERCIAL	3		\$ 1,784,247.00	28		\$ 12,906,775.00
RESIDENTIAL	6		\$ 181,323.00	64		\$ 1,914,350.00
PUBLIC				1		\$ 1,151,500.00
CHURCH						
ACCESSORY						
<u>BUILDING OTHER</u>						
DEMOLITION	1		\$ 264,000.00	4		\$ 377,284.00
MOVE				1		\$ 20,000.00
PERMIT CANCELLATION				1		\$ (8,345.00)
TOTALS	21	3	\$ 3,705,456.00	210	58	\$ 46,936,743.00

WEST FARGO CITY COMMISSION MEETING
Building Department Report - Summary

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NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
240408	Border Construction, LLC	250 BEATON DR E	CLARK EQUIPMENT CO	\$ 41,000.00	Remodel - Commercial - Add Conference Room
240339	CARLA MOSSER	1207 27 AVE W	CARLA MOSSER	\$ 800.00	Accessory - Swimming Pool
240366	Eid-Co. Buildings, Inc.	408 WESTVIEW LN E	JASON R EID SUCCESSOR TRUSTE	\$ 397,000.00	Residential Dwelling
240412	S.O. Northwest Excavating, LLC	1281 MAIN AVE W	VETTER & WALD, LLLP	\$ 264,000.00	Demolish - All Buildings at Commerical Location
240429	Brookstone Companies, LLC	1131 60 AVE W	HS INVESTMENTS, LLC	\$ 2,000.00	Accessory - Deck
240430	Brookstone Companies, LLC	1125 60 AVE W	HS INVESTMENTS, LLC	\$ 2,000.00	Accessory - Deck
240442	Ellingson Renovations	2840 12 ST W	TOBY & SARA SANDYS	\$ 5,300.00	Remodel - Residential - New Patio Stairs
240354	Johnson Laffen Galloway Architects, LTD.	1350 13 AVE E	FIRST INTERNATIONAL BANK & TR	\$ 1,243,247.00	Remodel - Commercial - Interior Remodel
240444	FM Home & Patio, Inc.	921 31 AVE W	CONNER J BOWEN	\$ 12,398.00	Accessory - Deck
240450	Premium Decks, Inc.	3139 5 ST E	MARCIA MOBERG	\$ 25,000.00	Accessory - Deck
240454	JLXterior LLC	620 SOMMERSET LN	KENNETH & JULIE FAIRCLOTH	\$ 35,000.00	Remodel - Residential - Replace Siding
240458	STEPHANIE L & SAMUEL M HOEKS	1906 4 AVE E	STEPHANIE L & SAMUEL M HOEKS	\$ 20,000.00	Remodel - Residential - Replace Siding
240461	Premium Decks, Inc.	1308 27 AVE W	DHURIM R & ANTIGONA MANI	\$ 10,000.00	Accessory - Deck
240462	Groundworks Minnesota, LLC	2024 4 AVE E	JOHNPETER O AMAH 49% ETAL	\$ 17,337.00	Remodel - Residential - Repair Foundation
240219	Seamless Pro LLC	6017 MARTIN LN W	TRAVIS A WETTCLAUFER, ETAL	\$ 18,118.00	Accessory - Deck
240341	Seamless Pro LLC	5803 ELLIS DR W	DYLAN J MCCOLLUM, ETAL	\$ 26,464.00	Accessory - Deck
240392	Seamless Pro LLC	1026 BROOKWOOD LN	BRIAN & STEPHANIE BLATCHFORD	\$ 28,686.00	Remodel - Residential - Replace Siding
240394	Morton Buildings, Inc.	1812 MAIN AVE W	FARMERS UNION OIL OF MOORHE	\$ 500,000.00	Remodel - Commercial - Building Addition
240414	Cornerstone Custom Homes, Inc	1034 HICKORY LN	WESTPORT INVESTMENTS LLC	\$ 525,000.00	Residential Dwelling
240436	SSC Construction, Inc.	315 19 AVE W	AUSTIN L & CASSANDRA S BERDAL	\$ 75,000.00	Remodel - Residential - Repair Wall/Truss

WEST FARGO CITY COMMISSION MEETING
Building Department Report - Summary

NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
240446	Heritage Homes, LLC	5112 MIRA WAY W	ACTIVE55, LLC	\$ 457,106.00	Residential Dwelling

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CITY OF WEST FARGO, ND
Claim Details by Posted Date
For Claims from 05/17/24 to 06/03/24

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* ... Over spent expenditure

Claim/ Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
118333		2646 4IMPRINT INC	275.29						
1	12556019	05/20/24 MAGNETIC BOOKMARKS	275.29			7000 411600	689		101000
		Total for Vendor:	275.29						
118129	112389S	289 ACME TOOLS	9,369.00						
1	12781258	05/15/24 #5431 2024 69" FLAIL MOWER	9,369.00			1000 430001	870		101000
118175	112389S	289 ACME TOOLS	56.08						
1	12780247	05/15/24 GREASE COUPLER	56.08			4387 480000	500		101000
118257		289 ACME TOOLS	755.47						
1	12797183	05/20/24 TRIMMER	344.05			1000 430001	641		101000
2	12816124	05/23/24 7101 TOOLS	323.23			6025 450000	610		101000
3	12805316	05/21/24 7101 TOOLS - RETURN	-119.64			6025 450000	610		101000
4	12805250	05/21/24 7101 TOOLS, ADJUSTMENT	16.63			6025 450000	610		101000
5	12805259	05/21/24 7101 TOOLS	191.20			6025 450000	610		101000
118292		289 ACME TOOLS	74.55						
1	12816111	05/23/24 TOOLS	74.55			6025 450000	825		101000
118328		289 ACME TOOLS	151.99						
1	12840699	05/30/24 SCREWDRIVER/IMPACT SET	151.99			1000 455000	432		101000
118386		289 ACME TOOLS	249.00						
1	12816084	05/23/24 BRUSHLESS CORDLESS FOLDING S	249.00			1000 430001	641		101000
		Total for Vendor:	10,656.09						
118318		5389 ADRIANA GONZALEZ	225.00						
1	05/23/24	meal reimb	225.00			1000 421000	340		101000
		Total for Vendor:	225.00						
118289		779 AGASSIZ SEED COMPANY	468.00						
1	080261	05/20/24 LAWN SEED/FERTILIZER	468.00			6020 450000	438		101000
		Total for Vendor:	468.00						

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Claim/ Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
118387		4103 ALTERATIONS BY L	204.00						
		8 Class A jackets-take cold cord off sleeves							
		2 Class A Jackets-sew gold cord on sleever							
TW									
1	8773	05/28/24 remove gold cord off Class A's	204.00			2060	415200	422	101000
		Total for Vendor:	204.00						
118061	112583S	3490 AMAZON CAPITAL SERVICES	27.98						
1	05/11/24	CAMELOT REPAIR	27.98			1000	455000	322	101000
		1RMQKL7MQTVW							
118134	112395S	3490 AMAZON CAPITAL SERVICES	273.58						
1	05/01/24	CUT RESISTANT GLOVES	273.58			6020	450000	639	101000
		16QQKJ39MJFM							
118159	112395S	3490 AMAZON CAPITAL SERVICES	30.50						
1	19DHFJC9HN	05/14/24 labels	30.50			1000	421000	410	101000
118207	112395S	3490 AMAZON CAPITAL SERVICES	9.99						
1	05/11/24	WEX FIT-UP	9.99			2970	480000	653	101000
		1T9P4H9QR19J							
118215	112395S	3490 AMAZON CAPITAL SERVICES	1,207.94						
1	NJP33KHQ	05/07/24 St. 75 Fire Pole Mat	355.46			2060	415200	500	101000
2	NJP33KHQ	05/07/24 D Sapp key rings	9.38			2060	415200	500	101000
3	NJP33KHQ	05/07/24 40 Fire Blankets-(Donation)	209.98			2060	415200	490	101000
4	LQ7CH443	05/09/24 FD EOC Charging Cables	63.58			2060	415200	497	101000
5	JJWJWNLN	05/16/24 Fire academy frames	57.42			2060	415200	500	101000
6	7fhfwglf	05/16/24 EM Side Table	126.89			2060	415200	641	101000
7	jpcnny4d	05/11/24 EM Side Table (will return)	169.50			2060	415200	641	101000
8	jpcnny4d	05/11/24 Books for Chief	193.23			2060	415200	340	101000
9	NJP33KHQ	05/07/24 EM Wall mount/laptop	22.50			2060	415200	500	101000

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118242		3490 AMAZON CAPITAL SERVICES	17.55						
1	05/21/24	Supplies for Court	17.55			1000 412000	410		101000
		1F9M1J9R3HVV							
118258		3490 AMAZON CAPITAL SERVICES	123.72						
1	05/19/24	D BIRNBAUM - JEANS	69.98			1000 430000	422		101000
		14GL79P6HN6W							
2	05/22/24	TOW ROPE	53.74			1000 430001	358		101000
		1H1MQF11CKCQ							
118261		3490 AMAZON CAPITAL SERVICES	71.76						
1	05/28/24	Badge Holders	71.76			1000 414103	497		101000
		111-7913337-0853053							
118271		3490 AMAZON CAPITAL SERVICES	418.06						
1	05/19/24	SAFETY GLASSES/RAIN GEAR - WA	83.62			6020 450000	639		101000
		14GL79P6H6Q7							
2		SAFETY GLASSES/RAIN GEAR - ST	83.61			1000 430000	639		101000
3		SAFETY GLASSES/RAIN GEAR - RW	83.61			1000 430001	639		101000
4		SAFETY GLASSES/RAIN GEAR - SA	83.61			6010 450200	639		101000
5		SAFETY GLASSES/RAIN GEAR - SW	83.61			6025 450000	639		101000
118283		3490 AMAZON CAPITAL SERVICES	29.99						
1	05/28/24	Laptop Backpack - Troy O	29.99			1000 414200	410		101000
		114-2604779-8089860							
118305		3490 AMAZON CAPITAL SERVICES	248.73						
1	05/22/24	MOWER BLADES/DECALS	248.73			1000 430001	381		101000
		1DLDQHCFJ3L							
118311		3490 AMAZON CAPITAL SERVICES	169.39						
1	05/29/24	Cash Drawer	38.95			1000 414100	410		101000
		113-7105860-2533862							
2	05/29/24	Office Supplies	130.44			1000 414100	410		101000
		113-7105860-2533862							

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118312		3490 AMAZON CAPITAL SERVICES	23.94						
1	05/16/24	3 Desk Calendars	23.94			1000 414100	410		101000
		111-1954171-2934600							
118352		3490 AMAZON CAPITAL SERVICES	166.59						
1	05/17/24	7701 RATCHET STRAPS	121.62			6025 450000	610		101000
		1QRJ19RQ9CTL							
2	05/17/24	LENS WIPES	44.97			6020 450000	639		101000
		1WLLDYXP99LN							
		Total for Vendor:	2,819.72						
118270		22 ASPLIN EXCAVATING	2,595.27						
1	240707 05/10/24	CLASS 5	2,595.27			1000 430000	394		101000
		Total for Vendor:	2,595.27						
118314	-99126E	4672 ASURE PAYROLL TAX MANAGEMENT	244,380.91						
		05/31/24 payroll							
1	05/31/24	Social Security	111,639.54			1000 212501			101000
2	05/31/24	Medicare	26,109.28			1000 212502			101000
3	05/31/24	Federal Income Tax	96,734.09			1000 212503			101000
4	05/31/24	ND State Tax	5,103.00			1000 212504			101000
5	05/31/24	MN State Tax	4,795.00			1000 212505			101000
		Total for Vendor:	244,380.91						
118256		2931 AUTO VALUE PARTS STORES	48.67						
1	99276562 05/23/24	BLACK 3/8 TUBE	22.59			1000 430000	427		101000
2	99276011 05/21/24	FILTER	3.26			1000 455000	427		101000
3	99276008 05/21/24	FILTERS	16.30			1000 421000	427		101000
4	99276010 05/21/24	FILTERS	3.26			6020 450000	427		101000
5	99276014 05/21/24	FILTERS	3.26			1000 415000	427		101000
118299		2931 AUTO VALUE PARTS STORES	82.91						
1	99277318 05/28/24	7707 FILTERS	82.91			4387 480000	427		101000

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Claim/ Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
118397		2931 AUTO VALUE PARTS STORES	282.66						
1	99277539	05/29/24 HOT SPOT STAPLER	282.66			1000 455000	870		101000
		Total for Vendor:	414.24						
118150	112399S	4426 BACHMAN'S	21,193.25						
1	378327/50	05/15/24 TREES	21,193.25			2210 428000	446		101000
		Total for Vendor:	21,193.25						
118470		3149 BEE SEEN GEAR	911.56						
1	statement	05/31/24 Statement Credit 05-31-2024	-453.92			2060 415200	422		101000
2	64314	06/08/24 Patch over embroidery 9 items	144.00			2060 415200	422		101000
3	64515	06/22/24 26 Reflective Bike shirts	1,179.48			2060 415200	422		101000
4	64531	06/22/24 Patch over embroidery 3 items	42.00			2060 415200	422		101000
		Total for Vendor:	911.56						
118244	112586S	4268 BEN HERBST	481.00						
	TEEX Training in College Station TX								
1	2024 TEEX	05/21/24 Per Diem	481.00			2060 415200	340		101000
		Total for Vendor:	481.00						
118359		5384 BETHANY PETERSON	112.00						
1	05/16/24	meal reimb	112.00			1000 421000	340		101000
		Total for Vendor:	112.00						
118383		4043 BIGDOG AUTOGLASS	387.48						
1	380052	05/24/24 4011 WINDOW TINT	387.48			6010 450200	322		101000
		Total for Vendor:	387.48						
118286		1389 BNSF RAILWAY COMPANY	567.80						
1	90268124	05/24/24 Project 2265	567.80			4793 480000	670		101000
		Total for Vendor:	567.80						
118138	112400S	4165 BOBBI JO NOBLES	180.00						
1	04/19/24	meal reimb	180.00			1000 421000	340		101000

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118371		4165 BOBBI JO NOBLES	180.00						
1	04/29/24	meal reimb	180.00			1000 421000	340		101000
		Total for Vendor:	360.00						
118276		3489 BOLTON & MENK, INC	1,884.00						
1	0336487 05/22/24	Traffic Signal Timing	1,884.00			1000 430000	487		101000
118277		3489 BOLTON & MENK, INC	19,982.50						
1	0336488 05/22/24	Project 2279	19,982.50			4802 480000	313		101000
		Total for Vendor:	21,866.50						
118152	112402S	3512 BOUND TREE MEDICAL, LLC	844.83						
1	8533056 04/30/24	Medical Supplies	469.33			2060 415200	500		101000
2	85334327 05/01/24	Medical Scissors	120.51			2060 415200	500		101000
3	85339113 05/06/24	Masimo SP02 Adult Sensor	254.99			2060 415200	500		101000
		Total for Vendor:	844.83						
118165	112403S	652 BRENCO CORPORATION	193.44						
1	0148188 05/10/24	Blue Concentrate-car wash	193.44			2060 415200	500		101000
118384		652 BRENCO CORPORATION	272.12						
1	0148835 05/23/24	6400 HOSE/SWIVEL	234.99			2210 428000	427		101000
2	0148831 05/23/24	6400 ORINGS	5.95			2210 428000	427		101000
3	0148691 05/21/24	SPROCKET/PLUGS	31.18			6020 450000	432		101000
		Total for Vendor:	465.56						
118425		3892 BURGGRAF'S ACE FARGO WEST #17458	93.36						
1	3451 05/20/24	BOLTS - FLOWER BASKETS	93.36			1000 430001	358		101000
118447		3892 BURGGRAF'S ACE FARGO WEST #17458	17.29						
1	3439 05/14/24	E-75 Repair Chain Saw	1.30			2060 415200	500		101000
2	3466 05/29/24	ST 75 Weed Trimmer Repair	15.99			2060 415200	500		101000
		Total for Vendor:	110.65						

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118368		351 BUSINESS ESSENTIALS	39.80						
1	W012988141	05/28/24 STICKY NOTES; TISSUES	39.80			7000 411600	410		101000
		Total for Vendor:	39.80						
118149	112406S	39 BUTLER MACHINERY	4,795.00						
1	0007696	04/30/24 4065 SERVICE CONTRACT	4,795.00			6010 450200	427		101000
118339		39 BUTLER MACHINERY	5,638.38						
1	0270176	05/21/24 SM50 COOLANT LEAK REPAIR	4,422.15			6025 450000	826		101000
2	0270392	05/24/24 4005 COOLING SYSTEM REPAIR	1,216.23			6010 450200	427		101000
		Total for Vendor:	10,433.38						
118168	112407S	4508 CARE RESOURCE CONNECTION	3,000.00						
1	2900	05/08/24 FD-May 1-May 31 2024	3,000.00			2060 415200	307		101000
		Total for Vendor:	3,000.00						
118141	112408S	51 CASS COUNTY ELECTRIC COOP	1,203.06						
1	1090222	05/06/24 FD April Utilities	1,203.06			2060 415200	527		101000
		Total for Vendor:	1,203.06						
118179	112409S	1355 CASS COUNTY GOVERNMENT	5,809.95						
1	10506	05/13/24 april 2024 jail housing	5,695.00			1000 421000	398		101000
2	10507	05/13/24 april 2024 intox	85.00			1000 421000	398		101000
3	10475	05/13/24 april 2024 medical	29.95			1000 421000	398		101000
		Total for Vendor:	5,809.95						
118273		46 CASS RURAL WATER USERS	29.43						
1	6482 May	05/25/24 6482 - WF Airport Water	29.43			7050 500000	420		101000
		Total for Vendor:	29.43						
118439		1512 CDW GOVERNMENT, INC	227.52						
1	RJ39530	05/17/24 ADOBE PRO - LOGAN & CHELSEY	227.52			6010 450200	751		101000
		Total for Vendor:	227.52						

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118433		1074 CENTER UPHOLSTERY & CANVAS	185.00						
1	05/21/24	7026 SEAT REPAIR	185.00			6025 450000	427		101000
		Total for Vendor:	185.00						
118156	112411S	1777 CENTURY LINK	430.56						
1	04/01/24	april 2024 police siren	215.28			1000 421000	356		101000
2	05/01/24	may 2024 police siren	215.28			1000 421000	356		101000
		Total for Vendor:	430.56						
118167	112412S	2429 CERTIFIED LABORATORIES	188.98						
1	8620686	03/20/24 PENTRA FOAM AEROSOL	188.98			6010 450200	433		101000
		Total for Vendor:	188.98						
118246	112587S	4025 CHASE CVANCARA	481.00						
		TEEX Training in College Station TX							
1	2024	TEEX 05/21/24 Per Diem	481.00			2060 415200	340		101000
		Total for Vendor:	481.00						
118155	112415S	111 CITY OF FARGO	26,854.52						
1	460197	05/08/24 LANDFILL FEES	26,854.52			6010 450200	355		101000
118282		111 CITY OF FARGO	34,823.39						
1	460735	05/15/24 LANDFILL FEES	34,823.39			6010 450200	355		101000
118293		111 CITY OF FARGO	94.00						
1	460736	05/15/24 WATER TESTING	94.00			6025 450000	335		101000
118345		111 CITY OF FARGO	29,983.02						
1	461019	05/22/24 LANDFILL FEES	29,983.02			6010 450200	355		101000
		Total for Vendor:	91,754.93						
118274		3167 City of West Fargo	75.56						
1	02066	May 05/21/24 Airport Dumpster	75.56			7050 500000	420		101000
		Total for Vendor:	75.56						

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118234		1338 CLARK'S EXCAVATING & SEPTIC	275.00						
1	2776	05/17/24 Pump Holding Tank - Airport	275.00			7050 500000	420		101000
		Total for Vendor:	275.00						
118164	112418S	1904 CODE 4 SERVICES, INC	449.08						
1	9576	05/14/24 #1213 install	449.08			1000 421000	610		101000
		Total for Vendor:	449.08						
118205	112419S	133 COLE PAPERS	745.74						
1	10438534	05/15/24 PW - PAPER PRODUCTS	745.74			6020 450000	500		101000
		Total for Vendor:	745.74						
118263		5293 COLUMN SOFTWARE PBC	177.84						
1	1442-0028	05/23/24 General Public Notice	45.60			1000 418000	668		101000
2	1442-0029	05/23/24 General Public Notice	47.12			1000 418000	668		101000
3	1442-0030	05/23/24 General Public Notice	44.08			1000 418000	668		101000
4	1442-0031	05/23/24 General Public Notice	41.04			1000 418000	668		101000
118391		5293 COLUMN SOFTWARE PBC	19.00						
1	1442-0027	05/22/24 General Public Notice	19.00			1000 415000	668		101000
		Total for Vendor:	196.84						
118247		4832 CONNECT INTERIORS	5,777.33						
		2nd 50% installment							
1	67324	05/13/24 Furniture for WEX bldg	5,777.33			2970 480000	653		101000
118248		4832 CONNECT INTERIORS	5,552.50						
1	67345	05/15/24 Labor to move furniture	5,552.50			2970 480000	653		101000
		Total for Vendor:	11,329.83						
118170	112421S	229 CONSOLIDATED COMMUNICATIONS	121.48						
1	9536	05/01/24 FD April Telephone Svcx.	121.48			2060 415200	356		101000
		Total for Vendor:	121.48						

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118267		4108 CONSOLIDATED ELECTRICAL	129.98						
1	3481057034	05/24/24 LOW VOLT BRACKET	9.98			1000 455000	420		101000
2	3481056346	05/24/24 LIGHT BULBS - VFW PLAZA	120.00			2310 452120	420		101000
118272		4108 CONSOLIDATED ELECTRICAL	109.45						
1	05/22/24	Lights Parking Ramp Wiring	109.45			2960 411900	416		101000
2348-1056774									
118335		4108 CONSOLIDATED ELECTRICAL	21.76						
1	2348-10558	05/13/24 ELECTRICAL PARTS	21.76			7000 411600	641		101000
Total for Vendor:			261.19						
118172	112422S	3245 CORE & MAIN	495.83						
1	U871678	05/14/24 MTR ADPT KIT	495.83			6020 450000	429		101000
118265		3245 CORE & MAIN	71,169.00						
1	U909107	05/16/24 WATER METERS	59,649.00			6020 450000	429		101000
2	U963847	05/24/24 WATER METERS	11,520.00			6020 450000	429		101000
118290		3245 CORE & MAIN	33.72						
1	U963453	05/24/24 COPPER DISCS	33.72			6020 450000	438		101000
118295		3245 CORE & MAIN	629.53						
1	U905747	05/16/24 CURB BOX LID/CPLG/MIPT	629.53			6020 450000	438		101000
118342		3245 CORE & MAIN	14,369.32						
1	U958235	05/24/24 REVERSIBLE FRAME	1,200.00			6025 450000	437		101000
2	U957690	05/24/24 RING/FRAME/LID	3,810.62			6025 450000	437		101000
3	U943024	05/22/24 GSKTS/EXPY B&G	3,476.83			6020 450000	438		101000
4	U903872	05/16/24 MAG LOGACTOR	1,100.00			6020 450000	432		101000
5	U949690	05/23/24 PO NST HYD	4,781.87			6020 450000	438		101000
Total for Vendor:			86,697.40						

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118436		47 CORWIN CHRYSLER	257.00						
1	156280	05/22/24 8106 FUEL TANK	257.00			1000 415000	427		101000
		Total for Vendor:	257.00						
118429		662 CUSTOM GRAPHICS, INC	393.00						
1	517910	05/15/24 DOOR DECALS - WA	98.25			6020 450000	433		101000
2		DOOR DECALS - SA	98.25			6010 450200	433		101000
3		DOOR DECALS - ST	98.25			1000 430000	433		101000
4		DOOR DECALS - SW	98.25			6025 450000	433		101000
		Total for Vendor:	393.00						
118177	112426S	5319 DAKOTA CHILDREN'S ADVOCACY	682.50						
1	24295	04/30/24 FD April Wellness visits	682.50			2060 415200	996		101000
		Total for Vendor:	682.50						
118462		4059 DAKOTA FENCE - ACCT REC	500.00						
1	151126	04/22/24 St 75 Gate and Frame Repair	500.00			2060 415200	494		101000
		Total for Vendor:	500.00						
118350		1675 DAKOTA FLUID POWER, INC	219.35						
1	7209197	05/24/24 HARDWARE	219.35			6020 450000	427		101000
118395		1675 DAKOTA FLUID POWER, INC	8.55						
1	7209750	05/28/24 ORING STOCK	8.55			6025 450000	427		101000
		Total for Vendor:	227.90						
118320		624 DAKOTA SUPPLY GROUP	149.67						
1	S103731553	05/15/24 pd trailer	289.03			1000 421000	610		101000
2	S103260111	11/15/23 credit	-149.67			1000 421000	641		101000
3	S103742876	05/20/24 pd trailer	10.31			1000 421000	610		101000
4	S103731598	05/15/24 pd trailer	102.92			1000 421000	610		101000
5	S103742838	05/20/24 pd trailer credit	-102.92			1000 421000	610		101000

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118398		624 DAKOTA SUPPLY GROUP	518.52						
1	103731548	05/15/24 MNEA NEC HANDBOOK	518.52			1000 450000	340		101000
		Total for Vendor:	668.19						
118463		87 DAKOTA TIRE	3,637.60						
1	942154	05/17/24 L-75 Two new rear tires	3,551.92			2060 415200	420		101000
2	942379	05/29/24 St 75 Riding Mower Tines repla	85.68			2060 415200	420		101000
		Total for Vendor:	3,637.60						
118231		3050 DAKOTA UPREIT LIMITED	7,812.38						
		Pioneer Center - April rent							
1	00010865	04/01/24 Common Area - Apr	2,402.29			1000 415000	389		101000
2	00010865	04/01/24 Base Rent - Apr	5,410.09			1000 415000	389		101000
118232		3050 DAKOTA UPREIT LIMITED	7,812.38						
		Pioneer Center - May rent							
1	00014588	05/01/24 Common Area - May	2,402.29			1000 415000	389		101000
2	00014588	05/01/24 Base Rent - May	5,410.09			1000 415000	389		101000
		Total for Vendor:	15,624.76						
118154	112429S	856 DAVE'S WEST FARGO TIRE	36.71						
1	125855	05/15/24 #1205 tire repair	36.71			1000 421000	427		101000
		Total for Vendor:	36.71						
118180	112430S	2377 DAVID SAPP	23.50						
		David forgot to take the CC with him so he paid out of pocket for the new trans.van's							
		title and Registration TMW							
1	G96121	05/10/24 Reimburse Trans Van	23.50			2060 415200	667		101000
		Total for Vendor:	23.50						
118337		5331 DENIS OTTERNESS	2,000.00						
1	24105	05/22/24 background wirtzfeld	500.00			1000 421000	428		101000
2	24106	05/22/24 background angell	500.00			1000 421000	428		101000
3	24107	05/22/24 background steffens	500.00			1000 421000	428		101000
4	24108	05/22/24 background saye	500.00			1000 421000	428		101000
		Total for Vendor:	2,000.00						

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118195	112435S	2100 EAGLE RUN CROSSING	21.76						
1	7465	04/25/24 RW PREMIUM	21.76			1000 430001	424		101000
118442		2100 EAGLE RUN CROSSING	194.21						
1	1174	05/16/24 ROW PREMIUM	31.44			1000 430001	424		101000
2	1431	05/17/24 3060 UNLEADED	55.21			1000 430001	424		101000
3	3201	05/14/24 3087 UNLEADED	32.56			1000 430001	424		101000
4	5234	05/29/24 3065 UNLEADED	14.73			1000 430001	424		101000
5	4721	05/28/24 ROW UNLEADED	40.71			1000 430001	424		101000
6	1511	05/17/24 ROW UNLEADED	19.56			1000 430001	424		101000
		Total for Vendor:	215.97						
118200	112436S	1502 EIDE BAILLY LLP	650.00						
3	EI01693096	04/30/24 PW Sewer Background Check	100.00			6025 450000	399		101000
4	EI01693096	04/30/24 PW Street Background Check	110.00			1000 430000	399		101000
5	EI01693096	04/30/24 Police Credit Checks	40.00			1000 421000	399		101000
6	EI01693096	04/30/24 Library Background Check	140.00			7000 411600	399		101000
7	EI01693096	04/30/24 Finance Background Check	140.00			1000 414100	399		101000
8	EI01693096	04/30/24 Engineering Background Che	120.00			1000 414200	399		101000
		Total for Vendor:	650.00						
118142	112437S	1841 EMERGENCY AUTOMOTIVE	1,487.16						
1	P04122440A	05/02/24 3103 LIGHT BAR	495.72			1000 430000	610		101000
2	P04122440A	05/02/24 5305 LIGHT BAR	495.72			1000 430001	610		101000
3	P04122440A	05/02/24 5704 LIGHT BAR	495.72			1000 430001	610		101000
		Total for Vendor:	1,487.16						
118235	-99133E	4664 EMPOWER (MASS MUTUAL)	4,793.58						
Empower									
1		05/21/24 May Contributions	4,793.58			1000 212528			101000
		Total for Vendor:	4,793.58						
118185	112438S	5354 ENERGY TECH SYSTEMS	1,100.00						
1	10054	04/29/24 re-fob evidence rm	1,100.00			1000 421000	497		101000

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118321		5354 ENERGY TECH SYSTEMS	156.25						
1	34466	05/16/24 evidence room	156.25			1000 421000	365		101000
		Total for Vendor:	1,256.25						
118132	112439S	3722 ENVIROTECH	22,007.16						
1	202412645	05/14/24 ICE SLICER	5,097.09			1000 430000	377		101000
2	202412646	05/14/24 ICE SLICER	5,514.57			1000 430000	377		101000
3	202412643	05/14/24 ICE SLICER	5,868.15			1000 430000	377		101000
4	202412644	05/14/24 ICE SLICER	5,527.35			1000 430000	377		101000
		Total for Vendor:	22,007.16						
118225	112440S	3547 EQUITABLE UNIT ANNUITY	2,000.00						
1	05/21/24	Deferred Comp May 2024	2,000.00			1000 212524			101000
		Total for Vendor:	2,000.00						
118323		3731 ERIC SORENSON	118.44						
1	05/30/24	clothing reimb	118.44			1000 421000	422		101000
		Total for Vendor:	118.44						
118181	112442S	2862 ESSENTIA HEALTH	1,474.00						
1	05/13/24	may pre-employment	1,186.00			1000 421000	387		101000
2	05/13/24	annual phyiscal	288.00			1000 421000	996		101000
118208	112442S	2862 ESSENTIA HEALTH	1,051.00						
1	05.2024	05/15/24 FD Annual Physicals	1,051.00			2060 415200	996		101000
		Total for Vendor:	2,525.00						
118249		5226 EXPLORERS ACADEMY	14,541.00						
1	05/22/24	Child Care Grant	14,541.00			2960 411900	416		101000
		Total for Vendor:	14,541.00						
118255		1851 F/S MANUFACTURING	15.27						
1	157129	05/28/24 THREADED CAP	15.27			2210 428000	358		101000

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118356		1851 F/S MANUFACTURING	47.78						
1	157193	05/29/24 STRAINER/SHUTOFF	47.78			1000 430001	427		101000
		Total for Vendor:	63.05						
118404		3344 FACTORY MOTOR PARTS	193.25						
1	371209940	05/10/24 1172 RADIATOR	193.25			1000 421000	427		101000
		Total for Vendor:	193.25						
118308		5117 FARGO ELECTRIC CONSTRUCTION	286,964.36						
1	Pay App 2	05/13/24 Imp Dist 2273	286,964.36			4015 480000	670		101000
		Total for Vendor:	286,964.36						
118306		660 FARGO FREIGHTLINER	46.04						
1	X101150077	05/23/24 415 STRUT	131.99			6010 450200	427		101000
2	X101149525	05/17/24 411 INTAKE HOSE/CLAMP	73.55			6010 450200	427		101000
9900	X101142371	02/21/24 415 AIR DRYER RETURN	-159.50			6010 450200	427		101000
CI	23								
		Total for Vendor:	46.04						
118327		897 FARGO GLASS AND PAINT CO.	140.00						
1	047474	05/17/24 PD DOOR REPAIR	140.00			1000 455000	420		101000
		Total for Vendor:	140.00						
118145	112444S	979 FARGO LINE-X	2,150.00						
1	29544	05/10/24 #6018 LINEX/COVERS/STORAGE	2,150.00			2210 428000	610		101000
118146	112444S	979 FARGO LINE-X	1,755.00						
1	29448	04/24/24 #5704 LINEX, COVERS,STEPS	1,755.00			1000 430002	610		101000
118171	112444S	979 FARGO LINE-X	860.00						
1	29502	05/06/24 5305 LINERS/STEPS/COVERS	860.00			1000 430001	610		101000
		Total for Vendor:	4,765.00						

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118187	112447S	124 FASTENAL	328.81						
1	298263	05/02/24 HARDWARE	328.81			6025 450000	825		101000
118303		124 FASTENAL	219.42						
3	298858	05/13/24 HARDWARE STOCK	10.92			6025 450000	825		101000
4	295457	03/15/24 HARDWARE STOCK	208.50			6025 450000	825		101000
		Total for Vendor:	548.23						
118157	112448S	151 FEDERAL EXPRESS	21.96						
1	850073864	05/15/24 pkg mailed	7.32			1000 421000	661		101000
2	849422615	05/08/24 pkg mailed	7.32			1000 421000	661		101000
3	848631728	05/01/24 pkg mailed	7.32			1000 421000	661		101000
118331		151 FEDERAL EXPRESS	21.96						
1	851454891	05/29/24 pkg mailed	7.32			1000 421000	661		101000
2	850073864	05/15/24 pkg mailed	7.32			1000 421000	661		101000
3	849422615	05/08/24 pkg mailed	7.32			1000 421000	661		101000
		Total for Vendor:	43.92						
118348		329 FERGUSON WATERWORKS #2516	792.12						
1	0491338	05/15/24 #7101 LOCATOR/SPADE/SPANNER	792.12			6025 450000	610		101000
		Total for Vendor:	792.12						
118449		3566 FIRST ARRIVING LLC	944.00						
1	3424	05/21/24 2 Chromebox & Subscription	944.00			2060 415200	497		101000
		Total for Vendor:	944.00						
118349		3347 FIRST INTERNATIONAL INSURANCE	2,890.00						
1	479223	05/23/24 new insurance #1218/1219/1220	3,621.00			1000 421000	321		101000
2	470553	04/08/24 credit #470553	-112.00			1000 421000	321		101000
3	470434	04/03/24 credit #470434	-7.00			1000 421000	321		101000
4	474126	04/17/24 credit #474126	-612.00			1000 421000	321		101000
		Total for Vendor:	2,890.00						

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118432		55 FLEETPRIDE	61.48						
1	116996815	05/21/24 243 TBOLT	15.92			6020 450000	427		101000
2	116998721	05/21/24 243 CLAMP	45.56			6020 450000	427		101000
		Total for Vendor:	61.48						
118269		5324 FLUID INTERIORS, LLC	7,976.88						
1	91486	05/24/24 Furniture - WEX bldg	7,125.72			2970 480000	653		101000
2	91375	05/22/24 Furniture - WEX bldg	851.16			2970 480000	653		101000
118338		5324 FLUID INTERIORS, LLC	742.79						
1	91382	05/22/24 SERVICE DESK	742.79			7000 411600	641		101000
		Total for Vendor:	8,719.67						
118250		2499 FM CONVENTION & VISITORS BUREAU	25,125.69						
1	Apr 24	04/30/24 Lodging Tax 2%	25,125.69			2141 411500	533		101000
118251		2499 FM CONVENTION & VISITORS BUREAU	12,562.84						
2	Apr 24	04/30/24 Lodging Tax 1%	12,562.84			2141 411500	653		101000
		Total for Vendor:	37,688.53						
118151	112450S	155 GALLS, LLC	3,970.73						
1	027940014	05/14/24 medals and pins	3,970.73			1000 421000	422		101000
118169	112450S	155 GALLS, LLC	18.00						
1	027895585	05/09/24 new officer	18.00			1000 421000	422		101000
118212	112450S	155 GALLS, LLC	2,147.41						
1	26391659-7	05/09/24 D Andersen-new hire Hi viz	306.77			2060 415200	422		101000
2	26391659-6	05/10/24 R Gregersen-new hire Hi Vi	306.77			2060 415200	422		101000
3	26391659-6	05/10/24 M Glueckert-new hire Hi Vi	306.77			2060 415200	422		101000
4	26391659-6	05/10/24 K Miller-Promotion Hi Viz	306.77			2060 415200	422		101000
5	26391659-6	05/10/24 L Leinen-new hire Hi Viz	306.77			2060 415200	422		101000
6	26391659-6	05/10/24 T Ebeling-new Hire Hi Viz	306.77			2060 415200	422		101000
7	26391659-6	05/10/24 M Wunderlich-new hire hi v	306.79			2060 415200	422		101000

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118365		155 GALLS, LLC	1,156.48						
1	027964781	05/16/24 armor vest nystel	835.00			1000 421000	641		101000
2	028010369	05/22/24 5 year rotation - orn	144.00			1000 421000	422		101000
3	028010358	05/22/24 new officer mickelson	98.28			1000 421000	422		101000
4	028010705	05/22/24 new officer braun	79.20			1000 421000	422		101000
118471		155 GALLS, LLC	2,283.27						
1	025456551	08/23/23 J West 2 polos 2023	136.00			2060 415200	422		101000
2	027909630	05/10/24 K Miller HI-Viz Jacket	306.36			2060 415200	422		101000
3	027909630	05/10/24 R Gregersen Hi-Viz Jacket	306.36			2060 415200	422		101000
4	027909630	05/10/24 M Glueckert Hi-Viz Jacket	306.36			2060 415200	422		101000
5	027909630	05/10/24 L Leinen Hi-Viiz Jacket	306.36			2060 415200	422		101000
6	027909630	05/10/24 M Wunderlich Hi-Viz Jacket	308.73			2060 415200	422		101000
7	027909630	05/10/24 T Ebeling Hi Viz Jacket	306.36			2060 415200	422		101000
8	027909638	05/10/24 D Andersen Hi Viz Jacket	306.74			2060 415200	422		101000
		Total for Vendor:	9,575.89						
118135	112451S	3678 GARRETT RIX	341.50						
1	TEEX 24	05/12/24 Refund Rental Car for TEEX	341.50			2060 415200	340		101000
118241	112584S	3678 GARRETT RIX	1,166.32						
	TEEX Training in College Station TX								
1	2024 TEEX	05/21/24 Per Diem, Rental Car, Fuel	1,166.32			2060 415200	340		101000
		Total for Vendor:	1,507.82						
118406		93 GATEWAY CHEVROLET	125.04						
1	1268183	05/10/24 1172 HOSE	125.04			1000 421000	427		101000
		Total for Vendor:	125.04						
118440		156 GENERAL EQUIP & SUPPLIES	253,015.00						
1	E10020153	05/23/24 #3206 2024 KOMATSU LOADER	253,015.00			1000 430000	870		101000
		Total for Vendor:	253,015.00						

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118360		4321 GO PROMO LLC	1,200.00						
1	41931	05/16/24 CFMH PR	1,200.00			1000 421000	285		101000
		Total for Vendor:	1,200.00						
118153	112454S	2558 GOODYEAR COMMERCIAL TIRE	2,070.68						
1	1301091111	05/15/24 4007 TIRES	2,070.68			6010 450200	427		101000
118300		2558 GOODYEAR COMMERCIAL TIRE	51.99						
1	1301091117	05/16/24 4201 TIRE DISPOSAL	51.99			6010 450200	427		101000
118336		2558 GOODYEAR COMMERCIAL TIRE	5,541.49						
1	1301091120	05/20/24 4006/415/4101 TIRES	2,296.91			6010 450200	427		101000
2	1301091116	05/16/24 4201 TIRES	1,921.81			6010 450200	427		101000
3	1301091114	05/16/24 4201 TIRES	1,322.77			6010 450200	427		101000
118351		2558 GOODYEAR COMMERCIAL TIRE	524.54						
1	1301091140	05/23/24 4021 TIRES	524.54			6010 450200	427		101000
		Total for Vendor:	8,188.70						
118291		556 GRAINGER, INC.	5.69						
1	9130679070	05/24/24 VBELT	5.69			6025 450000	826		101000
		Total for Vendor:	5.69						
118451		3534 GRAND FORKS FIRE EQUIPMENT LLC	161.27						
1	40980	05/23/24 5 Point Harness	161.27			2060 415200	641		101000
		Total for Vendor:	161.27						
118133	112456S	939 GRAYBAR	2,747.64						
1	9337162041	05/08/24 90AMP NEMA	2,747.64			6025 450000	825		101000
		Total for Vendor:	2,747.64						
118210	112457S	3535 GREAT PLAINS FIRE	48,948.00						
1	8235	05/08/24 13 sets Gear	48,948.00			2060 415200	641		101000
		Total for Vendor:	48,948.00						

