

Meeting Items

- A. Call to Order
- B. Pledge of Allegiance
- C. Roll Call
- D. Approve Order of Agenda
- E. Approval of Minutes -- September 16, 2024
- F. Approval of Minutes -- September 23, 2024
- G. Building Permits

Consent Agenda - Approve the Following:

- a. Bills
- b. A24-25 The Yards 2nd Addition, request for conditional use permit for aboveground fuel tank
- c. Improvement Dist. No. 3006 – Westwood Addition Reconstruction
 - Project communication informational update
- d. Joint Training Agreement with Fargo -- Dan Fuller, Chief of Fire
- e. Games of Chance for West Fargo Packer Wrestling Boosters
- f. Games of Chance for Wyatt Simley Benefit
- g. Financial Report as of August 31, 2024

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 to attend. [City Commission Meeting Public Comment | West Fargo, ND \(westfargond.gov\)](https://www.westfargond.gov/city-commission-meeting-public-comment)
- 2. Public Hearing – A24-26 Zoning Ordinance Amendments to Title IV regarding landscaping, screening, & outdoor storage -- Aaron Nelson, Planning Director
- 3. Growth Area Master Plan project initiation -- Aaron Nelson, Planning Director
- 4. School Zone Signage -- Dan Hanson, City Engineer
 - Information Update
- 5. Project No. 1348 – Sanitary Sewer Rehabilitation (Core Area Alley's and Rear Yards) -- Dan Hanson, City Engineer
 - Approve Change Order No. 2
- 6. 2025 Final Budget Review -- Dustin Scott, City Administrator

Budget Link: [City Budget | West Fargo, ND \(westfargond.gov\)](https://www.westfargond.gov/city-budget)
- 7. Resolution Setting Rates and Charges for Water Sewer and Sanitation Rates, Effective January 1, 2025 -- John Shockley, City Attorney

8. Resolution Authorizing the Issuance of Improvement Warrants
-- John Schockley, City Attorney
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 in the City of West Fargo Commission Chambers on Monday, September 16, 2024.

B. Pledge of Allegiance

The Pledge of Allegiance was recited.

C. Roll Call

Commissioner Rory Jorgensen – present; Commissioner Amy Zundel – 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.

D. Approve Order of Agenda

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

E. Approval of Minutes -- September 3, 2024

Commissioner Zundel moved and Commissioner Jorgensen seconded to approve the minutes of September 3, 2024. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the minutes of September 3, 2024 was declared carried.

F. Building Permits

Commissioner Olson moved and Commissioner Anderson seconded to approve the building permits. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the building permits as presented was declared carried.

Consent Agenda - Approve the Following:

- a. **Bills**
- b. **Recommendation to appoint Chad Brousseau to Economic Development Advisory Committee**
- c. **A24-21 Charleswood River Estates 13th Addition, request for final plat approval**
- d. **Games of Chance for Blessed Sacrament Church**
- e. **Games of Chance for Freedom Elementary PTA**
- f. **Site Authorization for Horace Lions at Unhynged**

Commissioner Zundel moved and Commissioner Anderson seconded to approve the consent agenda. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the consent agenda as presented 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)

2. Public Hearing on the Preliminary Budget -- Dustin Scott, City Administrator

During the Public Hearing, comments will only be received on budget-specific items.

Residents of West Fargo came forward during this time, no action was taken.

3. Approval of 2025 Utility Rates -- Matt Andvik, Director of Public Works

Commissioner Anderson moved and Commissioner Jorgensen seconded to approve the 2025 Utility Rates. Commissioners Jorgensen, Dardis and Anderson voted aye. Commissioners Zundel and Olson voted nay, the motion to approve the of 2025 Utility Rates as presented was declared carried on a 3:2 vote.

4. Request to consider amending the city ordinances to increase the impervious square footage of residential lots from 30% to 35% of the lot in its entirety -- Daniel Flaten, West Fargo Resident

Commissioner Zundel moved and Commissioner Jorgensen seconded to allow staff to look into an amendment of city ordinances to increase the impervious square footage of residential lots from 30% to 35% of the lot in its entirety.

Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to allow staff to look into an amendment of city ordinances to increase the impervious square footage of residential lots from 30% to 35% of the lot in its entirety as presented was declared carried.

5. A24-23 North Pond at the Preserve 18th Addition, request for final plat approval -- Aaron Nelson, Director of Planning

Commissioner Zundel moved and Commissioner Olson seconded to approve the request for final plat approval for A24-23 North Pond at the Preserve 18th Addition.

Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the request for final plat approval for A24-23 North Pond at the Preserve 18th Addition as presented was declared carried.

6. Short-Term Rental information & discussion -- Aaron Nelson, Director of Planning

Commissioner Zundel moved and Commissioner Olson seconded to approve option 3 of the short term rental:

Option 3: Comprehensive Ordinance Update with STR Licensing Standards

This option involves a more comprehensive update of city ordinances to establish a broader regulatory framework for STRs, including the establishment of a licensing framework.

Key Elements:

- Drafting of new ordinances specific to STRs to include such things as occupancy limits, quiet hours, enhanced penalties/restrictions for repeat violations, and licensing requirements.

- All STR operators to register and obtain a license, ensuring compliance with ordinances and tax responsibilities.
- Could require annual registration/licensing fee to help off-set additional budget costs to administer new program.
- Creates a process to ensure STR operators pay appropriate lodging tax.
- Additional staffing resources needed to administer.

Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve option 3 of the short term rental was declared carried.

7. Enterprise Grant for Sandy's Donuts -- Casey Sanders-Berglund, Director of Economic Development Director

Commissioner Olson moved and Commissioner Jorgensen seconded to approve the Enterprise Grant for Sandy's Donuts. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the Enterprise Grant for Sandy's Donuts as presented was declared carried.

5 Minute Break took place

8. Westwood Addition Reconstruction – Dan Hanson, City Engineer

- **Create Improvement District No. 3006, Direct Engineer to prepare an Engineer's Report; and Approve Task Order for Preliminary Engineering Services**

Commissioner Olson moved and Commissioner Zundel seconded to approve the Westwood Addition Reconstruction; create Improvement District No. 3006, direct Engineer to prepare an Engineer's Report; and approve Task Order for Preliminary Engineering Services. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the Westwood Addition Reconstruction; create Improvement District No. 3006, direct Engineer to prepare an Engineer's Report; and approve Task Order for Preliminary Engineering Services as presented was declared carried.