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118369		2713 HAMPTON INN & SUITES	770.40						
1	82028632	05/23/24 lodging carr	385.20			1000 421000	340		101000
2	82028632	05/23/24 lodging k. johnson	385.20			1000 421000	340		101000
		Total for Vendor:	770.40						
118136	112460S	135 HAWKINS WTR TREATMENT	5,019.32						
1	6753615	05/10/24 AQUA HAWK	5,019.32			6025 450000	423		101000
		Total for Vendor:	5,019.32						
118287		5096 HDR ENGINEERING INC.	2,147.50						
1	1200617665	05/28/24 Project 9040	2,147.50			4507 480000	313		101000
		Total for Vendor:	2,147.50						
118412		999999 HEIDI RUD	300.00						
		Tree Planting Permit - 1055 54th Ave W							
1		05/30/24 Tree - 1055 54th Ave W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
118379		358 HUBERT OYE-SONS CONST.	364.80						
1	1212032	05/28/24 ASPHALT MIX	364.80			1000 430000	722		101000
118428		358 HUBERT OYE-SONS CONST.	381.90						
1	1212026	05/20/24 ASPHALT MIX	381.90			1000 430000	722		101000
		Total for Vendor:	746.70						
118193	112463S	3807 IAFC	400.00						
		MISSOURI VALLEY CONFERANCE IN DENVER CO							
1	24 FULLER	05/06/24 D FULLER REGISTRATION	400.00			2060 415200	340		101000
		Total for Vendor:	400.00						
118355		4592 INGRAM LIBRARY SERVICES	5,836.45						
1	81920274	05/15/24 BOOKS	40.73			7000 411600	662		101000
2	81920273	05/15/24 BOOKS	23.67			7000 411600	662		101000
3	81920272	05/15/24 BOOKS	16.24			7000 411600	662		101000
4	81920271	05/15/24 BOOKS	12.21			7000 411600	662		101000
5	81920270	05/15/24 BOOKS	49.44			7000 411600	662		101000

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6	81920269	05/15/24 BOOKS	12.47			7000 411600	662		101000
7	81920268	05/15/24 BOOKS	264.76			7000 411600	662		101000
8	81946034	05/16/24 BOOKS	56.86			7000 411600	662		101000
9	81959257	05/17/24 BOOKS	34.13			7000 411600	662		101000
10	81959258	05/17/24 BOOKS	23.82			7000 411600	662		101000
11	81983787	05/20/24 BOOKS	16.52			7000 411600	662		101000
12	81983788	05/20/24 BOOKS	20.42			7000 411600	662		101000
13	81983789	05/20/24 BOOKS	16.18			7000 411600	662		101000
14	82001618	05/21/24 BOOKS	15.41			7000 411600	662		101000
15	82001617	05/21/24 BOOKS	14.32			7000 411600	662		101000
16	82001616	05/21/24 BOOKS	23.03			7000 411600	662		101000
17	82001615	05/21/24 BOOKS	15.25			7000 411600	662		101000
18	82030745	05/22/24 BOOKS	173.94			7000 411600	662		101000
19	82042099	05/23/24 BOOKS	360.50			7000 411600	662		101000
20	82062315	05/24/24 BOOKS	30.30			7000 411600	662		101000
21	82062316	05/24/24 BOOKS	47.11			7000 411600	662		101000
22	82062317	05/24/24 BOOKS	27.21			7000 411600	662		101000
23	82086232	05/28/24 BOOKS	69.54			7000 411600	662		101000
24	82086233	05/28/24 BOOKS	313.89			7000 411600	662		101000
25	82086234	05/28/24 BOOKS	172.53			7000 411600	662		101000
26	82086235	05/28/24 BOOKS	1,105.68			7000 411600	662		101000
27	82108361	05/29/24 BOOKS	23.31			7000 411600	662		101000
28	82108362	05/29/24 BOOKS	59.99			7000 411600	662		101000
29	82108364	05/29/24 BOOKS	120.34			7000 411600	662		101000
30	82108363	05/29/24 BOOKS	941.34			7000 411600	662		101000
31	82108365	05/29/24 BOOKS	362.45			7000 411600	662		101000
32	82108366	05/29/24 BOOKS	1,372.86			7000 411600	662		101000
Total for Vendor:			5,836.45						
118278		1012 INTERSTATE POWER SYSTEMS, INC	2,913.68						
1	2103262	05/16/24 4006 UPPER VALVE BODY UPDATE	2,913.68			6010 450200	427		101000
118396		1012 INTERSTATE POWER SYSTEMS, INC	913.20						
1	002102662	05/29/24 4001 FILTERS	913.20			6010 450200	427		101000

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118430		1012 INTERSTATE POWER SYSTEMS, INC	44.09						
1	2102654	05/21/24 4001 FILTER	147.04			6010 450200	427		101000
2	2102657	05/21/24 4001 FILTER - RETURN	-147.04			6010 450200	427		101000
3	2102658	05/22/24 FILTER	44.09			6010 450200	427		101000
		Total for Vendor:	3,870.97						
118128	112468S	5299 IRON VALLEY EQUIPMENT	17,690.00						
1	2294	05/15/24 7101 SERVICE BODY	17,690.00			6025 450000	610		101000
118302		5299 IRON VALLEY EQUIPMENT	1,112.40						
1	2300	05/20/24 3202 STROBE LIGHT	370.80			1000 430000	639		101000
2	2301	05/20/24 3208 STROBE LIGHT	370.80			1000 430000	870		101000
3	2301	05/20/24 6018 STROBE LIGHT	370.80			2210 428000	610		101000
		Total for Vendor:	18,802.40						
118366		811 JASON ANDERSON	344.52						
1	05/23/24	mean & ground reimb	344.52			1000 421000	340		101000
		Total for Vendor:	344.52						
118326		2450 JEFFREY SALVESON	260.00						
1	05/30/24	BALLOON TWISTING	260.00			7000 411600	649		101000
		Total for Vendor:	260.00						
118259		5137 JODI ROLLE	29.35						
1	05/31/24	Mileage 05/01/24-05/24/24	29.35			1000 414100	340		101000
		Total for Vendor:	29.35						
118424		2798 JOHNSON CONTROLS	228.54						
1	2965446916	05/17/24 CH - FAN REPAIR	228.54			1000 455000	420		101000
		Total for Vendor:	228.54						
118414		999999 JORDAN SHARP	300.00						
		Tree Planting Permit - 5714 Deb Drive W							
1	05/30/24	Tree - 5714 Deb Drive W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						

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118427		4087 JOSHUA ROLCZYNSKI	15.00						
1	05/22/24	CDL PERMIT REIMBURSEMENT	15.00			1000 430000	340		101000
		Total for Vendor:	15.00						
118266		5049 JT LAWN SERVICES	14,633.00						
1	30630 05/24/24	EMERALD ASH BORER TREATMENT	14,633.00			2210 428000	307		101000
		Total for Vendor:	14,633.00						
118163	112477S	344 KARL'S AT THE NODAK CENTER	361.68						
1	343234080 05/15/24	M KNODEL PANTS	53.99			6020 450000	422		101000
2	343215747 04/16/24	A EVALAND PANTS	98.98			6020 450000	422		101000
3	343233780 05/15/24	T HUBBARD PANTS	161.97			6020 450000	422		101000
4	343234521 05/16/24	R BEAUCHANE PANTS	46.74			6025 450000	422		101000
118422		344 KARL'S AT THE NODAK CENTER	391.44						
1	343191920 03/07/24	B MARKEY - PANTS	89.98			6010 450200	422		101000
2	343197013 03/15/24	T ROOZE - PANTS	121.47			6010 450200	422		101000
3	343203603 03/27/24	T ROOZE - BOOTS	179.99			6010 450200	422		101000
		Total for Vendor:	753.12						
118313	-99127E	4482 KOTAPAY	3,931.36						
	05/31/24 payroll								
1	05/31/24	Child Support	3,931.36			1000 212549			101000
		Total for Vendor:	3,931.36						
118182	112478S	2325 KUSTOM KONCEPTS	1,544.94						
1	8670 05/08/24	Trans Van decal graphics	1,544.94			2060 415200	610		101000
		Total for Vendor:	1,544.94						
118340		705 LAWSON PRODUCTS	1,024.02						
1	9311563381 05/23/24	HARDWARE STOCK	1,024.02			1000 455000	433		101000
		Total for Vendor:	1,024.02						

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118285		2559 LEGEND TECHNICAL SERVICES INC	6,175.00						
1	2400901-IN	04/30/24 Project 1345	6,175.00			4009 480000	670		101000
		Total for Vendor:	6,175.00						
117793		4767 LENOVO (UNITED STATES) INC.	4,993.82						
1	6467732800	04/18/24 LIBRARY EQUIPMENT	2,286.60			7000 411600	497		101000
2	6467740919	04/19/24 LIBRARY EQUIPMENT	1,813.48			7000 411600	497		101000
3	6467806318	04/25/24 LIBRARY EQUIPMENT	893.74			7000 411600	497		101000
118188	112479S	4767 LENOVO (UNITED STATES) INC.	3,657.18						
1	6467972495	05/11/24 laptops, etc.	3,657.18			1000 421000	497		101000
118233		4767 LENOVO (UNITED STATES) INC.	184.99						
1	6468043933	05/18/24 Dock - Benji	184.99			1000 414200	497		101000
118346		4767 LENOVO (UNITED STATES) INC.	10,806.55						
1	6468042903	05/17/24 command laptops	7,267.10			1000 421000	497		101000
2	6468058578	05/20/24 ocmmand laptops	2,888.96			1000 421000	497		101000
3	6468085125	05/22/24 k. blue & training officer	650.49			1000 421000	497		101000
118452		4767 LENOVO (UNITED STATES) INC.	1,076.73						
1	6468056021	05/20/24 K Frost-Laptop	1,076.73			2060 415200	497		101000
		Total for Vendor:	20,719.27						
118419		2570 LG EVERIST INC	3,633.21						
1	697855	05/30/24 CRUSHED GRANITE	3,633.21			1000 430000	394		101000
		Total for Vendor:	3,633.21						
118458		4432 LIBERTY BUSINESS SYSTEMS INC	250.00						
1	536087	05/30/24 Move machine to WEX bldg	250.00			2970 480000	653		101000
		Total for Vendor:	250.00						
118319		1741 LIBERTY BUSINESS SYSTEMS, INC	1,207.54						
1	36647567	05/27/24 May 2024 assessing	156.05			1000 415000	428		101000
2	36647568	05/27/24 may 2024 assessing	68.10			1000 415000	428		101000
3	36647568	05/27/24 may 2024 city hall	269.23			1000 415000	428		101000

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4	36647568	05/27/24 may 2024 public works	280.89			6020	415000	428	101000
5	36647568	05/27/24 may 2024 PD	433.27			1000	421000	428	101000
		Total for Vendor:	1,207.54						
118341		3109 LIBRARY IDEAS, INC	1,327.69						
1	112832	05/12/24 AUDIO - VOX	956.79			7000	411600	664	101000
2	112316	04/21/24 AUDIO-VOX	92.96			7000	411600	664	101000
3	111818	03/29/24 AUDIO-VOX	277.94			7000	411600	664	101000
		Total for Vendor:	1,327.69						
118315		5340 LionHeart Alliance LLC	3,343.94						
1	49089	05/20/24 SIU assault vests	3,343.94			1000	421000	641	101000
		Total for Vendor:	3,343.94						
118453		3418 LOFFLER	107.48						
1	4705576	05/24/24 FD April 2024 Overage	107.48			2060	415200	428	101000
		Total for Vendor:	107.48						
118426		270 LOWE'S	379.52						
1	284194320	05/20/24 POTS/EDGING/STAKES	379.52			2210	428000	358	101000
		Total for Vendor:	379.52						
118184	112482S	1417 LUTHER FAMILY BUICK-PONTIAC-GMC	262.75						
1	622949	05/07/24 FD New Trans Van Maintenance	262.75			2060	415200	610	101000
118454		1417 LUTHER FAMILY BUICK-PONTIAC-GMC	112.29						
1	383940	05/22/24 Fix Batt 70-Switch	112.29			2060	415200	427	101000
		Total for Vendor:	375.04						
118431		711 LUTHER FAMILY FORD	283.33						
1	383552	05/21/24 1217 WEATHER	283.33			1000	421000	427	101000
		Total for Vendor:	283.33						
118203	112484S	3502 M&T Fire	186.41						
1	12009	05/15/24 Cradle point charger	186.41			2060	415200	497	101000

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118464		3502 M&T Fire	4,309.10						
1	12041 05/22/24	Gear Wash	125.48			2060 415200	500		101000
2	12079 05/29/24	Portable Gas/system	4,183.62			2060 415200	641		101000
		Total for Vendor:	4,495.51						
118394		4418 MAC TOOLS	591.48						
1	2835548211 05/25/22	PUNCH & CHISEL/DIE SET	591.48			1000 455000	870		101000
		Total for Vendor:	591.48						
118378		3304 MAC'S - FARGO	177.68						
1	C53378 05/02/24	LINK REPAIR/HARDWARE	177.68			1000 430000	433		101000
		Total for Vendor:	177.68						
118137	112486S	2733 MACKENZIE CARR	257.00						
1	05/16/24	meal reimb	257.00			1000 421000	340		101000
118316		2733 MACKENZIE CARR	186.00						
1	05/23/24	meal reimb	186.00			1000 421000	340		101000
		Total for Vendor:	443.00						
118213	112487S	3536 MACQUEEN EMERGENCY	1,591.13						
1	10912 05/03/24	L 75 Handle, trans water	495.24			2060 415200	427		101000
2	29593 05/07/24	L 75 Chainsaw repair	96.81			2060 415200	427		101000
3	10943 05/09/24	L 75, E 75, pump panels labels	52.14			2060 415200	420		101000
4	29851 05/14/24	35 hangers-Citizens Academy	502.25			2060 415200	500		101000
5	29851 05/14/24	31 hangers for new gear	444.69			2060 415200	500		101000
118473		3536 MACQUEEN EMERGENCY	264.96						
1	30467 05/30/24	Hose Testing Repairs	191.96			2060 415200	427		101000
2	30190 05/09/24	Helmet Fronts	73.00			2060 415200	641		101000
		Total for Vendor:	1,856.09						
118222	112488S	3542 MAINSTAY FUNDS	750.00						
1	05/21/24	Mainstay May 2024	750.00			1000 212529			101000
		Total for Vendor:	750.00						

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118343		5349 MARCO TECHNOLOGIES, LLC	581.95						
1	36647569	05/27/24 PRINTERS SERVICE AGREEMENT	581.95			7000 411600	428		101000
		Total for Vendor:	581.95						
118139	112489S	2643 MARCO'S PIZZA	304.43						
1	05/16/24	cadets grad. meal	304.43			1000 421000	375		101000
		Total for Vendor:	304.43						
118408		999999 MASON KEEFAUVER	300.00						
		Tree Planting Permit - 1138 Highland Ln West							
1	05/30/24	Tree - 1138 Highland Ln West	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
118186	112490S	3384 MATHESON TRI-GAS INC	185.60						
1	0029655136	05/03/24 PADLOCKS	185.60			6025 450000	825		101000
		Total for Vendor:	185.60						
118223	112491S	3630 MATRIX TRUST COMPANY	4,612.00						
1	05/21/24	Deferred Comp Pre-Tax May 24	3,340.00			1000 212547			101000
2	05/21/24	Deferred Comp Post-Tax May 24	1,272.00			1000 212548			101000
		Total for Vendor:	4,612.00						
118409		999999 MELISSA JOHNSON	190.00						
		Tree Planting Permit - 1053 49th Ter W							
1	05/30/24	Tree - 1053 49th Ter W	190.00			5000 422000	490		101000
		Total for Vendor:	190.00						
118472		299 MENARDS (FIRE)	599.52						
1	29749	05/01/24 Gear Rack St 76	70.46			2060 415200	641		101000
2	29749	05/01/24 Station Supplies	55.80			2060 415200	500		101000
3	29749	05/01/24 Boot and shoe scraper	25.98			2060 415200	500		101000
4	29749	05/01/24 on demand torch map/pro	54.99			2060 415200	432		101000
5	30148	05/06/24 Misc Hardware	12.57			2060 415200	500		101000
6	30483	05/10/24 Training Supplies PAT	116.89			2060 415200	340		101000
7	30845	05/15/24 Training Supplies PAT	150.92			2060 415200	340		101000
8	31015	05/17/24 EMT 2 hole strap PAT	2.98			2060 415200	340		101000

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9	31036	05/17/24 PAT Course	31.96			2060 415200	340		101000
10	31470	05/23/24 PAT Course	40.00			2060 415200	340		101000
11	31317	05/21/24 Hanging supplies for St 76	36.97			2060 415200	500		101000
		Total for Vendor:	599.52						
118443		5206 MENARDS (POLICE)	100.55						
1	31789	05/27/24 30360698 PD trailer	100.55			1000 421000	641		101000
		Total for Vendor:	100.55						
118173	112494S	4622 MENARDS (PUBLIC WORKS)	61.92						
1	30851	05/15/24 RACHETS/IMPACT	61.92			4387 480000	500		101000
118204	112494S	4622 MENARDS (PUBLIC WORKS)	124.72						
1	30875	05/15/24 WEX FIT-UP	124.72			2970 480000	653		101000
118284		4622 MENARDS (PUBLIC WORKS)	1,083.97						
1	30836	05/15/24 FILL AND SEAL	7.98			6020 450000	432		101000
2	30880	05/15/24 TOOLS	158.24			6020 450000	432		101000
3	30937	05/16/24 STRETCH WRAP	71.34			6020 450000	432		101000
4	30886	05/15/24 FURNITURE POLISH	4.29			6025 450000	433		101000
5	30756	05/14/24 ROUNDUP	43.86			1000 430000	722		101000
6	31022	05/17/24 MAILBOX REPAIR	80.56			6010 450200	444		101000
7	30664	05/13/24 HARDWARE/ADHESIVE	21.70			1000 455000	420		101000
8	31383	05/22/24 MAILBOX REPAIR	70.12			6010 450200	444		101000
9	31304	05/21/24 5GAL PAIL	66.70			6025 450000	826		101000
10	31251	05/20/24 VALVE REPAIR KIT	28.54			1000 455000	420		101000
11	30835	05/15/24 WEX FIT-UP	392.00			2970 480000	653		101000
12	31464	05/23/24 GLOVES	19.98			1000 430001	639		101000
13	31326	05/21/24 DRILL BITS	13.25			2210 428000	358		101000
14	31378	05/22/24 PLIERS	8.98			2210 428000	432		101000
15	31310	05/21/24 LUMBER	67.25			2210 428000	358		101000
16	31390	05/22/24 LUMBER	29.18			2210 428000	358		101000
118322		4622 MENARDS (PUBLIC WORKS)	106.12						
1	30931	05/16/24 #30360315 pd order	106.12			1000 421000	610		101000

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118324		4622 MENARDS (PUBLIC WORKS)	23.89						
1	31524	05/23/24 50' CORD	23.89			1000 455000	500		101000
118380		4622 MENARDS (PUBLIC WORKS)	16.99						
1	31583	05/24/24 BOX FAN	16.99			6025 450000	826		101000
		Total for Vendor:	1,417.61						
118330		4492 MICHAEL GALLO	130.00						
1	05/03/24	IMAGINATION THEATER	130.00			7000 411600	649		101000
		Total for Vendor:	130.00						
118364		5382 MICHAEL MARTINEZ	1,500.00						
1	05/17/24	officer wellness training	1,500.00			1000 421000	340		101000
		Total for Vendor:	1,500.00						
118264		2766 MIDCONTINENT COMMUNICATIONS	458.85						
1	14053	05/23/24 191305202 - 3050 Sheyenne	458.85			2310 452120	497		101000
118373		2766 MIDCONTINENT COMMUNICATIONS	335.84						
1	05/23/24	may 2024 ICAC	215.42			1000 421000	497		101000
2	05/23/24	may 2024 pw	120.42			6010 455000	497		101000
118455		2766 MIDCONTINENT COMMUNICATIONS	379.34						
1	70114001	04/27/24 FD 04/25 -05/24 services	189.67			2060 415200	356		101000
2	70114059	05/20/24 FD 05/25 - 06/24 Services	189.67			2060 415200	356		101000
		Total for Vendor:	1,174.03						
118166	112496S	102 MIDSTATES WIRELESS	300.00						
1	205017115	05/06/24 SHOP RADIO REPAIR	300.00			1000 455000	427		101000
118192	112496S	102 MIDSTATES WIRELESS	7,734.70						
1	205016992.	05/08/24 FD HQ Booster Installation	7,734.70			2060 415200	497		101000

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118301		102 MIDSTATES WIRELESS	1,843.79						
1	206002658	05/16/24 SPEAKER MICS FOR RADIOS	868.36			1000 450000	639		101000
2	206003128	05/16/24 3103 RADIO INSTALL	325.14			1000 430000	610		101000
3	206003128	05/16/24 5305 RADIO INSTALL	325.14			1000 430001	610		101000
4	206003128	05/16/24 7101 RADIO INSTALL	325.15			6025 450000	610		101000
118361		102 MIDSTATES WIRELESS	187.50						
1	05/21/24	#167 removal	187.50			1000 421000	610		101000
		Total for Vendor:	10,065.99						
118376		1854 MIDWEST TAPE	315.47						
1	505475046	05/15/24 AUDIOBOOK	52.49			7000 411600	664		101000
2	505508833	05/22/24 AUDIOBOOK	37.49			7000 411600	664		101000
3	505475049	05/15/24 DVD	40.44			7000 411600	664		101000
4	505475048	05/15/24 DVD	69.66			7000 411600	664		101000
5	505508836	05/22/24 DVD	70.41			7000 411600	664		101000
6	505508835	05/22/24 DVD	44.98			7000 411600	664		101000
		Total for Vendor:	315.47						
118252		766 MINNESOTA REVENUE	322.07						
1	1583156	05/20/24 2023 MN Withholding Tax	300.00			1000 212505			101000
2	1583156	05/20/24 Fees	22.07			1000 415000	740		101000
		Total for Vendor:	322.07						
118416		999999 MISTY WEBER	190.00						
		Tree Planting Permit - 1345 Goldenwood Dr							
1	05/30/24	Tree - 1345 Goldenwood Dr	190.00			5000 422000	490		101000
		Total for Vendor:	190.00						
118456		305 MOORE ENGINEERING INC	1,220.00						
1	38437	05/17/24 Imp Dist 2276	1,220.00			4017 480000	313		101000
118457		305 MOORE ENGINEERING INC	2,318.75						
1	38438	05/17/24 Imp Dist 2280	2,318.75			4803 480000	313		101000
		Total for Vendor:	3,538.75						

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118460		688 MOTOROLA SOLUTIONS, INC	3,964.80						
		ND SIRM 2020 CONTRACT							
1	1187123407	05/31/24 Radio Communications Equip	3,964.80			2060 415200	641		101000
		Total for Vendor:	3,964.80						
118236	-99132E	4663 MUTUAL OF OMAHA	2,858.60						
1	05/21/24	May Contributions	2,858.60			1000 212515			101000
		Total for Vendor:	2,858.60						
118297		728 NAPA CENTRAL	43.45						
1	405138	05/24/24 601 CONNECTOR	11.52			2210 428000	427		101000
2	405501	05/28/24 601 TERMINAL/BATTERY CABLE	20.41			2210 428000	427		101000
3	405138	05/24/24 5007 CONNECTOR	11.52			1000 455000	427		101000
		Total for Vendor:	43.45						
118174	112501S	695 NASRO	1,000.00						
1	55632	05/14/24 skwiera registration	500.00			1000 421000	340		101000
2	55631	05/14/24 mewes registration	500.00			1000 421000	340		101000
118191	112501S	695 NASRO	600.00						
1	M240510ND	05/10/24 12 memberships	600.00			1000 421000	667		101000
		Total for Vendor:	1,600.00						
118358		5385 NATHANIA FRITH	112.00						
1	05/16/24	meal reimb	112.00			1000 421000	340		101000
		Total for Vendor:	112.00						
118238	-99130E	3546 NATIONWIDE INVESTMENT ADVISORS	10,869.00						
1	05/21/24	May Post-Tax Contributions	3,080.00			1000 212551			101000
2	05/21/24	May Pre-Tax Contributions	7,789.00			1000 212550			101000
		Total for Vendor:	10,869.00						
118227	112503S	3541 ND FRATERNAL ORDER OF POLICE	1,930.50						
1	05/21/24	FOP Legal for May 2024	1,930.50			1000 212527			101000
		Total for Vendor:	1,930.50						

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118127	112504S	333 ND MOTOR VEHICLE DEPT.	34.50						
1	05/17/24	#1217 reg title tags plate	11.50			1000 421000	667		101000
2	05/17/24	#1218 reg title tags plate	11.50			1000 421000	667		101000
3	05/17/24	#1219 reg title tags plate	11.50			1000 421000	667		101000
		Total for Vendor:	34.50						
118309	-99128E	363 ND PERS	400.00						
	May								
1	05/31/24	Freadrich service credit purch	400.00			1000 212532			101000
118377	-99125E	363 ND PERS	417,471.70						
1	05/31/24	May Payroll - Contributions	417,409.01			1000 212532			101000
2	05/31/24	Rounding	0.32			1000 414100	230		101000
3	05/31/24	Adjustment	62.37			1000 415000	490		101000
		Total for Vendor:	417,871.70						
118334		826 ND RURAL WATER SYSTEMS	265.00						
1	05/15/24	MEMBERSHIP RENEWAL	265.00			1000 450000	667		101000
		Total for Vendor:	265.00						
118459		1771 ND SECRETARY OF STATE	36.00						
1	2024 05/21/24	A Puhr Notary Application	36.00			2060 415200	667		101000
		Total for Vendor:	36.00						
118206	112505S	756 NELCO FIRST AID	95.52						
1	014534 05/13/24	SA - FIRST AID SUPPLIES	82.72			6010 450200	639		101000
2	014535 05/13/24	SA - FIRST AID SUPPLIES	12.80			6010 450200	639		101000
		Total for Vendor:	95.52						
118400		364 NELSON INTERNATIONAL	139.80						
1	X102223613 05/22/24	241 MOTOR SINGLE SHAFT	104.37			6020 450000	427		101000
2	X102223510 05/21/24	243 CLAMP RAD OUTLET HEAT-	-38.30			6020 450000	427		101000
3	X102223493 05/20/24	243 HOSE/CLAMP	73.73			6020 450000	427		101000
		Total for Vendor:	139.80						

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118310		2261 NETWORK CENTER INCORPORATED	90.38						
1	INV215336	05/29/24 Midline Hard Drive	90.38			1000 414104	497		101000
		Total for Vendor:	90.38						
118229	112508S	3543 NEW YORK LIFE INSURANCE &	7,020.00						
1	05/21/24	Deferred Comp EE May 2024	7,020.00			1000 212531			101000
		Total for Vendor:	7,020.00						
118216	112509S	3185 NEXT LEVEL TINTING	80.00						
1	1110 05/17/24	#1194 tint	80.00			1000 421000	610		101000
		Total for Vendor:	80.00						
118160	112512S	1403 NORTHERN TOOL	12.34						
1	05/16/24	7708 MAGNETIC HOLDER	12.34			4387 480000	500		101000
		Total for Vendor:	12.34						
118281		1350 NORTHWEST SCALE, INC	5,000.00						
1	14776 05/17/24	INDICATOR RLWS 1280 ENTERPRISE	5,000.00			6010 450200	751		101000
		Total for Vendor:	5,000.00						
118437		330 NORTHWESTERN EQUIP INC.	203.20						
1	54350 05/23/24	5TA LATCH	203.20			6010 450200	433		101000
		Total for Vendor:	203.20						
118211	112515S	1774 O'REILLY AUTOMOTIVE STORES, INC	114.30						
1	329565 05/10/24	Transport Van-wipers	54.92			2060 415200	420		101000
2	329565 05/10/24	Service Tr.-wipers	59.38			2060 415200	420		101000
118465		1774 O'REILLY AUTOMOTIVE STORES, INC	70.91						
1	333065 05/21/24	FD Shop Supplies	70.91			2060 415200	500		101000
		Total for Vendor:	185.21						
118403		4744 O'REILLY AUTOMOTIVE STORES, INC	641.15						
1	1932333587 05/22/24	5007 FUSE HOLDER	6.79			1000 455000	610		101000
2	1932333519 05/22/24	STOCK BATTERY	343.01			6020 450000	427		101000
3	1932333526 05/22/24	BATTERY RET CREDIT	-141.69			6020 450000	427		101000

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4	1932333571	05/22/24 BATTERY	55.35			1000 430001	427		101000
5	1932333570	05/22/24 1194 BATTERY	227.09			1000 421000	427		101000
6	1932332723	05/20/24 7026 EVAP CORE	82.40			6025 450000	427		101000
7	1932331783	05/17/24 1172 CLANT RESRVR	49.72			1000 421000	427		101000
8	1932324467	04/25/24 5704 TOGGLE SWITCH	18.48			1000 430002	427		101000
		Total for Vendor:	641.15						
118401		352 OK TIRE STORE - COM CTR	496.40						
1	05354324	05/20/24 388 FLAT REPAIR	122.50			1000 430000	427		101000
2	05354444	05/21/24 TWEEL CASTER	373.90			1000 430001	427		101000
		Total for Vendor:	496.40						
118390		276 OSTROMS ACE HARDWARE	92.31						
1	226416	04/29/24 St 76 Hardware	13.00			2060 415200	500		101000
2	226445	05/01/24 Duct Tape CRR	11.98			2060 415200	500		101000
3	226487	05/06/24 Fix Cascade Handle	14.58			2060 415200	500		101000
4	226571	05/14/24 PAT Painters tape	28.77			2060 415200	500		101000
5	226575	05/15/24 Leader Hose	13.99			2060 415200	500		101000
6	226658	05/25/24 Grounding Connector	9.99			2060 415200	500		101000
		Total for Vendor:	92.31						
118288		5119 OSTROMS ACE HARDWARE (PW)	9.59						
1	226603	05/20/24 WATERPROOFING LEATHER	9.59			6020 450000	422		101000
118298		5119 OSTROMS ACE HARDWARE (PW)	23.98						
1	226683	05/29/24 SOIL	23.98			2210 428000	358		101000
118382		5119 OSTROMS ACE HARDWARE (PW)	15.18						
1	226686	05/29/24 SPRING EXT1-1/16X7	15.18			6025 450000	825		101000
118407		5119 OSTROMS ACE HARDWARE (PW)	19.98						
1	226592	05/17/24 GREASE WHLTHM	19.98			6010 450200	433		101000
118421		5119 OSTROMS ACE HARDWARE (PW)	75.94						
1	226625	05/22/24 SOIL	47.96			2210 428000	358		101000
2	226620	05/22/24 VINE & STUMP KILLER	27.98			2210 428000	358		101000
		Total for Vendor:	144.67						

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118448		4455 OTIS ELEVATOR COMPANY	81.25						
1	U1AB03	05/30/24 (4) extra keys for lockbox	81.25			2060 415200	420		101000
		Total for Vendor:	81.25						
118434		3277 OUT FRONT POWER EQUIPMENT	40.70						
1	4581	05/07/24 HARDWARE	40.70			1000 430001	427		101000
		Total for Vendor:	40.70						
118198	112524S	4263 PAUL GALLAGHER	85.00						
		Recertification for John and Mika							
1	2024	Mika 05/08/24 Mika- blind testing	85.00			2060 415200	915		101000
		Total for Vendor:	85.00						
118405		999999 PAUL GIENGER	300.00						
		Tree Planting Permit - 1332 Goldenwood Drive							
1		05/30/24 Tree - 1332 Goldenwood Drive	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
118374		5392 PENS.COM	337.00						
1	113715217	05/15/24 WATERBOTTLES	337.00			7000 411600	689		101000
		Total for Vendor:	337.00						
118224	112525S	3548 PERSHING	300.00						
1		05/21/24 Alerus - May 2024	300.00			1000 212525			101000
		Total for Vendor:	300.00						
118435		563 PETRO SERVE USA	741.95						
1	96806	05/16/24 SHELL ELC CONCENTRATE	741.95			6010 450200	427		101000
		Total for Vendor:	741.95						
118189	112528S	4034 PETRO SERVE USA #63	1,257.61						
1	8866	05/06/24 262 DIESEL	69.85			6020 450000	424		101000
2	4144	05/08/24 LP LBS	33.32			1000 430000	424		101000
3	4881	05/10/24 262 DIESEL	88.80			6020 450000	424		101000
4	4190	05/08/24 262 DIESEL	106.84			6020 450000	424		101000
5	7854	05/03/24 410 DIESEL	106.07			6010 450200	424		101000

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6	3598 05/07/24	380 DIESEL	88.82			1000 430000	424		101000
7	999 05/10/24	407 DIESEL	87.01			6010 450200	424		101000
8	251 05/09/24	407 DIESEL	60.07			6010 450200	424		101000
9	4875 05/10/24	7042 DIESEL	230.01			6025 450000	424		101000
10	4185 05/08/24	3005 DIESEL	125.39			1000 430000	424		101000
11	6193 05/15/24	7033 DIESEL	108.45			6025 450000	424		101000
12	1811 05/13/24	4102 DIESEL	152.98			6010 450200	424		101000
118444		4034 PETRO SERVE USA #63	893.25						
1	5945 05/23/24	4102 DIESEL	63.21			6010 450200	424		101000
2	7697 05/20/24	4102 DIESEL	102.68			6010 450200	424		101000
3	7944 05/21/24	4100 DIESEL	88.07			6010 450200	424		101000
4	4781 05/21/24	POT HOLE TRAILER DIESEL	60.09			1000 430000	424		101000
5	5268 05/22/24	609 DIESEL	97.66			1000 430001	424		101000
6	7329 05/29/24	7000 DIESEL	88.35			6025 450000	424		101000
7	5769 05/14/24	7000 DIESEL	141.95			6025 450000	424		101000
8	8729 05/23/24	7000 DIESEL	113.00			6025 450000	424		101000
9	5859 05/23/24	7000 DIESEL	94.04			6025 450000	424		101000
10	5827 05/14/24	CRACK SEALER DIESEL	44.20			1000 430000	424		101000
		Total for Vendor:	2,150.86						
118199	112529S	1987 PETSMART	95.97						
1	2024 05/06/24	FD Mika bag food,pop bags	95.97			2060 415200	915		101000
		Total for Vendor:	95.97						
118362		384 PITNEY BOWES GLOBAL FINANCIAL	398.82						
1	3319098686 05/11/24	2nd quarter lease	398.82			1000 421000	428		101000
		Total for Vendor:	398.82						
118230		1295 PRO-WEST & ASSOCIATES, INC	443.53						
	03/31/24-04/27/24								
1	008518 05/02/24	GIS Tech Support	443.53			1000 414000	497		101000
		Total for Vendor:	443.53						

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118372		3261 PROJECT LIFESAVER INTERNATIONAL	15.05						
1	S240023581	05/28/24 shipping	15.05			1000 421000	661		101000
		Total for Vendor:	15.05						
118262		5387 PROSOURCE LLC	5,000.00						
1	1443	05/21/24 Finance Director search	5,000.00			1000 414100	399		101000
		Total for Vendor:	5,000.00						
118441		1128 R & R PETROLEUM EQUIPMENT	144,520.00						
	PROJ #9046								
1	102145	05/16/24 40TH AVE FUEL SITE - DWNPMT	72,260.00			4094 480000	670		101000
2	102144	05/16/24 PW FUEL SITE - DWNPMT	72,260.00			4094 480000	670		101000
		Total for Vendor:	144,520.00						
118475		1472 RAILROAD MANAGEMENT CO III, LLC	379.14						
1	505788	05/23/24 Cust ID 502436 License 305036	379.14			6020 450000	490		101000
		Total for Vendor:	379.14						
118296		2982 RDO EQUIPMENT CO	327.24						
1	P7928254	05/28/24 7706 FILTER ELEMENT	327.24			4387 480000	427		101000
		Total for Vendor:	327.24						
118228	112539S	1464 RED RIVER VALLEY FOP LODGE #1	786.50						
1		05/21/24 FOP Dues May 2024	786.50			1000 212526			101000
		Total for Vendor:	786.50						
118162	112540S	1016 RED WING BUSINESS ADVANTAGE	265.48						
1	160121	05/15/24 T HUBBARD BOOTS	195.49			6020 450000	422		101000
2	160122	05/15/24 T HUBBARD INSOLES	69.99			6020 450000	422		101000
118423		1016 RED WING BUSINESS ADVANTAGE	195.49						
1	160214	05/16/24 J BARKER - BOOTS	195.49			6010 450200	422		101000
		Total for Vendor:	460.97						

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118381		1182 REFRIGERATION HEATING INC	132.20						
1	1346148	03/19/24 SA27 SWITCH	132.20			6025 450000	825		101000
		Total for Vendor:	132.20						
118280		5388 RIVERVIEW LAW OFFICE PLLC	570.15						
1	2741002	05/20/24 Wage Garnishment - P Gbagbe	570.15			1000 212545			101000
		Total for Vendor:	570.15						
118196	112543S	3522 RJ'S TESORO	25.94						
1	9031	05/14/24 5424 UNLEADED	25.94			1000 430001	424		101000
118445		3522 RJ'S TESORO	62.26						
1	4918	05/28/24 5425 UNLEADED	62.26			1000 430001	424		101000
		Total for Vendor:	88.20						
118420		2806 RMB ENVIRONMENTAL LABORATORIES,	1,035.00						
1	E000310	05/28/24 WATER TESTING	1,035.00			6025 450000	335		101000
		Total for Vendor:	1,035.00						
118245	112588S	4495 ROB DIRK	481.00						
		TEEX Training in College Station TX							
1	2024	TEEX 05/21/24 Per Diem	481.00			2060 415200	340		101000
		Total for Vendor:	481.00						
118260		1881 SAM'S CLUB/SYNCHRONY BANK (FD)	674.23						
1	St 75	05/16/24 St. 75 Station Supplies	184.32			2060 415200	500		101000
2	St 75	05/16/24 Cr for tax charged in error	-13.05			2060 415200	500		101000
3	St 76	05/16/24 St 76 Station Supplies	442.60			2060 415200	500		101000
4	WFFD	05/13/24 Service Fee	39.99			2060 415200	720		101000
5	WFFD	05/23/24 Interest Fee	20.37			2060 415200	720		101000
		Total for Vendor:	674.23						
118178	112545S	437 SANDY'S DONUTS & COFFEE SHOP	91.80						
1	8830	05/14/24 bakery for training	91.80			1000 421000	375		101000

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118357		437 SANDY'S DONUTS & COFFEE SHOP	300.90						
1	943526	05/20/24 bakery for training	100.30			1000 421000	375		101000
2	943533	05/21/24 bakery for training	100.30			1000 421000	375		101000
3	943542	05/22/24 bakery for training	100.30			1000 421000	375		101000
		Total for Vendor:	392.70						
118201	112546S	140 SANFORD AMBULANCE	925.00						
1	44051	04/26/24 50 CPR/AED bulk cards	925.00			2060 415200	340		101000
118466		140 SANFORD AMBULANCE	370.00						
1	44116	05/16/24 FD Pediatric First Aide E-card	370.00			2060 415200	340		101000
		Total for Vendor:	1,295.00						
118410		999999 SARAH ANDERSCH	190.00						
		Tree Planting Permit - 2254 10th St W							
1		05/30/24 Tree - 2254 10th St W	190.00			5000 422000	490		101000
		Total for Vendor:	190.00						
118354		639 SECRETARY OF STATE	36.00						
1		05/21/24 renewal davidson	36.00			1000 421000	661		101000
		Total for Vendor:	36.00						
118317		1634 SHANE ORN	280.00						
1		05/28/24 meal reimb	280.00			1000 421000	340		101000
118325		1634 SHANE ORN	81.50						
1		05/30/24 clothing reimb	81.50			1000 421000	422		101000
		Total for Vendor:	361.50						
118438		459 SHERWIN WILLIAMS	710.40						
1	22238	05/23/24 PAINT	162.72			6010 450200	914		101000
2	56741	05/17/24 PAINT	547.68			6010 450200	914		101000
		Total for Vendor:	710.40						

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118344		3994 SHEYENNE GARDENS	4,964.00						
1	542551	05/29/24 FLOWERS/HANGING BASKETS	1,326.50			1000 430001	358		101000
2	542552	05/29/24 HANGING BASKETS	1,937.50			1000 430001	358		101000
3	542520	05/20/24 FRUIT TREES/BUSHES	1,700.00			2210 428000	446		101000
		Total for Vendor:	4,964.00						
118347		2885 SHORTPRINTER	57.40						
1	148998	05/14/24 KAYLA & KIRSTEN BUSINESS CARDS	57.40			7000 411600	668		101000
118370		2885 SHORTPRINTER	59.82						
1	149533	05/17/24 DQ tickets	59.82			1000 421000	375	12	101000
		Total for Vendor:	117.22						
118243		5199 SIGN BADGERS	8,216.34						
		Signs, logos, nameplates, frosted vinyl for the new City Hall							
1	31867	05/02/24 Signs and nameplates - WEX	8,216.34			2970 480000	653		101000
		Total for Vendor:	8,216.34						
118176	112549S	91 SIGN SOLUTIONS USA	394.84						
1	411663	05/14/24 SIGNS	394.84			1000 430000	487		101000
		Total for Vendor:	394.84						
118413		999999 SIMON WOZNICA	300.00						
		Tree Planting Permit - 1022 51st Ave W							
1		05/30/24 Tree - 1022 51st Ave W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
118161	112550S	465 SPARTAN STORES LLC	46.62						
1	5855	05/08/24 Fire Department Academy Snacks	46.62			2060 415200	378		101000
		Total for Vendor:	46.62						
118209	112552S	3516 STEIN'S INC	755.17						
1	938641	05/15/24 Station 75 supplies	351.36			2060 415200	500		101000
2	938615	05/15/24 Station 76 Supplies	403.81			2060 415200	500		101000
		Total for Vendor:	755.17						