9. Project No. 1316.3 – Northside Sanitary Sewer Collector Rehabilitation

-- **Dan Hanson, City Engineer**

- **Approve Task Order No. 87-1 for Basic Services**

Commissioner Anderson moved and Commissioner Olson seconded to approve Project No. 1316.3 – Northside Sanitary Sewer Collector Rehabilitation; approve Task Order No. 87-1 for Basic Services. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve Project No. 1316.3 – Northside Sanitary Sewer Collector Rehabilitation; approve Task Order No. 87-1 for Basic Services as presented was declared carried.

10. Project No. 9043 – Sanitary Sewer System Evaluation Study (south of I-94)

-- **Dan Hanson, City Engineer**

- **Approve a Task Order for Sanitary Sewer Evaluation Study**

Commissioner Zundel moved and Commissioner Anderson seconded to approve Project No. 9043 – Sanitary Sewer System Evaluation Study (south of I-94); approve Task Order for Sanitary Sewer Evaluation Study. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve Project No. 9043 – Sanitary Sewer System Evaluation Study (south of I-94); approve Task Order for Sanitary Sewer Evaluation Study as presented was declared carried.

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

Utility Rate Update, create a resolution

Finance Director update, starting on Wednesday

12. Correspondence

There was no correspondence.

13. Non-Agenda Items

Commissioner Jorgensen on clarification of Commissioner voting.

Commission President Dardis gave recognition on engagement from public and staff regarding the budget.

Dan Hanson, City Engineer came forward to bring up future improvements regarding a recent accident within West Fargo at 36th and Veterans.



West Fargo City Commission Meeting
West Fargo City Hall Commission Chambers
800 4th Ave E, West Fargo, 58078
Monday, September 16, 2024 5:30 PM

14. Adjourn

Commissioner Jorgensen moved and Commissioner Anderson seconded to adjourn. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to adjourn was carried at 8:00 PM.

Bernie Dardis, Commission President

Dustin T. Scott, City Administrator



Meeting Items

A. Call to Order

The West Fargo City Commission meeting was held in the in the City of West Fargo Commission Chambers on Monday, September 23, 2024.

B. Pledge of Allegiance

The Pledge of Allegiance was recited.

C. Roll Call

Commissioner Rory Jorgensen – present; Commissioner Amy Zundel – 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.

D. Approve Order of Agenda

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

Consent Agenda - Approve the Following:

a. Bills

b. Games of Chance for Pheasants Forever

c. Gaming Site Authorization for Full Circle Academy at The Sandbox Restaurant and Bar

d. Games of Chance for Packer Backers (West Fargo High School Football)

Commissioner Olson and Commissioner Zundel seconded to approve the consent agenda. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve the consent agenda as presented was declared carried.

Regular Agenda

1. Review of the 2025 Final Budget -- Dustin Scott, City Administrator

City Budget | West Fargo, ND (westfargond.gov)

Commission directives:

- Keep 0.8 mill increase for Library as approved in Preliminary Budget
 - Commissioner Zundel moved and Commissioner Anderson seconded to reinstate 0.8 mill increase for Library as approved in Preliminary Budget. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve reinstating 0.8 mill increase for Library as approved in Preliminary Budget was declared carried.
- Apply 2.5% COLA
 - Commissioner Olson moved and Commissioner Jorgensen seconded to approve a 3% COLA. Commissioners Olson and Jorgensen voted aye. Commissioners Zundel, Dardis and Anderson opposed. The failed on a 3:2 vote.
 - Commissioner Zundel moved and Commissioner Olson seconded to approve a 2.5% COLA. Commissioners Zundel, Dardis, Olson and Anderson voted aye. Commissioner Jorgensen voted nay, the motion to approve a 2.5% COLA was declared carried on a 4:1 vote.
- Reduce General/Fire fund mill levy by amount of savings from reduced COLA
- Combine fire and general funds
Commissioner Zundel moved and Commissioner Olson seconded to combine fire and general funds. Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No Commissioners present voted nay, the motion to approve combining fire and general funds was declared carried.

Commissioner Zundel moved and Commissioner Dardis seconded to reenter Dustin Scott, City Administrator into the step program at the closest step and grade he is currently at. Commissioners Zundel and Dardis voted aye.

Commissioners Jorgensen Dardis and Anderson voted nay, the motion failed.



West Fargo City Commission Meeting
West Fargo City Hall Commission Chambers
800 4th Ave E, West Fargo, 58078
Monday, September 23, 2024 5:30 PM

2. Adjourn

Commissioner Olson moved and Commissioner Zundel seconded to adjourn.

Commissioners Jorgensen, Zundel, Dardis, Olson and Anderson voted aye. No

Commissioners present voted nay, the motion to adjourn was carried at 6:33 PM.

Bernie Dardis, Commission President

Dustin T. Scott, City Administrator

**WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT MONTHLY COMPARISON REPORT
10/07/2024**

	SEPTEMBER 2023			SEPTEMBER 2024		
	# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
<u>BUILDING NEW</u>						
COMMERCIAL	7		\$ 6,041,000.00	4		\$ 4,864,675.00
RESIDENTIAL DWELLING	131	131	\$ 40,846,107.00	122	122	\$ 44,516,592.00
RESIDENTIAL TWINHOME						
RESIDENTIAL TOWNHOME				12		\$ 8,800,000.00
RESIDENTIAL MULTIPLE						
PUBLIC				2		\$ 7,378,072.00
CHURCH						
ACCESSORY	162		\$ 3,467,626.00	148		\$ 5,426,376.00
FOUNDATION ONLY	1		\$ 7,000.00	5		\$ 1,354,400.00
<u>BUILDING REMODEL</u>						
COMMERCIAL	28		\$ 11,821,200.00	45		\$ 16,865,016.00
RESIDENTIAL	95		\$ 2,251,933.00	116		\$ 2,948,180.00
PUBLIC	6		\$ 3,450,452.00	2		\$ 1,351,500.00
CHURCH						
ACCESSORY				1		\$ 7,000.00
<u>BUILDING OTHER</u>						
DEMOLITION	8		\$ 455,500.00	14		\$ 829,669.00
MOVE	3		\$ 72,000.00	1		\$ 20,000.00
PERMIT CANCELLATION				1		\$ (8,345.00)
TOTALS	441	131	\$ 68,412,818.00	473	122	\$ 94,353,135.00

**WEST FARGO CITY COMMISSION MEETING
BUILDING DEPARTMENT ACTIVITY REPORT
10/07/2024**

	AS OF 9/30/2024			YEAR TO DATE		
	# PERMITS	# UNITS	VALUATION	# PERMITS	# UNITS	VALUATION
<u>BUILDING NEW</u>						
COMMERCIAL				4		\$ 4,864,675.00
RESIDENTIAL DWELLING	8	8	\$ 2,609,900.00	122	122	\$ 44,516,592.00
RESIDENTIAL TWINHOME						
RESIDENTIAL TOWNHOME				12		\$ 8,800,000.00
RESIDENTIAL MULTIPLE						
PUBLIC				2		\$ 7,378,072.00
CHURCH						
ACCESSORY	20		\$ 317,039.00	148		\$ 5,426,376.00
FOUNDATION ONLY	1		\$ 135,000.00	5		\$ 1,354,400.00
<u>BUILDING REMODEL</u>						
COMMERCIAL	3		\$ 70,500.00	45		\$ 16,865,016.00
RESIDENTIAL	9		\$ 105,777.00	116		\$ 2,948,180.00
PUBLIC				2		\$ 1,351,500.00
CHURCH						
ACCESSORY				1		\$ 7,000.00
<u>BUILDING OTHER</u>						
DEMOLITION				14		\$ 829,669.00
MOVE				1		\$ 20,000.00
PERMIT CANCELLATION				1		\$ (8,345.00)
TOTALS	41	8	\$ 3,238,216.00	473	122	\$ 94,353,135.00

WEST FARGO CITY COMMISSION MEETING
Building Department Report - Summary

1

NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
240937	Legacy Plumbing, LLC	2130 3 AVE NW	TRAIL KING INDUSTRIES	\$ 40,000.00	Remodel - Commercial - Install Floor Drains
240948	Deck Builders, Inc.	128 26 AVE E	TWILA & JOSH NOGOWSKI	\$ 24,310.00	Accessory - Deck
240974	Groundworks Minnesota, LLC	738 11 AVE W	LESLIE D WANG, TOD	\$ 6,075.00	Remodel - Residential - Foundation Repair
240965	Vivid Interiors, LLC	2308 MCLEOD DR E	BRADLEY E & KARI L NOVAK	\$ 17,449.00	Accessory - Structure
240967	DUSTIN & MELISSA MURRAY	1340 GOLDENWOOD DR	DUSTIN & MELISSA MURRAY	\$ 20,000.00	Accessory - Structure
240617	Precision Concrete Cutters, Inc.	681 PHEASANT RUN	BRIAN & LAURIE ELHARD	\$ 5,900.00	Remodel - Residential - Egress Window
240728	Smart Building Construction, LLC	1110 JILL DR W	SMART BUILDING CONSTRUCTION	\$ 4,000.00	Accessory - Deck
240971	JOSHUA L & JORDYN ROESLER	958 ALBERT DR W	JOSHUA L & JORDYN ROESLER	\$ 3,000.00	Remodel - Residential - Add Bedroom
240898	Plecity Kowalski Construction, Inc.	2638 RIVERS BEND DR E	PLECITY KOWALSKI CONSTRUCTION	\$ 135,000.00	Foundation Only - Residential Dwelling
240982	Cornerstone Remodeling	2711 2 ST E	BENJAMIN J STECHER, ETAL	\$ 65,145.00	Remodel - Residential - Lower Level Finish
240981	Jordahl Custom Homes, Inc.	826 60 AVE W	DESIGNER HOMES OF FARGO-MOODY	\$ 350,000.00	Residential Dwelling
240985	Premium Decks, Inc.	123 50 AVE E	DAVID & BETH USTANKO	\$ 22,800.00	Accessory - Deck
240987	Premium Decks, Inc.	1058 PARKWAY DR	BETHANY & SHAWN HALVORSON	\$ 16,000.00	Accessory - Deck
240993	Premium Decks, Inc.	925 31 AVE W	VI L & MAI THY NGUYEN	\$ 38,000.00	Accessory - Deck
241003	Groundworks Minnesota, LLC	718 NORTH SEDONA DR	MARK R GAGNER	\$ 7,342.00	Remodel - Residential - Foundation Repair
241010	JESSE A PIERCE	2044 11 ST W	JESSE A PIERCE	\$ 3,600.00	Accessory - Deck
240980	Jordahl Custom Homes, Inc.	5880 ELLIS DR W	WESTPORT INVESTMENTS LLC	\$ 265,000.00	Residential Dwelling
240969	Enclave Construction, LLC	354 23 AVE E	VISION HOLDINGS FARGO, LLC	\$ 15,500.00	Remodel - Commercial - Wall Renovation
240988	Premium Decks, Inc.	411 17 AVE E	DAVID J & NANCY A SHEA	\$ 26,000.00	Accessory - Structure
240962	Preston Reichling Construction LLC	1238 GOLDENWOOD DR	DARRELL & TONYA VETTER	\$ 6,800.00	Remodel - Residential - Remodel Attic Stairs