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118385		38 STRATA CORPORATION	5,450.29						
1	721620	05/14/24 CLASS 5	5,450.29			1000 430000	394		101000
		Total for Vendor:	5,450.29						
118130	112554S	733 SWANSTON EQUIPMENT CORP.	23,767.00						
1	E09883	05/07/24 #3404 2024 BOBCAT GRADER 96"	23,767.00			1000 430000	870		101000
118393		733 SWANSTON EQUIPMENT CORP.	141.17						
1	P02235	05/28/24 POTHOLE MACHINE CLEAN OUT	141.17			1000 430000	427		101000
118402		733 SWANSTON EQUIPMENT CORP.	128.21						
1	P10983	05/20/24 350C TIRE ASSY	128.21			1000 430000	427		101000
		Total for Vendor:	24,036.38						
118294		890 TCC MATERIALS	265.20						
1	7421264	05/03/24 CONCRETE MIX	265.20			6020 450000	438		101000
		Total for Vendor:	265.20						
118140	112555S	2491 TEAM LABORATORY CHEMICAL, LLC	33,750.00						
1	0040880	05/08/24 MEGA BUGS	33,750.00			4387 480000	670		101000
		Total for Vendor:	33,750.00						
118467		4122 TEXAS A&M ENGINEERING EXTENSION	5,000.00						
1	GE7305240	05/26/24 TEEEX Training C Cvancara	1,250.00			2060 415200	340		101000
2	GE7305240	05/26/24 TEEEX Training R Dirk	1,250.00			2060 415200	340		101000
3	GE7305240	05/26/24 TEEEX Training B Herbst	1,250.00			2060 415200	340		101000
4	GE7305240	05/26/24 Teex Training G Rix	1,250.00			2060 415200	340		101000
		Total for Vendor:	5,000.00						
118158	112558S	3411 THE UPS STORE #6740	46.26						
1	CZ11BE8HE	05/07/24 SHIPPING	30.92			1000 430002	487		101000
2	CZ1ZK337E	05/07/24 SHIPPING	15.34			6025 450000	420		101000

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118202	112558S	3411 THE UPS STORE #6740	131.10						
1	may 24 05/10/24	Ship gear to be repaired	131.10			2060 415200	661		101000
118450		3411 THE UPS STORE #6740	189.40						
1	GearWash 05/29/24	Shipping gear for repairs-Ge	189.40			2060 415200	661		101000
		Total for Vendor:	366.76						
118367		1062 TRACY HAUGEN	225.00						
1	05/23/24	meal reimb	225.00			1000 421000	340		101000
		Total for Vendor:	225.00						
118417		5393 TRANE US INC	2,300.00						
1	314572267 05/29/24	WEX FIT-UP	2,300.00			2970 480000	653		101000
118468		5393 TRANE US INC	1,592.25						
1	314555471 05/21/24	FD Repair Damage caused by	1,592.25			2060 415200	494		101000
		Total for Vendor:	3,892.25						
118240	112585S	3524 TRAVIS OLSON	617.52						
	Glendale AZ 2024	CRR Conference							
1	2024 CRR 05/21/24	Per diem, rental Car, Fuel C	617.52			2060 415200	340		101000
		Total for Vendor:	617.52						
118474		3389 TRIO ENVIRONMENTAL CONSULTING,	725.00						
1	T24-096 05/22/24	508 1st Ave NW Asbestos Testi	725.00			4902 415000	724		101000
		Total for Vendor:	725.00						
118363		5386 TRUCKVAULT INC	8,660.50						
1	270086 04/09/24	#1216 truckvault	4,330.25			1000 421000	610		101000
2	270087 04/09/24	#1190 truckvault	4,330.25			1000 421000	610		101000
		Total for Vendor:	8,660.50						
118446		2136 ULINE INC	843.97						
1	178515234 05/22/24	WEX FIT-UP	843.97			2970 480000	653		101000
		Total for Vendor:	843.97						

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118221	112566S	1562 UNITED WAY OF CASS-CLAY	47.00						
1	05/21/24	May Contributions	47.00			1000 212536			101000
		Total for Vendor:	47.00						
118239	-99129E	4665 UNUM	10,632.23						
1	05/21/24	May Employee Contributions	5,701.02			1000 212514			101000
2	05/21/24	May Employer Contributions	4,931.71			1000 212514			101000
3	05/21/24	Rounding	-0.50			1000 415000	490		101000
		Total for Vendor:	10,632.23						
118131	112568S	1553 VARITECH INDUSTRIES, INC	28,739.92						
1	0601029340	05/13/24 #3074B 2024 2600 GA BRINE	28,739.92			1000 430000	870		101000
		Total for Vendor:	28,739.92						
118194	112569S	3668 VERIZON WIRELESS	13,959.17						
1	9963531055	04/08/24 april 2024 city admin	115.55			1000 414000	356		101000
2	9963531055	04/08/24 april 2024 econ. developme	47.48			1000 414102	356		101000
3	9963531055	04/08/24 april 2024 hr	137.38			1000 414103	356		101000
4	9963531055	04/08/24 april 2024 IT	261.03			1000 414104	356		101000
5	9963531055	04/08/24 april 2024 commission	89.90			1000 415000	356		101000
6	9963531055	04/08/24 april 2024 commission	40.01			1000 415000	356		101000
7	9963531055	04/08/24 april 2024 communications	137.44			1000 416200	356		101000
8	9963531055	04/08/24 april 2024 engineering	758.79			1000 414200	356		101000
9	9963531055	04/08/24 april 2024 planning	222.34			1000 418000	356		101000
10	9963531055	04/08/24 april 2024 pd cell	469.36			1000 421000	356		101000
11	9963531055	04/08/24 april 2024 pd cell	4,365.43			1000 421000	356		101000
12	9963531055	04/08/24 april 2024 pd bait	42.48			1000 421000	356		101000
13	9963531055	04/08/24 april 2024 pd passport	127.35			1000 421000	356		101000
14	9963531055	04/08/24 april 2024 pd 4 sight car	84.90			1000 421000	356		101000
15	9963531055	04/08/24 april 2024 pd mdc	720.18			1000 421000	356		101000
16	9963531055	04/08/24 april 2024 pd cradlepoint	840.60			1000 421000	356		101000
17	9963531055	04/08/24 april 2024 pd invest	40.01			1000 421000	356		101000
18	9963531055	04/08/24 april 2024 pd ICAC	42.48			1000 421000	356		101000
19	9963531055	04/08/24 april 2024 pd polecam	80.02			1000 421000	356		101000
20	9963531055	04/08/24 april 2024 pd invest trail	80.02			1000 421000	356		101000
21	9963531055	04/08/24 april 2024 pw street	407.45			1000 430000	356		101000

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22	9963531055	04/08/24 april 2024 pw row	82.49			1000 430001	356		101000
23	9963531055	04/08/24 april 2024 pw	729.72			1000 450000	356		101000
24	9963531055	04/08/24 april 2024 pw b&g	292.39			1000 455000	356		101000
25	9963531055	04/08/24 april 2024 fire	1,295.96			2060 415200	356		101000
26	9963531055	04/08/24 april 2024 fire drone	40.01			2060 415200	356		101000
27	9963531055	04/08/24 april 2024 pw forestry	94.93			2210 428000	356		101000
28	9963531055	04/08/24 april 2024 pw sanitation	863.17			6010 450200	356		101000
29	9963531055	04/08/24 april 2024 pw water	638.66			6020 450000	356		101000
30	9963531055	04/08/24 april 2024 pw sewer	488.30			6025 450000	356		101000
31	9963531055	04/08/24 april 2024 library	323.34			7000 411600	356		101000
Total for Vendor:			13,959.17						
118254	E	3212 VISA ADMINISTRATION	260.50						
May statement for Apr transactions									
1	CC-1434	04/09/24 Record Keepers	37.50			1000 202200			101000
shred bins				CC Accounting: 1000-		-415000-420			
RECORD KEEPERS									
2	CC-1434	04/11/24 Fargo, Mhd, West Fargo Chambe	40.00			1000 202200			101000
Eggs & Issues for Mayor Dardis				CC Accounting: 1000-		-415000-340			
FARGO MHD WEST FARGO CHAMBER OF COMMERCE									
3	CC-1434	04/16/24 Record Keepers	37.50			1000 202200			101000
shred bins				CC Accounting: 1000-		-415000-420			
RECORD KEEPERS									
4	CC-1434	04/24/24 Condolences.com	145.50			1000 202200			101000
flowers for Amy K. dad's funeral				CC Accounting: 1000-		-415000-375			
MISC CLAIM VENDOR									
Total for Vendor:			260.50						
118476	E	2437 VISA ASSESSING	2,655.81						
Jun statement for May transactions									
1	CC-1437	05/02/24 USPS change of address	2.20			1000 202200			101000
change of address				CC Accounting: 1000-		-414104-410			
US POSTAL SERVICE									
2	CC-1437	05/06/24 USPS stamps	15.30			1000 202200			101000
stamps				CC Accounting: 1000-		-414104-410			
US POSTAL SERVICE									
3	CC-1437	05/09/24 Net World Sports	204.78			2970 202200			101000
boot scraper for Wex				CC Accounting: 2970-		-480000-653			
MISC CLAIM VENDOR									

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4	CC-1437	05/09/24 Amazon shoe bench for Wex AMAZON CAPITAL SERVICES	110.92	CC Accounting: 2970-		2970 202200 -480000-653			101000
5	CC-1437	05/09/24 Amazon TV mounts for Wex AMAZON CAPITAL SERVICES	299.97	CC Accounting: 2970-		2970 202200 -480000-653			101000
6	CC-1437	05/10/24 Amzon TV mounts for Wex AMAZON CAPITAL SERVICES	299.97	CC Accounting: 2970-		2970 202200 -480000-653			101000
7	CC-1437	05/10/24 Baymont Hotel NDAAO/IAOO Course Training BAYMONT INN & SUITES	530.85	CC Accounting: 1000-		1000 202200 -414104-340			101000
8	CC-1437	05/10/24 Red Trail Petro gas for city car for training MISC CLAIM VENDOR	38.98	CC Accounting: 1000-		1000 202200 -414104-340			101000
9	CC-1437	05/15/24 Amazon wall hangers for Wex AMAZON CAPITAL SERVICES	33.99	CC Accounting: 2970-		2970 202200 -480000-653			101000
10	CC-1437	05/16/24 Amazon TV Remote holder for Wex AMAZON CAPITAL SERVICES	14.24	CC Accounting: 2970-		2970 202200 -480000-653			101000
11	CC-1437	05/17/24 Menards car remote battery MENARDS (FIRE)	5.82	CC Accounting: 1000-		1000 202200 -414104-410			101000
12	CC-1437	05/20/24 Amazon power strip for Wex AMAZON CAPITAL SERVICES	38.99	CC Accounting: 2970-		2970 202200 -480000-653			101000
13	CC-1437	05/24/24 Amazon outlet cover for Wex AMAZON CAPITAL SERVICES	8.62	CC Accounting: 2970-		2970 202200 -480000-653			101000
14	CC-1437	05/24/24 Amazon Keurigs for Wex AMAZON CAPITAL SERVICES	878.00	CC Accounting: 2970-		2970 202200 -480000-653			101000
15	CC-1437	05/28/24 Amazon access panel for Wex AMAZON CAPITAL SERVICES	9.88	CC Accounting: 2970-		2970 202200 -480000-653			101000
16	CC-1437	05/29/24 Amazon Firestick for Wex AMAZON CAPITAL SERVICES	58.79	CC Accounting: 2970-		2970 202200 -480000-653			101000

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17	CC-1437	05/30/24 Menards screws for Wex MENARDS (FIRE)	6.62			2970 202200 -480000-653			101000
18	CC-1437	05/28/24 Menards moving boxes for Wex MENARDS (FIRE)	94.55			2970 202200 -480000-653			101000
19	CC-1437	05/31/24 Menards Screws for Wex MENARDS (FIRE)	1.29			2970 202200 -480000-653			101000
20	CC-1437	05/09/24 Net World Sports international fee MISC CLAIM VENDOR	2.05			1000 202200 -414104-410			101000
Total for Vendor:			2,655.81						
118477	E	3569 VISA FIRE DEPT 1	4,973.18						
1	CC-1435	05/06/24 2024 CRR Inventory items ALERT-ALL CORP	3,982.50			2060 202200 -415200-375			101000
2	CC-1435	05/15/24 T Olson 2024 CRR Conference Renaissance Dallas Richardson	217.67			2060 202200 -415200-340			101000
3	CC-1435	05/19/24 T Olson 2024 CRR Conference Renaissance Dallas Richardson	773.01			2060 202200 -415200-340			101000
Total for Vendor:			4,973.18						
118478	E	3568 VISA FIRE DEPT 2	3,414.84						
1	CC-1436	05/06/24 Mika-car seat harness SLEEPYPOD PET ITEMS	131.69			2060 202200 -415200-915			101000
2	CC-1436	05/08/24 T Olson CRRL Conference IAFC	375.00			2060 202200 -415200-340			101000
3	CC-1436	05/09/24 Blue Card Training-Pizza MARCO'S PIZZA	82.11			2060 202200 -415200-340			101000
4	CC-1436	05/10/24 NS Mailbox and dish soap MENARDS (FIRE)	26.67			2060 202200 -415200-500			101000
5	CC-1436	05/13/24 EMS Bikes-tune up SCHEELS	120.00			2060 202200 -415200-420			101000
6	CC-1436	05/14/24 ST 75 Mower Maintenance RDO EQUIPMENT CO	139.92			2060 202200 -415200-420			101000
7	CC-1436	05/20/24 Fittings for PAT course DAKOTA HOSE & EQUIP	18.69			2060 202200 -415200-340			101000

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8	CC-1436 05/22/24	NFA Womens Wknd West	108.92			2060 202200			101000
		NETC-GUEST SERVICES, INC		CC Accounting: 2060-		-415200-340			
9	CC-1436 05/22/24	NFA Womens Wknd Thieschafer	108.92			2060 202200			101000
		NETC-GUEST SERVICES, INC		CC Accounting: 2060-		-415200-340			
10	CC-1436 05/22/24	NFA J West Airfare	947.95			2060 202200			101000
		DELTA AIR		CC Accounting: 2060-		-415200-340			
11	CC-1436 05/22/24	NFA A Thieschafer Airfare	947.95			2060 202200			101000
		DELTA AIR		CC Accounting: 2060-		-415200-340			
12	CC-1436 05/22/24	Seat Fees	109.96			2060 202200			101000
		DELTA AIR		CC Accounting: 2060-		-415200-340			
13	CC-1436 05/22/24	Fix Shelf in R-75	10.00			2060 202200			101000
		WEST SIDE STEEL		CC Accounting: 2060-		-415200-427			
14	CC-1436 05/23/24	EMT Bike helmet/grip gloves	109.94			2060 202200			101000
		SCHEELS		CC Accounting: 2060-		-415200-641			
15	CC-1436 05/29/24	EMT Bike Grip Gloves	39.95			2060 202200			101000
		SCHEELS		CC Accounting: 2060-		-415200-641			
16	CC-1436 06/02/24	E Menge Boots	137.17			2060 202200			101000
		ROCKY BRAND US		CC Accounting: 2060-		-415200-422			
Total for Vendor:			3,414.84						
118479	E	4351 VISA FIRE DEPT 3	7,459.50						
1	CC-1438 05/09/24	FD April Recycling	103.74			2060 202200			101000
		WASTE MANAGEMENT - DAKOTA LANDFILL		CC Accounting: 2060-		-415200-527			
2	CC-1438 05/13/24	TEEX G Rix cr on overcharge	-26.37			2060 202200			101000
		AMERICAN AIRLINES		CC Accounting: 2060-		-415200-340			
3	CC-1438 05/13/24	TEEX R Dirk cr on overcharge	-26.37			2060 202200			101000
		AMERICAN AIRLINES		CC Accounting: 2060-		-415200-340			
4	CC-1438 05/13/24	TEEX B Herbst Cr on Overcharg	-26.37			2060 202200			101000
		AMERICAN AIRLINES		CC Accounting: 2060-		-415200-340			
5	CC-1438 05/13/24	TEEX C Cvancara cr on overcha	-26.37			2060 202200			101000
		AMERICAN AIRLINES		CC Accounting: 2060-		-415200-340			
6	CC-1438 05/15/24	Rope Rescue items	4,203.09			2060 202200			101000
		CMC RESCUE		CC Accounting: 2060-		-415200-641			
7	CC-1438 05/18/24	TEEX B HERBST LODGING	743.10			2060 202200			101000
		HOME2 SUITES BY HILTON		CC Accounting: 2060-		-415200-340			
8	CC-1438 05/18/24	TEEX G RIX LODGING	743.10			2060 202200			101000
		HOME2 SUITES BY HILTON		CC Accounting: 2060-		-415200-340			

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9	CC-1438	05/18/24 TEEX C CVANCARA LODGING	743.10			2060 202200			101000
		HOME2 SUITES BY HILTON		CC Accounting: 2060-		-415200-340			
10	CC-1438	05/18/24 TEEX R DIRK LODGING	743.10			2060 202200			101000
		HOME2 SUITES BY HILTON		CC Accounting: 2060-		-415200-340			
11	CC-1438	05/20/24 FD MARCH 24 UTILITIES	285.75			2060 202200			101000
		MIDCONTINENT COMMUNICATIONS		CC Accounting: 2060-		-415200-527			
Total for Vendor:			7,459.50						
118218	-99135E	2439 VISA IT	3,421.64						
		May statement for Apr transactions							
1	CC-1432	04/11/24 Monoprice	397.25			2970 202200			101000
		patch cables, cable ties for Wex bldg		CC Accounting: 2970-		-480000-653			
		MISC CLAIM VENDOR							
2	CC-1432	04/12/24 Amazon	126.21			2970 202200			101000
		plastic server rack mount cable management duct		CC Accounting: 2970-		-480000-653			
		AMAZON CAPITAL SERVICES							
3	CC-1432	04/15/24 Microsoft	-275.41			1000 202200			101000
		Microsoft credit-2 cancelled subscriptions		CC Accounting: 1000-		-414104-497			
		MISC CLAIM VENDOR							
4	CC-1432	04/17/24 FS.com	89.00			1000 202200			101000
		fiber cables		CC Accounting: 1000-		-414104-497			
		MISC CLAIM VENDOR							
5	CC-1432	04/17/24 Monoprice	-29.43			2970 202200			101000
		refund of tax		CC Accounting: 2970-		-480000-653			
		MISC CLAIM VENDOR							
6	CC-1432	04/18/24 Amazon	1,686.39			2970 202200			101000
		monitor stands for Wex - 60		CC Accounting: 2970-		-480000-653			
		AMAZON CAPITAL SERVICES							
7	CC-1432	04/20/24 Go Daddy	999.98			1000 202200			101000
		West Fargo.gov domain annual renewal		CC Accounting: 1000-		-414104-497			
		MISC CLAIM VENDOR							
8	CC-1432	04/19/24 Perle Systems	48.05			6010 202200			101000
		module for transfer station scale project		CC Accounting: 6010-		-450200-751			
		MISC CLAIM VENDOR							
9	CC-1432	04/24/24 Amazon	31.75			1000 202200			101000
		Milwaukee screwdriver for Wex IT office		CC Accounting: 1000-		-414104-497			
		AMAZON CAPITAL SERVICES							

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10	CC-1432	04/27/24 Amazon	347.85			1000 202200			101000
		Dewalt drill, impact driver, screw driver kit and bits kit		CC Accounting: 1000-		-414104-497			
		AMAZON CAPITAL SERVICES							
		Total for Vendor:	3,421.64						
118219	-99134E	5092 VISA IT 2	1,610.67						
		May statement for Apr transactions							
1	CC-1433	04/02/24 Frontier Airlines	631.96			1000 202200			101000
		plane ticket for Micheal W. to attend RSA conference		CC Accounting: 1000-		-414104-340			
		FRONTIER AIRLINES							
2	CC-1433	04/08/24 FS.com	324.70			2970 202200			101000
		network cabling, patch and twinax		CC Accounting: 2970-		-480000-653			
		MISC CLAIM VENDOR							
3	CC-1433	04/10/24 Best Buy	109.99			1000 202200			101000
		1 TB portable SSD drive-temp use for transfer station backup		CC Accounting: 1000-		-414104-497			
		BEST BUY BUSINESS ADVANTAGE ACCOUNT							
4	CC-1433	04/10/24 Pearson Vue	369.00			1000 202200			101000
		comp TIA networks + certification exam for Tyler B		CC Accounting: 1000-		-414104-340			
		MISC CLAIM VENDOR							
5	CC-1433	04/10/24 Dominos Pizza	25.89			1000 202200			101000
		error-reimbursed by employee		CC Accounting: 1000-		-414104-340			
		DOMINO'S PIZZA							
6	CC-1433	04/17/24 AT&T	59.13			1000 202200			101000
		phone cover		CC Accounting: 1000-		-414104-356			
		AT&T							
7	CC-1433	04/26/24 EFM Events	50.00			1000 202200			101000
		ND IT symposium		CC Accounting: 1000-		-414104-340			
		MISC CLAIM VENDOR							
8	CC-1433	04/01/24 Zoom	40.00			1000 202200			101000
		Zoom conference fees		CC Accounting: 1000-		-414104-497			
		MISC CLAIM VENDOR							
		Total for Vendor:	1,610.67						
118217	112570S	4173 VOCATIONAL TRAINING CENTERS	151.53						
1	INV035322	05/16/24 Engineering Supplies	151.53			1000 414200	410		101000
		Total for Vendor:	151.53						

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118237	-99131E	4662 VOYA	414.00						
1	05/21/24	May Contributions	414.00			1000 212511			101000
		Total for Vendor:	414.00						
118275		544 WALLWORK TRUCK CENTER	9,418.60						
1	01P490364	05/23/24 413 INJECTOR KIT	9,418.60			6010 450200	427		101000
118399		544 WALLWORK TRUCK CENTER	175.56						
1	01P488946	05/16/24 CHERRY BOMB	102.96			6010 450200	433		101000
2	01P490132	05/23/24 4021 GASKET OIL PAN	62.80			6010 450200	427		101000
3	01P490978	05/23/24 4021 FILLER CAP	9.80			6010 450200	427		101000
		Total for Vendor:	9,594.16						
118148	112572S	576 WALMART COMMUNITY CARD	124.87						
1	05/16/24	cadets grad.	124.87			1000 421000	375		101000
118190	112572S	576 WALMART COMMUNITY CARD	96.30						
1	05/13/24	items for mtg	96.30			1000 421000	375		101000
		Total for Vendor:	221.17						
118143	112573S	648 WEST FARGO AUTO BODY/GLASS	2,926.50						
1	10520 05/14/24	7002 BODY WORK	2,926.50			6025 450000	322		101000
		Total for Vendor:	2,926.50						
118214	112575S	1040 WEST FARGO EXCHANGE CLUB	250.00						
1	1097 05/14/24	D Fuller Dues WFFD	250.00			2060 415200	667		101000
118220	112575S	1040 WEST FARGO EXCHANGE CLUB	250.00						
	July-Sept 2024								
1	1093 02/05/23	D Scott - 1st Qtr Dues	250.00			1000 414000	667		101000
		Total for Vendor:	500.00						
118253		566 WEST FARGO PARK DISTRICT	109,870.35						
1	05/31/24	May 2024 State Aid	109,870.35			2050 451000	992		101000
		Total for Vendor:	109,870.35						

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118304		2184 WEST SIDE STEEL	49.74						
1	9341 05/24/24	#4011 #9 FLAT EXPANDED	25.38			6010 450200	427		101000
2	9250 05/16/24	3103 ROUND TUBE	24.36			1000 430000	610		101000
		Total for Vendor:	49.74						
118197	-99144E	4676 WEX ELECTRONIC BIWEEKLY	34,055.11						
	05.03.24	payroll							
1	05/17/24	HSA Contributions - ER	10,959.81			1000 212530			101000
2	05/17/24	HSA Contributions - EE	23,095.30			1000 212530			101000
		Total for Vendor:	34,055.11						
118469		5394 Weyer Companies	6,180.00						
1	40316-1 05/17/24	FD St 75 Paint all rooms	6,180.00			2060 415200	494		101000
		Total for Vendor:	6,180.00						
118226	112577S	3827 WF Firefighters Association	1,000.00						
1	05/21/24	Fire Union Dues May 2024	1,000.00			1000 212552			101000
		Total for Vendor:	1,000.00						
118411		999999 WILLIAM WALD	300.00						
		Tree Planting Permit - 1314 Commander Dr							
1	05/30/24	Tree - 1314 Commander Dr	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
118144	112580S	2740 WM CORPORATE SERVICES, INC	103.74						
1	43003 05/03/24	FD April Recycling	103.74			2060 415200	527		101000
		Total for Vendor:	103.74						
118147	112581S	338 XCEL ENERGY	3,477.65						
1	6685031 05/01/24	FD April Utility Billing	3,477.65			2060 415200	527		101000
118268		338 XCEL ENERGY	744.60						
1	878966940 05/24/24	SM33	97.00			6025 450000	527		101000
2	878980398 05/24/24	312 5TH AVE W	158.94			1000 430002	527		101000
3	878978247 05/24/24	309 2ND AVE W	18.76			1000 430002	527		101000
4	878970831 05/24/24	60L 12TH ST E	62.67			6025 450000	527		101000

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5	878982264	05/24/24 1100 12TH AVE NW	165.68			6020 450000	527		101000
6	878990122	05/24/24 901 10TH AVE E - TRAFFIC SI	43.90			1000 430002	527		101000
7	878857568	05/23/24 810 12TH AVE NW	26.62			1000 415000	527		101000
8	878858786	05/23/24 344 SHEYENNE - SHEYENNE PLA	17.09			2310 452120	527		101000
9	878877990	05/23/24 300 SHEYENNE - PIONEER PLAC	51.25			2310 452120	527		101000
10	878257951	05/20/24 TRANSFER STATION	57.76			6010 450200	527		101000
11	878266822	05/20/24 SM75	44.93			6025 450000	527		101000
118329		338 XCEL ENERGY	93.37						
1	879190203	05/28/24 1680 13TH AVE - ST LIGHTS	91.59			1000 430002	527		101000
2	879210317	05/28/24 1410 13TH AVE E - TRAFFIC S	1.78			1000 430002	527		101000
118332		338 XCEL ENERGY	1,300.99						
1	879140492	05/28/24 SA17	91.79			6025 450000	527		101000
2	879140492	05/28/24 PW - VEH STORAGE	219.72			6020 450000	527		101000
3	879140492	05/28/24 ST LIGHT FEED POINTS	989.48			1000 430002	527		101000
118375		338 XCEL ENERGY	21.51						
1	878840842	04/23/24 april 2024 603-605 sheyenne	21.51			1000 421000	527		101000
Total for Vendor:			5,638.12						
# of Claims			345	Total:	2361,879.47	# of Vendors		222	
Total Electronic Claims					753,602.63				
Total Non-Electronic Claims					1608276.84				

** This report runs by Claim Posted Date, which is a system generated field that always shows the date on which the Claim was actually posted in the system. If a Claim was cancelled and re-posted, the posted date will show as of the date it was re-posted. **



"Consent" or "Regular" Agenda
Item?
[Consent]

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Police and Fire

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and
Engineering

Secondary Portfolio:

Sanitation

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Administration/Finance

City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: June 3, 2024

Subject: Improvement District No. 1345 – Sandhills 6th Addition

Action: Adopt Resolution Approving Contract and Contractor's Bond and Authorize Notice to Proceed.

New Information and Recommendation:

During the regular meeting held on May 6, 2024, the City Commission reviewed bids and awarded a contract to Dakota Underground Company. The contract documents were prepared and delivered to the City Attorney's office for review. After their compliance review, the attached Resolution was prepared for the City Commission's review and approval.

The following documents are attached for review/consideration:

- Resolution Approving Contract and Contractor's Bond
- Notice to Proceed

Staff Recommendation: Adopt Resolution Approving Contract and Contractor's Bond and Authorize Notice to Proceed.

Previously Presented Information and Commission Actions:

May 6, 2024 –

- **Staff Recommendation:** Accept Bid and Award Contract to Dakota Underground Company for their bid amount of \$4,203,889.13.
- **Commission Action:** Commissioner Olson moved, and Commissioner Simmons seconded to approve. No opposition, motion carried.

April 1, 2024-

- **Staff Recommendation:** Approve Plans and Specifications and Direct Advertisement for Bids.
- **Commission Action:** Commissioner George moved, and Commissioner Olson seconded to approve. No opposition, motion carried.

December 18, 2023-

- **Staff Recommendation:** Conduct the Resolution of Necessity Public Hearing; and approve both a Resolution of insufficient protests and a Task Order for "Basic Services".
- **Commission Action:** Commissioner Simmons moved, and Commissioner Olson seconded to approve. Commissioner George voted nay; motion carried on a 4 to 1 vote.

November 6, 2023-

- **Staff Recommendation:** Accept and Approve Amended Resolution Declaring Work Necessary
- **Commission Action:** Commissioner Simmons moved, and Commissioner Olson seconded to approve. No opposition, motion carried.

October 16, 2023 –

- **Staff Recommendation:** Approve Amended Engineer's Report
- **Commission Action:** Commissioner Olson moved, and Commissioner Anderson seconded to approve. Commissioner Simmons was absent and not voting. No opposition, motion carried.

July 10, 2023 -

- **Staff Recommendation:** Create Improvement District No. 1345, Approve Engineer's Report; Direct Engineer to prepare both a Task Order for "Basic Services" along with Plans and Specifications; and Approve Resolution of Necessity.
- **Commission Actions:** Commissioner Simmons moved, and Commissioner Olson seconded. Commissioner George opposed; motion carried on a 4:1 vote.

May 1, 2023 -

- **Staff Recommendation:** Accept Petitions for Improvements and Preliminary Work Agreements from both developers; and authorize preliminary engineering.
- **Commission Action:** Commissioner Simmons moved, and Commissioner Olson seconded to approve. No opposition, motion carried.

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION APPROVING CONTRACT AND CONTRACTOR'S BOND IN
IMPROVEMENT DISTRICT NO. 1345
NEW WATER SUPPLY, SEWERAGE, STREET SYSTEMS; AND INCIDENTALS

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 general 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: June 3, 2024

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by _____.
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.

NOTICE TO PROCEED

Owner:	City of West Fargo	Owner's Contract No.:	1345
Contractor:	Dakota Underground Company	Contractor's Project No.:	
Engineer:	Moore Engineering, Inc.	Engineer's Project No.:	22467A
Project:	Sandhill's 6 th Addition	Contract Name:	Improvement District No. 1345; New Water Supply, Sewerage, Street Systems and Incidentals
		Effective Date of Contract:	May 6 ,2024

TO CONTRACTOR:

Owner hereby notifies Contractor that the Contract Times under the above Contract will commence to run on May 6, 2024.

On that date, Contractor shall start performing its obligations under the Contract Documents. No Work shall be done at the Site prior to such date. In accordance with the Agreement, the date of Substantial Completion is August 1, 2025, and the date of readiness for final payment is August 15, 2025.

Before starting any Work at the Site, Contractor must comply with the following:
Submit any required Storm Water Permits or Plans.

Owner: City of West Fargo

Authorized Signature

By: Bernie L. Dardis

Title: President of the Board of City Commissioners

Date Issued: _____

Copy: Engineer



To: West Fargo City Commission
From: Aaron Nelson, Planning Director
Date: Date of Commission Meeting
Subject: Joint Powers Agreement with Cass County regarding address assignments within City's extraterritorial jurisdiction
Action: Approve updated Joint Powers Agreement

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Police and Fire

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Administration/Finance

Administration

Dustin Scott,
Administrator

Summary and Recommendation:

The County has requested an update to an existing Joint Powers Agreement between Cass County and the City of West Fargo regarding the assignment of addresses outside of the City's corporate limits but within the City's extraterritorial jurisdiction. The updates to the agreement are intended to clarify addressing responsibilities between the County and the City, remove a reference to an outdated address data management system, and include boilerplate legal clauses. The agreement has been reviewed by the City Attorney and there are no material changes to the nature of the agreement.

The recommended action is to approve the Joint Powers Agreement.

Policy Analysis:

No changes in relation to existing policy. The City will continue to exercise addressing authority within the City's extraterritorial jurisdiction.

Financial Analysis:

No changes in relation to City finances. There are no financial impacts associated with this agreement other than staff time.

Process/Timeline:

The attached JPA was approved by the Board of Cass County Commissioners at their regular meeting on May 6, 2024. It will become effective upon approval of the West Fargo City Commission.

JOINT POWERS AGREEMENT
Extraterritorial 911 Address Assignment

THIS AGREEMENT is made and entered into this 6 day of May, 2024, by and between the **CITY OF WEST FARGO, NORTH DAKOTA**, a municipal corporation (the “City”), and **CASS COUNTY, NORTH DAKOTA**, a Home Rule county under North Dakota law (the “County”) (together, the City and County are referred to as the “parties”).

WHEREAS, City is a home rule city organized and operating under a Home Rule Charter duly adopted pursuant to Chapter 40-05.1, North Dakota Century Code; and,

WHEREAS, City currently has planning authority for subdivisions and zoning within its incorporated limits and their extraterritorial area; and,

WHEREAS, County is a home rule county organized and operating under a Home Rule Charter duly adopted pursuant to Chapter 11-09.1, North Dakota Century Code; and,

WHEREAS, County currently has the authority to assign, change, and maintain 911 property addresses outside the incorporated limits of the City, including the extraterritorial area.

NOW, THEREFORE, the parties agree as follows:

1. **GENERAL PURPOSE.** This agreement is made pursuant to N.D.C.C. § 54-40.3-01, which authorizes the joint and cooperative exercise of power common to the contracting parties. The parties do not intend to create a separate political subdivision by entering into this agreement.
2. **AUTHORIZATION TO ASSIGN, CHANGE, AND MAINTAIN 911 PROPERTY ADDRESSES.** The County effectively authorizes the City, by executing this agreement, the power to solely assign, change, and maintain 911 property addresses within their extraterritorial area.
 - a. The City’s authority to assign, change, and maintain 911 property addresses will help to ensure the areas outside City’s incorporated limits, but within the extraterritorial area that will likely become part of the City, will have consistent 911 addresses with the incorporated area. This allows emergency responders to accurately and quickly locate emergency calls.
 - b. The City will retain this authority to solely assign, change, and maintain 911 addresses in their extraterritorial area from the date set forth in the agreement.
 - c. The County will retain the official naming rights and accountability of any roads on the County highway road system within the City’s extraterritorial area until the road is removed from the County highway road network and placed on the City’s road network.
 - d. The County will maintain and pay for signage along the County highway road system.
 - e. The City will in a timely manner inform the County of any changes to previously assigned addresses, newly assigned addresses, and newly created streets to make certain the 911 databases are accurate and current, ensuring public safety.

3. **GENERAL LIABILITY; INDEMNIFICATION.** Each party is responsible for its own actions. To the extent permitted by law, the addressing entity agrees to hold harmless the non-addressing entity against any claims brought or actions filed against the addressing entity or any employee of the addressing entity for personal injury or damage to property of any third person or persons, arising from the performance pursuant to this Agreement within the limits of liability as set forth in N.D.C.C. Ch. 32 12.1, as amended from time to time.
4. **NON-EXCLUSIVE AGREEMENT.** Nothing within this agreement shall prevent any of the parties herein from entering into similar agreements with any other entity.
5. **TERM; TERMINATION.** This Agreement shall become effective when approved and executed by the appropriate political subdivision of each party to this Agreement. The Agreement shall remain in effect between each and every party until participation in this Agreement is terminated by the party. Termination of participation in this Agreement by a response entity shall not affect the continued operation of this Agreement between and among the remaining parties. Any party to this Agreement may terminate participation in this Agreement upon thirty (30) days written notice addressed to the designated public official of each of the other signatory political subdivisions that are parties to this Agreement.
6. **BINDING EFFECT.** This Agreement is binding on future political subdivisions boards and commissions and participating response entities unless affirmative measures have been taken to terminate the Agreement as defined herein.
7. **DISPUTE RESOLUTION.** The parties agree that any and all disputes, claims, or controversies arising out of or relating in any way to this Agreement, must first be mediated between the parties with a mutually agreeable mediator. If the parties are unable to agree upon a mediator, a mediator shall be appointed by the American Arbitration Association. The parties agree to split the costs of mediation between them on an equal basis. If the parties are unable to resolve their dispute, claim, or controversy at mediation, the parties agree that any and all disputes, claim, or controversies arising out of or relating in any way to this Agreement shall be exclusively brought in an arbitration. If the parties cannot agree upon an arbitrator, the parties agree to an arbitration with the American Arbitration Association. The parties specifically agree that the laws of the State of North Dakota shall exclusively apply to this Agreement and any arbitration, and that any arbitration shall exclusively be held in Fargo, North Dakota.
8. **NO WAIVERS.** The parties do not waive any governmental immunity or limitations of liability by entering into this Agreement and specifically retain all immunities and defenses as set forth in N.D.C.C. § 32-12.1-03 and all other applicable law. Nothing herein shall be deemed a waiver of by the parties of the limits of the liability set forth in N.D.C.C. § 32-12.1-03. Designations of venue, choice of law, enforcement actions, and similar provisions should not be construed as a waiver of governmental immunity.
9. **NO THIRD PARTY BENEFICIARIES.** This Agreement shall not be construed as or deemed to be an Agreement for the benefit of any third party or parties, and no third party or parties shall have any right of action whatsoever hereunder, for any cause whatsoever.

10. **COMPLETE AGREEMENT.** This Agreement contains the entire and exclusive understanding of the parties with respect to the subject matter contained in the Agreement and supersedes all prior written or oral agreements, understandings, statements, representations, and negotiations between the Parties.
11. **COUNTERPARTS.** This instrument may be executed in two or more counterparts, each of which will be deemed an original, but all of which together will constitute one and the same instrument.
12. **AMENDMENTS.** This Agreement may be amended only by written instrument duly executed by the parties or their respective successors or assigns, except to the extent expressly provided otherwise in this Agreement.
13. **SEVERABILITY AND SAVINGS CLAUSE.** Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, or word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, the illegality or invalidity will not affect the validity of the remainder of this Agreement.
14. **GOVERNING LAW AND VENUE.** This Agreement will 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 will be brought in an appropriate venue in the State of North Dakota.
15. **NOTICE.** Any notice or election required or permitted to be given or served by any party to this Agreement upon any other will be deemed given or served in accordance with the provisions of this Agreement if said notice or election is (a) delivered personally, or (b) mailed by United States certified mail, return receipt requested, postage prepaid and in any case properly addressed as follows:

If to City: City of West Fargo
 Attn: City Administrator
 800 4th Ave E, Suite 1
 West Fargo, ND 58078

If to County: Cass County
 Attn: County Administrator
 211 9th St. S
 Fargo, ND 58103

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

16. **ELECTRONIC SIGNATURE.** The parties agree that an electronic signature to this Agreement shall be as valid as an original signature of the parties and shall be effective to bind the signatories to this Agreement. For purposes hereof: (i) "electronic signature" means a manually signed original signature that is then transmitted by electronic means or an electronic acknowledgment which provides the signatory the ability to validate and affix a

digital signature that is then transmitted by electronic means; and (ii) “transmitted by electronic means” means sent in the form of a facsimile or sent via the internet as a portable document format (“pdf”), via DocuSign, or other replicating image attached to an electronic mail or internet message.

IN WITNESS WHEREOF, this Agreement has been executed and approved and is effective and operative as to each of the parties as herein provided.

[Remainder of page intentionally left blank.]

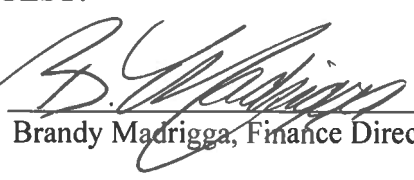
CASS COUNTY, NORTH DAKOTA

By: _____


Chad M. Peterson, Chairman
Board of Commissioners

ATTEST:

By: _____


Brandy Madrigga, Finance Director

[Remainder of page intentionally left blank.]

**CITY OF WEST FARGO, NORTH
DAKOTA**

By: _____
Bernie L. Dardis, President of the
Board of City Commissioners

ATTEST:

By: _____
Dustin Scott, City Auditor

JOINT POWERS AGREEMENT
Extraterritorial 911 Address Assignment

THIS AGREEMENT is made and entered into this _____ day of _____, 20____, by and between the following political subdivisions: **THE CITY OF WEST FARGO, NORTH DAKOTA**, a municipal corporation, hereinafter referred to as “City” and **CASS COUNTY, NORTH DAKOTA**, a Home Rule county under North Dakota law, hereinafter referred to as “County.”

WITNESSETH:

WHEREAS, City is a home rule city organized and operating under a Home Rule Charter duly adopted pursuant to Chapter 40-05.1, North Dakota Century Code; and,

WHEREAS, City currently has planning authority for subdivisions and zoning within its incorporated limits and their extraterritorial area; and,

WHEREAS, County is a home rule county organized and operating under a Home Rule Charter duly adopted pursuant to Chapter 11-09.1, North Dakota Century Code; and,

WHEREAS, County currently has the authority to assign, change, and maintain 911 property addresses outside the incorporated limits of the City, including the extraterritorial area.

NOW, THEREFORE, the parties agree as follows:

1. The County would effectively authorize the City, by executing this agreement, the power to solely assign, change, and maintain 911 property addresses within their extraterritorial area; and,

2. The City’s authority to assign, change, and maintain 911 property addresses will help to ensure the areas outside City’s incorporated limits, but within the extraterritorial area that will likely become part of the City, will have consistent 911 addresses with the incorporated area. This allowing emergency responders to accurately and quickly locate emergency calls; and,

3. The City will retain this authority to solely assign, change, and maintain 911 addresses in their extraterritorial area from the date set forth in the agreement; and,

4. The County will retain the official naming rights and accountability of any roads on the County highway road system within the City’s extraterritorial area until the road is removed from the County highway road network and placed on the City’s road network; and,

5. The County will maintain and pay for signage along the County highway road system; and,

6. The County will maintain the 911 Master Street Address Guide (MSAG) for the City’s extraterritorial area until the land is annexed into the City’s incorporated boundaries, thus changing the responsibility for emergency response to the City; and,

7. The City will in a timely manner inform the County of any changes to previously assigned addresses, newly assigned addresses, and newly created streets to make certain the 911 databases are accurate and current, ensuring public safety;

IN WITNESS WHEREOF, the parties have executed this agreement to become effective this _____ day of _____, 20____.

CASS COUNTY GOVERNMENT, NORTH DAKOTA

By _____
Scott Wagner, Chairman
Cass County Board of Commissioners

ATTEST:

By _____
Michael Montplaisir, County Auditor
Cass County, North Dakota

THE CITY OF WEST FARGO, NORTH DAKOTA
A municipal corporation

By _____
Richard Mattern, Mayor
West Fargo, North Dakota

ATTEST:

By _____
James Brownlee, City Auditor
West Fargo, North Dakota



APPLICATION FOR A LOCAL PERMIT OR RESTRICTED EVENT PERMIT

NORTH DAKOTA OFFICE OF ATTORNEY GENERAL

GAMING DIVISION

SFN 9338 (9-2023)

Applying for (check one)

☒ Local Permit ☐ Restricted Event Permit*

Games to be conducted ☒ Raffle by a Political or Legislative District Party

☐ Bingo ☐ Raffle ☐ Raffle Board ☐ Calendar Raffle ☐ Sports Pool ☐ Poker* ☐ Twenty-One* ☐ Paddlewheels*

*See Instruction 2 (f) on Page 2. Poker, Twenty-One, and Paddlewheels may be conducted Only with a Restricted Event Permit. Only one permit per year.

LOCAL PERMIT RAFFLES MAY NOT BE CONDUCTED ONLINE AND CREDIT CARDS MAY NOT BE USED FOR WAGERS

ORGANIZATION INFO

Name of Organization or Group ND Dem-NPL District 16		Dates of Activity (Does not include dates for the sales of tickets) July 12, 2024	
Organization or Group Contact Person John Lund	E-mail JohnL.sleep@gmail.com	Telephone Number 701-371-7921	
Business Address	City	State	ZIP Code
Mailing Address (if different) 3830 Kensington Drive	City West Fargo	State ND	ZIP Code 58078

SITE INFO

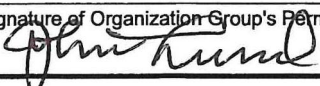
Site Name Red River Valley Fair Association		County Cass	
Site Physical Address 1805 Main Ave W	City West Fargo	State ND	ZIP Code 58078
Provide the exact date(s) & frequency of each event & type (Ex. Bingo every Friday 10/1-12/31, Raffle - 10/30, 11/30, 12/31, etc.) July 12, 2024			

PRIZE / AWARD INFO (If More Prizes, Attach An Additional Sheet)

Game Type	Description of Prize	Exact Retail Value of Prize
50/50 Raffle	50% of cash collected from ticket sales not to exceed \$8000	50% of cash collected from ticket sales not to exceed \$8000
Total (limit \$40,000 per year)		\$ 50% of cash collected from ticket sales not to exceed \$8000

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds Donate to District 16 Dem-NPL candidates	
Does the organization presently have a state gaming license? (If yes, the organization is not eligible for a local permit or restricted event permit and should call the Office of Attorney General at 1-800-326-9240) ☐ Yes ☒ No	
Has the organization or group received a restricted event permit from any city or county for the fiscal year July 1 - June 30 (If yes, the organization or group does not qualify for a local permit or restricted event permit) ☐ Yes ☒ No	
Has the organization or group received a local permit from an city or county for the fiscal year July 1 - June 30 (If yes, indicate the total retail value of all prizes previously awarded) ☒ No ☐ Yes - Total Retail Value: (This amount is part of the total prize limit for \$40,000 per fiscal year)	
Is the organization or group a state political party or legislative district party? (If yes, the organization or group may only conduct a raffle and must complete SFN 52880 "Report on a Restricted Event Permit" within 30 days of the event. Net proceeds may be for political purposes.) ☒ Yes ☐ No	

Printed Name of Organization Group's Permit Organizer John Lund	Telephone Number 701-371-7921	E-mail Address JohnL.sleep@gmail.com
Signature of Organization Group's Permit Organizer 	Title Vice Chair	Date May 6, 2024



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

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

Full, Legal Name of Gaming Organization

Boys & Girls Club of the Red River Valley

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

Name of Location

Zone Bar

Street 701 Main Avenue East	City West Fargo	ZIP Code 58078	County CASS
Beginning Date(s) Authorized 07/01/2024	Ending Date(s) Authorized 06/30/2025	Number of Twenty-One tables, if zero, enter "0" 1	

Specific location where games of chance will be conducted and played at the site (required)

Entire Bar Area Excluding Patio and Restrooms

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization must provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

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

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

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

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

INSTRUCTIONS:

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

RETURN ALL DOCUMENTS TO:

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



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Zone Bar		Site Name Zone Bar		Site Phone Number 701-277-5652
Site Address 701 Main Avenue East	City West Fargo	State ND	Zip Code 58078	County Cass
Organization Boys & Girls Club Red River Valley		Rental Period 07-01-24 to 06-30-25		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?				☒ No ☐ Yes
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				☐ No ☐ Yes \$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u> </u> X Rent per Table \$ <u> </u>				☐ No ☒ Yes \$
Number of Tables with wagers over \$5 <u>1</u> X Rent per Table \$ <u>300</u>				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables <u> </u> X Rent per Table \$ <u> </u>				☒ No ☐ Yes \$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☒ Standard Dispensing Device				☐ No ☒ Yes \$ 325
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>10</u>				☐ No ☒ Yes \$ 1250
Total Monthly Rent				\$ 1875
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, **the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.**

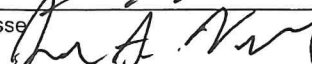
The LESSOR agrees not to interfere with or attempt to influence the lessee's selection of games, determination of prizes, including a bingo jackpot prize, or disbursement of net proceeds.

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

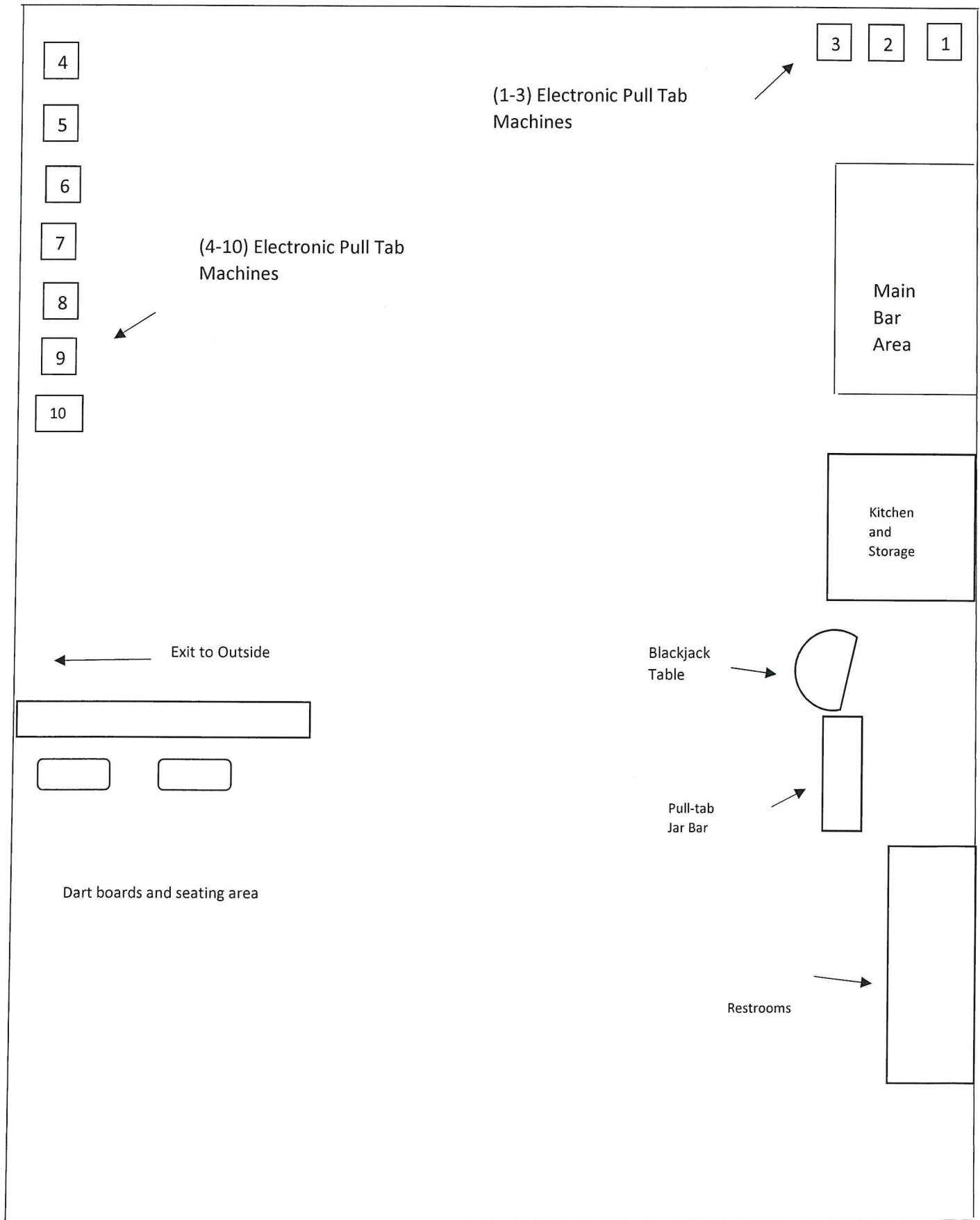
The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization **may not** participate in the organization's decision-making that is a conflict of interest.

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

Signature of Lessor 	Title Owner	Date 5-3-24
Signature of Lessee 	Title Gaming Manager	Date 03/01/24

Work Zone Bar Site Layout
701 Main Ave E, West Fargo ND 58078





GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (2-2023)

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

Full, Legal Name of Gaming Organization

METRO SPORTS FOUNDATION

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

Name of Location

BREWUS BRICKHOUSE

Street

635 32ND AVE E #108

City

WEST FARGO

ZIP Code

58078

County

CASS

Beginning Date(s) Authorized

7/1/2024

Ending Date(s) Authorized

6/30/2025

Number of Twenty-One
tables, if zero, enter "0"

1

Specific location where games of chance will be conducted and played at the site (required)

MACHINES AND BJ TABLE ARE LOCATED AND PLAYED IN THE BAR AREA EXCEPT THE RESTROOMS

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

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

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

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

Attorney General

Date

Signature of City/County Official

Date

PRINT Name and official position of person signing on behalf of city/county above

INSTRUCTIONS:

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3. Organizations - Send the **original, signed**, Site Authorization to the Office of Attorney General with any other applicable licensing forms for final approval

RETURN ALL DOCUMENTS TO:

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



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) DUSTY COULTER		Site Name BREWTUS BRICKHOUSE		Site Phone Number 701-532-1397
Site Address 635 32ND AVE S #108	City WEST FARGO	State ND	Zip Code 58078	County CASS
Organization METRO SPORTS FOUNDATION		Rental Period 7/1/2024 to 6/30/2025		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☒ No ☐ Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☒ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 _____ X Rent per Table \$ _____		☐ No ☒ Yes		\$
Number of Tables with wagers over \$5 1 X Rent per Table \$ 300				\$ 300
3. Is Paddlewheels conducted at this site? Number of Tables 1 X Rent per Table \$ 200		☐ No ☒ Yes		\$ 200
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☐ Standard Dispensing Device		☐ No ☒ Yes		\$ 175
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices 5		☐ No ☒ Yes		\$ 875
Total Monthly Rent				\$ 1550
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

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

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

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

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

Signature of Lessor 	Title General Manager	Date 5-6-24
Signature of Lessee 	Title PRESIDENT	Date 5-6-24



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

G - _____ (_____) _____

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

West Fargo Baseball, Inc

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

Name of Location

The Local 701

Street 1405 Prairie Parkway	City West Fargo	ZIP Code 58078	County Cass
Beginning Date(s) Authorized 07/01/2024	Ending Date(s) Authorized 06/30/2025	Number of Twenty-One tables, if zero, enter "0" 0	

Specific location where games of chance will be conducted and played at the site (required)

Bar Area

If conducting Raffle or Poker activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

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

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

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General

APPROVALS

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

INSTRUCTIONS:

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RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Md9, Inc.		Site Name The Local 701		Site Phone Number 701-356-0099
Site Address 1405 Prairie Parkway	City West Fargo	State ND	Zip Code 58078	County Cass
Organization West Fargo Baseball, Inc.	Rental Period 11/1/2023 to 6/30/2025			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☐ No ☒ Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☒ No ☐ Yes		\$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u>1</u> X Rent per Table \$ <u>200</u>		☐ No ☒ Yes		\$ <u>200</u>
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables <u>1</u> X Rent per Table \$ <u>200</u>		☐ No ☒ Yes		\$ <u>200</u>
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☒ Standard Dispensing Device		☐ No ☒ Yes		\$ <u>325</u>
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>10</u>		☐ No ☒ Yes		\$ <u>1250</u>
Total Monthly Rent				\$ <u>1975</u>
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

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

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

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

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

If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

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

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

The LESSOR agrees any advertising by the lessor that includes charitable gaming must include the charitable gaming organization's name.

A LESSOR who is an officer or board member of an organization may not participate in the organization's decision-making that is a conflict of interest.

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

Signature of Lessor <i>[Signature]</i>	Title <i>Vice President</i>	Date <i>10/13/23</i>
Signature of Lessee <i>[Signature]</i>	Title <i>President</i>	Date <i>10/13/23</i>

**GAMING SITE AUTHORIZATION**

ND OFFICE OF ATTORNEY GENERAL

SFN 17996 (4-2023)

G - _____ (_____) _____

Site License Number
(Attorney General Use Only)

Full, Legal Name of Gaming Organization

West Fargo Baseball, Inc**This organization is authorized to conduct games of chance under the license granted by the North Dakota Attorney General at the following location**

Name of Location

Barcode Bar & Grill

Street 835 23rd Ave E	City West Fargo	ZIP Code 58078	County Cass
Beginning Date(s) Authorized 07/01/2024	Ending Date(s) Authorized 06/30/2025	Number of Twenty-One tables, if zero, enter "0" 0	

Specific location where games of chance will be conducted and played at the site (required)**Bar Area**If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known**RESTRICTIONS FOR CITY/COUNTY USE ONLY**The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.**ACTIVITY TO BE CONDUCTED** Please check all applicable games to be conducted at site (required)

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

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

If any information above is false, it is subject to administrative action on behalf of the State of North Dakota Office of Attorney General**APPROVALS**

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

INSTRUCTIONS:

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Telephone: 701-328-2329 OR 800-326-9240



RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) Md2, Inc.		Site Name Barcode Bar & Grill		Site Phone Number 701-532-2900
Site Address 835 23rd Ave E	City West Fargo	State ND	Zip Code 58078	County Cass
Organization West Fargo Baseball, Inc.	Rental Period 7/1/2023 to 6/30/2025			Monthly Rent Amount
1. Is Bingo going to be conducted at the site?				☐ No ☒ Yes
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.				☒ No ☐ Yes \$
2. Is Twenty-One conducted at this site? Number of Tables with wagers up to \$5 <u>1</u> X Rent per Table \$ <u>200</u>				☐ No ☒ Yes \$ <u>200</u>
Number of Tables with wagers over \$5 _____ X Rent per Table \$ _____				\$
3. Is Paddlewheels conducted at this site? Number of Tables _____ X Rent per Table \$ _____				☒ No ☐ Yes \$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site? Please Check: ☒ Jar Bar ☒ Standard Dispensing Device				☐ No ☒ Yes \$ <u>325</u>
5. Are Electronic Pull-Tabs conducted at this site? If "Yes" please indicate the number of devices <u>10</u>				☐ No ☒ Yes \$ <u>1250</u>
Total Monthly Rent				\$ <u>1775</u>
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

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If the LESSEE provides the Lessor with a temporary loan of funds for redeeming credit ticket vouchers from an electronic pull-tab device, or pull tabs or prize boards involving a dispensing device, the lessor agrees to repay the entire loan immediately when the lessee discontinues using the device at the site.

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

Signature of Lessor 	Title Board President	Date 7/10/23
Signature of Lessee 	Title Vice President	Date 7/10/23



GAMING SITE AUTHORIZATION
ND OFFICE OF ATTORNEY GENERAL
SFN 17996 (4-2023)

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

Full, Legal Name of Gaming Organization

West Fargo Baseball, Inc

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

Name of Location

Boston's

Street 1640 13th Ave E	City West Fargo	ZIP Code 58078	County Cass
----------------------------------	---------------------------	--------------------------	-----------------------

Beginning Date(s) Authorized 07/01/2024	Ending Date(s) Authorized 06/30/2025	Number of Twenty-One tables, if zero, enter "0" 0
---	--	---

Specific location where games of chance will be conducted and played at the site (required)

Bar Area

If conducting **Raffle** or **Poker** activity provide date(s) or month(s) of the event(s) if known

RESTRICTIONS FOR CITY/COUNTY USE ONLY

The organization **must** provide the City/County a list of game types included in their Internal Control Manual and have the manual available upon request. The manual must thoroughly explain each game type to be conducted. The City/County can only approve these games at the site.

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

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

Days of week of gaming operations (if restricted)

Hours of gaming (if restricted)

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APPROVALS

Attorney General	Date
Signature of City/County Official	Date

PRINT Name and official position of person signing on behalf of city/county above

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RENTAL AGREEMENT
OFFICE OF ATTORNEY GENERAL
LICENSING SECTION
 SFN 9413 (7-2023)

License Number (Office Use Only)

Site Owner (Lessor) South 49 Properties, Inc		Site Name Boston's		Site Phone Number 701-532-2220
Site Address 1640 13th Ave E	City West Fargo	State ND	Zip Code 58078	County Cass
Organization West Fargo Baseball, Inc.		Rental Period 7/1/2023 to 6/30/2025		Monthly Rent Amount
1. Is Bingo going to be conducted at the site?		☒ No ☐ Yes		
1a. If "Yes" to number 1 above, is Bingo the primary game conducted? - If Bingo is the primary game, enter the monthly rent amount to be paid. Then answer questions 2 - 7 but do not enter any rent amounts.		☐ No ☐ Yes		\$
2. Is Twenty-One conducted at this site?		☒ No ☐ Yes		\$
Number of Tables with wagers up to \$5 ☒ Rent per Table \$				\$
Number of Tables with wagers over \$5 ☒ Rent per Table \$				\$
3. Is Paddlewheels conducted at this site?		☒ No ☐ Yes		\$
Number of Tables ☒ Rent per Table \$				\$
4. Is Pull Tabs Involving either a jar bar or standard dispensing device conducted at this site?		☐ No ☒ Yes		\$ 400
Please Check: ☐ Jar Bar ☒ Standard Dispensing Device				
5. Are Electronic Pull-Tabs conducted at this site?		☐ No ☒ Yes		\$ 1250
If "Yes" please indicate the number of devices 10				
Total Monthly Rent				\$ 1650
6. If the only gaming activity to be conducted at the site is a raffle drawing, please check here. ☐				

TERMS OF RENTAL AGREEMENT:

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Signature of Lessor 	Title Board President	Date 7/10/23
Signature of Lessee 	Title General Manager	Date 07/12/23

Site Authorization Requests – West Fargo Baseball Inc.

Barcode Bar & Grill

- Bingo
- Raffles
- Pull Tab Jar
- Pull Tab Dispensing Device
- Electronic Pull Tabs
- Prize Board
- Sports Pools
- Twenty-One

The Local 701

- Bingo
- Raffles
- Pull Tab Jar
- Pull Tab Dispensing Device
- Electronic Pull Tabs
- Prize Board
- Sports Pools
- Twenty-One
- Paddlewheel Table

Bostons

- Bingo
- Pull Tab Dispensing Device
- Electronic Pull Tabs



"Consent" or "Regular" Agenda
Item?

[Consent]

Commission President

Bernie Dardis

Primary Portfolio:

Administration/Finance

Secondary Portfolio:

Street, Water and Sewer

Commission

Vice President

Brad Olson

Primary Portfolio:

Street, Water and Sewer

Secondary Portfolio:

Police and Fire

Commissioner

Roben Anderson

Primary Portfolio:

Planning, Zoning and
Engineering

Secondary Portfolio:

Sanitation

Commissioner

Mark Simmons

Primary Portfolio:

Police and Fire

Secondary Portfolio:

Planning, Zoning and
Engineering

Commissioner

Mandy George

Primary Portfolio:

Sanitation

Secondary Portfolio:

Administration/Finance

City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dustin T. Scott, City Administrator

Date: June 3, 2024

Subject: Purchasing Policy

Action: Approve designees to the City Administrator

New Information and Recommendation:

The purpose of this agenda item is to designate certain positions within the City of West Fargo as official "designees" to the City Administrator as it relates to the City's Purchasing Policy.

Positions Noted:

- Senior Director of Community and Development
- Senior Director of Administrative Services
- Senior Director of Public Works
- Police Chief
- Fire Chief

Designating these positions as such would allow the acting persons within those positions authorization to approve expenditures currently shown as "Approval By: City Administrator" within the executed City of West Fargo Purchasing Policy.

The following documents are attached for review/consideration:

- Executed Purchasing Policy

Staff Recommendation: Approve designees to the City Administrator

Previously Presented Information and Commission Actions:

May 15, 2023 –

- **Staff Recommendation:** Consideration of draft Purchase Policy
- **Commission Approval:** Commissioner Simmons moved, and Commissioner George seconded to approve the draft Purchasing Policy. No opposition, motion carried.

**RESOLUTION ESTABLISHING THE PROCEDURE FOR APPROVAL OF
CONSTRUCTION CONTRACTS, PROFESSIONAL CONTRACTS, BUDGET ITEMS,
BUDGET AMENDMENT ITEMS, BUDGET ADJUSTMENT ITEMS, AND CHANGE
ORDERS AND AMENDMENTS**

of the

CITY OF WEST FARGO, NORTH DAKOTA

Adopted: May 15, 2023

This instrument was drafted by:
Ohnstad Twichell, P.C.
P.O. Box 458
West Fargo, North Dakota 58078

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SIGNATURES.....	15

Commissioner_____introduced the following resolution and moved its adoption:

**RESOLUTION ESTABLISHING THE PROCEDURE FOR APPROVAL OF
CONSTRUCTION CONTRACTS, PROFESSIONAL CONTRACTS, BUDGET ITEMS,
BUDGET AMENDMENT ITEMS, BUDGET ADJUSTMENT ITEMS, AND CHANGE
ORDERS AND AMENDMENTS**

WHEREAS, the Board of City Commissioners of the City of West Fargo (the "City Commission") currently requires that all new Contracts for construction work, professional services, Budget Items, Budget Amendment Items, and Budget Adjustment Items, and any Amendments thereto, be approved by the City Commission prior to them taking effect; and

WHEREAS, the City Commission recognizes that due to the amount, size, and complexity of projects being undertaken by the City, there is a need to adopt additional operating procedures regarding the bidding, contracting, and payment procedures for new Contracts and any Amendments thereto; and

WHEREAS, to increase the efficiency at which certain new Contracts and any Amendments thereto may be approved, the City Commission now desires that the City Administrator and Department Heads, have certain additional authorities as set forth herein.

NOW, THEREFORE, BE IT RESOLVED by the governing body of the City of West Fargo, North Dakota, as follows:

PREFACE AND SUMMARY TABLES

Compliance with this policy requires judgment regarding the application of specific policy thresholds listed herein, and care should be employed to avoid the acquisition of unnecessary or duplicative items. Additionally, consideration should be given to consolidating or separating procurements to obtain a more economical purchase. Where appropriate, an analysis must be made for leasing in lieu of purchasing or for any other applicable alternative to determine the most economical approach. Departmental personnel should evaluate their purchasing patterns and apply the appropriate procurement method based upon the annual volume of resources expended. An annual estimate of quantities of materials and services consumed by a department will help to determine which procurement method is appropriate. If a department reasonably expects to consume a large dollar amount of a small value item, then the total usage should be aggregated for the year to determine compliance with the purchasing policy.

Example: Department A can reasonably predict that it will consume One Thousand (1,000) items with a unit cost of One Hundred Dollars (\$100) per item. Items are purchased throughout the year at various times in multiple orders as needed. The estimated annual purchase volume should be measured as \$100,000 for purposes of the purchasing policy limits consideration.

Departmental personnel should also include the entire cost of making an asset ready for use by the City, including the cost of acquisition, accessories, delivery, and other incidentals, in its estimation of cost for an asset. The costs associated with payments for maintenance contracts are not to be considered capital costs.

The following table outlines parameters of this policy:

New Construction Contracts (Section 2.01)			
<u>Contract Amount (CA):</u>	<u>Approval By:</u>	<u>Competition:</u>	<u>Documentation:</u>
CA ≤ \$50,000	City Administrator	Solicit quotes	Informal price quotes
\$50,000 < CA ≤ \$200,000	City Commission	Solicit quotes	Informal price quotes
CA > \$200,000	City Commission	Advertise for Bids	Per N.D.C.C.
Change Orders to Construction Contracts (Section 3.02)			
<u>Change Order Amount:</u>	<u>Approval By:</u>		
CO ≤ \$25,000 (not to exceed 25% of Contract)	City Engineer		
\$25,000 < CO ≤ \$100,000 (not to exceed 25% of Contract)	City Administrator		
CO > \$100,000 or exceeds 25% of Contract	City Commission		
New Professional Contracts (Section 2.02)			
<u>Contract Amount (CA):</u>	<u>Approval By:</u>	<u>Competition:</u>	<u>Documentation:</u>
CA ≤ \$50,000	City Administrator	Solicit quotes	Informal price quotes
CA > \$50,000	City Commission	Solicit bids/proposals	Formal submittal process
New Task Orders (under a Professional Contract) <u>AND</u> Amendments to Professional Contracts <u>OR</u> Task Orders (Section 3.03)			
<u>TO/Amend. Amount:</u>	<u>Approval By:</u>		
TO/A ≤ \$10,000 (not to exceed 25% of Contract)	Department Head		
\$10,000 < TO/A ≤ \$50,000 (not to exceed 25% of Contract)	City Administrator		
TO/A > \$50,000 or exceeds 25% of Contract	City Commission		
New Purchases and Contracts for Items Previously Approved by the City Commission as part of the Annual Budget or an Amendment/Adjustment (Section 2.03)			
<u>Purch. /Cont. Amt.:</u>	<u>Approval By:</u>	<u>Competition:</u>	<u>Documentation:</u>
Amt. ≤ \$25,000	Department Head	Solicit quotes	Informal price quotes
\$25,000 < Amt. ≤ \$100,000	City Administrator	Solicit quotes	Informal price quotes
Amt. > \$100,000	City Commission	Solicit bids/proposals	Formal submittal process
Amendments to Purchases & Contracts for Items Previously Approved by the City Commission as part of the Annual Budget or an Amendment/Adjustment (Section 3.04)			
<u>Amendment Amount:</u>	<u>Approval By:</u>		
Amt. ≤ \$50,000 (not to exceed 25% of Purchase/Contract)	City Administrator		
Amt. > \$50,000 or exceeds 25% of Purchase/Contract	City Commission		
Sole Source and Piggyback (Section 2.04)			
Emergency Purchase (Section 4.02)			

ARTICLE I. DEFINITIONS

Section 1.01 DEFINITIONS. All capitalized terms used and not otherwise defined shall have the meanings given to them in this Resolution and as defined in this section unless a different meaning clearly applies from the context.

“Amendment” means an addition, deletion, or revision in the Work or an adjustment in the Contract Price or Contract Time, or other revision to the Contract, executed by the parties on or after the effective date of the Contract.

“Approved Budget” means the annual budget of the City that is approved by the Board of City Commissioners.

“Assistant City Administrator” means the assistant administrative officer of the City or his or her designee(s).

“Best Efforts” means that the individual will act in Good Faith, in accordance with generally accepted commercial practices, and use reasonable due diligence to undertake all action contemplated by this Resolution, in accordance with applicable federal and state laws, regulations, and rules.

“Bid” means the formal offer of an individual or entity submitted, pursuant to Chapter 48-01.2, N.D.C.C., as may be amended from time to time, on the prescribed form setting forth the prices for the Work to be performed.

“Budget Adjustment Item” means an item that is not initially included in the Approved Budget or Capital Improvement Plan but is added to the Approved Budget or Capital Improvement Plan at a later date by approval of the City Commission.

“Budget Amendment Item” means an item that is initially included in the Approved Budget or Capital Improvement but is adjusted at a later date by approval of the City Commission.

“Budget Item” means an item that is included in the Approved Budget and specifically identified as a line item in the Approved Budget.

“Capital Improvement Plan” means the capital improvement plan for the City that is approved by the City Commission.

“Change Order” means a document that is signed by the Contractor and City and authorizes an addition, deletion, or revision in the Work or an adjustment in the Contract Price or the Contract Time, or other revision to the Contract, issued on or after the effective date of the Contract.

“Change Proposal” means a written request by a Contractor, duly submitted in compliance with the procedural requirements set forth herein, seeking an adjustment in Contract Price or Contract Time or both; contesting an initial decision concerning the requirements of the Contract Documents or the acceptability of Work under the Contract Documents; challenging a

set-off against payments due; or seeking other relief with respect to the terms of the Contract.

“City” means the City of West Fargo, North Dakota.

“City Administrator” means the chief administrative officer of the City and his or her designee(s).

“City Engineer” means the chief engineer of the City or his or her designee(s).

“City Work Directive” means a work directive given by the City to a Contractor.

“Contract” means the entire and integrated written contract between the City and Contractor, Consultant, and/or Vendor, concerning the Work.

“Contract Documents” means those items so designated in the Contract, which together comprise the Contract.

“Contract Price” means the money that the City has agreed to pay the Contractor for completion of the Work in accordance with the Contract Documents.

“Contract Time” means the number of days or the dates by which the Contractor shall: (a) achieve milestones, if any; (b) achieve substantial completion; and (c) complete the Work.

“Contractor” means the individual or entity with which the City has contracted for the performance of the Work or for supplying goods or services.

“Department Head” means the individual with the highest level of authority and responsibility for a city department; or the Assistant City Administrator as applicable.

“Effective Date of this Policy” means the date on which the policy is adopted or amended thereafter by the West Fargo Board of City Commissioners.

“Emergency Purchase” means a purchase and/or contract approval/amendment that must be made immediately for the sake of public health or public safety; or to protect the integrity of City property or infrastructure; or to minimize serious disruption of City services.

“Estimated Project Cost” means the initial estimate of all costs attributable to the Work.

“Field Order” means written instructions from the City to a Contractor for a minor change in the Work, but which does not involve an adjustment to the Contract Price or Contract Time.

“Finance Director” means the finance director of the City or his or her designee(s).

“Good Faith” means observance of reasonable commercial standards of fair dealing in a given trade or business.

“N.D.C.C.” means the North Dakota Century Code.

“Piggyback Procurement” means a purchase made from a competitively procured contract executed by other Federal, State, and Local government agencies.

“Professional Contracts” means Contracts for engineering, architectural, or other professional services, including maintenance contract, janitorial services, specialized testing or survey work.

“Proposal” means the formal offer of an individual or entity submitted on the prescribed form setting forth the Work to be performed, whether or not submitted pursuant to N.D.C.C. chapter 48-01.2.

“Public Works Director” means the public works director of the City or his or her designee(s).

“Purchasing Employee” means an employee that has been designated with purchasing authority for a City department.

“Quote” means an informal price quote for goods or services containing the date, the name of the Contractor, the Contractor’s contact person, and the quoted price for the Work.

“Requesting Party” means the City Engineer, the Public Works Director, the City Administrator, other City staff, or a consultant, as applicable to a request for change or Amendment.

“Work” means all tasks, services, and obligations required to be furnished, performed, and provided under a Contract.

“Work Change Directive” means a written directive to a Contractor that does not change the Contract Price or the Contract Time but is evidence that the parties expect that the modification ordered or documented by a Work Change Directive will be incorporated into a subsequently issued Change Order.

ARTICLE II. APPROVAL OF NEW CONTRACTS

Section 2.01 CONSTRUCTION CONTRACTS. The procedure for the approval of new construction Contracts that are not Budget Items, Budget Amendment Items, or Budget Adjustment Items is as follows:

(a) For construction Contracts in the amount of Fifty Thousand Dollars (\$50,000) or less:

(1) The City Engineer or Public Works Director will use their Best Efforts to secure two (2) Quotes for the proposed construction work. In the event they determine that only one (1) Contractor can provide the construction work or materials, they may dispense with the requirement to use their Best Efforts to secure two (2) Quotes.

(2) The City Engineer or Public Works Director will submit the proposed Quotes and Contracts, along with a recommendation, to the City Administrator. The City Administrator will review the Quotes and Contracts and may approve a Contract. If only one (1) Quote is secured, the City Administrator must consider the factors set forth in Section 2.04, if applicable, before approving a Contract. The City Administrator may approve a Contract that is not based on the lowest Quote.

(b) For construction Contracts greater than Fifty Thousand Dollars (\$50,000) but equal to or less than Two Hundred Thousand Dollars (\$200,000):

(1) The City Engineer or Public Works Director will use their Best Efforts to secure three (3) Quotes for the proposed construction work. In the event they determine that only one (1) Contractor can provide the construction work or materials, they will provide such recommendation to the City Administrator. The City Administrator will review and make the decision whether to dispense with the requirement to use Best Efforts to secure three (3) Quotes.

(2) The City Engineer or Public Works Director will submit the proposed Quotes and Contracts, along with a recommendation, to the City Commission. The City Commission will review the Quotes and Contracts and may approve a Contract. If only one (1) Quote is secured, the City Commission must consider the factors set forth in Section 2.04, if applicable, before approving a Contract. The City Commission may approve a Contract that is not based on the lowest Quote.

(c) For construction Contracts greater than Two Hundred Thousand Dollars (\$200,000):

(1) If the estimated cost for the proposed construction project is Two Hundred Thousand Dollars (\$200,000) or greater, the City Engineer will advertise for Bids and receive all Bids for the Contract.

(2) The City Engineer will open the Bids at a public meeting. The City Engineer will review the Bid of the lowest responsible bidder and make a recommendation to the

City Commission as to the sufficiency of the Bid. The City Engineer and the City Commission may reject all Bids, and the City Commission, with assistance from the City Engineer, may subsequently re-advertise for Bids if no Bids are satisfactory.

Section 2.02 PROFESSIONAL CONTRACTS. The procedure for the approval of new Professional Contracts, entered into after the Effective Date of this Policy¹, that are not Budget Items, Budget Amendment Items, or Budget Adjustment Items is as follows:

(a) For Professional Contracts in the amount of Fifty Thousand Dollars(\$50,000) or less:

(1) The Department Head will use his or her Best Efforts to secure two (2) Quotes for the proposed Professional Contract. In the event the Department Head determines that only one (1) Contractor can provide the services, they may dispense with the requirement to use his or her Best Efforts to secure two (2) Quotes.

(2) The Department Head will submit the proposed Quotes and Contracts, along with a recommendation, to the City Administrator. The City Administrator will review the Quotes and Contracts and may approve a Contract. If only one (1) Quote is secured, the City Administrator must consider the factors set forth in Section 2.04, if applicable, before approving a Contract.

(b) For Professional Contracts greater than Fifty Thousand Dollars (\$50,000):

(1) The Department Head shall advertise for Bids and/or Proposals and receive all Bids and/or Proposals for the Contract.

(2) The Department Head will open the Bids and/or Proposals. After confirming with the City Administrator, the Department Head will make a recommendation to the City Commission as to the sufficiency of the Bids and/or Proposals. The Department Head or the City Commission may reject all submittals and re-advertise for the same scope of work, or an agreed amended scope.

¹ This policy does not require existing professional service agreements to be rebid and only applies to any new professional service agreements entered into after the effective date of the Resolution.

Section 2.03 NEW PURCHASES AND CONTRACTS FOR ITEMS PREVIOUSLY APPROVED BY THE CITY COMMISSION AS PART OF THE ANNUAL BUDGET

The procedure for the approval of Contracts for new Budget Items, Budget Amendment Items, and Budget Adjustment Items is as follows:

(a) For Budget Items, Budget Amendment Items, or Budget Adjustment Items Contracts in the amount of Twenty-Five Thousand Dollars (\$25,000) or less:

(1) The Purchasing Employee will use his or her Best Efforts to secure two (2) Quotes for the goods or services. In the event the Purchase Employee determines only one (1) Contractor can provide the goods or services, the Purchasing Employee will provide such recommendation to the Department Head. The Department Head will review and make a recommendation to the Purchasing Employee to dispense with the requirement to use his or her Best Efforts to secure two (2) Quotes.

(2) The Purchasing Employee will submit the proposed Quotes and Contracts, along with a recommendation, to the Department Head. The Department Head will review the Quotes and Contracts and may approve a Contract. If only one (1) Quote is secured, the Department Head must consider the factors set forth in Section 2.04, if applicable, before approving a Contract. The Department Head will notify the Finance Director upon approval of a Contract.

(b) For Budget Items, Budget Amendment Items, or Budget Adjustment Items Contracts greater than Twenty-Five Thousand Dollars (\$25,000) but equal to or less than One Hundred Thousand Dollars (\$100,000):

(1) The Department Head will use his or her Best Efforts to secure three (3) Quotes for the proposed goods or services. In the event the Department Head determines only one (1) Contractor can provide the goods or services, the Department Head will provide such recommendation to the Finance Director. The Finance Director will review and make a recommendation to the Department Head to dispense with the requirement to use his or her Best Efforts to secure three (3) Quotes.

(2) The Department Head will submit the proposed Quotes and Contracts, along with a recommendation, to the Finance Director. The Finance Director will review the Quotes and Contracts and make a recommendation to the City Administrator. The City Administrator will review the Quotes and Contracts, along with the recommendations of the Department Head and the Finance Director, and may approve a Contract. If only one (1) Quote is secured, the City Administrator must consider the factors set forth in Section 2.04, if applicable, before approving a Contract.

(c) For Budget Items, Budget Amendment Items, or Budget Adjustment Items Contracts greater than One Hundred Thousand Dollars (\$100,000):

(1) The City Administrator, with assistance from the Department Head and the Finance Director, shall advertise for Bids and/or Proposals and receive all Bids and/or Proposals for the Contract.

(2) The Department Head and the Finance Director will open the Bids and/or Proposals at a public meeting in accordance with N.D.C.C. § 48-01.2-07. The Department Head and the Finance Director will review the Bid and/or Proposal of the lowest responsible bidder in accordance with N.D.C.C. § 48-01.2-07 and make a recommendation to the City Administrator as to the sufficiency of the Bid and/or Proposal. The Department Head, the Finance Director, and the City Administrator may reject all Bids and/or Proposals, and the City Administrator, with assistance from the Department Head and the Finance Director, may subsequently readvertise for Bids or Proposals if no Bids and/or Proposals are satisfactory.

Section 2.04 SOLE SOURCE AND PIGGYBACK PURCHASES/CONTRACTS. In the event only one (1) Quote is available, a sole source purchase may be used. Sole source shall be allowed only in the followingsituations:

- (a) Material, product, or item is regarded as one-of-a-kind and is the only known source; or
- (b) The item or product is a manufacturer direct sale with no distributors; or
- (c) The item or product is a patented or proprietary item; or
- (d) The purchase is necessary for repairing or replacing parts or components of existing assets or equipment; or
- (e) An item for which users have had extensive training and experience and the use of any other similar piece of equipment would require considerable reorientation and training.