WEST FARGO CITY COMMISSION MEETING
Building Department Report - Summary

2

NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
240973	Krueger Construction, Inc.	4766 11 ST W	KRUEGER CONSTRUCTION, INC	\$ 700,000.00	Residential Dwelling
240997	Daniel Hogfoss LLC	632 29 AVE E	JOSHUA & JACKLYN WILSON	\$ 60,000.00	Accessory - Swimming Pool
241017	Brent Barth Handyman Service	1052 MEYER BLVD	DONALD & LYNDELL DAHL	\$ 2,680.00	Accessory - Deck
240978	Red Leaf Custom Homes LLC	1264 MARLYS DR W	RED LEAF CUSTOM HOMES, LLC	\$ 300,000.00	Residential Dwelling
241001	Jordahl Custom Homes, Inc.	1112 60 AVE W	JORDAHL CUSTOM HOMES, INC	\$ 2,500.00	Accessory - Deck
241002	Wisnewski Construction, LLC	501 2 AVE NW	DAVID W & LORNA R BRAGER	\$ 6,500.00	Accessory - Deck
240836	Three Oaks Construction LLC	701 MAIN AVE E	METRO PROPERTIES LLC	\$ 15,000.00	Remodel - Commercial - Cosmetic Updates
240994	NICK R BECKER	5526 LORI LN W	NICK R BECKER	\$ 18,000.00	Accessory - Deck
241005	Dabbert Custom Homes, LLC	5881 11 ST W	DABBERT CUSTOM HOMES, LLC	\$ 364,900.00	Residential Dwelling
241018	Handypro Services LLC	843 OAK ST	BRADLEY & LINDSEY CERNIK	\$ 2,330.00	Remodel - Residential - Demo Bearing Wall & Install Header
240949	Smart Building Construction, LLC	5862 ELLIS DR W	WESTPORT INVESTMENTS LLC	\$ 200,000.00	Residential Dwelling
240952	Smart Building Construction, LLC	5856 ELLIS DR W	WESTPORT INVESTMENTS LLC	\$ 200,000.00	Residential Dwelling
240998	Build Right, Inc.	5822 JAMES DR W	HORIZON HOMES, LLC	\$ 9,200.00	Accessory - Deck
240999	Build Right, Inc.	5828 JAMES DR W	HORIZON HOMES, LLC	\$ 9,200.00	Accessory - Deck
241033	Safebasements Of Minnesota, Inc.	938 5 AVE W #A	JORDAN M SPOONER	\$ 7,575.00	Remodel - Residential - Foundation Repair
240906	Ryezon Construction LLC	2282 14 ST W	KEVIN & JILL ROTERT	\$ 19,000.00	Accessory - Structure
241011	STEVEN STOCKDALE	209 1 AVE E	STEVEN STOCKDALE	\$ 12,500.00	Accessory - Structure
241022	Jordahl Custom Homes, Inc.	6043 8 ST W	JORDAHL CUSTOM HOMES, INC	\$ 2,600.00	Accessory - Deck
241023	Jordahl Custom Homes, Inc.	1230 JILL DR W	JORDAHL CUSTOM HOMES, INC	\$ 2,700.00	Accessory - Deck
241028	Jordahl Custom Homes, Inc.	1272 JILL DR W	JORDAHL CUSTOM HOMES, INC	\$ 230,000.00	Residential Dwelling

WEST FARGO CITY COMMISSION MEETING
Building Department Report - Summary

NO.	CONTRACTOR	ADDRESS	OWNER	VALUATION	PERMIT FOR
241041	Breland Enterprises, Inc.	807 3 ST E	MIRIAM R TOLLEFSON	\$ 1,610.00	Remodel - Residential - Radon Mitigation

10/04/24
14:43:21

CITY OF WEST FARGO, ND
Claim Details by Posted Date
For Claims from 09/23/24 to 10/04/24

Page: 1 of 52
Report ID: AP100V

* ... Over spent expenditure

Claim/ Line #	Check Invoice #	Vendor #/Name/ Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
120932		2954 A-OX WELDING SUPPLY CO INC	17.50						
1	1397223	09/25/24 PROPANE	17.50			1000 430000	722		101000
120941		2954 A-OX WELDING SUPPLY CO INC	284.18						
1	1394981	09/11/24 CANISTER/HELMET	284.18			1000 455000	433		101000
		Total for Vendor:	301.68						
120872		289 ACME TOOLS	38.14						
1	13306420	09/23/24 DRILL BITS	38.14			1000 430000	432		101000
120922		289 ACME TOOLS	676.21						
1	13323647	09/27/24 SHOP VAC	124.99			6025 450000	432		101000
2	13324075	09/27/24 BATTERIES/MEASURING WHEEL	322.40			6025 450000	432		101000
3	13327683	09/30/24 DRILL/IMPACT DRIVER	228.82			1000 455000	432		101000
120930		289 ACME TOOLS	450.72						
1	13225608	09/03/24 GUIDE BAR	168.73			6020 450000	432		101000
2	13257042	09/10/24 WHEEL KIT	281.99			1000 430000	432		101000
		Total for Vendor:	1,165.07						
120969		999999 ALEX MAROHL	190.00						
		Tree Planting Permit - 525 13th Ave NW							
1	10/03/24	Tree - 525 13th Ave NW	190.00			5000 422000	490		101000
		Total for Vendor:	190.00						
120830		4791 ALL STATES FLOORING, INC.	8,821.00						
1	Pay App 5	08/31/24 WF Fire Dept Project	8,821.00			4795 480000	670		101000
		Total for Vendor:	8,821.00						
120998		2947 ALLSTATE PETERBILT OF FARGO	482.65						
1	4004437187	09/19/24 4101 AXEL SHAFT GASKET	2.21			6010 450200	427		101000
2	4004438578	09/27/24 412 TURN SIGNAL SWITCH	480.44			6010 450200	427		101000
		Total for Vendor:	482.65						

10/04/24
14:43:21

CITY OF WEST FARGO, ND
Claim Details by Posted Date
For Claims from 09/23/24 to 10/04/24