When using “piggyback procurement”, the Department Head is responsible to assure evidence of a competitively procured contract is available for review if necessary.

ARTICLE III. APPROVAL OF CHANGES AND AMENDMENTS

Section 3.01 STAFF DUTIES. The City Commission recognizes and acknowledges that situations will arise that require the City Administrator or City Engineer to authorize work prior to submitting a Change Order, Work Change Directive, or City Work Directive to the City Commission pursuant to the procedure outlined in this Article. The City Administrator or City Engineer, as applicable, will use his or her Best Efforts to secure City Commission approval of all Changes Orders, Work Change Directives, and City Work Directives prior to work being commenced; however, the City Commission hereby authorizes the City Administrator and the City Engineer to authorize Change Orders, Work Change Directives, and City Work Directives, without City Commission approval, when public safety dictates that Contract actions need to be taken in order to stabilize worksites and/or mitigate costs to the public and/or the City. If the City Administrator or City Engineer, as applicable, acts pursuant to the authority set forth in this article, he or she will make a Good Faith effort to contact the President of the City Commission prior to authorizing a Contractor to proceed. The City Administrator or the City Engineer, as applicable, will report such actions and/or decisions to the City Commission for formal approval.

Section 3.02 CHANGE ORDERS TO CONSTRUCTION CONTRACTS.

(a) Change Order requests to City construction Contracts shall state in detail the reason for the proposed change and all costs associated with the change. The Requesting Party shall be responsible for preparing the Change Order requests with an itemization and narrative explanation of each Change Order. The Finance Director will provide the Requesting Party with the requirements for submitting all costs.

(b) If the Change Order request is for Twenty-Five Thousand Dollars (\$25,000) or less and does not exceed twenty five percent (25%) of the Estimated Project Cost, the Requesting Party will submit the Change Order request and his or her recommendation to the City Engineer. The City Engineer may approve the request in his or her discretion.

(c) If the Change Order request is greater than Twenty-Five Thousand Dollars (\$25,000), the Requesting Party will submit the Change Order request and his or her recommendation to the City Administrator. If the Change Order request is for One Hundred Thousand Dollars (\$100,000) or less and does not exceed twenty five percent (25%) of the Estimated Project Cost, the City Administrator may approve the request in his or her discretion. If the Change Order request; (i) is for greater than One Hundred Thousand Dollars (\$100,000) or (ii) exceeds twenty five percent (25%) of the Estimated Project Cost, then the City Administrator will review the Change Order and submit his or her recommendation to the City Commission for review and denial or approval.

(d) A Change Order approved by the City Engineer, the City Administrator, or the City Commission may be approved in whole or in part.

(e) The City Commission recognizes that time is of the essence in making Change Orders and, therefore, agrees to approve or deny requests for Change Orders during the next City Commission meeting after submittal by the City Administrator.

Section 3.03 NEW TASK ORDERS (*UNDER A PROFESSIONAL CONTRACT*) AND
AMENDMENTS TO PROFESSIONAL CONTRACTS OR TASK ORDERS.

(a) New Task Orders under a Professional Contract and Amendments to Professional Contracts or existing Task Orders shall be prepared by the Department Head. If an Amendment has a value equal to or less than twenty-five percent (25%) of the original Professional Contract or Task Order and/or Twelve Thousand Five Hundred Dollars (\$10,000) or less, the Department Head will review and approve. For task orders and amendments that exceed the aforementioned threshold, the Department Head will submit the proposed draft and a recommendation to the City Administrator.

(b) The City Administrator may, in his or her discretion, approve of a new Task Order or an Amendment up to a value of Fifty Thousand Dollars (\$50,000) as long as it does not exceed twenty-five (25%) of the original Professional Contract or Task Order. If a new task order or an Amendment is greater than Fifty Thousand Dollars (\$50,000) and/or exceeds twenty-five (25%) of the original Professional Contract or Task Order, the City Administrator will submit the proposed draft and a recommendation to the City Commission.

Section 3.04 AMENDMENTS TO PURCHASES AND CONTRACTS FOR ITEMS PREVIOUSLY
APPROVED BY THE CITY COMMISSION AS PART OF THE ANNUAL BUDGET

(a) The Department Head will submit an Amendment to the City Administrator with appropriate documentation and written justification.

(b) If an Amendment is Fifty Thousand Dollars (\$50,000) or less, the City Administrator may, in his or her discretion, give final approval. If the Amendment is greater than Fifty Thousand Dollars (\$50,000), the Department Head or City Administrator will prepare the appropriate documentation and request approval from the City Commission.

**ARTICLE IV.
MISCELLANEOUS**

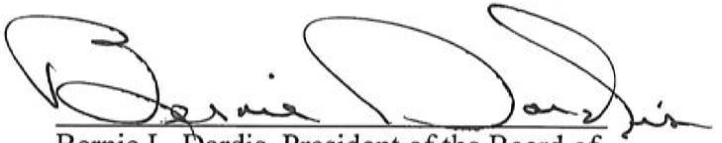
Section 4.01 GOVERNING LAW. This Resolution will be controlled by the laws of the State of North Dakota.

Section 4.02 EMERGENCY POWERS. Nothing in this Resolution shall be construed as limiting the Authority of the President of the City Commission, the City Commission, the City Administrator, Chief of Police, or Chief of the Fire Department from approving contracts, purchases, task order amendments, or task orders pursuant to their emergency powers during a declared emergency.

Section 4.03 EFFECTIVE DATE. This Resolution will take effect immediately upon adoption.

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CITY OF WEST FARGO


Bernie L. Dardis, President of the Board of
City Commissioners

ATTEST:


Dustin T. Scott, Deputy City Auditor

Commissioner Simmons moved to approve the adoption of the foregoing Resolution and the motion was seconded by Commissioner George. On roll call vote, all commissioners were present and the following Commissioners voting aye: Mark Simmons, Mandy George, Bernie Dardis, Brad Olson, and Roben Anderson; with none in opposition, so the Resolution was duly adopted.

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

Agenda # _____

1. CONTACT PERSON: Leslie McGillivray-Rivas

2. PHONE NUMBER: 701 -515-5377 DATE: May 29, 2024

3. AGENDA TITLE:

A24-11 North Pond at the Preserve 14th Addition, Approval of Conditional Use
Permit for automobile sales within the "C" Light Commercial zoning district

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

Request for approval of a Conditional Use Permit to allow Auto Sales in the C:
Light Commercial District. On Tuesday, May 14, 2024, the Planning & Zoning
Commission held a public hearing and recommended approval of the CUP with
conditions of approval. The staff report notes those conditions which have been
satisfied and are incorporated into the CUP Agreement.

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

450 23rd Ave E; Lot 1, Block 1 of North Pond at the Preserve 14th Addition

6. ACTION BEING REQUESTED FROM CITY COMMISSION:

Approve the Conditional Use Permit with conditions and CUP Agreement

STAFF REPORT

A12-11 Conditional Use Permit	
Name of Development: North Pond at the Preserve 14 th Addition Conditional Use Permit	
Legal Description: Lot 1, Block 1 of North Pond at the Preserve 14 th Addition	
Applicant: Brad Sather, I & S Development Property Owner: Dakota Medical Foundation	Staff Contact: Leslie McGillivray-Rivas
Planning & Zoning Commission Public Hearing:	May 14, 2024 - Approved
City Commission Public Hearing	June 3, 2024

PURPOSE:

The purpose of the request is to allow automobile sale as a Conditional Use within the C: Light Commercial zoning district.

STATEMENTS OF FACT:

Land Use Classification:	G-2 Sub -Urban - Growth Sector
Existing Land Use:	Undeveloped – Vacant Lands
Current Zoning District(s):	C: Light Commercial
Zoning Overlay District(s):	CO-I Interstate Corridor Overlay
Proposed Lot size(s) or range:	Approximately 10.5 Acres
Total area size:	21.10 Acres
Adjacent Zoning Districts:	North – A: Agriculture & CO-I Interstate Corridor Overlay South – C: Light Commercial East – C: Light Commercial West – C: Light Commercial
Adjacent street(s):	Adjacent but not directly connected to Interstate 94, Access from Rustad Lane East (local) and 23 rd Ave East (Collector).
Adjacent Bike/Pedestrian Facilities:	Pedestrian walkways on both sides of Rustad Lane East, Multi-use trail directly south of 23 rd Ave East.
Available Parks/Trail Facilities:	Rustad Recreation Center is located .36 miles south of the site,
Public Dedication Requirements:	Parkland dedication has been fulfilled by way of an agreement dated March 15, 2015, completed as part of North Pond at the Preserve 6 th Addition. The agreement included undeveloped parcels.

STAFF REPORT

DISCUSSION AND OBSERVATIONS:

- The applicant has applied for a Conditional Use Permit (CUP) for two boutique automobile sales businesses to operate within one proposed site within the C: Light Commercial District and CO-I Interstate Corridor Overlay District.
- The applicant has indicated the two sales businesses will operate from two separate structures which will have an elevated building appearance standard. The structures will each be two stories in height with potential for an elevated showroom on the second story. No architectural drawings have been provided to demonstrate the design or building material selection with the application.
- The property was platted as a single parcel in anticipation of a previous development application. The anticipated subdivision replating effort did not proceed to final plat after preliminary approval was granted at the decision of the applicant.
- The CO-I Interstate Corridor Overlay District, contains the statement of intent, and indicates the goal “to promote orderly development and redevelopment and safe, attractive and desirable spatial patterns and locations for urban land uses adjacent the Interstate 94 Corridor”. Additionally, the intent of the district states, “Full regard is given for the importance of this corridor as a major growth area for West Fargo and as a highly visible gateway through the City.”
- Conditionally permitted uses allowed in the CO-I overlay district are the same as those conditionally permitted in the underlying zoning district.
- Site Development Standards of the CO-I district requires higher building construction standard. These standards limit certain building materials to a lesser degree of building coverage. An approved building material is found within the appearance standard and will be evaluated at the time of the building permit. Deviation in the use or quantity of the preferred materials must be presented and “as approved by commission”.
- An application for a replat was submitted at the time of this application. However, the applicant requested tabling the application until the results of the conditional use permit are known. The plat is tentatively scheduled for Tuesday, July 9, 2024, Planning and Zoning Commission.
- A signed Conditional Use Permit Agreement is provided prior to consideration by City Commission.

CRITERIA FOR GRANTING CONDITIONAL USE PERMIT:

With reference to the criteria for granting conditional uses, the following is noted:

1. Ingress and egress to property and proposed structures thereon with reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property as a single platted lot has adequate ability connect with the traffic network per the perimeter road of 23rd Ave East adjacent the southern border of the property and the constructed road of Rustad Lane East which is intended to be the primary access to the auto dealer’s site.
 - **Update: The applicant confirms that the area designated for the CUP as being located within the area 400’ perpendicularly offset from the northern property line or contained in the area north of the future road right of way, whichever is shorter. This is written in the CUP agreement as such.**

STAFF REPORT

2. Off-street parking and loading areas where required, with particular attention to the items in (1) above and the economic, noise, glare or odor effects of the special exception on adjoining properties and properties generally in the district.
 - Off-street parking and loading facilities are contained within the property.
 - The parking areas are shown on the site plan. Loading is confirmed to occur within the property by the applicant.
 - The location of the autosales lot proposed adjacent to an interstate road system will have no greater impact on the adjoining properties or those generally in the district in regard to noise or odor.
 - Light effects of the proposed site design are not known as detail was not provided in the application.
 - **Update: A photometric plan has been submitted to demonstrate that the lighting does not create a nuisance to adjacent property. Of note: West Fargo does not have a residential protection standard for exterior lighting. Thus, the applicant utilized the City of Fargo's exterior lighting residential protection standard of .4 foot candles 1' off the property line for property adjoining residential zoned properties. This is demonstrated on the South, West and East property lines that abut adjacent lots. This plan is included in the packet.**
3. Refuse and service areas, with reference to the items in (1) and (2) above.
 - **Update: Two refuse areas are delineated on the site plan serving each business.**
4. Utilities, with reference of locations, availability, and compatibility.
 - Utilities are available to access the site. Additional design detail within the site in regard to location of water services with particular regard to fire suppression is needed and will be reviewed at the time of permitting.
5. Screening and buffering with reference to type, dimensions, and character.
 - The site is previously undeveloped, there are bufferyards and landscaping required within a front yard setback area as per the CO-I: Interstate Corridor Overlay District standards.
6. Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, economic effect, and compatibility and harmony with properties in the district.
 - Signage is a separate permit application and will be reviewed at the time of submittal.
 - **Update: Signage locations have been designated on the site plan.**
7. Required yards and other open space.
 - **Update: A site plan with additional labeling of the site elements has been submitted and is included in the packet.**
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - A preliminary jurisdictional determination confirming the presence of wetlands (Jurisdictional Waters of the United States) was completed in 2022/2023. A prior development proposal on the property conveyed to the City Engineer a Corp of Engineers determination indicating the presence of jurisdictional wetlands. Further investigation will need to be completed by the applicant to determine if the prior determination is valid. The applicant will be required to complete permitting requirements by the Corp of Engineers which may include wetland mitigation.
 - No additional concerns conveyed.
9. General compatibility with adjacent properties and other properties in the district.

STAFF REPORT

- It is anticipated that the open space/parcels created by this site plan will develop at a future date in this commercially zoned property. Thereby, there are no concerns noted.

NOTICES:

Sent to: Property owners within 350' and applicable agencies and departments

Comments Received:

- Email(s) have been received from adjoining property owners within 150' and residential owners within the Homeowners Association for North Pond at the Preserve. All emails are included in the packet. Generally, the issues/concerns expressed are the following:
 - Increased traffic
 - Traffic exceeding speed limits
 - Increased traffic relating to the area school
 - Light shed from the auto sales property
 - Incompatibility of proposed use
 - Noise originating from traffic
- Citizen Public testimony on Tuesday, May 14, 2024 Planning and Zoning Commission included the following issues/concerns:
 - Safety of children in pedestrian conflicts with traffic
 - Too much traffic volume on 23rd Avenue
 - Concern with fire and Safety access.
 - Notification area too limited.
 - Reduced property values.
 - Direct impact from lighting to adjoining neighborhood.
 - Wetland mitigation and stormwater runoff with potential pollutants from autos.
 - Potential expansion of similar business uses expanding to the southern undeveloped portions of the lot.
- The applicant held a neighborhood information meeting Thursday, 16, 2024. The attendance and discussion items are included in the packet.
- Individuals have requested to address the City Commission on Monday, May 20, 2024 and Monday, June 3, 2024. Requests with additional written content is included in the packet.

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

- The proposed application is consistent with City plans and ordinances. The West Fargo comprehensive planning document, West Fargo 2.0 highlights desire to support diversity of commercial establishments to strengthen economic vitality and create a sustainable economy that spans all sectors.

PLANNING AND ZONING RECOMMENDATIONS

At their Tuesday, May 14, 2024 meeting, the West Fargo Planning and Zoning Commission voted to recommend approval of the subdivision and conditional use permit with conditions as listed below, some of which have since been satisfied:

1. Replatting of the subject property is required prior to issuance of building permits. Design of

STAFF REPORT

the replat shall include the following:

- a. Right of Way dedication for the completion of Rustad Lane E which would connect to 23rd Ave SE in a location approved by the City.
 - b. Jurisdictional Wetland determination and any mitigation efforts must be satisfied with the Army Corp of Engineers and demonstrated to the City Engineer prior to the issuance of building permits.
2. The land use of auto sales shall be restricted to northern portion of Lot 1, Block 1, North Pond at The Preserve 14th Addition, as indicated in the accompany site plan for the conditional use permit.
3. Prior to final consideration by the City Commission, the applicant shall provide the following documentation to ensure compliance with the criteria for the granting of a Conditional Use Permit:
 - a. Documentation that lighting will not create nuisance to adjoining properties. This may include a photometric plan or seasonal light reduction plan.
 - b. A revised site plan which detail the areas where refuse is contained and screened, signage locations, landscape open space requirements along I-94 and any additional site development standard not sufficiently labeled or dimensioned.
4. A signed Conditional Use Permit Agreement is provided prior to consideration by City Commission.

RECOMMENDATIONS:

It is recommended that the City approve the proposed application with conditions as outlined within the attached CUP Agreement, on the basis that it is consistent with City plans and ordinances.

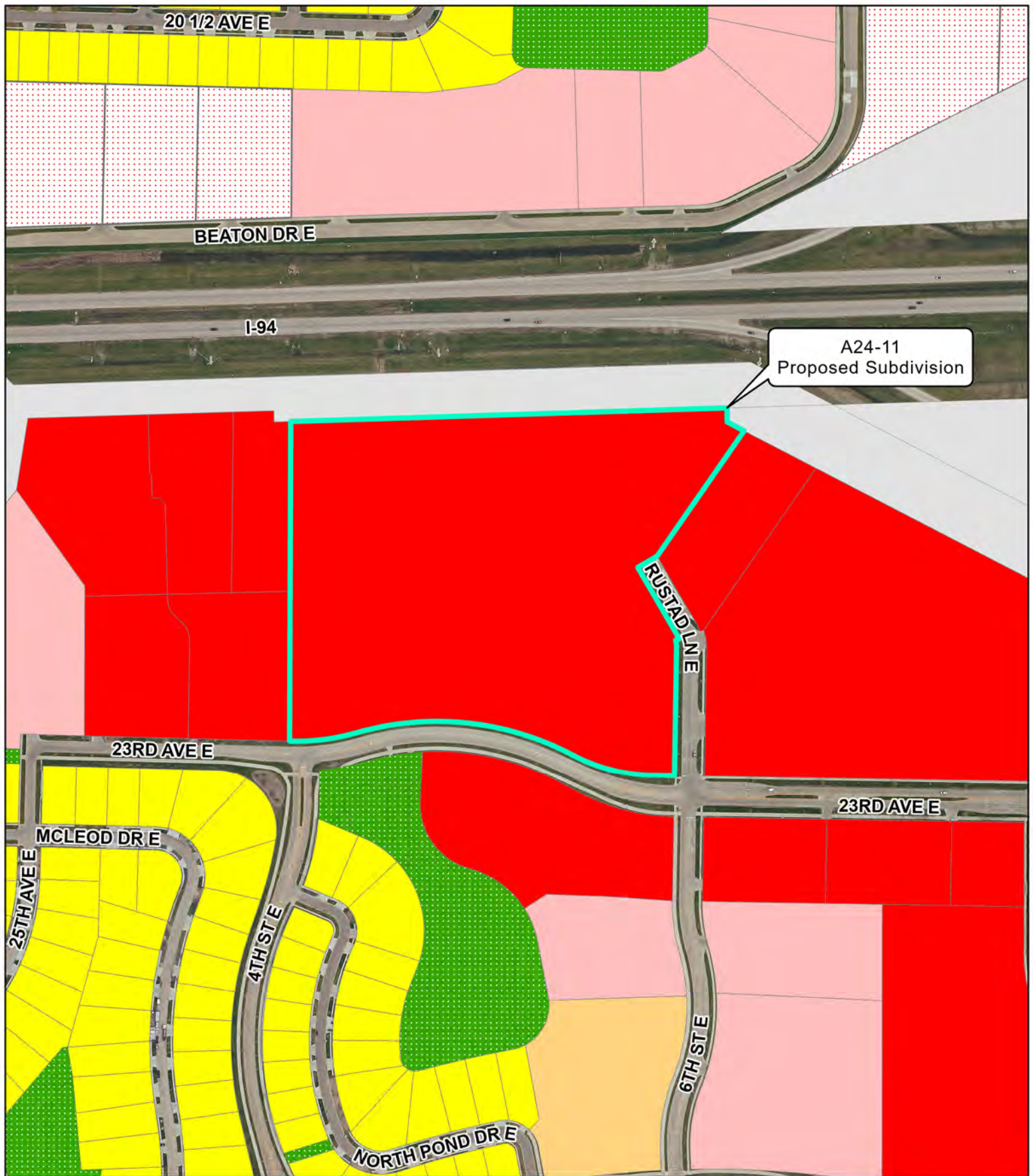
Attachments:

1. Aerial Location map
2. Zoning map
3. Plat-North Pond at the Preserve 14th Addition.
4. Conditional Use Site Plan
5. Photometric Plan
6. Presentation by Applicant from Planning and Zoning Commission, Tuesday, May 14, 2024
7. Signed Conditional Use Permit Agreement
8. Citizen Communication
9. Neighborhood Meeting Minutes



Features

Agenda Zone Lots



West Fargo Zoning

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



PLAT OF
NORTH POND AT THE PRESERVE FOURTEENTH ADDITION

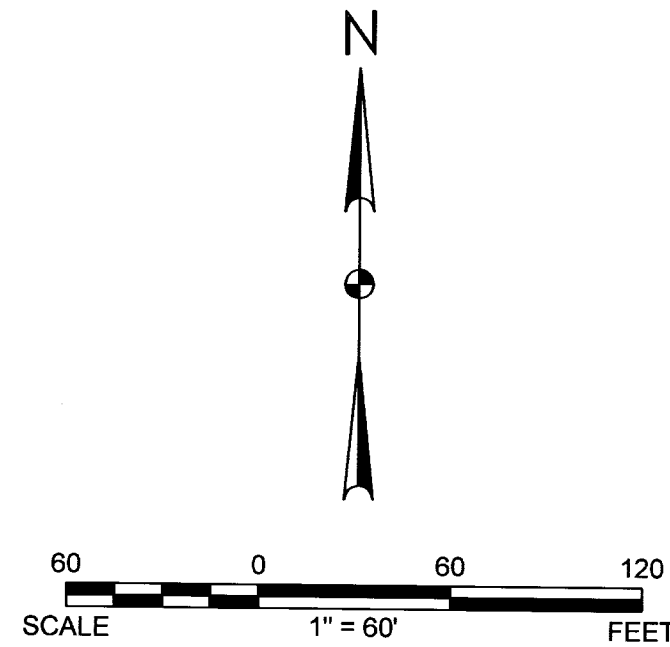
AN UNPLATTED PARCEL IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 139 NORTH, RANGE 49 WEST,
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA

OWNER
DAKOTA MEDICAL FOUNDATION
4141 28TH AVE. S.
FARGO, ND 58104
PH: 701.271.0263

ENGINEER / SURVEYOR
KLJ ENGINEERING LLC
300 23RD AVENUE E, SUITE 100
WEST FARGO, ND 58078
PH: 701.232.5353
www.kljeng.com

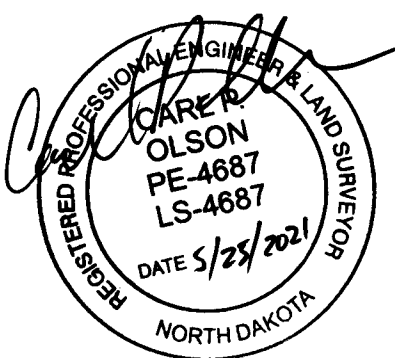
LEGEND	
	REBAR AND CAP FOUND
	REBAR FOUND
	IRON BOLT FOUND

BASIS OF BEARING:
SURVEY IS BASED ON FARGO GIS HORIZONTAL DATUM, US
SURVEY FEET. DISTANCES SHOWN ARE GROUND DISTANCES.



SHEET 1 OF 2

5/24/2021



AUDITOR'S OFFICE
COUNTY OF CASS, NORTH DAKOTA
7/26/2021
Taxes and Special Assessments paid
and transfer entered.
M. J. M. Auditor
DLJ DEPUTY



West Fargo Planning Department

RECORDED IN THE OFFICE OF CASS COUNTY, ND
I CERTIFY THAT THIS INSTRUMENT WAS FILED FOR RECORD THIS DATE:
DEBORAH A. MOELLER, COUNTY RECORDER
by *Jessica D. Kirby*, Dep. 1640162
Recorded Electronically



1640162
Page: 1 of 2
7/26/2021 12:50 PM
PLAT \$20.00

KLJ PROJECT NO. 2114-00469

PLAT OF NORTH POND AT THE PRESERVE FOURTEENTH ADDITION

AN UNPLATTED PARCEL IN THE NORTHEAST QUARTER OF SECTION 20, TOWNSHIP 139 NORTH, RANGE 49 WEST,
TO THE CITY OF WEST FARGO, CASS COUNTY, NORTH DAKOTA

OWNERS DESCRIPTION, ACCEPTANCE AND DEDICATION:

WE, THE UNDERSIGNED, DO HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE LAND DESCRIBED IN THE PLAT OF
"NORTH POND AT THE PRESERVE FOURTEENTH ADDITION" TO THE CITY OF WEST FARGO.

That part of the Northeast Quarter of Section Twenty, Township One Hundred Thirty-nine North of Range
Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, lying Westerly of the North Pond at
the Preserve Tenth Addition to the City of West Fargo, Cass County, North Dakota, and North Pond at the
Preserve First Addition to the City of West Fargo, Cass County, North Dakota, and lying Northerly of 23rd Avenue
East, as dedicated on the recorded Plat of North Pond at the Preserve Second Addition to the City of West
Fargo, Cass County, North Dakota, except any portion thereof located within the following described tracts of
land, and less highway rights-of-way of record:

TRACT 1: That part of the Northeast Quarter of Section Twenty, Township One Hundred Thirty-nine North of
Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:
Commencing at the Northeast corner of said Northeast Quarter; thence South 02°29'15" East along the East line
of said Northeast Quarter for a distance of 856.91 feet; thence South 87°30'45" West for the distance
of 50.00 feet to a point on the Westerly right-of-way line of the Sheyenne Diversion; the point of
beginning; thence South 87°30'45" West for a distance of 100.00 feet; thence North 65°20'50" West for a distance
of 1,179.31 feet to a point on the Southerly right-of-way line of the Sheyenne Diversion; thence
South 85°38'20" West along the Southerly right-of-way line of said Sheyenne Diversion for a distance
of 284.18 feet; thence South 04°22'35" East for a distance of 36.79 feet; thence South 65°20'50" East for a
distance of 1,451.01 feet; thence North 87°30'45" East for a distance of 141.02 feet to a point on the Westerly
right-of-way line of the Sheyenne Diversion; thence North 02°29'15" West along the Westerly right-of-way line of
said Sheyenne Diversion parallel to the East line of said Northeast Quarter for a distance of 170.00 feet to the
point of beginning; and

TRACT 2: That part of the Northeast Quarter of Section Twenty, Township One Hundred Thirty-nine North of
Range Forty-nine West of the Fifth Principal Meridian, Cass County, North Dakota, described as follows:
Commencing at the Northwest corner of said Northeast Quarter; thence South 02°25'40" East along the West line
of said Northeast Quarter for a distance of 310.79 feet to a point on the South right-of-way of Interstate
Highway No. 94, the point of beginning; thence North 85°37'14" East along the South right-of-way of Interstate
Highway No. 94 for a distance of 2,653.09 feet to a point on the East line of said Northeast Quarter, said point
being 158.58 feet South of the Northeast corner of said Northeast Quarter; thence South 02°28'40" East along
the East line of said Northeast Quarter for a distance of 2,487.19 feet to the Southeast corner of said Northeast
Quarter; thence South 88°51'19" West along the South line of said Northeast Quarter for a distance of 50.01 feet
to a point 50.00 feet West of the East line of said Northeast Quarter; thence North 02°28'40" West and parallel
to the East line of said Northeast Quarter for a distance of 2,363.94 feet; thence South 85°38'09" West for a
distance of 2,603.14 feet to a point on the West line of said Northeast Quarter; thence North 02°25'40" West
along the West line of said Northeast Quarter for a distance of 119.76 feet to the point of beginning.

THAT WE HAVE CAUSED IT TO BE PLATTED INTO LOTS AND BLOCKS AS SHOWN BY SAID PLAT. WE HEREBY
DEDICATE UTILITY EASEMENTS TO THE USE OF THE PUBLIC AS SHOWN ON SAID PLAT.

SAID PLAT CONTAINS 21.126 ACRES, MORE OR LESS, AND IS SUBJECT TO ALL EASEMENTS AND RIGHTS OF WAY OF
RECORD.

OWNER: DAKOTA MEDICAL FOUNDATION

J. Patrick Trayner
Executive Director

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

ON THIS 26 DAY OF May, 2021
BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID COUNTY AND STATE,
PERSONALLY APPEARED J. Patrick Trayner
TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO EXECUTED
THE SAME AS A FREE ACT AND DEED.

Kathi L. Mayer

NOTARY PUBLIC

KATHI L. MAYER
Notary Public
State of North Dakota
My Commission Expires Dec. 14, 2022

SURVEYOR'S CERTIFICATE AND ACKNOWLEDGEMENT

I, CARL P. OLSON, PROFESSIONAL LAND SURVEYOR UNDER THE
LAWS OF THE STATE OF NORTH DAKOTA DO HEREBY CERTIFY
THAT THE ATTACHED PLAT IS A TRUE AND ACCURATE
REPRESENTATION OF THE SURVEY OF SAID SUBDIVISION AND ALL
DISTANCES SHOWN ON SAID PLAT ARE CORRECT, THAT THE
MONUMENTS FOR THE GUIDANCE OF FUTURE SURVEYS HAVE BEEN
CORRECTLY PLACED IN THE GROUND AS SHOWN.

Carl P. Olson
CARL P. OLSON, PROFESSIONAL LAND SURVEYOR
NORTH DAKOTA LICENSE # LS-4687
STATE OF NORTH DAKOTA)
) SS

COUNTY OF CASS)

ON THIS 25th DAY OF May,
2021, BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID
COUNTY AND STATE, PERSONALLY APPEARED CARL P. OLSON, TO
ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO
EXECUTED THE SAME AS A FREE ACT AND DEED.

Kevin M. Cummings
NOTARY PUBLIC

KEVIN M. CUMMINGS
Notary Public
State of North Dakota
My Commission Expires Mar. 5, 2022

CITY OF WEST FARGO ENGINEERING DEPARTMENT APPROVAL

APPROVED BY CITY ENGINEER THIS 22nd DAY OF July,
2021

Dustin T. Scott
DUSTIN T. SCOTT, CITY ENGINEER

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

ON THIS 22nd DAY OF July,
2021, BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID
COUNTY AND STATE, PERSONALLY APPEARED DUSTIN T. SCOTT,
TO ME KNOWN TO BE THE PERSON DESCRIBED IN AND WHO
EXECUTED THE SAME AS A FREE ACT AND DEED.

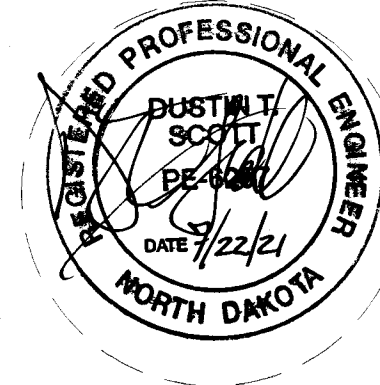
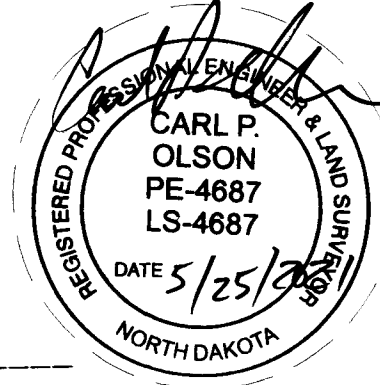
Chanda Erickson
NOTARY PUBLIC

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

ON THIS 13 DAY OF July,
2021, BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID
COUNTY AND STATE, PERSONALLY APPEARED JOHN T. SHOCKLEY,
CITY ATTORNEY, KNOWN TO BE THE PERSONS DESCRIBED IN AND WHO
EXECUTED THE SAME AS A FREE ACT AND DEED.

Chanda Erickson
NOTARY PUBLIC

CHANDA ERICKSON
Notary Public
State of North Dakota
My Commission Expires Nov. 18, 2021



CITY OF WEST FARGO PLANNING COMMISSION APPROVAL

APPROVED BY THE CITY OF WEST FARGO PLANNING COMMISSION
THIS 13 DAY OF April, 2021

Joseph F. Kolb
JOSEPH F. KOLB, CHAIR
WEST FARGO PLANNING COMMISSION

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

ON THIS 13 DAY OF April,
2021, BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID
COUNTY AND STATE, PERSONALLY APPEARED JOSEPH F. KOLB,
WEST FARGO PLANNING COMMISSION CHAIR, TO ME KNOWN TO BE
THE PERSON DESCRIBED IN AND WHO EXECUTED THE SAME AS A
FREE ACT AND DEED.

Chanda Erickson
NOTARY PUBLIC

CHANDA ERICKSON
Notary Public
State of North Dakota
My Commission Expires Nov. 18, 2021

CITY OF WEST FARGO ATTORNEY APPROVAL

APPROVED BY THE BOARD OF CITY COMMISSIONERS AND ORDERED
FILED THIS 13 DAY OF July, 2021

John T. Shockley
JOHN T. SHOCKLEY, CITY ATTORNEY

CITY OF WEST FARGO CITY COMMISSION APPROVAL

APPROVED BY THE BOARD OF CITY COMMISSIONERS AND ORDERED
FILED THIS 7 DAY OF June, 2021

Bernie L. Dardis
BERNIE L. DARDIS, President of the Board of City Commissioners

ATTEST: *Tina Fisk*
TINA FISK, CITY AUDITOR

STATE OF NORTH DAKOTA)
) SS
COUNTY OF CASS)

ON THIS 7 DAY OF June,
2021, BEFORE ME, A NOTARY PUBLIC WITH AND FOR SAID
COUNTY AND STATE, PERSONALLY APPEARED BERNIE L. DARDIS,
MAYOR, CITY OF WEST FARGO, AND TINA FISK, CITY AUDITOR, CITY
OF WEST FARGO, TO ME KNOWN TO BE THE PERSONS DESCRIBED IN
AND WHO EXECUTED THE SAME AS A FREE ACT AND DEED.

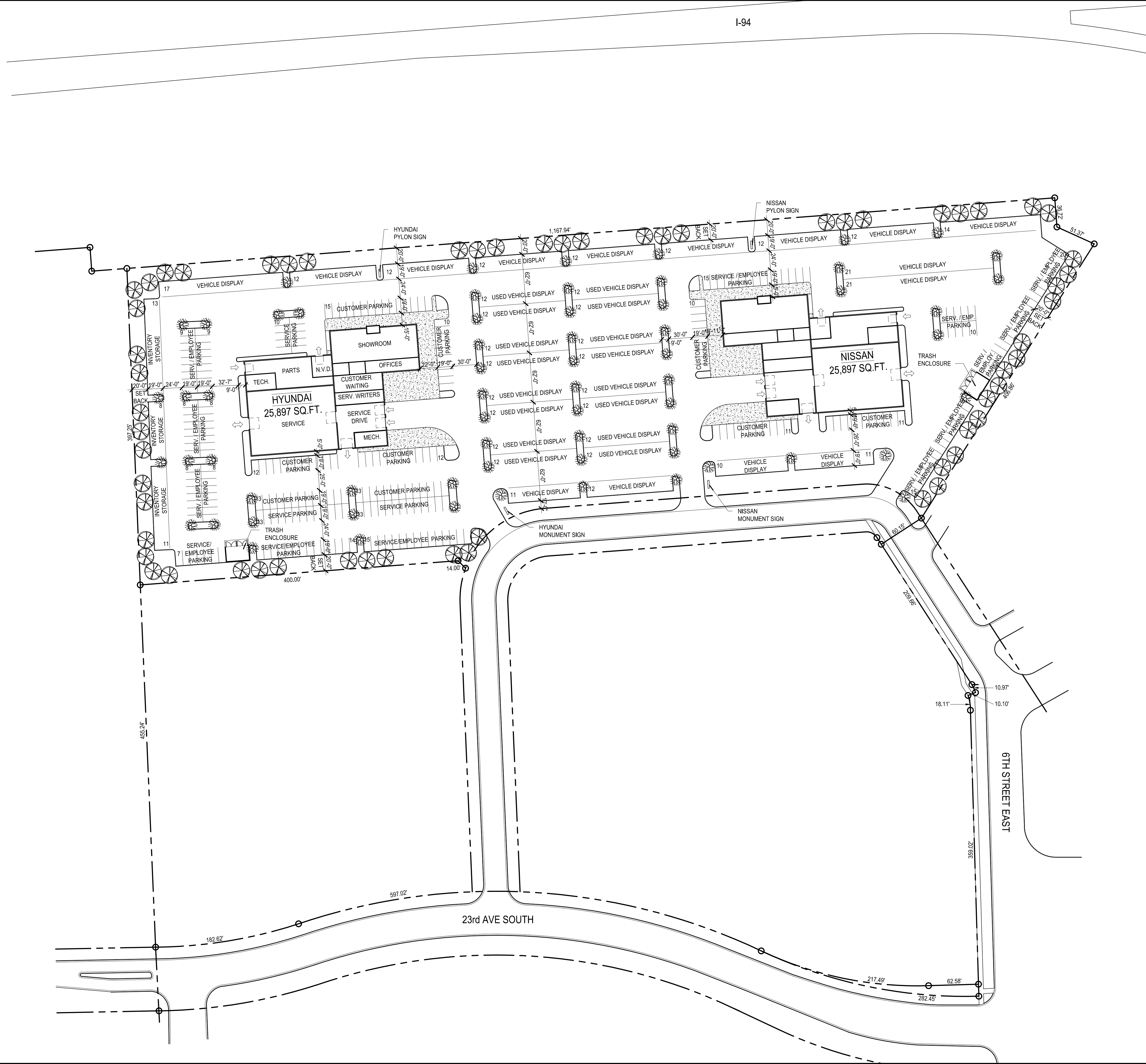
Chanda Erickson
NOTARY PUBLIC

CHANDA ERICKSON
Notary Public
State of North Dakota
My Commission Expires Nov. 18, 2021



West Fargo Planning Department

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Page: 2 of 2
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PLAT \$20.00



SITE DATA	
TOTAL SITE AREA =	9.4 ACRES 410,545 SQ. FT.
TOTAL BUILDING AREA =	51,794 SQ. FT.
TOTAL IMPERVIOUS AREA =	287,135 SQ. FT.
TOTAL GREEN SPACE AREA =	71,616 SQ. FT.
PARKING	
DISPLAY SPACES =	201
USED CAR SPACES =	192
CUSTOMER PARKING SPACES =	127
SERVICE & EMPLOYEE SPACES =	179
INVENTORY STORAGE =	32
TOTAL SPACES =	730

D.L.A.
Darwin Lindahl Architects, P.A.
4124 Quebec Ave. North, Suite 106
Minneapolis, Minnesota 55427
Ph: 763.560.0448 Fax: 763.560.0441
e-mail: lindahlarch@gmail.com

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Project # : 2024-02

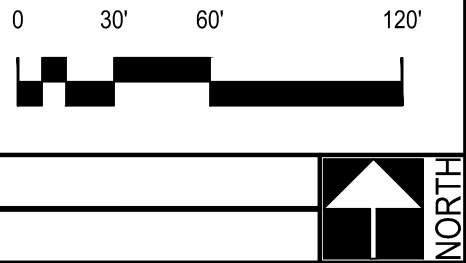
PROPOSED FACILITY FOR:
GATEWAY SITE STUDY
WEST FARGO, ND

Revisions:		
No:	Revision:	Date:

Certification:
PRELIMINARY
NOT FOR CONSTRUCTION
PRINTED FOR: INFORMATION
DATE: 5/21/2024

Drawing:
SITE PLAN

Sheet No:
A050



Schedule									
Symbol	Label	QTY	Manufacturer	Catalog	Description	Number Lamps	Lamp Output	LLF	Input Power
	AA2	36	Lithonia Lighting	DSX2 LED P8 40K 80CRI BLC3	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 3 Extreme Backlight Control	1	37584	0.95	924.9
			Lithonia Lighting	DSX2 LED P8 40K 80CRI BLC3	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 3 Extreme Backlight Control	1	37584	0.95	462.45
			Lithonia Lighting	DSX2 LED P8 40K 80CRI BLC3	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 3 Extreme Backlight Control	1	37584	0.95	462.45
	BB3	2	Lithonia Lighting	DSX2 LED P8 40K 80CRI TSM EGS	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 5 Medium External Glare Shield	1	38918	0.95	1387.352
			Lithonia Lighting	DSX2 LED P8 40K 80CRI TSM EGS	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 5 Medium External Glare Shield	1	38918	0.95	462.4506
			Lithonia Lighting	DSX2 LED P8 40K 80CRI TSM EGS	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 5 Medium External Glare Shield	1	38918	0.95	462.4506
			Lithonia Lighting	DSX2 LED P8 40K 80CRI TSM EGS	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 5 Medium External Glare Shield	1	38918	0.95	462.4506
	BB4	15	Lithonia Lighting	DSX2 LED P8 40K 80CRI TSW	D-Series Size 2 Area Luminaire P8 Performance Package 4000K CCT 80 CRI Type 5 Wide	1	54829	0.95	1849.8
	CC2	7	Lithonia Lighting	DSX2 LED P3 40K 80CRI TSM	D-Series Size 2 Area Luminaire P3 Performance Package 4000K CCT 80 CRI Type 5 Medium	1	28190	0.95	438.8
			Lithonia Lighting	DSX2 LED P3 40K 80CRI TSM	D-Series Size 2 Area Luminaire P3 Performance Package 4000K CCT 80 CRI Type 5 Medium	1	28190	0.95	219.4
			Lithonia Lighting	DSX2 LED P3 40K 80CRI TSM	D-Series Size 2 Area Luminaire P3 Performance Package 4000K CCT 80 CRI Type 5 Medium	1	28190	0.95	219.4
	DD1	2	Lithonia Lighting	DSX2 LED P4 40K 80CRI BLC3	D-Series Size 2 Area Luminaire P4 Performance Package 4000K CCT 80 CRI Type 3 Extreme Backlight Control	1	23386	0.95	272.65

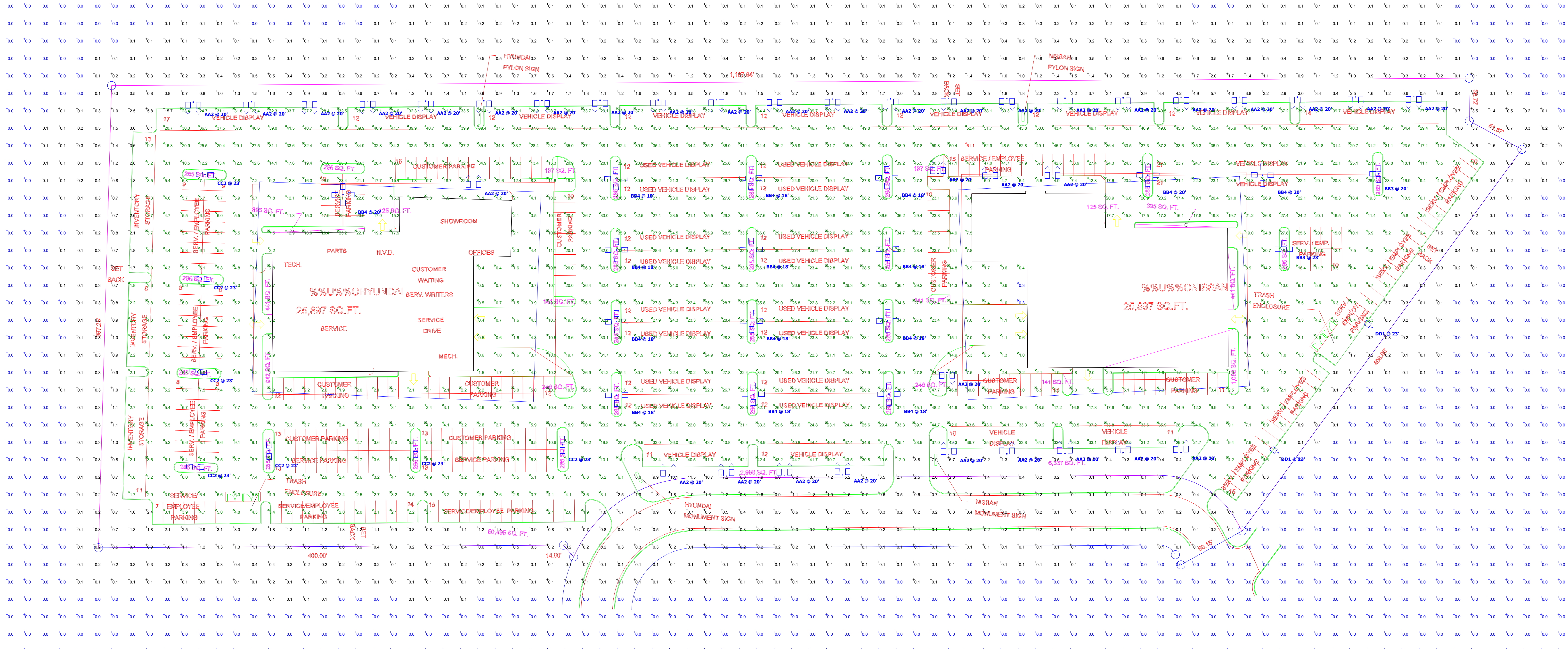
Note

1. Davis and Associates, Inc does not assume responsibility for the interpretation of this calculation, or compliance to local or state lighting codes and ordinances.

2. All readings/calculations are shown @ grade.

3. Fixture heights are shown on plan.

Statistics						
Description	Symbol	Avg	Max	Min	Max/Min	Avg/Min
Total Area Calculated @ Grade	+	8.6 fc	61.1 fc	0.0 fc	N/A	N/A
Parking Area	X	19.6 fc	61.1 fc	0.3 fc	203.7:1	65.3:1



Plan View
Scale: 1" = 40ft

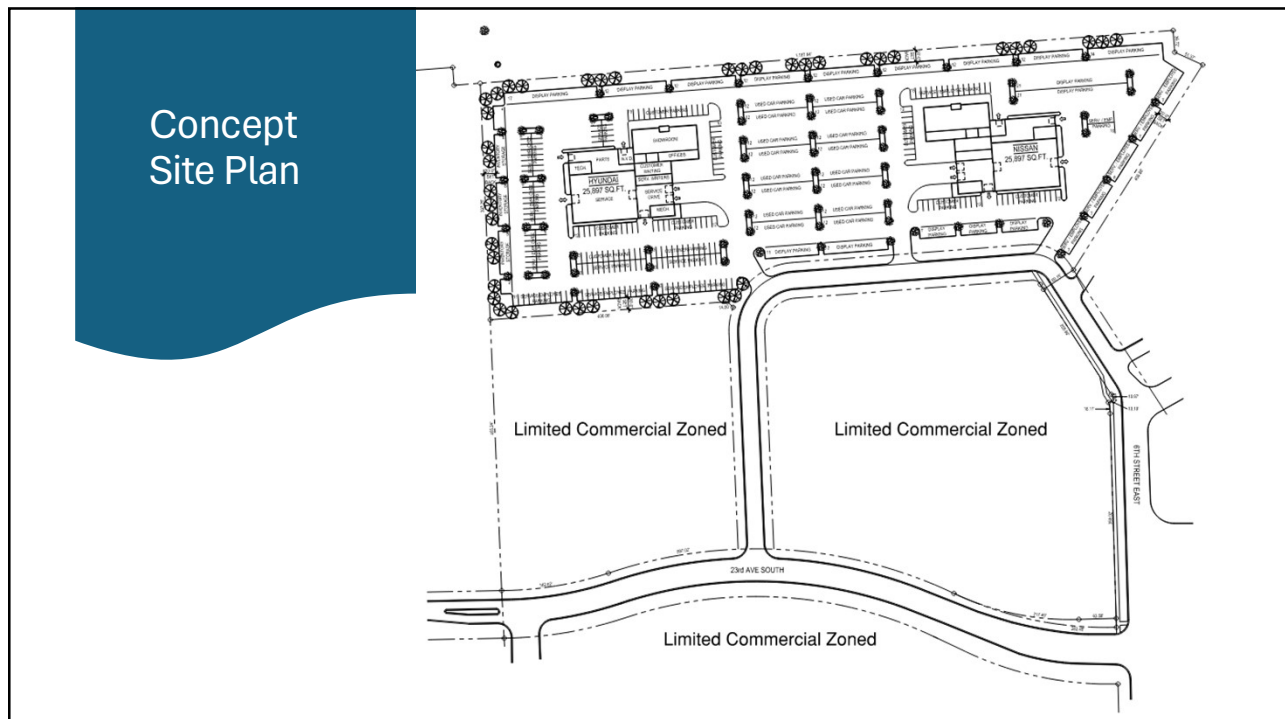
Narrative: CUP for Auto Dealerships

May 13, 2024

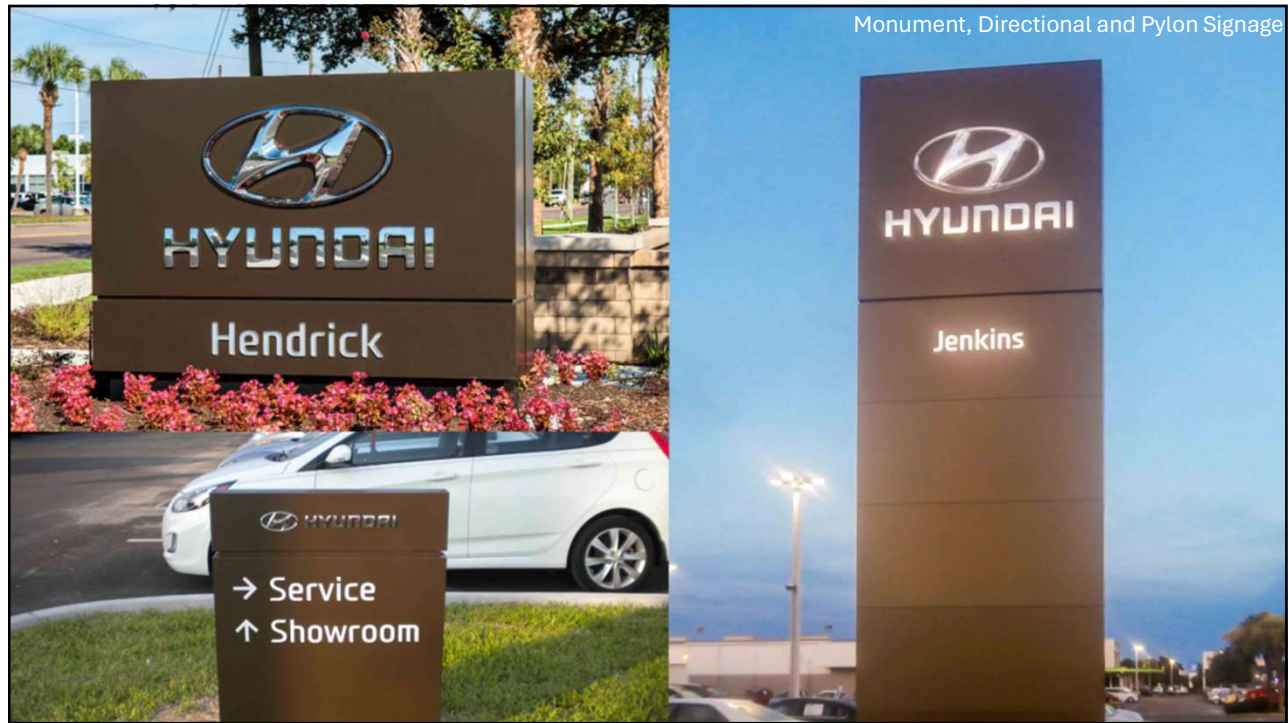
The Applicant is seeking a Conditional Use Permit to build two boutique auto dealership stores that will sell Nissan and Hyundai vehicles on a lot presently zoned limited commercial. The zoning will not be changed as the zoning allows for this use after a Conditional Use Permit is granted. The applicant carefully positioned the two future dealership buildings on the northernmost portion of the site along I94. This positioning on the site allows for the entire southern portion of the site to remain developable for other uses that comply with limited commercial zoning, which will provide future economic impact, buffering, and amenities for the commercial and residential neighborhood. The applicant understands the need for looped connectivity and two means of egress from the dealerships onto 26th. The two auto dealership buildings will be very high quality and will comply with I94's corridor overlay district. Actual visual examples of the quality of design, form, presence, height, materials/exterior finishes, and day/night images have been provided. The two manufacturers, Nissan and Hyundai, have extremely high standards for new dealerships, which the applicant must adhere to. The hours of operation will be typical of new car dealerships with customer service provided 8am to 8pm (M-TH), 8am to 6pm (F & S), and closed on Sunday (hours vary seasonally). Dealerships by nature feature modest and time variable vehicular activity, with traffic counts lower than many other limited commercial uses on a per acre basis. 26th was designed to handle limited commercial vehicular activity for the lot under this Conditional Use Permit request. The distance between residential and the proposed lots is substantial, and the commercial land to the south will feature future commercial opportunities in between the auto sales premises and the land and properties south of 26th. The applicant is very excited to bring two new businesses to West Fargo, which will be the first new car dealerships in the community. The new employment base, new auto purchase and service opportunities for residents, real estate tax and sales tax revenues, and future commercial amenities to the south make this a very special opportunity for the City of West Fargo and the applicant. The applicant looks forward to delivering high quality properties, community opportunity, and great service to the City of West Fargo and its residents.



1



2



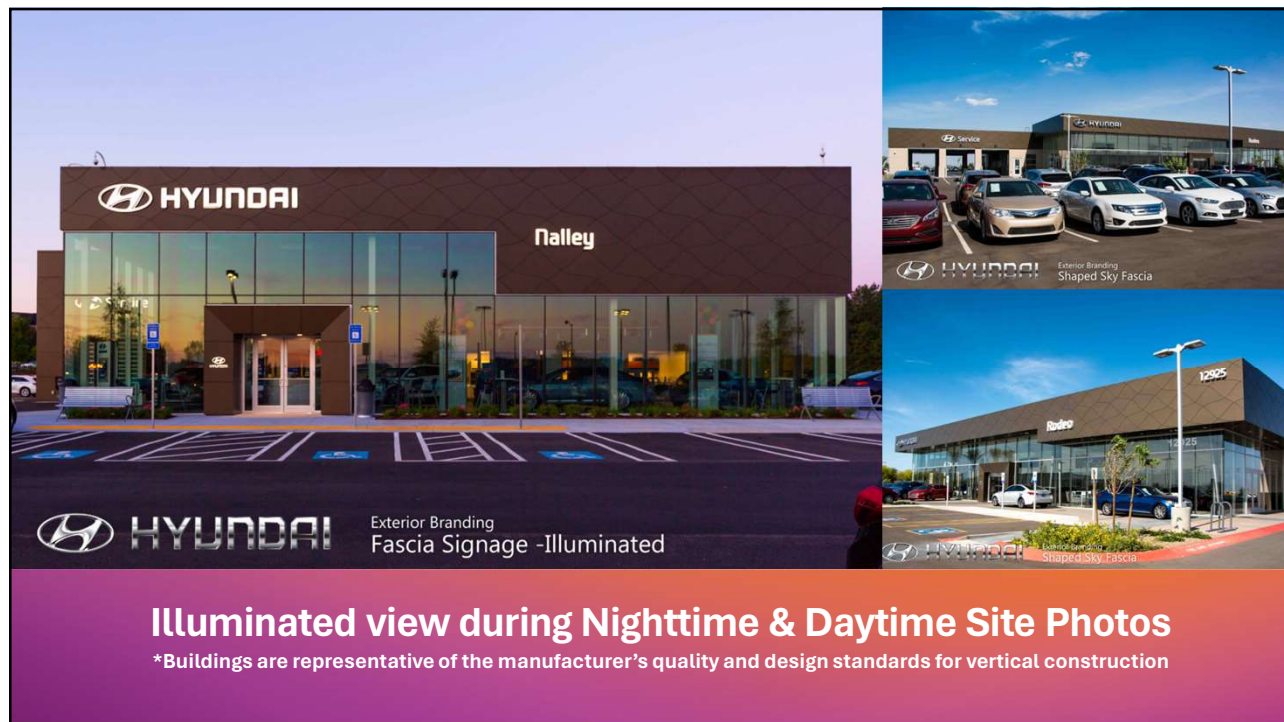
3



Daytime & Nighttime Exterior View

*Buildings are representative of the manufacturer's quality and design standards for vertical construction

4

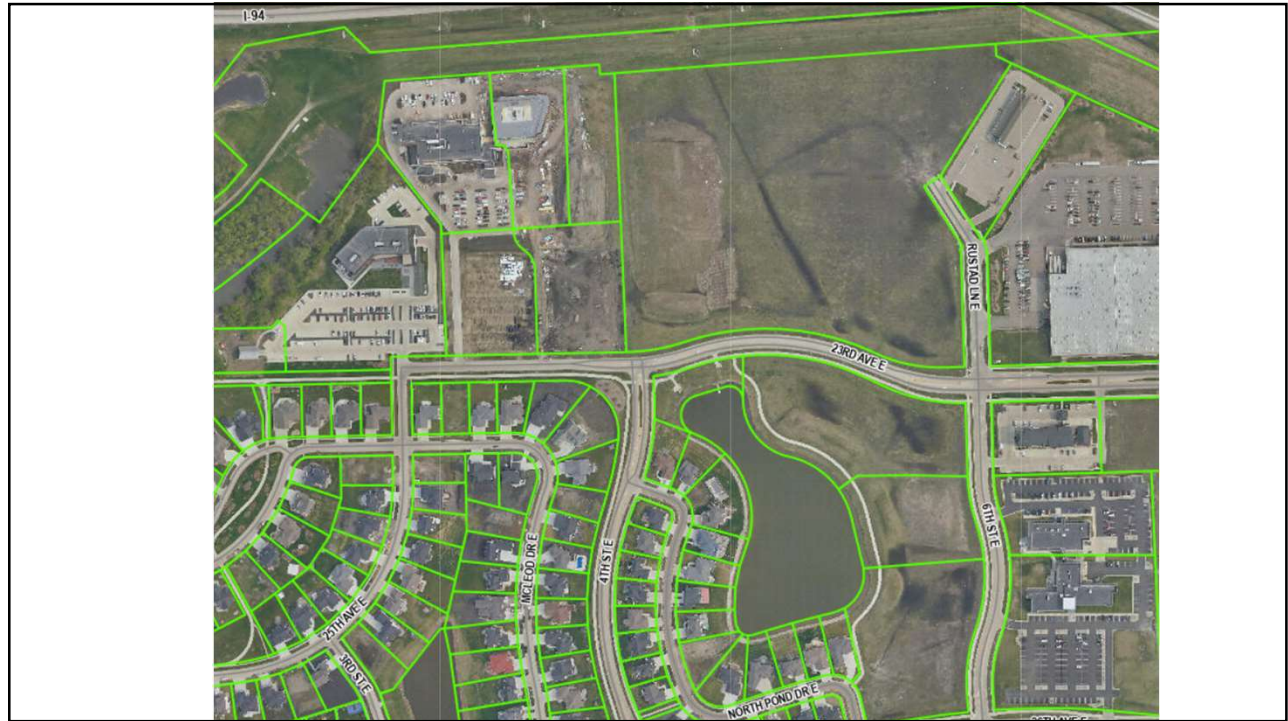


5

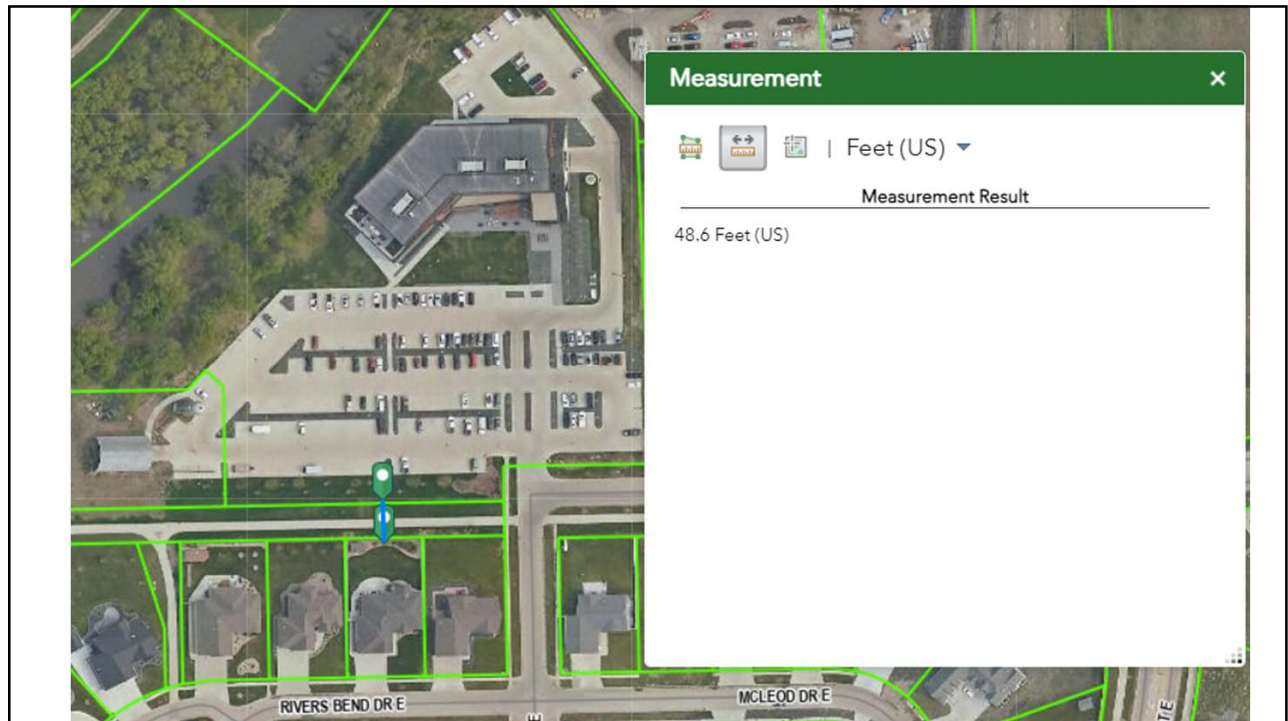
Current Office to Residential Distances

- Distance from Enclave Office's Lot Line to the nearest Residential Lot Line
 - 48'-7.2"
- Distance from Vance Thompson Vision/Center for Special Surgery's Lot Lines to the nearest Residential Lot Line
 - 470'-7.2"
- Estimated Distance from proposed Car Dealership's Lot Line to the nearest Residential Lot Line
 - 807'-1.2"
- Distance from Current Lot Line to nearest Residential Lot Line
 - 227'-7.2"

6



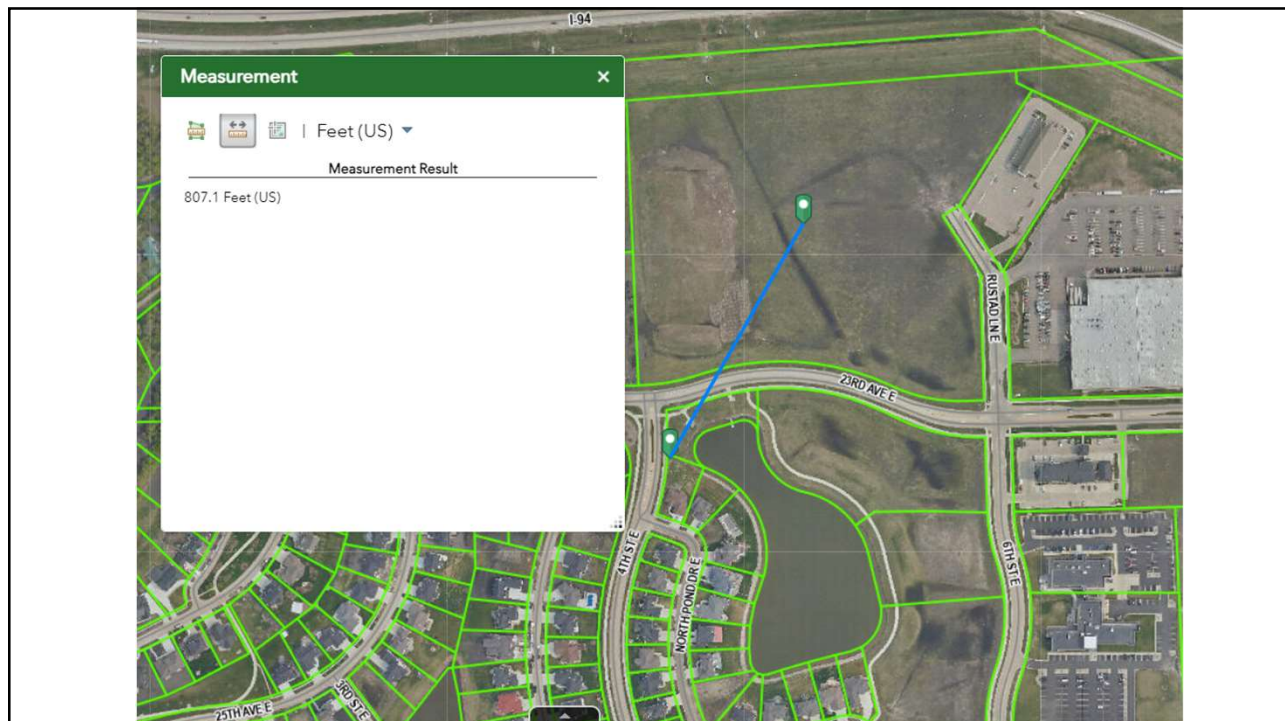
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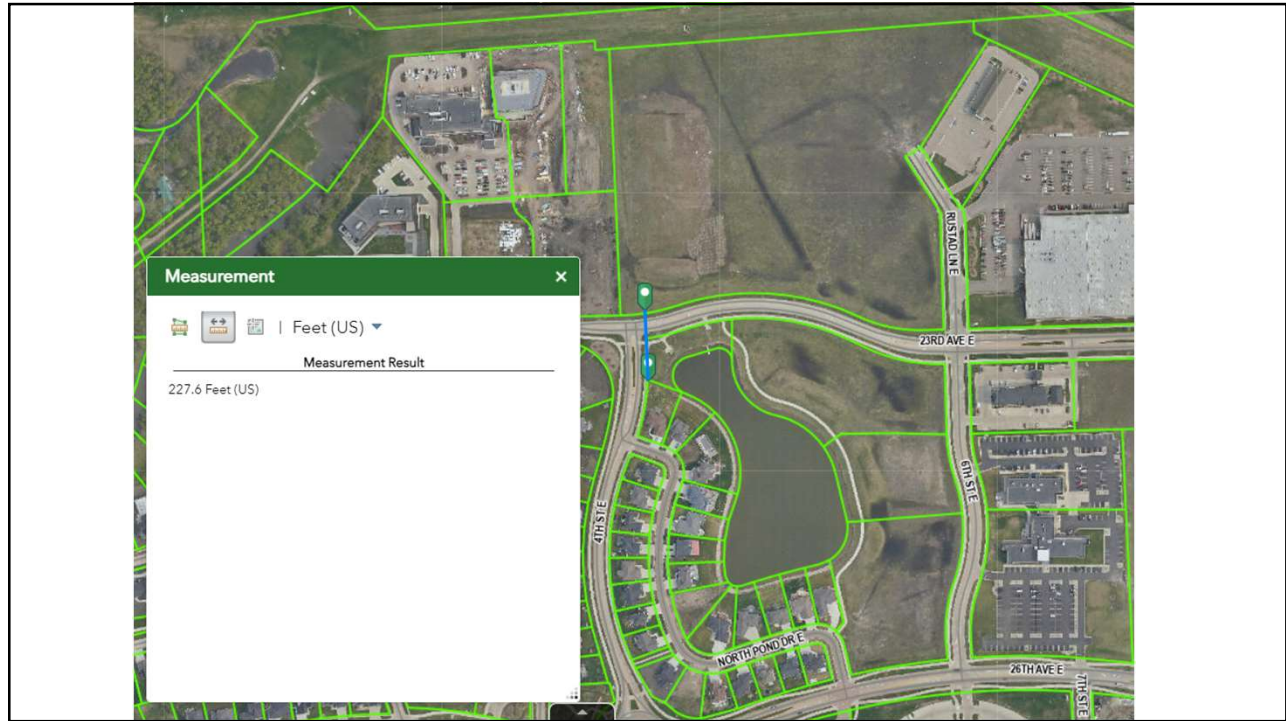
8



9



10



11

Conditional Use Permit

State of North Dakota,
County of Cass,
City of West Fargo

WHEREAS, **I & S Development, LLP** (hereinafter referred to as the “**Applicant**”) has paid the sum of two hundred dollars (\$200.00) to the City of West Fargo, as required by the City of West Fargo Zoning Ordinance, and has complied with all the requirements of said ordinance necessary for obtaining this permit; and

WHEREAS, **Dakota Medical Foundation** (hereinafter referred to as the “**Owner**”) is the legal owner of property located at 450 23rd Avenue East, West Fargo, ND (hereinafter referred to as the “**Property**”), legally described as:

Lots 1, Block 1 of North Pond at the Preserve 14th Addition.

NOW, THEREFORE, the West Fargo City Commission hereby issues a Conditional Use Permit to:

Allow the land-use of automobile sales within the “C” Light Commercial zoning district

on the above-described Property with the following conditions:

1. The Property shall be replatted prior to issuance of building permits. The replat shall include the following:
 - a. Right of Way dedication for the completion of Rustad Lane E which would connect to 23rd Ave E in a location approved by the City.
 - b. Jurisdictional wetland determination and any mitigation efforts must be satisfied with the Army Corp of Engineers and demonstrated to the City Engineer.
2. The land use of automobile sales shall be restricted to northern portion of Lot 1, Block 1, North Pond at The Preserve 14th Addition, as generally indicated on the site plan presented to the City Commission on June 3, 2024 at the time of approval of the Conditional Use Permit and generally described as being located within the area 400’ perpendicularly offset from the northern property line or contained in the area north of the future road right of way, whichever is shorter.
3. All lighting installed and used for the automobile sales shall be designed and operated in a manner that shall not create a nuisance to adjoining properties and shall in all regards conform to the lighting reduction plan presented to the City Commission on June 3, 2024. All areas in which refuse is contained shall be properly screened so as not to be able to be viewed by the public.
4. The City of West Fargo reserves the right to inspect the property for compliance with these conditions.

5. Any and all claims that arise or may arise against Applicant, Owner, their agents, servants, or employees while engaged in the use of the Property, shall in no way be the obligation of the City of West Fargo. Furthermore, Applicant, its agents servants, employees, or assigns shall indemnify, hold harmless, and defend the City, its officers and employees against any and all liability, loss, costs, damages, expenses, claims, actions, or judgments, including attorneys' fees which the City, its officers or employees may hereafter sustain, incur, or be required to pay, in any way connected with the use of the Property or City actions related to the granting of this Conditional Use Permit.
6. Any improvements made to the property in connection with this Conditional Use Permit shall be at the sole expense of the Owner and shall not be the obligation of the City.
7. If Applicant or Owner fails to observe the terms and conditions of this Conditional Use Permit, the City may revoke this Conditional Use Permit. In such an event, the City will give Owner at least a ten (10) day notice of a revocation hearing for the Conditional Use Permit stating the time, place and purpose of such hearing. Upon such hearing, the City may revoke this Conditional Use Permit. If this Conditional Permit is revoked, Owner shall cease such automobile sales operations and remove all inventory, signs, and equipment affiliated with the automobile sales use from the property by the date stated by the City Commission at the hearing. Applicant shall pay any reasonable attorney's fees and court costs associated with the City's enforcement of the terms of this Conditional Use Permit.
8. This Conditional Use permit will not be in effect until such time as:
 - a) it is executed and recorded with Cass County; and
 - b) the City of West Fargo is provided with recording information.
9. The obligations herein shall run with the Property and shall bind the Applicant and the Owner and their successors and assigns.
10. 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.
11. The Applicant and Owner acknowledges receipt of this Conditional Use Permit and agrees to its terms and conditions.

Dated this 28 day of May, 2024.

APPLICANT:



Brad Sather
President of I & S Development, LLP

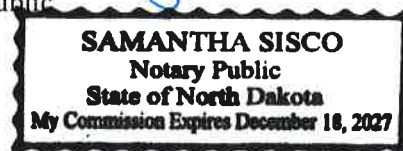
STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 28 day of MAY, 2024 before me, the undersigned, a Notary Public in and for said county and state, personally appeared Brad Sather, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]



Notary Public



OWNER:



Patrick Traynor
President of Dakota Medical Foundation

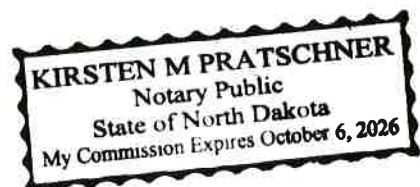
STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 28 day of May, 2024 before me, the undersigned, a Notary Public in and for said county and state, personally appeared Patrick Traynor, known to me to be the person who is described in and who executed the above and foregoing document and acknowledged to me that he executed the same.

[SEAL]



Notary Public



**WEST FARGO BOARD OF CITY
COMMISSIONERS:**

Bernie L. Dardis
President of the Board

ATTEST:

Dustin T. Scott
City Auditor

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this _____ day of _____, 20____, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Bernie L. Dardis and Dustin Scott, known to me to be the President of the Board of City Commissioners and the City Auditor of the City of West Fargo, that are described in and who executed the above and foregoing document and acknowledged to me that they executed the same on behalf of the City of West Fargo.

[SEAL]

Notary Public

From: [David Leedah](#)
To: [Leslie McGillivray-Rivas](#)
Cc: [Alissa Leedah](#)
Subject: Re: Opposition to conditional use permit for lot 1, block 1, north pond 14th addition
Date: Friday, May 3, 2024 12:42:25 PM

Hi Leslie, thanks for the email! We share the concern of other neighbors where adding this car dealership would cause more noise, a higher degree of bright/high fluorescent lighting, and more traffic through our neighborhood than any of us intended to have when we purchased our homes in this neighborhood. Our neighborhood sits adjacent to this property, and our house sits just across the street and down two lots from the homes that received the formal notice from the West Fargo city commission. I believe a variance to allow selling vehicles in this case should not be allowed, especially without a full assessment of the impact on property values, other intrusive items like noise, lighting, and traffic in that area. The current businesses that reside along the interstate near that property are appropriately calm and fit the overall tone of this part of the city. I think anyone would reasonably conclude that a car dealership between Duluth trading company and Vance Thompson vision is a hard pivot and unacceptable deviation from the businesses that currently reside in that area. I am very aware that there will be businesses in those open spaces, and I definitely appreciate the efforts of our city to make sure that businesses that do occupy those spaces are aligned with the original zoning and conditions that were set.

Please consider this formal opposition against the conditional use permit for the property referenced.

Warm regards,
David and Alissa Leedah

2424 McLeod Dr E
West Fargo

On Friday, May 3, 2024, Leslie McGillivray-Rivas <Leslie.McGillivray-Rivas@westfargond.gov> wrote:

Greetings Mr. and Mrs. Leedah,

Attached is the packet of information that was distributed to our internal staff for comment and to adjoining neighbors.

You are welcome to respond to this email with your feedback. Additionally, attached is the criteria for consideration for a Conditional Use Permit.

Further, you are welcome to attend the Planning and Zoning Commission meeting on May 14, 2024, at 5:30pm. There is a public hearing where once the staff and the applicant present, any person in attendance may speak and ask questions or voice concerns.

Please let me know if you have any specific questions.

Kind Regards,

Leslie McGillivray-Rivas

Senior Planner

(701) 515-5377

From: David Leedahl <david.leedahl@gmail.com>

Sent: Friday, May 3, 2024 8:40 AM

To: Leslie McGillivray-Rivas <Leslie.McGillivray-Rivas@westfargond.gov>

Cc: Alissa Leedahl <alissaleedahl@gmail.com>

Subject: Opposition to conditional use permit for lot 1, block 1, north pond 14th addition

Hi Leslie,

Appreciate you talking to me on the phone!

Please let me know how I can respond with feedback of opposition related to this conditional use permit for auto sales.

Thanks!

David Leedahl

[2414 McLeod Dr E \(rivers bend\)](#)



City Commission Agenda Item Request

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

Office Use:

Regular Agenda Item #:

Consent Agenda Item #:

Agenda Item Information:

Contact Name: *

David Leedah

Phone Number: *

7013531733

Email Address:

david.leedah@gmail.com

Date *

5/3/2024

Topic for Consent or Regular Agenda?

Please select one option:

- ☐ Consent Agenda
☒ Regular Agenda

Please Briefly Describe Your Request *

I am writing in regards to the proposed conditional use permit for automobile sales on lot 1, block 1, north pond at the preserve 14th addition. I am writing to strongly OPPOSE any approval related to this permit. I live in Rivers Bend neighborhood at 2414 McLeod Dr E. Neither side of the interstate currently has a car lot, and I think this is a notable detriment to our neighborhood.

Site Address or Legal Description (if applicable)

lot 1, block 1, north pond at the preserve 14th addition

Action Being Requested from City Commission *

Please deny the request for the conditional use permit.

Upload Additional Documentation (Optional):

From: [Josh Diemert](#)
To: [Leslie McGillivray-Rivas](#)
Subject: Re: North Pond at the Preserve - Conditional Use Permit
Date: Friday, May 3, 2024 1:32:28 PM

Leslie

Thank you for sharing.

I would like to reiterate my opposition to this proposed use of the land.

23rd ave is already dangerous to navigate while driving by Costco, and adding even more truck and vehicle traffic will only exacerbate that issue. We fully understand that a commercial entity of some sort will end up on the vacant lots that surround this area, I however feel a car dealership is not the correct fit.

The increase in traffic is my primary concern. The lights that will be on all night will also be detrimental to our neighborhood.

I encourage the planning commission to deny this permit and allow another commercial entity that better fits with the neighborhood to take advantage of this location.

Thank You

Josh Diemert
2503 McLeod Dr E, West Fargo, ND 58078

On Fri, May 3, 2024 at 9:18 AM Leslie McGillivray-Rivas <Leslie.McGillivray-Rivas@westfargond.gov> wrote:

Greetings Mr. Diemert,

Please see the attached information for your review.

Should you have any questions or comments, you may respond to this email address. We will include your correspondence in the packet of information placed on the agenda for the May 14, 2024 Planning and Zoning Commission.

This item is on the agenda and is a public hearing.

Kind Regards,



Leslie McGillivray-Rivas

Senior Planner, City of West Fargo

[800 Fourth Ave. E., Suite #1](#)

[West Fargo, ND 58078](#)

(701) 515-5377

Visit our website at:

[westfargond.gov](#)

From: [Tanya Harlow](#)
To: [Leslie McGillivray-Rivas](#)
Subject: Fwd: Proposed Conditional Use Permit for Vehicle Sales
Date: Sunday, May 5, 2024 10:28:29 PM

> To Whom It May Concern:

>

> I am writing to convey my discontent with the proposal for a car lot near my neighborhood in Rivers Bend. My concern is twofold:

> 1) I have concerns about this car lot potentially reducing home values in this area. Many people have spent a great deal of money building these homes and it seems very unfair that their home values could be affected by an unforeseen business in this area.

> 2) I have significant concerns about the potential for increased traffic that this particular business would bring to my neighborhood given that many people will likely drive through our neighborhood when test driving cars. I specifically purchased a home in this neighborhood because my last neighborhood had too much through traffic with cars driving at higher speeds. I would hate for this to become a common occurrence in Rivers Bend, which is such a peaceful place to live. Additionally, I also have concerns about the increase in traffic so near to a school, which could be potentially dangerous for our children.

>

> I appreciate your time and consideration in this matter. I urge you to not issue a use permit for car sales for this area.

>

> Sincerely,

>

> Tanya Harlow, MD

> 2689 Rivers Bend Dr E

> West Fargo

>

> Sent from my iPhone

MEMORANDUM

TO: Leslie McGillivray-Rivas, Senior Planner

FROM: Property owners

RE: Proposed Conditional Use Permit for Vehicle Sales

DATE: May 8, 2024

A group of neighbors have become friends over backyard barbecues and adult beverages around the fire table. Our kids like having buddies nearby and they are often going from house to house. We all like to live here.

Learning about the proposed car lot raises many concerns for each of us and this group MEMO will hopefully be taken seriously as you consider the effect on many families in the vicinity. The following potential problems raise the most concern at this time but are by no means the only issues we have discussed.

First, our children love school and we purposely purchased or built our homes in a location where they could walk or bike to attend classes. By its nature, a successful car lot means more traffic. There will be workers, buyers, window shoppers and those seeking service. Delivery of new inventory and even the late night drive-through-the-car lot people will add to the traffic that surrounds our school. Test drivers will have the option of driving through the already over congested Costco corner or heading south through a residential district on 4th St E which goes right by Freedom Elementary. None of this is desirable for the people who live here. Honestly, it doesn't seem that this traffic pattern would be desirable for a business, either. The City of West Fargo should consider how to best control and minimize additional activity in this area.

Secondly, the noise and lights and activity of a car lot are a major concern. It is not reasonable or realistic for a dealership to dim the lights at night or have them set on a dusk to dawn timer. But it is also not reasonable or realistic for several families to have the bright lights reflecting across the pond and shining in our yards. The proposed lot is clearly seen from yards and houses. The lights will be invasive and directly impact each house. A car lot has beeps, bells and announcements added to the hubbub. There are no barriers that will contain this major distraction. We expect property values to go down as a result.

Please consider how this decision will affect the many families who live in this area. Drive by a car dealer in the area. In fact, park nearby for awhile and consider what it would be like to live in that location. Check it out at night and imagine sitting out enjoying the evening in the privacy of your own yard with the car lot across the road. Then drive through our neighborhood and imagine the negative impact.

We count on you to consider what is best for the people of West Fargo. This proposed car lot is not the best for us.

From: [Kevin Machayya](#)
To: [Leslie McGillivray-Rivas](#); [Planning](#)
Subject: Re: Opposition to Auto Lot Development
Date: Monday, May 13, 2024 7:57:42 AM

Forwarding my email to the Planning Department with Leslie out of the office this week

Thank you,

Kevin Machayya

Sent from my iPhone

On May 13, 2024, at 7:55 AM, Kevin Machayya <kmachayy@hotmail.com> wrote:

Hi Leslie,

I am writing in protest to the potential of an auto lot development within the land adjacent to the medical office park and Duluth Trading Company.