Page: 2 of 52
Report ID: AP100V

* ... Over spent expenditure

Claim/ Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
120974		999999 AMANDA FIRKINS	300.00						
		Tree Planting Permit - 1107 55th Ave W							
1	10/03/24	Tree - 1107 55th Ave W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120791		3490 AMAZON CAPITAL SERVICES	233.98						
1	09/22/24	TB sandisks	233.98			1000 421000	497		101000
		1HV193FMH3TP							
120823		3490 AMAZON CAPITAL SERVICES	119.07						
1	09/24/24	Traffic safety cones	119.07			6020 450000	412		101000
		19MMVM6K9V4L							
120858		3490 AMAZON CAPITAL SERVICES	53.00						
1	09/29/24	ear piece for m. oldham	11.85			1000 421000	422		101000
		1HKRF1J9PTG4							
2	09/29/24	mesh cargo bags	17.78			1000 421000	641		101000
		1HKRF1J9PTG4							
3	09/29/24	sticky note pads	23.37			1000 421000	410		101000
		1HKRF1J9PTG4							
120869		3490 AMAZON CAPITAL SERVICES	2,265.35						
1	08/12/24	S GRAVALIN PANTS	99.98			1000 430000	422		101000
		19W4YXHRTR7R							
2	09/19/24	J MARTINEZ BOOT RETURN	-86.99			1000 455000	422		101000
3	09/30/24	GLOVES/FIRST AID KITS	379.06			6025 450000	639		101000
		1MYPM4TL41TL							
4	09/13/24	PUMP/BREAKER	245.07			6020 450000	420		101000
		16RCL3G1D3MF							
5	09/13/24	VACUUM SWITCH	30.67			1000 455000	420		101000
		1R7117GHF4JX							
6	09/25/24	PLOW STAKES - ST	729.98			1000 430000	358		101000
		1VVKL3FW9NDN							
7	09/25/24	PLOW STAKES - RW	729.97			1000 430001	358		101000
		1VVKL3FW9NDN							
8	09/20/24	OFFICE SUPPLIES	50.75			6020 450000	410		101000
		1P1DVN16DN3D							

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9	09/20/24	OFFICE SUPPLIES	13.99			6020 450000	410		101000
1RXCC73X7L4H									
10	09/24/24	PHONE INDICATOR LIGHT	38.00			6010 450200	410		101000
1KMR61XY4Q3K									
11	09/26/24	VACUUM BOARD	34.87			1000 455000	420		101000
1HX43DWR7MD9									
120889		3490 AMAZON CAPITAL SERVICES	86.53						
1	09/29/24	Office Supplies - Planning	86.53			1000 418000	410		101000
1NK6Q47NNT99									
120895		3490 AMAZON CAPITAL SERVICES	33.65						
1	09/26/24	OFFICE SUPPLIES	33.65			6020 450000	410		101000
1HX43DWRDDXY									
120911		3490 AMAZON CAPITAL SERVICES	626.69						
1	10/01/24	office supplies	342.34			1000 421000	410		101000
1CTV6GHTFWDX									
2	10/01/24	cleaning supplies & batteries	264.47			1000 421000	420		101000
1CTV6GHTFWDX									
3	10/01/24	office supplies	19.88			1000 421000	420		101000
1LT3NVDD76RT									
120960		3490 AMAZON CAPITAL SERVICES	136.94						
1	09/29/24	ANIMAL REPELLANT/FENCE PULLER	136.94			2210 428000	358		101000
1CWCLWGCQXHK									
Total for Vendor:			3,555.21						
120861 -98962E		5229 AMB INVESTMENTS, LLC	47,700.00						
New City Hall									
1	10/01/24	Oct Lease - WEX Building	47,700.00			1001 415000	389		101000
Total for Vendor:			47,700.00						
120955		3709 AMERICAN TEST CENTER	950.00						
1	2241957 09/27/24	5702 ANNUAL INSPECTION - FO	475.00			2210 428000	427		101000
2	2241957 09/27/24	5702 ANNUAL INSPECTION - SL	475.00			1000 430002	427		101000
Total for Vendor:			950.00						

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120979		999999 ARIC DVORAK	190.00						
		Tree Planting Permit - 1131 29th Ave W							
1	10/03/24	Tree - 1131 29th Ave W	190.00			5000 422000	490		101000
		Total for Vendor:	190.00						
120925		22 ASPLIN EXCAVATING	1,730.77						
1	243104 09/13/24	CLASS 5	1,730.77			6025 450000	394		101000
121019		22 ASPLIN EXCAVATING	3,905.56						
1	242940 09/04/24	CLASS 5	3,905.56			6025 450000	439		101000
		Total for Vendor:	5,636.33						
121084		5449 ASSUREHIRE	95.00						
1	86493 10/01/24	Credit Inspection Fee	95.00			1000 414103	399		101000
		Total for Vendor:	95.00						
120919	-98957E	4672 ASURE PAYROLL TAX MANAGEMENT	227,881.43						
	10/04/24	payroll							
1	10/04/24	Social Security	108,250.62			1000 212501			101000
2	10/04/24	Medicare	25,316.62			1000 212502			101000
3	10/04/24	Federal Income Tax	85,809.19			1000 212503			101000
4	10/04/24	ND State Tax	4,153.00			1000 212504			101000
5	10/04/24	MN State Tax	4,352.00			1000 212505			101000
		Total for Vendor:	227,881.43						
120888		2931 AUTO VALUE PARTS STORES	1,584.97						
1	99299650 09/30/24	GL PRIME GREEN	78.87			6020 450000	427		101000
2	99299836 10/01/24	FILTERS	3.26			6020 450000	427		101000
3	99299835 10/01/24	FILTERS	16.30			1000 421000	427		101000
4	99299777 09/30/24	HD AIR FLEET	42.66			6010 450200	427		101000
5	99299802 10/01/24	HD AIR CONSTRUCTION	35.70			6010 450200	427		101000
6	99299846 10/01/24	FILTERS	18.94			6025 450000	427		101000
7	99299522 09/28/24	FILTERS	25.90			4387 480000	427		101000
8	99299640 09/30/24	HD AIR FLEET/CONSTRUCTION	121.02			6020 450000	427		101000
9	99299350 09/27/24	HD AIR FLEET	23.49			1000 430001	427		101000
10	99299349 09/27/24	HD AIR FLEET	16.02			1000 430001	427		101000

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11	99298580	09/24/24 FILTERS	219.82			6010 450200	427		101000
12	99297965	09/19/24 FILTERS	3.26			6020 450000	427		101000
13	99298090	09/20/24 FILTERS	13.04			6020 450000	427		101000
14	99299838	10/01/24 FILTERS	267.10			6010 450200	427		101000
15	99298145	09/20/24 HD HYDRAULIC FLEET	211.64			6025 450000	427		101000
16	99298571	09/24/24 HD HYDRAULIC/OIL FARM	150.69			6020 450000	427		101000
17	99299845	10/01/24 FILTERS/OIL	53.87			1000 430001	427		101000
18	99298589	09/24/24 FILTERS	19.42			6025 450000	427		101000
19	99298582	09/24/24 HD AIR CONSTRUCTION	7.95			6010 450200	427		101000
20	99298574	09/24/24 FILTERS	39.99			6020 450000	427		101000
21	99298592	09/24/24 FILTERS	3.26			1000 415000	427		101000
22	99298569	09/24/24 FILTERS	27.70			1000 421000	427		101000
23	99298576	09/24/24 FILTERS	80.62			1000 430000	427		101000
24	99298575	09/24/24 FILTERS	12.65			6020 450000	427		101000
25	99298585	09/24/24 FILTERS	6.52			2210 428000	427		101000
26	99298588	09/24/24 FILTERS	15.68			6025 450000	427		101000
27	99298581	09/24/24 FILTERS	3.26			1000 430002	427		101000
28	99298583	09/24/24 FILTERS	3.26			1000 430002	427		101000
29	99298903	09/25/24 FILTERS	10.17			1000 430000	427		101000
30	99297937	09/19/24 HD HYDRAULIC FLEET	52.91			6010 450200	427		101000
120943		2931 AUTO VALUE PARTS STORES	298.14						
1	99299644	09/30/24 FILTERS	129.50			1000 430000	427		101000
2	99299848	10/01/24 FILTERS	19.42			4387 480000	427		101000
3	99299843	10/01/24 HD AIR FLEET	85.32			6010 450200	427		101000
4	99299858	10/01/24 HD AIR FARM	63.90			6010 450200	427		101000
		Total for Vendor:	1,883.11						
120921		5427 AVI SYSTEMS INC	42,474.39						
1	89000298	09/30/24 WEX fit-up	42,474.39			2970 480000	653		101000
		Total for Vendor:	42,474.39						
120894		4867 BATEMAN TREE & LAWN CARE	4,394.90						
1	532	09/26/24 RAISE PRUNING PROJECT - AREA 2	4,394.90			2210 428000	307		101000
		Total for Vendor:	4,394.90						

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120983		3149 BEE SEEN GEAR	128.00						
1	65895	09/23/24 J Johnson Reclassification	128.00			2060 415200	422		101000
		Total for Vendor:	128.00						
120811		3273 BERNIE DARDIS	316.02						
		League of Cities - Grank Forks - 09/18/24-09/20/24							
		Mileage rate for 2024 is \$0.67/mile (This is an old form.)							
		\$103.18 mileage							
		\$212.84 hotel							
1		09/23/24 League of Cities 9/18-09/20	316.02			1000 415000	340		101000
		Total for Vendor:	316.02						
120902		36 BERT'S TRUCK EQUIPMENT	1,614.90						
1	101294	09/23/24 5305 CUTTING EDGE	1,338.80			1000 430001	381		101000
2	101231	09/23/24 3019 WINDOW	276.10			1000 430000	427		101000
		Total for Vendor:	1,614.90						
120990		1127 BIRSCHBACH EQUIPMENT & SUPPLY	669.02						
1	108945	09/19/24 299 BELT/CURED BANNER LINE	638.00			6020 450000	427		101000
2	110813	09/27/24 299 BELT KIT - RET	-108.00			6020 450000	427		101000
3	106162	09/06/24 GRAY DYMONIC	40.02			6020 450000	420		101000
4	105214	09/03/24 BELT PK	99.00			6020 450000	427		101000
		Total for Vendor:	669.02						
120862	-98961E	3552 BLUE CROSS BLUE	318,026.02						
		October 2024 Premium - Med/Dental/Vision							
1	0920324310	09/20/24 Oct 2024 Premium	318,026.02			1000 212539			101000
		Total for Vendor:	318,026.02						
120905		3489 BOLTON & MENK, INC	12,677.50						
1	0346012	09/24/24 Project 2279	10,127.50			4802 480000	313		101000
2	0346011	09/24/24 Traffic Signal Timing	2,550.00			1000 430000	487		101000
		Total for Vendor:	12,677.50						

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121020		28 BORDER STATES PAVING	25,795.63						
1	2715 09/19/24	PROJ 2287	24,193.75			4099 480000	670		101000
2	2715 09/19/24	HOT MIX ASPHALT	417.50			6025 450000	439		101000
3	2712 09/12/24	HOT MIX ASPHALT	1,184.38			6020 450000	438		101000
		Total for Vendor:	25,795.63						
121032		3512 BOUND TREE MEDICAL, LLC	192.28						
1	85497275 09/23/24	Medical Supplies	192.28			2060 415200	500		101000
		Total for Vendor:	192.28						
121063		3064 BRIAN WOODS	2,594.55						
1	4791 09/16/24	sept k9 instructor travel	2,594.55			1000 421000	340		101000
		Total for Vendor:	2,594.55						
120857		351 BUSINESS ESSENTIALS	391.43						
1	09/26/24	office supplies	391.43			1000 421000	410		101000
		WO1315516-1							
120891		351 BUSINESS ESSENTIALS	66.00						
1	FRFQ1047-1 09/17/24	Office Supplies	66.00			1000 414101	410		101000
120915		351 BUSINESS ESSENTIALS	3,659.80						
1	09/30/24	office supplies	22.36			1000 421000	410		101000
		WO1315516-2							
2	09/30/24	ww conf table	4,564.68			2975 421000	641	18	101000
		FR-FQ-1026-1							
3	09/30/24	refund on chairs	-927.24			2975 421000	641	18	101000
		CP-FR-FQ-1026-1-1							
120986		351 BUSINESS ESSENTIALS	196.58						
1	WO13148631 09/23/24	UTENSILS	24.38			7000 411600	410		101000
2	WO13152201 09/25/24	PAPER	172.20			7000 411600	410		101000
		Total for Vendor:	4,313.81						