My home is not within your notification area, but I feel compelled to chime in. This development would greatly reduce the value of the nearby homes north of my residence (many of whom are your highest taxed residents). It would also cause additional traffic within the residential streets and school areas when shoppers test drive vehicles.

This situation reminds of when a used car lot was allowed to be built in the Eagle Run development (where Hooligans now exists). I believe at the time the city did not listen to its citizens' primary concerns of putting a car lot in a residential neighborhood either.

Auto sales lots belong in true commercial land developments, not within shouting distance of residential neighborhoods.

Thank you,

Kevin & Jamie Machayya
73 31st Ave E
701-361-3268

From: [Julie Mohl](#)
To: [Leslie McGillivray-Rivas](#)
Subject: Proposed Conditional Use Permit for Vehicle Sales
Date: Friday, May 10, 2024 11:53:23 AM

Dear Ms. McGillivray-Rivas:

I am writing to express my concern about the proposed conditional use permit for vehicle sales at 450 23rd Avenue East. We own one of the properties perhaps most directly affected by this decision, as the subject property is in direct view of our entire home. We selected our lot and built a home fully aware that the area behind us was zoned for light commercial use. We enjoy seeing the activity of the city and appreciate the existing businesses in our proximity. We anticipated a similar business or businesses would move in eventually; however, an auto lot is extremely undesirable next to a residential area, especially a single-family development.

According to the Conditional Use ordinance subsection 4-555, the planning committee is required to consider the "compatibility and harmony with properties in the district." Please consider the inevitable noise of a car dealership, including car alarms, outdoor PA system announcements, and auto carrier semis traveling adjacent to our homes and loading/unloading vehicles at all hours. Please consider the glare of numerous 24-hour lights illuminating the proposed 737 parking spots directly behind our homes. Please consider the implications of the long hours of operation of a Gateway dealership on the families enjoying our homes, backyards, and neighborhood. Please consider the increased traffic and test drivers who will avoid the already congested area around Costco by turning into and driving through our neighborhood or down 4th and 6th streets directly toward our two neighborhood elementary schools. There are young children walking and biking to and from school daily, as well as pedestrians visiting River's Bend Park and/or enjoying the walking paths throughout our neighborhood, along 23rd and 26th avenues, and around the Rustad Recreation Center.

Approval of the current proposal leaves opportunity for future expansion onto the undeveloped lots. There is potential for formation of a large "auto mall" in the area, exacerbating all of the above concerns. A decline in our property values has already been predicted by two local realtors I spoke to about this proposal.

Please consider the families who chose this area not only for its proximity to local employers, but for its beauty and peaceful enclave. There are healthcare providers, business owners, church leaders, teachers, retirees, and numerous children among us. The proposed car lot is **not** compatible or in harmony with our property or those of our neighbors. No other major auto dealerships exist in the Fargo-Moorhead-West Fargo area directly adjacent to any residential area, particularly not single family homes.

I sincerely appreciate your consideration.

Respectfully submitted,

Julie and Leighton Mohl

2331 McLeod Drive East
West Fargo, ND 58078

From: [O'Keeffe](#)
To: [Leslie McGillivray-Rivas](#)
Subject: Opposed to the conditional use permit for vehicle sales
Date: Friday, May 10, 2024 1:18:39 PM

We live in Rivers Bend on McLeod Dr E and are opposed to a vehicle sales conditional use permit for Lot 1 Block 1 of North Pond at the Preserve that would allow vehicle sales. This permit would potential bring much more traffic to an area that is access to the homes in Rivers Bend. Also vehicle sales ultimately brings used cars to the lot for sales, service departments and junker cars. Just drive by the existing car lots in Fargo and observe their back lots.

Sent from my iPad

From: [Lydia Bruenjes](#)
To: [Planning](#)
Subject: Concern for 450 23rd Avenue East Automobile Sales
Date: Monday, May 13, 2024 8:40:47 PM

Dear City of West Fargo Planning,

My name is Lydia Bruenjes. I am a homeowner on N Pond Drive E in West Fargo. I am writing with my concerns about proposed automobile sales to be built at 450 23rd Avenue East. This property is located across the pond of my home where I live with my husband and three young children. I am not within 350 feet, but this space is in view of the majority of windows from my family's home and backyard. There are two main concerns I have with an automobile shop being placed in this location.

First, the bright lights that will be on all night. I have attached a photo from my deck at 10 pm at night. As you can see there is already a concerning amount of light pollution from Costco and Duluth Trading parking lots. I am concerned an automobile shop will worsen this problem. If you drive by the other local dealerships in town they have high light illumination to understandably showcase their inventory and for added safety of the property at night. I am concerned this will negatively impact our neighborhood. North Pond is home to a wide range of wildlife from birds, fish, and mammals. This added light will disrupt the natural habitat of North Pond, and as a parent make it even more difficult to black out my children's rooms for a comfortable bedtime routine.

My second concern is the increased traffic and distracted drivers test driving cars in our neighborhood. Going to an automobile shop will result in many cars being test driven close to the business. I am concerned these drivers will not be following traffic speeds, be aware of signs, pedestrians crosswalks, and be more focused on the buttons and gadgets of the vehicle rather than the road. Freedom Elementary is only 1 block from this proposed location where hundreds of kids are walking home each day. This business location is already a hazard with the thousands of customers driving in and out of Costco on a daily basis. I am concerned a busy dealership is only going to worsen the chaos along 23rd avenue and conjoining roads.

We love our neighborhood, neighbors, and the uniqueness of living on a pond. The addition of the surgical center, Enclave, and Wex are excellent businesses that add great value to our neighborhood. I do not feel this is the appropriate place for an automobile shop. I kindly request this proposal be denied and the business seek other options that are not in the direct path of residential housing.

Thank you for your understanding.

Sincerely,

Lydia Bruenjes
2425 N Pond Drive E
West Fargo, ND 58078



From: [Justin Grina](#)

To: [Planning](#); [Leslie McGillivray-Rivas](#)

Subject: Proposed Conditional Use Permit for Vehicle Sales

Date: Monday, May 13, 2024 11:03:53 PM

Leslie McGillivray-Rivas and City of West Fargo Planning and Zoning Commission,

I'm writing to you this evening as a property owner at 2503 North Pond Drive E, who is strongly against the Conditional Use Permit that has been submitted to the City, with the intent to allow for automobile sales at 450 23rd Ave East. (Lot 1, Block 1 of North Pond at the Preserve 14th Addition)

Although my property is not adjacent to or within 350ft of the proposed business, it would be in direct line of sight from my backyard, as the attached picture clearly shows.

As you can see, we already deal with several bright lights from the interstate and existing buildings, and adding a business who will significantly add to the issue is not appealing to the neighborhood and most if not all of the homeowners.

Secondly, an automobile dealership will bring heavy traffic and commotion into a quiet neighborhood, that extends beyond a normal 5 day work week and regular business hours. The increased amount of traffic to an already congested street with Costco not far and Freedom Elementary just to the South is not something I can support.

Lastly, many of the homes, especially those that back up to the pond, carry significant property value with really peaceful views. The existing businesses around the North Pond area mesh well with the housing, and are attractive to live near. An automobile dealership is not one of those businesses.

I'd politely request the City deny this request and suggest a more appropriate location for this place of business.

Thank you for your consideration.

Justin Grina

2503 North Pond Drive E

West Fargo, ND 58078



From: [Cody Neumiller](#)
To: [Planning](#)
Subject: Fwd: Proposed Conditional Use Permit for Vehicle Sales - Feedback
Date: Tuesday, May 14, 2024 9:57:32 AM

Good morning,

I see Leslie McGillivray-Rivas is out of the office this week. I am forwarding so that my opposition to the Proposed Conditional Use Permit for Vehicle Sales will be included in tonight's Planning and Zoning meeting.

Thank you,
Cody Neumiller

----- Forwarded message -----

From: **Cody Neumiller** <cody.neumiller@gmail.com>
Date: Tue, May 14, 2024 at 8:29 AM
Subject: Proposed Conditional Use Permit for Vehicle Sales - Feedback
To: <Leslie.McGillivray-Rivas@westfargond.gov>

Dear Leslie McGillivray-Rivas,

I am writing in response to the memorandum sent out on 4/25/2024 related to the proposed conditional use permit for vehicle sales located at 450 23rd Avenue East (Lot 1, Block 1 of North Pond at the Preserve 14th Addition). I strongly oppose allowing the Conditional Use Permit that would allow for automotive sales and subsequently, an automotive dealership, to operate in that location. My concerns are outlined below.

Safety is one major concern that I have with an automotive dealership located in this area. There are two elementary schools near this location with cross walks and significant pedestrian foot traffic. This would undoubtedly bring a substantial increase in traffic and would pose an increased safety concern to the many children who attend those schools.

I also have concerns from a noise perspective. There are many houses in close proximity to this location and they will be burdened with the noise from car alarms, speakers playing music or summoning employees or customers, employees honking the horns to try and locate cars, alarms going off in the middle of the night with nobody present to deactivate, among many other scenarios.

Traffic in this area is already a concern with Costco located right next door. This area is already quite busy during the week and on the weekends, it is even worse. Adding a car

dealership would make this considerably more congested. As a result, traffic would divert through the adjacent neighborhoods and will increase occurrences of people speeding and erratically driving. We do not want our neighborhoods to be turned into racetracks for people fleeing traffic congestion or going for test drives.

I am also not in favor of an automotive dealership being located in this area because it will be unsightly in nature. Car dealerships have a negative connotation to them when it comes to their proximity to residential properties, and it will affect home values in the surrounding neighborhoods. This reality will make the adjacent neighborhoods less desirable to live in and will drive down our marketable property values. It will also have an opposite effect with regards to assessed property taxes. Assessment values will increase because it will be viewed as a more desirable economic area, when in reality, it will be less desirable. This will put homeowners in the surrounding neighborhoods in an adverse with their properties.

Please consider these objections in your review of this Conditional Use Permit and reject this application request. I also urge a recommendation of rejecting this Conditional Use Permit should a recommendation be given to the City Council.

Thank you,

Cody Neumiller
2705 2nd St E
West Fargo, ND 58078

From: atsatrom@gmail.com
To: [Planning](#)
Subject: Opposition to Dealership
Date: Tuesday, May 14, 2024 11:54:09 AM

Hello,

I live on North Pond Dr E, just adjacent to the site of the potential car dealership next to Costco. I am writing with concern that this dealership will bring unsafe traffic into my neighborhood as well as Rivers Bend. The majority of homes in these neighborhoods have young children and we pride ourselves on having neighborhoods that are safe for children. I feel like the dealership may bring in more traffic as people will be test driving vehicles and it is likely that those test driving vehicles may not be familiar with our neighborhoods and the number of children. As a parent of 7 and 2 year olds, I am concerned that those test driving vehicles will not be paying close enough attention and put our children in jeopardy.

I am asking you reject their bid to build there in light of the safety concerns.

Thank you,
Austin Satrom
Resident of 2516 North Pond Dr E, WF

Sent from my iPhone

From: [Tim Green](#)
To: [Planning](#)
Subject: Fwd: Proposed Conditional Use Permit for Vehicle Sales
Date: Tuesday, May 14, 2024 12:13:29 PM

Additionally, we do feel strongly about this and would be attending this meeting had it not been for prior commitments to be out of town.

Thank you!

Sent from my iPad

Begin forwarded message:

From: Tim Green <threejstag@hotmail.com>
Date: May 14, 2024 at 10:10:54 AM GMT-7
To: leslie.mcgillivray-rivas@westfargond.gov
Subject: **Proposed Conditional Use Permit for Vehicle Sales**

To the West Fargo Planning and Zoning Commission,

My wife and I write in opposition to the proposed automobile sales lot. We believe this will bring undesired activity to this area of town. The bright lights that will illuminate the lot and the excessive noise of the continued unloading and loading of vehicles will be only a small part of the disruption. Clearly, I understand you are only required to notify people within 350 feet of this property, but it will clearly affect most everyone in the Rivers Bend development. With the extreme traffic issues at Costco, we believe many of those with test drives will choose to pass through our neighborhood. There has already many many reports of high speed traffic on 25th Ave E and we expect this will only add to that concern. Thank you very much for listening to our concerns and think about if you were in our area, would you want that next to your property? The auto dealers have well established locations and in areas that do not currently affect residents in your town. Again, thank you for considering our concerns.

Tim Green and Arlys Berg
2325 McLeod Dr E
West Fargo ND 58078
701-261-3839
Sent from my iPad

From: justin.bumann@gmail.com
To: [Leslie McGillivray-Rivas; Planning](#)
Cc: [Justin Bumann](#)
Subject: Proposed Dealership | VOTE NO for 450 23rd Avenue East
Date: Tuesday, May 14, 2024 9:16:17 AM

Dear Leslie McGillivray-Rivas,

My name is Justin Bumann. I am a homeowner at 2444 N Pond Drive E in West Fargo. I am writing with my concerns about the proposed automobile dealership to be built at 450 23rd Avenue East. This property is located close to my home, though I did not receive the 300 ft letter as the dealership is not within my backyard, but still in close proximity. I live with my family, and we have a clear view of this area from the majority of windows in our home.

My primary concern is the increased traffic and the potential for distracted drivers test driving cars in our neighborhood. The area around Costco is already a dangerous driving passage, with high congestion and frequent U-turns as customers navigate in and out of the parking lot. Introducing an automobile dealership will exacerbate this problem, resulting in even more cars being test-driven close to the business. I am concerned these drivers will not be following traffic speeds, be aware of signs, or pedestrians at crosswalks, and may focus on the buttons and gadgets of the vehicle rather than the road.

Freedom Elementary and Trinity are only blocks from this proposed location, where hundreds of kids walk home each day. This business location is already hazardous with the thousands of customers driving in and out of Costco daily. The addition of a busy dealership will only worsen the chaos along 23rd Avenue and conjoining roads, making it even more dangerous for our community members, particularly children.

In addition light pollution is a concern, the more pressing issue is the safety and traffic congestion that an automobile dealership would bring to our neighborhood. The addition of the surgical center, Enclave, and Wex are excellent businesses that add great value to our neighborhood without compromising safety. I do not feel this is the appropriate place for an automobile dealership. I kindly request this proposal be denied and the business seek other options that are not in the direct path of residential housing.

Thank you for your understanding. Please confirm receipt of this email.

Sincerely,

Justin Bumann
2444 N Pond Drive E
West Fargo, ND 58078

From: David Withee <davidd1952withee@gmail.com>

Sent: Thursday, May 16, 2024 12:05 PM

To: Bernie L. Dardis <Bernie.Dardis@westfargond.gov>; Mark A. Simmons <Mark.Simmons@westfargond.gov>; Brad J. Olson <Brad.Olson@westfargond.gov>; Amanda J. George <Amanda.George@westfargond.gov>; Roben G. Anderson <Roben.Anderson@westfargond.gov>

Cc: Dustin T. Scott <Dustin.Scott@westfargond.gov>

Subject: Proposed auto dealership

Respectfully,

Allow me to share some thoughts regarding the proposed "boutique" auto dealership at North Pond at the Reserve. I understand this is intended to be brought before the Commission at your May 20 meeting.

- West Fargo 2.0 is a set of goals, not a plan. A goal for the diversity of commercial establishments is fine *but within the context of city zoning codes*.
- Why do we have city zoning codes to guide community development if staff, instead of defending and working within those codes, request variances to them instead?
 - Why would the City Commission approve such variances (conditional use permits)? Have we learned nothing from the SheyWest Garden Center conditional use permit situation?
- Planning staff appear to believe 23rd Ave. East will provide adequate traffic capability. I beg to disagree.
 - The City is in the process of adding a traffic light on 23rd to attempt to better manage traffic.
 - Some traffic from the Costco area already detours on Rustad/6th St. to 26th Ave., which is closer to areas where senior citizens and children are likely to be present.
 - A new auto and tire dealership has already added traffic to 23rd.
 - NOTE: 23rd Ave. East is only a two-lane street throughout this area. A roundabout has already been proposed for the Rustad/23rd intersection to attempt to better manage traffic.
 - From a traffic perspective, this proposed use makes no sense.
- The proposed use location is near, and highly visible from, the new City Hall location.
 - Is the view City staff and Commissioners desire?
 - What about the increased traffic in the area resulting from City Hall activities?
- At what point will traffic volume require 23rd Ave. East to be expanded to a four-lane street? There are only two lanes in this area.
 - Who is going to pay for that expansion?
 - Does no one on City staff keep track of what is going where and how this will all affect traffic volume?
- No other auto dealership in the metro area is located in a similar, highly residential area.
- No other auto dealership is so close to not just one, but two elementary schools.
 - A public school (Freedom) to the West of the Rustad Center and a Catholic school (Trinity) to the East. The proposed use would exacerbate traffic in a child-centric area.
- The Rustad Center facilities, indoors and out, attract youth and senior citizens throughout the day.

- The City Commission has previously approved a senior living facility within a block of the proposed use.
 - o The proposed use would exacerbate traffic where less-than-agile senior citizens will be present 24/7.
 - o One of the reasons given for approving this location for this purpose was that residents could walk for their shopping needs. Will this be as easy to do with this kind of increased traffic?
- Item 2 of the Criteria for Granting Conditional Use Permit, addresses the lighting effect of the proposed use. This requires a final lighting plan before final approval. The City Commission has already acted to lower the height of a nearby sign due to lighting concerns. I cannot imagine a satisfactory solution for an auto dealership, especially considering the lighting at their current location.,
- In Item 9, there is NO reference by staff as to "General compatibility with adjacent properties" and I don't understand why since that is the purpose of this item. It may be in the eye of the beholder, but I don't see the compatibility between auto dealerships and medical offices.

Respectfully, this makes no sense. I suggest the City's Economic Development Dept. help the owner locate a more suitable location.

Best regards,

Dave Withee

**2421 McLeod Drive E.
West Fargo, ND 58078
USA
920-737-8477
dwithee@alum.mit.edu**



Proud Stockholder!

City Commissioners:

My husband and I are property owners in Rivers Bend, part of the Preserve Subdivision, in West Fargo, and recently we received a letter regarding a proposed "**conditional use permit for vehicle sales**" for the property located at 450 23rd Ave East. We understand this permit would allow this address to be a future site for Gateway Nissan and Hyundai.

As property owners in Rivers Bend at the Preserve, we **vehemently oppose** this permit for many reasons.

- 1) **PLANNING AND ZONING** - We have elected the City Commission officials serving on this board to represent us, your constituents, and to vote depending on the will of the people. When this came in front of the Planning and Zoning Committee, the only person that was in favor of the conditional use permit was a woman that identified herself as an employee of Gateway and a resident of Rivers Bend. This woman, Sidney Sather Rustvang, is the daughter of the owner of Gateway Chevrolet. While the owner's daughter may be a property owner in the area, it is an obvious conflict of interest. She also noted that Gateway is a "family business", but it is deeply dishonest to not publicly acknowledge that it is **her family** who owns these dealerships. "A lie of omission is still a lie." It needs to be acknowledged that the one person who spoke in support of this project only does so because it will put cash directly in her own pocket. Everyone else that was heard from at this meeting and submitted letters for this meeting were opposed to it. We have spoken to many, many people about this proposed construction and literally everyone we have spoken with is strongly against an auto mall in our neighborhood. No one wants it except the family that will be putting money in their own bank accounts. We understand that the City of West Fargo wants to move sales tax revenue here from the City of Fargo, and we aren't opposed to the general idea at all, but there are far better and more suitable locations for an auto mall elsewhere in West Fargo than our bedroom community.
- 2) **LOCATION:**
 - a) This is a residential neighborhood in the suburbs and the area is zoned for light commercial or "C" district.
 - i) This auto dealership should be building in a "Heavy Commercial Area". Why aren't they?
 - (1) According to West Fargo Zoning Regulations, section 4-428, Heavy commercial districts or "HC" districts permitted uses are, "4-428.2 1. General commercial uses, such as full-service gas stations, eating and drinking establishments, **sales of new and used motor vehicles**, motor vehicle rental, sale of construction equipment, farm implements, mobile homes, recreational vehicles, and sale of lumber and other building materials."
 - (2) "Sales of new and used motor vehicles" falls under "Heavy Commercial Districts" and an auto dealer/mall should be built in such a zone.
 - ii) Do the sales of new and used vehicles (automobile dealership) fall under the "Light Commercial, Conditionally Permitted Uses? **No, it does not.**
 - (1) According to West Fargo Zoning Regulations, section 4-427.3 Conditionally Permitted Uses, uses may be permitted with approval by City Commission such as: Apartments above commercial establishments; assisted living facilities; **Automobile conversion and sales**, sale of trucks, recreational vehicles and motor vehicle equipment, and motor vehicle equipment rental; Multiple dwellings including condominiums; Above ground class 1 and class 2 liquid storage tanks; Veterinary clinics with indoor overnight boarding facilities; and Behavioral health care facilities.

- (a) Automobile conversion, also known as aftermarket conversion, is defined by the US Department of Energy as, “An aftermarket conversion is a vehicle or engine modified to operate using a different fuel or power source. Conventional vehicles and engines from original equipment manufacturers (OEMs) can be converted to run on fuels like propane, natural gas, or electricity.”
 - (b) Automobile conversion is also meant to “use aftermarket parts and components that are made by manufacturers other than the original manufacturer.” Automobile conversion businesses convert automobiles and sell the parts, hence the term “Automobile conversion and sales”.
 - (i) These businesses sell product and convert the automobile. Some examples include aftermarket wheels, tires, auto starts, truck leveling, hitches, tonneau covers, window tints, alter suspensions, alter engines, and add sound systems.
 - (ii) Some examples of these businesses in the Fargo area are: Hitch N Go, Line-X, Radco, Window Tint Pros and Automotive Accessories, DSI Automotive Products. Trix Customs from Grand Forks, ND would be another example of an Automobile Conversion and Sales business.
- iii) When these Planning and Zoning policies were written, the policy makers were delineating between auto dealerships and auto conversion businesses. Automobile conversion and sales (light commercial, conditional permit) is not the same as sales of new and used motor vehicles at a dealership (heavy commercial).
- iv) Will we see other businesses that don't fit in this category ask to build in the wrong zones? Are the businesses listed in the Conditional Permit section next to request permits to build in this area? If the auto dealer is allowed to build in this area it is starting a precedent that other commercial establishments included in the “Conditionally Permitted Uses” section, or any other section, can apply and will be allowed to build in this area.
- v) The Planning and Zoning Policies section 4-555, Planning Commission shall review the application for a conditional use permit to ascertain compliance with the specific standards governing individual conditional uses, and that satisfactory provision and arrangement has been made concerning the following, where applicable: #6, “Signs, if any, and proposed exterior lighting with reference to glare, traffic safety, and economic effect, and compatibility and harmony with the properties in the district.”
 - (1) A car dealership is NOT compatible with the properties in the district, medical buildings, office buildings, and residential neighborhoods.
- vi) Car dealerships like to be located next to one another as evidenced by where Gateway Chevrolet is currently located. Is this going to bring in additional auto dealerships into the neighborhood?
- vii) The auto dealership is expected to build in the area closest to the interstate, with part of the land undeveloped. If a car dealership is allowed to build closest to the interstate, it will give them even more leverage to build again in the area that will be undeveloped. If you give an inch, someone is going to want a mile. As a business it only makes sense to have all dealerships under Gateway (Chevrolet, Cadillac, Nissan, and Hyundai) to be housed in the same vicinity.
- b) When we built our home in Rivers Bend, we knew there were commercial lots available near our neighborhood, but we never thought an auto mall would be considered by the city as an appropriate type of business to be located here. Buildings and medical buildings are what were in place when we bought our lot and built our dream home here. If we wanted to live next to “big business” we could have found a home next to much more commercial activity or downtown area. The current engineering and medical

buildings are what we would classify as "light commercial" zoning, but an auto dealership - or several dealerships - are in no conceivable way what anyone would ever consider "light commercial". Currently in Fargo and West Fargo, there are no car dealerships located in such a proximity to homes in a neighborhood as this proposed dealership.

- 3) **NOTIFICATION:** All property owners in the Preserve Subdivision should be notified and have a chance to voice their concerns. The city of West Fargo only notified property owners within 350 feet of the where this permit will be used and in the newspaper. Even though this is policy, this request has large implications on all Preserve Subdivision property owners, and each should be considered.
 - a)
- 4) **NOISE:**
 - a) Alarms going off all hours of the day and *night*. This could be from thieves, but more commonly it will come from employees of the dealership trying to locate cars on the lot.
 - b) Cars will be delivered at night via semi-trucks and those trucks are loud when they pop their air brakes. It will especially disturb the peace of the neighborhood at night. Like all citizens, we deserve peace and quiet at night.
 - c) There is no data that suggests a car dealership is a buffer between the interstate and the residential area. If anything, it will create more noise.
- 5) **LIGHTS:**
 - a) Our quiet night sky will be lit up in unnatural and ugly ways from both the cars and signs at the dealership, shining bright lights on the back of our homes all night long. Lights may be shining "down" but light reflects and bounces up.
- 6) **SAFETY:**
 - a) Test driving vehicles is commonly done at auto dealerships. Our neighborhood being literally next door, this will obviously make the streets in our neighborhood MUCH less safe.
 - i) I have test drove cars where the salesman lets me take the car for a test drive by myself, which would let the driver go on any route they want. The hours for the dealership go until 8 pm at night and on Saturdays, which would allow test drives in the neighborhood when children are playing.
 - ii) This will bring more unknown people and traffic into our neighborhoods who are unfamiliar with the roads.
 - iii) This will bring more people around Freedom Elementary, which is located right by a round-a-bout and cross walks where children are walking home from school, utilizing bike paths, and walking to and from parks.
 - iv) Literally every time I have ever taken a test drive the salesman will say something like, "let's go over here and you can "open it up" to see what this car can really do," by which they mean, "let's drive fast". Our children walk and ride bikes in the River's Bend neighborhood and can be targets to get hit because of the increase of cars.
 - b) The addition of a car dealership to the neighborhood also brings crime. Criminals will come into the neighborhood to steal cars, catalytic converters, wheels, and all sorts of other big-ticket items that are easy to steal for career criminals. Will this bring criminals into our residential neighborhood?
- 7) **TRAFFIC:**
 - a) The traffic coming from Costco is already very busy, how are we going to handle the additional traffic generated by an auto mall? 23rd Ave E is a small street, so who is going to pay to widen the road or make a roundabout? Are the City of West Fargo taxpayers expected to foot the bill so a private business can move in next door, destroy property values, bless us with noise and light pollution, all so they can get

even *more* people to drive too fast on our residential access roads? Who is paying to fix the roads when more semi-trucks and traffic are driving on them?

- b) Traffic from Costco is already rerouted through our neighborhood because it is so congested in that area. I often see people leave Costco, go west on 23rd Ave E until the road ends, turn down McLeod Drive, and exit out of Rivers Bend on 26th Ave E, just to avoid traffic around Costco. A dealership will create more traffic and test drives could be rerouted the same direction.
- c) Traffic could also be forced onto 4th St E, into the round-a-bout by Freedom Elementary because they do not want to go through the heavy Costco traffic.
- d) With the heavy congestion of traffic in the area it makes it hard for emergency vehicles to enter the area.

8) **ENVIRONMENTAL POLLUTION:**

- a) Car dealerships do not make a neighborhood environment cleaner. The environment also won't stay the same, it can only get worse. By authorizing a car dealership in our neighborhood, you are - in a very literal sense - making the air we breathe dirtier. You put our local soil and water in danger from extremely strong chemical pollutants used by car dealerships in industrial quantities. There are *always* environmental costs to adding what most people would categorize as "heavy commercial" next to a residential community.

9) **PROPERTY VALUES:**

- a) Property values will decrease in River's Bend. We have spoken to a few realtors in the area that have confirmed this. After honestly thinking about the issues noted above how would YOU feel if a car dealership opened next door to YOUR house? Because of the concerns listed about, families will not want to live next to a dealership and our property values will decrease.

10) **A BIGGER AUTO MALL:**

- a) Make no mistake, since Gateway wants to buy much more land than is needed for two dealerships, Hyundai and Nissan, it is obvious they will look to expand in order to sell more cars. You can put whatever "conditional use" on the permitting process you want, but as described in the recent Planning and Zoning meeting, the city *does not* have the ability to bind Gateway to not come back and request further expansion. So that is what they will do; it is obvious.

If the City of West Fargo wants tax revenue from a car dealership, there are other commercially zoned areas in West Fargo that city officials can share with them, areas that are not next to residential neighborhoods. Car dealerships belong in heavy commercially zoned areas as that is what is outlined in the Planning and Zoning Policies. Automobile sales are NOT listed under "Light Commercial, Conditional Use Permits".

A great deal of time and money went into building our dream home in this location. Just like no one wants to live next to an airport, car dealerships are a blight on a local neighborhood. We do not want or need a Hyundai dealership in OUR neighborhood.

Stafford Beer, the pioneer of Systems Thinking said, "**The purpose of a system is what it does.**" The purpose of Gateway's business model is to sell cars. We don't fault them for that, but to achieve that purpose that they WILL request additional permitting at some point in the future to build out a massive auto mall. They will go through the same basic rubber stamp procedure since the City of West Fargo will always desire more sales tax revenue and a precedent is being set here today. Sadly, for us regular citizens we will end up with a gargantuan auto mall in our backyard that we all strongly oppose. The only way to stop that from happening is right now, today. You have to make a decision: Is the purpose of the system

of local governance just to raise additional tax dollars and further enrich the most affluent families at the detriment of everyone else? Or is the purpose of local governments to improve the lives of everyone in the community? It is *very* clear what the overwhelming majority of your community wants. Again, we have elected the City Commission officials serving on this board to represent us, your constituents, and to vote depending on the will of the people. Will you listen?

We ask that the City Commission **deny** an auto sales permit in the area requested at 450 23rd Ave East, West Fargo, ND.

Thank you for your consideration.

Sincerely,

Tim and Ashley Rogers
2337 McLeod Drive East
West Fargo, ND 58078

From: lavenjd@aol.com <lavenjd@aol.com>

Sent: Friday, May 17, 2024 11:47:40 AM

To: Bernie L. Dardis <Bernie.Dardis@westfargond.gov>

Subject: Proposed Auto Dealership

I am writing in opposition to the proposed Auto Dealership near Costco. We built our house in Rivers Bend knowing that area would be commercial, but expected the commercial property to comply with existing commercial properties in the area. That street is highly congested already with Costco and adding a car dealership will make it very congested with semi's and customers driving on a road that is adjacent to neighborhoods. The noise, lights, and congestion will affect North Pond and Rivers Bend neighborhoods very negatively. There is also a school nearby and walking paths, which is a cause for concern. Our daughter often bikes, walks and roller blades near the pond and that will become a safety issue for all the pedestrians and students in the area. The other businesses in the area near the neighborhood are not open nights and weekends and also do not have as much traffic as a car dealership.

Another big safety and congestion concern is people going for test drives near the school and through our neighborhood. I can't think of any other car dealerships in the area that are that close to walking paths, a school and a neighborhood. I encourage you not to approve this project.

Thank you for your consideration.

Deborah Laven
Rivers Bend resident

Public Comment Sign Up Form

05/16/2024 7:43 AM (CDT)

City Commission Meeting Public Comment Sign Up

Public Comment will be the first agenda item of each regular City Commission Meeting. Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Members of the public who wish to speak during this public comment period **must sign-up in advance, and provide their name and residential address.**

Due to time constraints, we will allow a maximum of 12 speakers at each meeting. Speakers will be heard in the order they signed up. If more than 12 speakers signed up, the West Fargo City Commission reserves the right to prioritize hearing from West Fargo residents. No late or in-person signups immediately before or during the Commission meeting will be accepted.

Please provide your contact information in the form below so City staff can be in contact to coordinate logistical information for the comment opportunity.

The time limit of 2 minutes and 30 seconds will be strictly followed, and speakers are expected to follow these rules:

- Only one person may utilize the podium at time.
- Discriminatory and inflammatory language will not be tolerated.
- When a resident is at the podium, they have the floor to speak.
- No action will be taken during the public comment period.
- When speaking, be sure to address the issue, not the person.
- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Leighton Mohl
Residential Address	2331 McLeod Dr E
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	05/20/2024
Briefly describe your topic, questions, concern, etc.	Concern regarding plans for auto plaza adjacent to residential neighborhood

Public Comment Sign Up Form

05/16/2024 2:14 PM (CDT)

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Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Tracy Reames
Residential Address	2426 McLeod Drive East
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	05/20/2024
Phone Number	5185886297
Email Address	Tracy@barkuslawfirm.com
Briefly describe your topic, questions, concern, etc.	I would like to make public comment during the commission meeting regarding the proposed auto sales business conditional use permit next to our River's Bend neighborhood.

Public Comment Sign Up Form

05/16/2024 8:57 PM (CDT)

City Commission Meeting Public Comment Sign Up

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Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	David Leedahl
Residential Address	2414 McLeod Dr E
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	05/20/2024
Phone Number	7013531733
Email Address	david.leedahl@gmail.com

Public Comment Sign Up Form

05/16/2024 10:10 AM (CDT)

City Commission Meeting Public Comment Sign Up

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- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Tim or Ashley Rogers
Residential Address	2337 McLeod Dr E
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	05/20/2024
Phone Number	2187918738
Email Address	Ashleymrogers17@gmail.com
Briefly describe your topic, questions, concern, etc.	Oppose car dealership

Public Comment Sign Up Form

05/20/2024 10:36 AM (CDT)

City Commission Meeting Public Comment Sign Up

Public Comment will be the first agenda item of each regular City Commission Meeting. Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

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- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish you attend.

First and Last Name	Timothy Green
Residential Address	2325 Mcleod Dr E
City	West Fargo
State	ND
Zip Code	58078
Date of City Commission Meeting you wish to attend. City Commission Meetings are held the first and third Monday of each month.	05/20/2024
Phone Number	7012613839
Email Address	threejstag@hotmail.com
Briefly describe your topic, questions, concern, etc.	I would like to speak in opposition to the proposed conditional use permit for vehicle sales at 450 23rd Avenue East. I am concerned that my submitted comments for the May 14, 2024 Planning and Zoning committee are not included in the meeting files. I submitted them timely and called to follow up and was assured they would be considered by the committee. Thank you!

Briefly describe your topic, questions, concern, etc.

Conditional use permit for the car dealership wanting to go up by Duluth trading company
Claims by gateway that are of concern

1. To say no more traffic in neighborhood is not substantiated - would you really not allow a test drive through the neighborhood?

2. Hours of operation could be changed at any time. Test drives happening late in evenings and on summer weekends will pose safety concerns with the abundance of kids.

3. They claim dealership will act as Noise buffer off interstate, has not been studied. Assumption? Need data.

4. More dealerships coming in is major concern, which is what happens. This is slippery slope for other lots. How could commission not approve future permits after allowing this one?

5. Need Unbiased 3rd party study of home values to fairly represent impact on homeowners

Thursday, May 16, 2024 7:15 pm at the Rustad rec center conference room.

Sidney Sather-Rustvang (Gateway), Simon Irish (Gateway realtor) Joe (Enclave development) and Tesa Larson Roper (Gateway and Riversbend resident)

The meeting was scheduled in anticipation of the issue making it on the agenda of the May 20th commission meeting.

An email was sent to all residents (who have an email on file) through our association management software, Pay HOA.

Below is the summary of the meeting that we had with Gateway and Riversbend homeowners association. We did not take formal minutes, but the topics below are what we discussed. It should be noted that this meeting was set up rather quickly.

- Gateway reviewed the current zoning of the property and expressed the benefits of a car dealership in their view as compared to a higher traffic, retail space such as Walmart or target.
- At this time, gateway has no intention or desire to build on the southern portion of the property. The property owner requested the entire purchased together. The distance from the southwest corner of the proposed dealership was identified to be roughly 450 feet to 23rd Ave.
- The conditional use permit is for the north portion only. The shared that with the road dividing the south portion of the property, it is unlikely that another dealership would want to be located there as the property would be too small.
- While there's no landscaping plan currently in place, gateway would meet all of the city requirements for their landscaping plan. Additionally, Nissan and Hyundai have requirements that would need to be met as well.
- Between the two dealership buildings gateway anticipates between 40 and 60 employees. It would be rare for all 60 employees to be on site at the same time.
- Gateway currently has an average of 10 test drives per day between Hyundai and Nissan
- In 2023 gateway experienced in average of 75 client interactions per day. (year to date for 2024 has averaged 41.47.) This does not include after hours traffic looking at the lot or people driving through the lot that do not interact with sales or service. Gateway said it's very difficult to judge that, but do not see a lot during business hours that don't get recorded with salesman or service.
- Gateway's standard is to follow the predetermined test drive routes which is interstate driving so the customer can experience all the features of the vehicle.
- Employee vehicles will be fenced in or as mandated by the dealership franchise agreement.
- A majority of the service work completed at Hyundai and Nissan is maintenance (brakes, tires, oil change, etc) and warranty work.
- The used vehicles that will be available/on display at the location will have 60,000 miles or less on them. Typically, vehicles that have less than 60,000 miles will still have their manufacturer warranty.

Used vehicles we receive on trade that are over 60,000 miles will be moved to a different lot/location (the Clearance Center).

-New vehicle deliveries by semi typically occur during business hours. Gateway representatives shared that trucking companies do not want to deliver vehicles without them being accepted by staff at the location as they take on additional liability for leaving vehicles on without attendant.

-Deliveries during the day for service parts typically come in the form of cute vans or box vans.

-Gateway shared that a photometric light study is required as part of the conditional use permit.

-At the end of the meeting, I shared that the river Bend homeowners association has had a good working relationship with the other businesses on 23rd Ave.(enclave/medical center) this project does come to fruition, please reach out and try to maintain that good working relationship with the neighborhood.

Elliot Steinbrink

P: 701-793-9551

From: [Elliot Steinbrink](#)
To: [Leslie McGillivray-Rivas](#); [Joe Schneider](#); [Simon Irish](#)
Subject: Rivers Bend - Proposed Auto Dealership Additional Information
Date: Thursday, May 23, 2024 11:44:02 AM
Attachments: [A24-11 North Pond at the Preserve 14th Addition.pdf](#)

This is the email that was sent to residents

Elliot Steinbrink

Begin forwarded message:

From: Rivers Bend at the Preserve Homeowner's Association
<mailer@payhoa.com>
Date: May 16, 2024 at 6:42:23 AM CDT
To: Elliot Steinbrink <elliott@studiowesthomes.com>
Subject: Rivers Bend - Proposed Auto Dealership Additional Information
Reply-To: Rivers Bend at the Preserve Homeowner's Association
<riversbendwf@gmail.com>

Hi Elliot & Lori,

A Conditional Use Permit for a proposed auto sales business at 450 23rd Ave. E (Lot 1, Block 1 of North Pond at the Preserve 14th Addition) is in the works. This property is located between Duluth Trading Company and the Rivers Bend Medical Center Complex.

This permit was reviewed and approved by the West Fargo Planning and Zoning Commission on Tuesday, May 14th, 2024.

Accompanying the discussion was some feedback from residents of Rivers Bend at the Preserve expressing general issues/concerns such as:

- o Increased traffic
- o Traffic exceeding speed limits
- o Increased traffic relating to the area school
- o Light shed from the property
- o Incompatibility of proposed use
- o Noise originating from traffic

A supporting packet of information is attached from the Planning and Zoning meeting and includes additional details and maps about the proposed

project.

[Planning & Zoning Agenda Packet - Minutes](#)

This permit will go before the **West Fargo City Commission on Monday, May 20th at 5:30pm**. Concerned neighbors and residents are encouraged to submit feedback to the City Commission and/or elect to sign up for public comment at the meeting on Monday, May 20th.

Public Comment will be the first agenda item of each regular City Commission Meeting. Members of the public will be allowed 2 minutes and 30 seconds to address the City Commission. Commissioners will not take any official action during this comment period.

Members of the public who wish to speak during this public comment period **must sign-up in advance, and provide their name and residential address**.

Due to time constraints, there is a maximum of 12 speakers at each meeting. Speakers will be heard in the order they signed up. If more than 12 speakers signed up, the West Fargo City Commission reserves the right to prioritize hearing from West Fargo residents. No late or in-person signups immediately before or during the Commission meeting will be accepted.

Please provide your contact information in the form below so City staff can be in contact to coordinate logistical information for the comment opportunity.

The time limit of 2 minutes and 30 seconds will be strictly followed, and speakers are expected to follow these rules:

- Only one person may utilize the podium at time.
- Discriminatory and inflammatory language will not be tolerated.
- When a resident is at the podium, they have the floor to speak.
- No action will be taken during the public comment period.
- When speaking, be sure to address the issue, not the person.
- Presentations and videos will not be allowed during the comment period.

Please sign up no later than 12 p.m. the day of the City Commission Meeting you wish to attend.