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120985		39 BUTLER MACHINERY	928.46						
1	PS0646646	09/26/24 3000 BEARING	876.30			1000 430000	427		101000
2	PS0646278	09/20/24 7201 CONSUMER CMDTY	52.16			6025 450000	427		101000
121044		39 BUTLER MACHINERY	21,593.13						
1	WO0275100	09/28/24 3000 ENGINE REPAIR	21,593.13			1000 430000	427		101000
		Total for Vendor:	22,521.59						
121035		4508 CARE RESOURCE CONNECTION	3,000.00						
1	7450	09/30/24 FD 10/01 thru 10/31 Period	3,000.00			2060 415200	307		101000
		Total for Vendor:	3,000.00						
121036		5446 CAREER SURVIVAL GROUP	8,725.00						
		6 sessions of Firefighter Career Survival Training							
1	WF 2024-1	09/16/24 FD (6) sessions of training	8,725.00			2060 415200	340		101000
		Total for Vendor:	8,725.00						
120920		4505 CASEY SANDERS	127.97						
		Econ Dev Assoc of ND Annual Conference - Bismarck							
1		08/19/24 Mileage reimb	127.97			1000 414000	340		101000
		Total for Vendor:	127.97						
120818		46 CASS RURAL WATER USERS	30.78						
1	6482	Sept 09/25/24 6482 - WF Airport Water	30.78			7050 500000	420		101000
		Total for Vendor:	30.78						
120825		2909 CC STEEL LLC	429,289.29						
1	Pay App 2	09/17/24 Project 1348	429,289.29			4444 480000	670		101000
120826		2909 CC STEEL LLC	440,494.17						
1	Pay App 3	09/24/24 Project 1349	440,494.17			4445 480000	670		101000
		Total for Vendor:	869,783.46						

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120996		3216 CINTAS	125.77						
1	4206692191	09/30/24 RUG SERVICE	125.77			1000 455000	420		101000
		Total for Vendor:	125.77						
120890		111 CITY OF FARGO	24,838.92						
1	467319	09/18/24 LANDFILL FEES	24,838.92			6010 450200	355		101000
121048		111 CITY OF FARGO	24,726.81						
1	467814	09/25/24 LANDFILL FEES	24,726.81			6010 450200	355		101000
		Total for Vendor:	49,565.73						
120819		3167 CITY OF WEST FARGO	75.56						
1	02066	Sept 09/19/24 Airport Dumpster	75.56			7050 500000	420		101000
120916	114245S	3167 CITY OF WEST FARGO	375.22						
		Transfer from UB account to AR (Inv #17871)							
1	10/02/24	UB xfer pmt	375.22			6020 214100			101000
		Total for Vendor:	450.78						
120850		1904 CODE 4 SERVICES, INC	5,177.39						
1	9973	09/24/24 #1213 k9 install	5,177.39			1000 421000	610		101000
		Total for Vendor:	5,177.39						
121031		133 COLE PAPERS	1,611.28						
1	10486646	09/18/24 PAPER PRODUCTS - PD	745.66			1000 455000	500		101000
2	10486647	09/18/24 PAPER PRODUCTS - CH	505.22			1000 455000	500		101000
3	10486648	09/18/24 PAPER PRODCUTS - PW	360.40			6020 450000	500		101000
		Total for Vendor:	1,611.28						
120802		5293 COLUMN SOFTWARE PBC	88.16						
1	1442-0050	09/18/24 General Public Notice	44.08			1000 418000	668		101000
2	1442-0051	09/19/24 General Public Notice	44.08			1000 418000	668		101000

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120808		5293 COLUMN SOFTWARE PBC	205.20						
1	09/05/24	ND Bids/Proposals	205.20			4065 480000	670		101000
		71CF4B85-0006							
120836		5293 COLUMN SOFTWARE PBC	391.40						
1	1442-0049	09/17/24 LCB PH for Unhynged	9.12			1000 415000	668		101000
2	1442-0048	09/17/24 LCB PH for Shy Bar	9.12			1000 415000	668		101000
3	1442-0047	09/17/24 LCB PH for The Sandbox	10.64			1000 415000	668		101000
4	1442-0046	09/17/24 LCB PH for Louies	9.88			1000 415000	668		101000
5	1442-0043	08/20/24 8/5 City Commission Meeting	186.20			1000 415000	344		101000
6	1442-0042	08/06/24 7/15 City Commission Meetin	137.56			1000 415000	344		101000
7	1442-0041	07/31/24 Sept City Comm Mtg Changes	22.04			1000 415000	668		101000
8	1442-0052	09/24/24 9/30 Special LCB Meeting	6.84			1000 415000	668		101000
121059		5293 COLUMN SOFTWARE PBC	45.60						
1	1442-0053	10/02/24 General Public Notice	45.60			1000 418000	668		101000
		Total for Vendor:	730.36						
121087		229 CONSOLIDATED COMMUNICATIONS	4,151.30						
1	Oct 2024	10/01/24 701-433-5400/0 Phones	453.20			1000 415000	356		101000
2	Oct 2024	10/01/24 701-150-1128/0 Phones	3,698.10			1000 415000	356		101000
		Total for Vendor:	4,151.30						
121024		4108 CONSOLIDATED ELECTRICAL	102.00						
1	3481067133	09/20/24 VFW PLAZA WET LOC	102.00			2310 452120	420		101000
		Total for Vendor:	102.00						
120928		3245 CORE & MAIN	3,925.05						
1	V733256	10/01/24 HYD MARKERS	681.20			6020 450000	438		101000
2	V699784	09/25/24 ALPHA 8 CPLG	1,293.00			6025 450000	439		101000
3	V693424	09/26/24 TERMINAL SCREWS	711.60			6020 450000	429		101000
4	V691108	09/24/24 CPLG EPXY B&G	896.30			6020 450000	438		101000
5	V582185	09/20/24 GASKETS	98.10			6020 450000	429		101000
6	V700032	09/25/24 SHOVELS	70.86			6025 450000	432		101000
7	V695509	09/24/24 WRENCHES	173.99			6025 450000	432		101000

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121081		3245 CORE & MAIN	507.00						
1	V746599	10/02/24 Locator tools	507.00			6020 450000	412		101000
		Total for Vendor:	4,432.05						
120852		47 CORWIN CHRYSLER	932.52						
1	337782	09/27/24 #1186 repairs	932.52			1000 421000	427		101000
		Total for Vendor:	932.52						
120835		5150 CREATIVE MINDS PRESCHOOL AND	1,078.00						
1	09/27/24	Child Care Grant	1,078.00			2960 411900	416		101000
		Total for Vendor:	1,078.00						
121058		3500 CUMMINS SALES AND SERVICE	1,152.00						
1	E8-2409102	09/30/24 FD L-75 Throttle Repair	1,152.00			2060 415200	420		101000
60									
		Total for Vendor:	1,152.00						
121076		65 CURT'S LOCK & KEY	462.50						
1	400233	10/04/24 master locks	462.50			2975 421000	641	18	101000
		Total for Vendor:	462.50						
121037		5319 DAKOTA CHILDREN'S ADVOCACY	511.88						
1	25138	07/31/24 FD Annual Mental Health Physic	511.88			2060 415200	996		101000
		Total for Vendor:	511.88						
120981		79 DAKOTA HOSE & EQUIP	154.24						
1	3207879	09/30/24 HARDWARE	133.90			6025 450000	433		101000
2	3207556	09/24/24 HARDWARE	20.34			6020 450000	438		101000
		Total for Vendor:	154.24						
120929		624 DAKOTA SUPPLY GROUP	646.86						
1	104089212	10/01/24 COUPLING	646.86			6020 450000	438		101000

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121010		624 DAKOTA SUPPLY GROUP	130.40						
1	104089360	09/24/24 WIRENUT SPR 750/JUG	130.40			1000 430002	391		101000
		Total for Vendor:	777.26						
120824		90 DAKOTA UNDERGROUND	1402,875.42						
1	Pay App 3	09/17/24 Project 1345	1402,875.42			4009 480000	670		101000
		Total for Vendor:	1402,875.42						
121090		3050 DAKOTA UPREIT LIMITED	7,812.38						
		Pioneer Center - Oct rent							
1	00033519	10/01/24 Common Area - Oct	2,402.29			1001 415000	389		101000
2	00033519	10/01/24 Base Rent - Oct	5,410.09			1001 415000	389		101000
		Total for Vendor:	7,812.38						
120959		5094 DALSIN ROOFING CO	417.51						
1	16549	09/25/24 ROOF REPAIR	417.51			6010 450200	420		101000
		Total for Vendor:	417.51						
121097		4768 Darin Underhill	158.81						
1	2024	09/27/24 IAAI Annual Conf. Grand Forks	158.81			2060 415200	340		101000
		Total for Vendor:	158.81						
120794		856 DAVE'S WEST FARGO TIRE	258.98						
1	128174	09/20/24 #1196 tire repair	258.98			1000 421000	427		101000
120845		856 DAVE'S WEST FARGO TIRE	258.98						
1	128307	09/30/24 #1191 tire install	258.98			1000 421000	427		101000
		Total for Vendor:	517.96						
120963		999999 DAVID NOVOTNY	300.00						
		Tree Planting Permit - 493 34th Way E							
1	10/03/24	Tree - 493 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						

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121047		2377 DAVID SAPP	745.21						
		Pierce Training in Appleton WI							
1	2024 09/25/24	Lodging, car rental, per diem	745.21			2060 415200	340		101000
		Total for Vendor:	745.21						
120973		999999 DEBBIE PEDERSON	300.00						
		Tree Planting Permit - 1276 Rachel Dr W							
1	10/03/24	Tree - 1276 Rachel Dr W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120952		999999 DONALD ROEHRICH	300.00						
		Tree Planting Permit - 526 34th Way E							
1	10/03/24	Tree - 526 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120859		2225 DTN, LLC	2,441.25						
1	77034 09/20/24	WEATHER BILLING (JUNE)	488.25			1000 450000	497		101000
2	77134 09/20/24	WEATHER BILLING (JULY)	488.25			1000 450000	497		101000
3	77269 09/23/24	WEATHER BILLING (AUGUST)	488.25			1000 450000	497		101000
4	77440 09/23/24	WEATHER BILLING (SEPTEMBER)	488.25			1000 450000	497		101000
5	77512 09/23/24	WEATHER BILLING (OCTOBER)	488.25			1000 450000	497		101000
		Total for Vendor:	2,441.25						
120881		2100 EAGLE RUN CROSSING	168.45						
1	2771 09/19/24	5424 UNLEADED	43.35			1000 430001	424		101000
2	574 09/12/24	GAS CAN UNLEADED	15.45			6025 450000	424		101000
3	3799 09/23/24	3401 PREMIUM	16.90			1000 430001	424		101000
4	2633 09/19/24	7037 UNLEADED	92.75			6025 450000	424		101000
		Total for Vendor:	168.45						
120913		3268 EDEN K9 CONSULTING & TRAINING	522.00						
1	SI2636 10/01/24	KATS platinum	522.00			1000 421000	497		101000
		Total for Vendor:	522.00						

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120806		1502 EIDE BAILLY LLP	614.25						
3	EI01731742	08/30/24 PW Background Checks	297.00			1000 450000	399		101000
4	EI01731742	08/30/24 Finance Background Check	126.00			1000 414100	399		101000
5	EI01731742	08/30/24 Library Background Check	72.00			7000 411600	399		101000
6	EI01731742	08/30/24 PD Credit Checks	90.00			1000 421000	399		101000
7	EI01731742	08/30/24 Technology Fee	29.25			1000 414103	399		101000
		Total for Vendor:	614.25						
120923		545 ELECTRIC PUMP LLC	160.00						
1	025772	09/09/24 PUMP	160.00			6025 450000	825		101000
		Total for Vendor:	160.00						
121088		5451 ENCLAVE COMPANIES	6,175.00						
1	2400901-IN	04/30/24 Reimb for Legend Tech Invo	6,175.00			4009 480000	670		101000
		Total for Vendor:	6,175.00						
120795		2862 ESSENTIA HEALTH FD	3,544.32						
1		09/23/24 annual physical	2,719.00			1000 421000	996		101000
	890002547.09.2024								
2		09/23/24 pre-employment	615.00			1000 421000	387		101000
	89002547.09.2024								
3		09/23/24 heart screen	78.87			1000 421000	387		101000
	890002547.09.2024.03								
4		09/23/24 heart screen	78.87