[Public Comment Sign Up Form \(civicplus.com\)](#)

<!--[endif]-->

West Fargo City Commission Contact Information:

Bernie Dardis

Bernie.dardis@westfargond.gov

701-367-2784

Mark Simmons

mark.simmons@westfargond.gov
701-306-3815

Roben Anderson
Roben.Anderson@westfargond.gov
763-219-6449

Mandy George
Amanda.george@westfargond.gov
701-866-4790

Brad Olson
brad.olson@westfargond.gov
701-715-2177
<!--[endif]-->

Furthermore, a representative from the proposed auto dealerships will be available to meet with Rivers Bend residents **today, Thursday, May 16th at 7:15pm at Rustad Recreation Center in the 2nd floor conference room.** Concerned residents are encouraged to stop by to discuss the proposed project and receive any further information before the City Commission Meeting on Monday, May 20th.

Thank you,

Rivers Bend Homeowners Association Board



To: West Fargo City Commission
From: Fire Chief Dan Fuller
Date: June 3rd, 2024
Subject: West Fargo-Essentia Health EMT
Action: Approve the Agreement for EMT Services

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Administration/Finance

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Police and Fire

Administration

Dustin Scott, Assistant
City Administrator

Summary and Recommendation:

The fire department has been contacted by Essentia Health to assist with providing EMT services to supplement sports medicine trainers at two West Fargo Middle Schools, Cheney and Liberty. The coverage would be two days a week, for three to four hours each day.

Policy Analysis:

This is a novel proposal, to staff sporting events with an EMT from the fire department. It provides an opportunity for the department to be more involved in the community while building relationships with a major healthcare system in the area.

Financial Analysis:

Fire department employees who take these shifts would be off duty, and receive over-time for the hours worked. The department will bill Essentia Health at a specified rate for each shift worked. That cost will cover the cost of the overtime paid to the employee.

Process/Timeline:

The contact will go into effect once signed, and the department will begin coverage during the 2024-2025 school year.

EMERGENCY MEDICAL SERVICES AGREEMENT
(*EMT Services*)

THIS EMT SERVICES AGREEMENT ("Agreement") is entered into as of December 1, 2023 ("Effective Date") by and between Innovis Health, LLC ("Essentia Health") a nonprofit health system with a principal place of business located in Fargo, North Dakota and the City of West Fargo.

RECITALS

A. WHEREAS, Essentia Health contracts with schools in and around the Cities of Fargo and West Fargo to provide athletic training services to students engaged in school sponsored athletic events (the "Athletic Training Services");

B. WHEREAS, the WFFD employs emergency medical technicians (collectively, the "EMTs") qualified under State law to provide emergency medical services as further defined below (the "EMT Services");

C. WHEREAS, from time to time, Essentia Health may require the services of individuals qualified to provide such EMT Services in order to supplement its provision of Athletic Training Services; and

D. WHEREAS, WFFD is willing and able to furnish such EMT Services to Essentia Health and Essentia Health desires to receive such EMT Services from WFFD.

NOW, THEREFORE, in consideration of the mutual promises hereinafter recited, the parties agree as follows:

1. **EMT Services.** Upon request, and at such times and dates as mutually agreed between the parties, WFFD will make available one or more of its EMTs to be on-site and readily available at the applicable school sponsored athletic event in order to evaluate and/or administer first aid and emergency medical/ trauma care services to any student athlete requiring such services as a result of their participation in said event.
2. **Standards.** All EMT Services shall be provided by WFFD in accordance with all applicable statutes, regulations, licenses, and standards of federal, state and other governmental and regulatory bodies having jurisdiction over the provision of services hereunder. Essentia Health may, in its sole discretion, direct WFFD to remove an individual providing EMT Services hereunder.
3. **Compensation.** In exchange for the provision of EMT Services hereunder, Essentia Health shall compensate WFFD at the rate of Thirty-Seven Dollars (\$37.00) per hour or fraction thereof.
4. **Warranty of Compliance with Employment Laws.** As an inducement to Essentia Health to enter into this Agreement, WFFD represents, warrants, and covenants that WFFD has complied and will continue to comply in all material respects with all applicable federal, state, and local laws, rules, regulations, and ordinances applicable to WFFD's EMTs, their employment by WFFD, and their performance of services for Essentia Health including, without limitation, those relating to wages, hours, payment of social security, withholding and other taxes, workers' compensation insurance, labor and employment relations, and employment discrimination.

5. **Term and Termination.** This Agreement shall continue in effect for one (1) year from the Effective Date, and shall automatically renew for successive one (1) year terms unless sooner terminated by either party by giving at least thirty (30) days' prior written notice.
6. **Insurance.** Each party agrees to maintain throughout the term of the Agreement, at its sole cost and expense, insurance coverage in sufficient amounts to cover the work being performed by said party and the representations, obligations, and warranties of the party pursuant to the Agreement. Said policies must cover all of said party's obligations hereunder, including but not limited to, Commercial General Liability Insurance covering products and completed operations, property damage, bodily injury and personal & advertising injury on an "occurrence" basis with limits no less than \$1,000,000 per occurrence and \$3,000,000 annual aggregate; Professional Liability (Errors and Omissions) Insurance, with limits no less than \$1,000,000 per occurrence and \$3,000,000 annual aggregate; Commercial Automobile Liability coverage including coverage for all owned, hired, and non-owned vehicles with a Combined Single Limit not be less than \$1,000,000; and applicable statutory limits for Workers' Compensation. By requiring insurance, neither party represents that coverage and limits will necessarily be adequate to protect the other party, and such coverage and limits shall not be deemed as a limitation on a party's liability in connection with the Agreement.
7. **Liability.** Each party shall be liable for its own negligent and intentional acts and omissions under this Agreement, and no party shall be liable for the negligent or intentional acts and omissions of the other party, including the acts and omissions of its employees or agents. No party shall have authority to bind the other party to any debt, contract, or other undertaking not contemplated by this Agreement.
8. **No Exclusion/Debarment.** Each party hereby represents and warrants to the other that neither it nor any employee, contractor, or agent now or hereafter engaged by such party to provide services under the Agreement (collectively, a "Representative") is, and at no time has been, excluded from participation in any federally-funded health care program, including the Medicare and Medicaid programs. Each party hereby agrees to immediately notify the other of any threatened, proposed, or actual exclusion of such party or any Representative from any federally-funded health care program, including the Medicare and Medicaid programs. In the event that a party or any Representative is excluded from participation in any federally-funded health care program during the Term of this Agreement, or if at any time after the Effective Date it is determined that a party or a Representative is in breach of this Section, the Agreement shall automatically terminate as of the date of such exclusion or breach; provided, however, that if the breaching party immediately removes a Representative who is so excluded or has otherwise breached the provisions of this Section from the performance of services under the Agreement, the Agreement shall not automatically terminate. Each party shall indemnify (the "Indemnifying Party") and hold harmless the other party against all actions, claims, demands and liabilities, and against all loss, damage, costs, and expenses, including reasonable attorneys' fees, arising directly or indirectly, out of any violation of this Section by the Indemnifying Party. The provisions of this Section shall survive the expiration or termination of the Agreement for any reason.
9. **Access to Records.** If required by 42 U.S.C. § 1395x(v)(1)(I), until the expiration of four (4) years after the termination of this Agreement, WFFD shall make available, upon written request by the Secretary of the Department of Health and Human Services, or upon request by the Comptroller General of the United States General Accounting Office, or any of their duly authorized representatives, a copy of this Agreement and such books, documents, and records as are necessary to certify the nature and extent of the costs of the services provided by Essentia Health under this Agreement. If WFFD carries out any of its duties under this Agreement through a subcontract with

Commented [JS1]: Check coverage with City's insurance provider- NDIRF- I am not sure if the City has this high of an annual aggregate

a value or cost of \$10,000 or more over a twelve (12) month period, such subcontract shall contain the same requirements.

10. **Independent Contractors.** The parties are independent contractors to one another and nothing herein shall be construed as creating an employment, agency, joint venture, or partnership relationship between the parties. The assignment of a WFFD EMT to an applicable school sponsored athletic event shall not be deemed or construed to be an express or implied contract of employment between the EMT and Essentia Health, nor shall such arrangement alter the terms and conditions of EMT's employment with WFFD, including without limitation WFFD's employment at will policy, if any, which shall continue to apply to each EMT during the period he or she provides services under this Agreement.
11. **No Referrals.** Nothing in this Agreement, nor any consideration in connection herewith, contemplates or requires the referral of any patient or any other business between the parties.
12. **No Provider Preference.** This Agreement does not create an express or implied contract to provide medical care to students beyond that which is set forth herein. Any student that is the recipient of EMT Services hereunder is being served as a student athlete and not as a patient of Essentia Health. It is each student's responsibility to obtain any medical care that may be necessary/appropriate, and which is outside the scope of this Agreement; including the student's prerogative to choose the provider from whom or from which such follow-up medical care (if any) is obtained.
13. **Confidentiality.** During the course of providing EMT Services hereunder, WFFD may have access to or become acquainted with confidential information relating to Essentia Health's business or business practices. WFFD, on WFFD's behalf and on behalf of WFFD employees, acknowledges and understands the importance to Essentia Health of maintaining such information and agrees never to use or disclose such information except as necessary to carry out WFFD's obligations under this Agreement. The provisions of this section shall survive termination of this Agreement.
14. **Jeopardy.** If Essentia Health reasonably determines that continued performance of this Agreement jeopardizes Essentia Health's or any of its affiliated entities' (i) licensure, (ii) participation in or recovery from any reimbursement or payment program, (iii) accreditation status, or (iv) tax exempt or bond financing status, Essentia Health shall notify WFFD so the parties may resolve the issue. If no resolution is reached within fifteen (15) days, Essentia Health may terminate this Agreement immediately and without penalty.
15. **Nondiscrimination.** Neither party shall discriminate in the provision of services to patients based on race, color, national origin, ancestry, religion, gender, marital status, disability, sexual orientation, age, or any other legally prohibited basis, except as may be medically indicated.
16. **Legal Compliance.** In its respective performance hereunder, each party shall comply with all applicable laws, rules, and regulations.
17. **Notices.** All notices and other communications required or permitted to be given hereunder shall be in writing and shall be considered given and received when (a) personally delivered to the party, (b) delivered by courier, (c) delivered by facsimile, or (d) deposited in the U.S. mail, postage prepaid, return receipt requested, addressed to a party as follows—

47.

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If to Essentia Health:

Essentia Health
City of West Fargo
Attn: Sports Medicine Director
1201 10th Ave. E.

402 East Second St.
Duluth, MN 55805

Duluth, MN 55805 Attn: _____

If to WFFD:

City of West Fargo Fire Dept
Attn: Fire Chief

1201 10th Ave. E.
West Fargo, ND 58078

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*And with a copy by regular U.S. mail,
postage prepaid, to:*

Essentia Health
Attn: General Counsel
502 E. 2nd St.
Duluth, MN 55805

18. Miscellaneous Provisions.

- a. Entire Agreement; Amendment. This Agreement constitutes the entire agreement between the parties regarding the subject matter hereof and replaces and supersedes any prior agreement or understanding of the parties, whether written or oral, regarding the same. This Agreement may only be modified by the parties' mutual signed written agreement.
- ~~b. Governing Law. This Agreement shall be construed under and governed by the laws of the state of North Dakota.~~
- ~~b. Governmental Immunity. WFFD does not waive any governmental immunity or limitations of liability by entering into this Agreement and specifically retains all immunities and defenses as set forth in N.D.C.C. § 32-12.1-03 and all other applicable law. Nothing herein shall be deemed a waiver of by the City of the limits of the liability set forth in N.D.C.C. § 32-12.1-03. Designations of venue, choice of law, enforcement actions, and similar provisions should not be construed as a waiver of governmental immunity.~~
- c. Waiver. Waiver of a breach of or default under any term or provision of this Agreement by either party, by course of dealing or otherwise, shall not be deemed a waiver of any other breach of or default under the same or a different provision of this Agreement.
- d. Partial Invalidity. If any term or provision of this Agreement is rendered invalid or unenforceable by any valid act of law or is held by any court of competent jurisdiction to be invalid, void, or unenforceable, the remaining provisions of this Agreement shall remain in full force and effect.
- e. Assignment. Neither this Agreement nor any rights or duties hereunder may be assigned by a party without the other party's written consent.

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- f. No Third-Party Beneficiaries. This Agreement is executed for the benefit of the named parties only. Nothing in this Agreement or in the negotiation of the same has the effect of conferring any rights or expectations on any third party. No person other than a party to this Agreement or a party's permitted successor or assign shall have the right to enforce any term of the Agreement.
- g. Counterparts. This Agreement may be executed in counterparts, each of which shall be deemed an original, but all such counterparts together shall constitute one and the same instrument.

Signature Page to Follow

IN WITNESS WHEREOF, the parties have executed this Agreement as of the Effective Date.

ESSENTIA HEALTH

~~WEST FARGO FIRE DEPARTMENT~~CITY
OF WEST FARGO

By: _____

By: _____

Print Name: _____

Print Name: _____

Title: _____

Title: _____



To: West Fargo City Commission

From: Mathew Andvik, Public Works Department

Date: June 3, 2024

Subject: Purchase New Utility Billing Software

Action: Approve the purchase and implementation of CUSI Utility Billing Software.

Commission President

Bernie Dardis

Primary Portfolio:
Administration/Finance

Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson

Primary Portfolio:
Street, Water and Sewer

Secondary Portfolio:
Police and Fire

Commissioner

Roben Anderson

Primary Portfolio:
Planning, Zoning and Engineering

Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons

Primary Portfolio:
Police and Fire

Secondary Portfolio:
Planning, Zoning and Engineering

Commissioner

Mandy George

Primary Portfolio:
Sanitation

Secondary Portfolio:
Administration/Finance

City Administrator

Dustin Scott

Summary and Recommendation:

The utility billing software that we currently utilize is in need to be upgraded. The software is not meant for a city of our size, and each month we are stretching the limits of the program to complete our billings. The Finance Department has been looking for a replacement for several years, and we are now in a position to upgrade. We plan to wait with the upgrade to our accounting software.

The CUSI software that we are requesting to purchase is the same utility billing software that the City of Fargo recently purchased. We have had many conversations with the Fargo Auditor's staff, as well as demos for our staff to see how they use it and the benefits it brings. After the demo from the City of Fargo staff, we also had a meeting and a presentation by CUSI representatives. Our staff believes this is the best software to meet our needs. It will give our staff the ability to include additional information on accounts, to create more and better detailed reports, and improve efficiency by being able to compile utility reads faster. Implementation and transition takes, on average, 6 to 9 months to complete.

We recommend the commission approve the purchase and implementation of the CUSI utility billing software.

Policy Analysis:

The utility billing software is responsible for generating monthly utility bills for Water, Sewer, Sanitation, Forestry, and Vector Control. It is imperative that the city has robust and up to date software to handle this task. The software we currently use has reached its compacity and adding more to the system places us in danger of crashing the program. Moving to this new software will allow our staff to be more efficient, and also includes a customer portal that has additional features that will enhance the residents' experience using it.

Operating the same software that the City of Fargo will also allow us to have a local resource for staff to reach out to with questions.

The CUSI software will integrate with our current accounting software, water meter reads, and sanitation software. Our IT department recommends using the cloud based application of this software.

Financial Analysis:

The one-time cost for implementation is \$42,700. This will cover all data conversion, account history, training, setup, formatting, and installation. The monthly fee once we are live is \$4,945 for up to 15,000 accounts. The annual cost of the software is \$59,340. The implementation fee would be funded from the General Fund Reserve. The software fees would be divided and included in the Enterprise Fund budgets.

At the September 5, 2023 commission meeting, up to \$100,000 was approved to hire a consultant to help identify utility billing and accounting software that would fit our needs. We did not expend any of these funds during the process to find the utility billing software.

Process/Timeline:

Once approved, we will begin the implementation and data conversion in July. We anticipate going live with the new software in early 2025.



CONTINENTAL UTILITY SOLUTIONS, INC.

Sales Representative: Bryant Estes

P. O. Box 1515

Jonesboro, AR 72403

www.cusi.com

(870) 336-3315

Quote #: be240513161405

Sales Agreement

May 13, 2024



City of West Fargo

810 12TH AVE NW

West Fargo, ND

58078

Matthew Andvik

701-5155400

Matthew.Andvik@westfargond.gov



Economic Summary

CUSI Software & Services

Utility Billing Software as a Service

Utility Billing Solution - Implementation Services

Customer Web Portal

Miscellaneous Services

Hosting Services

Up-Front

Monthly

Annual

\$42,700.00

\$3,144.00

\$0.00

\$0.00

\$125.00

\$0.00

\$1,676.00

\$0.00

Total Contract

\$42,700.00

\$4,945.00

Billing and Payment Terms

CUSI Up-Front fees shall be invoiced upon contracting. CUSI Software as a Service License fees shall be invoiced upon provisioning of the hosted environment and annually thereafter. CUSI Cloud Hosting Service fees shall be invoiced upon activation of the hosted environment and annually thereafter. Any Software as a Service License fees purchased after initial Go Live shall be invoiced upon contracting. All invoices shall be delivered electronically on or before the first of the month in which payment is due. Company shall remit payment 15 days from date of invoice.

Initial Contract Term: 5 Years Software as a Service and Cloud Hosting Service.



CONTINENTAL UTILITY SOLUTIONS, INC.

Sales Representative: Bryant Estes

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Jonesboro, AR 72403

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City of West Fargo

810 12TH AVE NW

West Fargo, ND

58078

Matthew Andvik

701-5155400

Matthew.Andvik@westfargon

UB4 Utility Billing Software as a Service - Monthly Fees

Monthly

15,000 Service Location Licenses	\$0.12	\$1,800.00
12 Named User Licenses	\$52.00	\$624.00

UB4 Utility Billing Software Core Modules & Interfaces

Included

- 1 ACH Bank Draft (First Layout Included)
- 1 Lockbox Layout (First Layout Included)
- 1 Electronic Payment Module
- 1 Website API - Customer Web Portal

Add-On Modules

Monthly

1 IVR Module	\$144.00	\$144.00
1 Text Messaging Module	\$144.00	\$144.00

Standard Flat File Data Exchange Interfaces

Monthly

1 Accounting Interface - Custom	\$144.00	\$144.00
2 Advanced Metering Interface (AMI) - Neptune + Sensus	\$144.00	\$288.00



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City of West Fargo

810 12TH AVE NW

West Fargo, ND

58078

Matthew Andvik

701-5155400

Matthew.Andvik@westfargon

UB4 Utility Billing Software Implementation Services

1	Advanced Data Conversion Package for up to 14,000 locations* Includes 1 year data conversion of customers, locations, usages, readings, deposits, meter information, owner records and backflow data.	\$0.75	\$10,500.00
4	Additional Year(s) Usage and Financial History Data Conversion *Complete data must be provided in a ASCII, delimited, or SQL format. Data extraction and data cleanup will be invoiced based upon time and effort at CUSI current services rate. CUSI will invoice client the greater of the number of service locations provided in this Sales Agreement or the actual number of service locations converted.	\$0.12	\$7,200.00
1	CUSI Certified Implementation Includes Business Requirements Gathering, Application Implementation, Installation, Setup, Formatting, Testing, Transition Support, & Project Management	\$15,000.00	\$15,000.00
5	Days of CUSI Certified Training Includes application training for all users as contracted Any and all unused training days will expire 6 months after Go Live	\$2,000.00	\$10,000.00

Travel expenses for on-site work will be billed separately.

Sales Agreement

May 13, 2024



City of West Fargo
810 12TH AVE NW
West Fargo, ND
58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargon



Economic Summary

UB4 Utility Billing Software as a Service - Monthly Fees	\$3,144.00
UB4 Utility Billing Software Implementation Services	\$42,700.00



CONTINENTAL UTILITY SOLUTIONS, INC.

Sales Representative: Bryant Estes

P. O. Box 1515

Jonesboro, AR 72403

www.cusi.com

(870) 336-3315

Quote #: be240513161405

May 13, 2024

Sales Agreement



City of West Fargo
810 12TH AVE NW
West Fargo, ND
58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargond.gov

Customer Web Portal

Monthly

1 Customer Web Portal	\$115.00	\$115.00
Includes Design, Setup, Configuration, and Training Services.		
1 Customer Web Portal - TSM & Hosting	\$333.33	\$333.33
Includes Technical Support, Maintenance, and Hosting.		



Economic Summary

Customer Web Portal	\$115.00
Customer Web Portal - TSM & Hosting	\$333.33
CUSI Turnkey Merchant Services Customer Web Portal Discount	-\$115.00
CUSI Turnkey Merchant Services TSM & Hosting Discount	-\$333.33



CONTINENTAL UTILITY SOLUTIONS, INC.

Sales Representative: Bryant Estes

P. O. Box 1515

Jonesboro, AR 72403

www.cusi.com

(870) 336-3315

Quote #: be240513161405

May 13, 2024

Sales Agreement



City of West Fargo
810 12TH AVE NW
West Fargo, ND
58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargond.gov

Miscellaneous Services

Bluefin Turnkey Merchant Services

billed by provider

- | | | |
|---|----------------|-----------------|
| 1 Turnkey Merchant Services Package - Service fee will be the greater of: | \$2.25 or 2.5% | per transaction |
|---|----------------|-----------------|

Includes Visa, MasterCard, Discover Merchant Services, and Payment Gateway Service. Figures based on an Average Bill Estimate of \$110 and a High Bill Estimate of \$5,000. Average bill estimate and service fee subject to annual review. CUSI reserves the right to bill a minimum monthly fee of \$20.00 to recover any losses from inactive merchant accounts or accounts that do not cover fixed processing costs.

In conjunction with the Turnkey Merchant Services, CUSI is providing software licenses at no cost. In the event that client terminates Turnkey Merchant Services, any and all software licenses provided at no cost shall be billable at then current retail price.

- | | | |
|---|--|--|
| 1 Turnkey Merchant Service Electronic Check Package | | |
|---|--|--|

Internet Electronic Check Transactions

\$2.25 or 2.5% per transaction

Turnkey Merchant Services fees are paid by utility customers and collected by CUSI.

Online Bank Account Validation - eChecks and ACH Signup

- | | | |
|--|--------|-----------------|
| 1 CUSI Validation Service - Account and Routing Verification | \$1.50 | per transaction |
| 1 CUSI Validation Service - Balance Check | \$0.20 | per transaction |

IVR Service - UB4

- | | | |
|---|--------|-----------|
| 1 CUSI IVR Service - Inbound and Outbound IVR | \$0.00 | per month |
|---|--------|-----------|

If requirements cannot be met for \$0 CUSI IVR Services, a new Sales Agreement for IVR Tech and associated services may be required to void and replace this service.

Text Messaging Service

- | | | |
|---|--------|-----------|
| 1 CUSI SMS Messaging Service - Inbound and Outbound SMS | \$0.00 | per month |
|---|--------|-----------|

Sales Agreement

May 13, 2024



City of West Fargo
810 12TH AVE NW
West Fargo, ND
58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargond.gov

Email Service

1 CUSI Email Service - Unlimited	\$125.00	per month
Monthly cost subject to change based on customer tier		



CONTINENTAL UTILITY SOLUTIONS, INC.

Sales Representative: Bryant Estes

P. O. Box 1515

Jonesboro, AR 72403

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(870) 336-3315

Quote #: be240513161405

Sales Agreement

May 13, 2024



City of West Fargo
810 12TH AVE NW
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58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargond.gov

Hosting Services

UB4 Hosted Environment

Monthly

1	UB4 Hosted Environment	\$1,676.00	\$1,676.00
---	------------------------	------------	------------

Service Term - (Select from Dropdown)

CUSI's hosting services rates are subject to periodic review. Any change in rates will be communicated to the client in writing 30 days prior to the change going into effect.

It is understood that all software license commitments will be equal to or greater than any cloud hosting service commitments as defined above.



Economic Summary

UB4 Hosted Environment

\$1,676.00

Total	<u>\$1,676.00</u>
-------	-------------------

Sales Agreement

May 13, 2024



City of West Fargo
810 12TH AVE NW
West Fargo, ND
58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargond.gov



Terms of Sale

Company has ordered and agrees to purchase from CUSI the products and services defined under this Sales Agreement at the listed quantities and rates. Upon receipt of an executed Sales Agreement CUSI shall ship all products to the Company address and contact defined above and services shall be scheduled and initiated. Company acknowledges that CUSI's products and services are subject to the terms and conditions of a separate Software License Agreements and Services Agreements between Company and CUSI located at www.cusi.com/legal. Monthly or yearly rates for services provided by CUSI or third parties may be subject to price increases with or without notice. Any service requiring CUSI or third parties to travel will incur corresponding expenses that will be billed actual as incurred unless otherwise noted. Travel requiring more than 5 hours of travel time will be billed an additional charge equal to 50% of the daily rate. If Company is not tax exempt or does not provide exemption documentation, CUSI shall invoice for such applicable taxes on each invoice. In the event the tax exemption documentation provided by the Company is disallowed or deemed invalid, Company agrees to pay in full all such taxes, including any applicable interest or penalties.

CUSI's hosting services rates are subject to periodic review. Any change in rates will be communicated to the client in writing 30 days prior to the change going into effect. Future purchases of incremental software licenses, add on modules and add on interfaces are subject to an adjustment of the software as a service rate and will take effect the month following installation and configuration of such license. Any adjustments to the software as a service rate will be documented in a Sales Agreement subject to final execution by client.

Quotation Terms

This quote is valid until 06/12/2024. Quote was created using Sales Agreement Version: 2024.04.30

Execution Instructions

Execute, date, and email all pages to CUSI sales representative. Include Tax Exempt Certificate and Sign Off page from Pre-Sale Implementation Guide.



CONTINENTAL UTILITY SOLUTIONS, INC.

Sales Representative: Bryant Estes

P. O. Box 1515

Jonesboro, AR 72403

www.cusi.com

(870) 336-3315

Quote #: be240513161405

May 13, 2024

Sales Agreement



City of West Fargo
810 12TH AVE NW
West Fargo, ND
58078

Matthew Andvik
701-5155400
Matthew.Andvik@westfargond.gov



Purchaser Authorization

I certify that as the person signing this form I have purchasing authority for City of West Fargo.

Tax Exempt Status

Initial where appropriate:

This entity **IS EXEMPT** from sales tax and will provide or has provided our exemption certificate

This entity **IS NOT EXEMPT** from sales tax

Print Name:

Title:

Authorized Signature:

Date:



"Consent" or "Regular" Agenda
Item?
[Regular]

Commission President

Bernie Dardis
Primary Portfolio:
Administration/Finance
Secondary Portfolio:
Street, Water and Sewer

Commission Vice President

Brad Olson
Primary Portfolio:
Street, Water and Sewer
Secondary Portfolio:
Police and Fire

Commissioner

Roben Anderson
Primary Portfolio:
Planning, Zoning and
Engineering
Secondary Portfolio:
Sanitation

Commissioner

Mark Simmons
Primary Portfolio:
Police and Fire
Secondary Portfolio:
Planning, Zoning and
Engineering

Commissioner

Mandy George
Primary Portfolio:
Sanitation
Secondary Portfolio:
Administration/Finance

City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: May 20, 2024

Subject: 40th Avenue Roadway Improvements - Update

Action: Informational – No action

New Information and Recommendation:

During the regular meeting held on May 6, 2024, the City Commission accepted a Petition for Improvements and directed preparation of a Preliminary Improvement Work Agreement for and with GreenWorks Properties, LLC.

Since then, the city of West Fargo has been notified by members of the public that large events are occurring on and at the property listed at 225 40th Ave W, West Fargo, also known as SheyWest Garden Center. During these events, overflow parking has expanded into the adjacent Public Works facility as well as into the adjacent Nelson Acres development.

One example was on Saturday, May 11th when SheyWest held a Mother's Day Market event that included live music, a food truck and 20+ artisans according to their Facebook page. During that event, the recycling center became inundated with overflow parking rendering the facility inaccessible to the public to drop off their recyclables and prevented Public Works equipment from being able to pick up the roll off containers where yard clippings were dropped. West Fargo Police were dispatched to help clear the center of the overflow parking and SheyWest was also very helpful in letting their patrons know that they needed to move their vehicles.

In addition to the complaints that were called in for the recycling center, the city was contacted by property owners of Nelson Acres who requested a meeting with staff. At that meeting, they expressed concern that the traffic, overflow parking and people walking down the middle of the roadway due to the lack of sidewalks within the development created safety concerns for emergency vehicles to access the neighborhood in the event of an emergency. Also, concern was expressed that the large amount of traffic using the gravel roadways in that neighborhood was deteriorating the road surface and structure.

They stated that their intent is to write a letter to the City requesting that no parking signs be installed on both sides of their roadways to prevent this issue from continuing. To date the city has not received that letter.

Due to the complaints received and various violations noted during the site inspection by staff on May 11th, the City has issued GreenWorks Properties, LLC with a Notice of Violation of City of West Fargo Ordinances.

The following documents are attached for review:

- Photos of overflow parking at the recycling center and along 4th Street W.
- Notice of Violation Issued

As a result of the current notice of violation, the 40th Avenue Roadway Improvement Project is on hold until the violations noted have been brought within compliance with city ordinances.

Staff Recommendation: Informational – No action

Previously Presented Information and Commission Actions:

May 6, 2024 –

- **Staff Recommendation:** Accept Petition for Improvements and Direct Engineer to prepare a Preliminary Improvement Work Agreement.
- **Commission Action:** Commissioner George moved, and Commissioner Anderson seconded to approve. No opposition, motion carried.

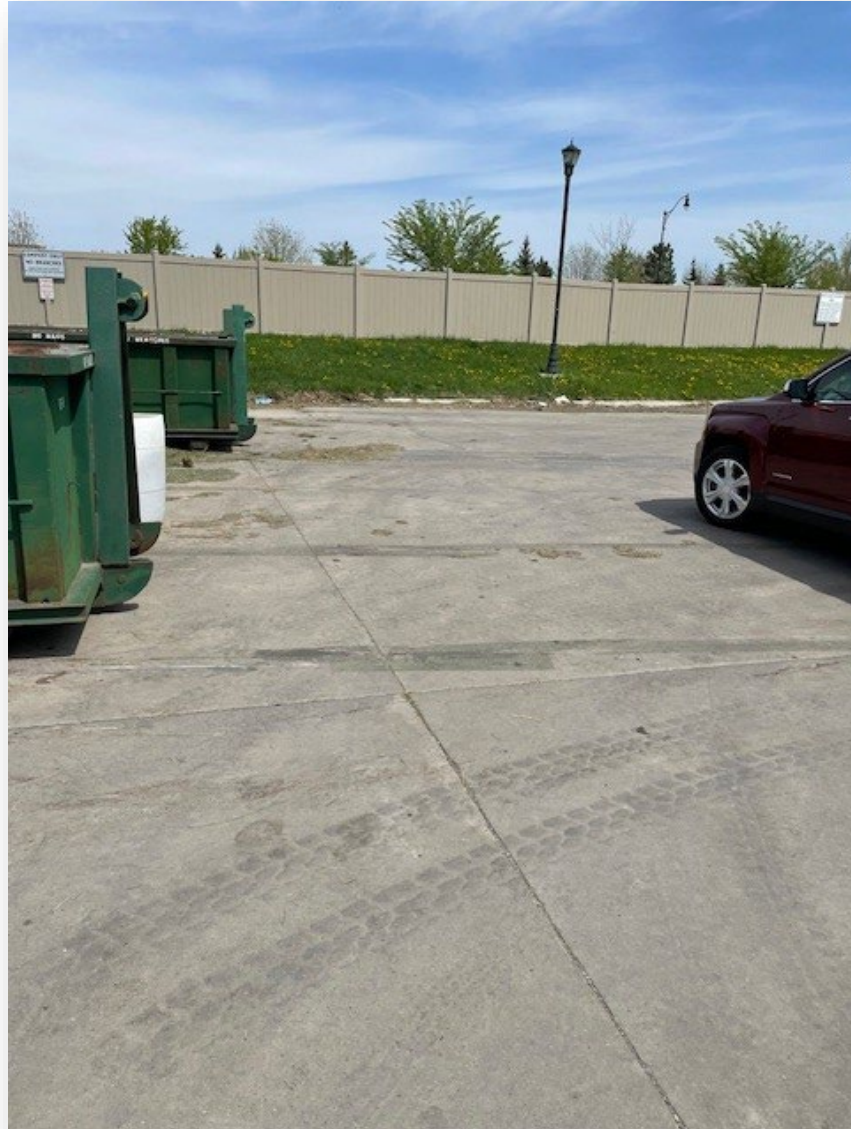
PARKED VEHICLES COMPROMISING ACCESS TO PUBLIC WORKS EQUIPMENT



VEHICLES PARKED ALONG 4TH ST W



PARKED VEHICLES LIMITING ACCESS TO RECYCLING AND COMPOST DROP SITES FOR RESIDENTS AND PUBLIC WORKS





May 21, 2024

Greenworks Properties, LLC
PO BOX 603
West Fargo, ND 58078

RE: Notice of Violation of City of West Fargo Ordinances

To Whom it May Concern,

Over the weekend of May 11-12, 2024 the City of West Fargo received numerous complaints regarding overflow parking associated with an event occurring at the SheyWest Garden Center on property owned by Greenworks Properties, LLC at 225 40th Ave W in West Fargo, ND.

Upon receipt of the complaints, City of West Fargo staff made a site inspection and found that visitors to the SheyWest Garden Center were parking within the City's neighboring public works facility as well as along the shoulder of 4th St W.

It is our understanding that the overflow of visitors to the subject property was due in large part to a special event hosted by SheyWest Garden Center that included live entertainment, food sales, and outside vendors not affiliated with SheyWest Garden Center. It has also come to our attention that the greenhouse building located on the northeastern portion of the subject property is being advertised and rented out for the hosting of outside events, such as private receptions, parties, and social gatherings.

The subject property is located within a PUD (Planned Unit Development) zoning district, which was approved in 2020 and which established the "C" Light Commercial development standards for the subject property along with a restriction on all land-uses other than the use of the property for greenhouses and plant nurseries, as listed in §4-427.2.14 of the City Ordinances.

As such, the use of the property for the hosting of outside vendors, outside food sales, live entertainment events, and the renting of space for private events is not permitted on the subject property. The use of the property for anything other than a greenhouse and plant nursery business is a violation of Title IV of the City Ordinances.

Upon review of the parking situation noted above, it was noted that some of the parking & vehicular circulation area constructed on the subject property consists of a gravel surface. Please be advised that all driveways and off-street parking spaces within the City limits are required to be improved with a concrete or bituminous surface unless otherwise exempted or approved in accordance with City ordinances. Such exemptions are most common in industrial zoning districts. The approved PUD for the subject property does not provide an exemption or approval for gravel surfaces. As such, the gravel driving surface constitutes a violation of Title IV of the City Ordinances.

800 4th Avenue East • Suite 1 • West Fargo, ND 58078 • 701-433-5320 • Fax 701-433-5319

Lastly, it appears that there is existing permanent signage on the subject property that has not been properly permitted or reviewed by the City. Please be aware of the following sign code provisions, which may relate to your existing signage:

- §4-460.12.1 of the City sign code states that, unless the type of sign is exempted, it is unlawful for any person to erect, construct, alter, rebuild, or relocate any sign or sign structure until a permit has first been issued by the City.
- §4-460.8.2.b of the City sign code prohibits signs on or attached to equipment such as motor vehicles where signing is a principal use of the equipment. Such signs are only allowed for special events for no more than a 14 day period.
- §4-460.7.8 of the City sign code regulates the use of temporary signs, such as canvas banners. Banner signs may only be used for temporary signage unless enclosed within a cabinet or frame which is permanently and entirely mounted on the wall of a building and permitted as permanent signage.

In order to address the violations outlined above, we ask that you please:

1. Cease the use of the subject property for the hosting of all outside vendors, outside food sales, live entertainment events, the renting of space for private events, and all other non-greenhouse/landscape business activities.
2. Remove gravel drive & parking surfaces and replace with impervious paving. Provide updated parking lot plans for City review if paving or parking lot layout will deviate from previously submitted site plan.
3. Remove any signage that has not been permitted by the City. You will need to apply for sign permits for all permanent signage.
4. Respond to this notice of violation by providing information regarding the steps you intend to take to remedy the violations, including anticipated timelines.

Thank you for your willingness to work with staff to bring resolution to this matter. If you have any questions or would like to discuss this matter further, I can be reached by phone at (701) 515-5373 or by email at Aaron.Nelson@WestFargoND.gov.

Sincerely,

A handwritten signature in black ink that reads "Aaron Nelson". The signature is fluid and cursive, with a long, sweeping underline that extends to the right.

Aaron M. Nelson, AICP
Planning Director, City of West Fargo

ORDINANCE NO. 1241

AN ORDINANCE TO AMEND AND REENACT SECTION 14-0302 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO, RELATING TO CASS COUNTY ELECTRIC COOPERATIVE, INC., ELECTRIC FRANCHISE FEES.

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

SECTION 1. Section 14-0302 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

14-0302. In consideration of the permit hereby granted and in order to defray the City's costs of administering and regulating the activities of the Company in connection therewith and for the use of the streets, alleys, public grounds of the City by the Company, the Company hereby agrees to pay City a fee equal to ~~two per cent (2%)~~ four percent (4%) of the Company's gross revenues from sales of electricity within the City. It is understood that Company may add to its billings to consumers within the City, a surcharge of ~~two per cent (2%)~~ four percent (4%) to reimburse the Company for the costs of such fee. This fee shall be payable monthly and Company agrees, upon execution of this Agreement, to file monthly statements with the City, within fifteen days of the end of each month, setting out the amount of its gross revenues from the sale of electricity within the City the previous month. Company shall also submit at that time whatever fee payments may then be due. On or before 120 days after the end of Company's fiscal year and in each year of this agreement, Company shall provide City with a certification of the gross revenues for the preceding year, prepared by an independent certified accountant in accordance with generally accepted auditing standards, and that fairly and accurately represents the gross revenues of the Company for said year. The calculation of the ~~2%~~ four percent (4%) franchise fee shall be clearly shown as part of this certification in a form approved by the City Administrator. This certification shall be used to determine the exact amount of payments due the City and to correct any overpayments or underpayments by the Company. Provided, that the ~~2%~~ four percent (4%) fee will commence with Company's first billing month that does not include any sales of electricity prior to June 1, 2012. Nothing in this paragraph shall be construed as restricting the City from either raising or lowering the ~~two per cent~~ four percent (4%) franchise fee provided herein in a non-discriminatory basis. Nor shall the Franchise be construed as a limitation on the City's power to tax the Company.

The franchise fee payable by the Company will be generally applicable and uniformly applied to all other suppliers of electricity in the City of West Fargo. Should the scope of application, exclusions, or rates charged to any other supplier of electricity in the City of West Fargo result in the other supplier paying less than it would have paid had the fee payable hereunder been applied to it, the Company will be entitled to pay its franchise fee on the same basis as the City of West Fargo charges such other supplier.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after the date of its second reading and final passage.

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
and Final Passage:

ORDINANCE NO. 1247

AN ORDINANCE TO AMEND AND REENACT SECTION 14-0202 OF THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO, RELATING TO NORTHERN STATES POWER COMPANY D/B/A XCEL ENERGY ELECTRIC FRANCHISE FEES.

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

SECTION 1. Section 14-0202 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

14-0202. In consideration of the permit hereby granted and in order to defray the City's costs of administering and regulating the activities of the Company in connection therewith and for the use of the streets, alleys, public grounds of the City by the Company, the Company hereby agrees to pay City a fee equal to ~~two per cent (2%)~~ four percent (4%) of the Company's gross revenues from sales of electricity within the City. It is understood that Company may add to its billings to consumers within the City, a surcharge of ~~two per cent (2%)~~ four percent (4%) to reimburse the Company for the costs of such fee. This fee shall be payable monthly and Company agrees, upon execution of this Agreement, to file monthly statements with the City, within fifteen days of the end of each month, setting out the amount of its gross revenues from the sale of electricity within the City the previous month. Company shall also submit at that time whatever fee payments may then be due. On or before 120 days after the end of Company's fiscal year and in each year of this agreement, Company shall provide City with a certification of the gross revenues for the preceding year, prepared by an independent certified accountant in accordance with generally accepted auditing standards, and that fairly and accurately represents the gross revenues of the Company for said year. The calculation of the ~~2%~~ four percent (4%) franchise fee shall be clearly shown as part of this certification in a form approved by the City Administrator. This certification shall be used to determine the exact amount of payments due the City and to correct any overpayments or underpayments by the Company. Provided, that the ~~2%~~ four percent (4%) fee will commence with Company's first billing month that does not include any sales of electricity prior to June 1, 2012. Nothing in this paragraph shall be construed as restricting the City from either raising or lowering the ~~two per cent~~ four percent (4%) franchise fee provided herein in a non-discriminatory basis. Nor shall the Franchise be construed as a limitation on the City's power to tax the Company.

The franchise fee payable by the Company will be generally applicable and uniformly applied to all other suppliers of electricity in the City of West Fargo. Should the scope of application, exclusions, or rates charged to any other supplier of electricity in the City of West Fargo result in the other supplier paying less than it would have paid had the fee payable hereunder been applied to it, the Company will be entitled to pay its franchise fee on the same basis as the City of West Fargo charges such other supplier.

SECTION 2. Effective Date. This ordinance shall be in full force and effect from and after the date of its second reading and final passage.

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
and Final Passage: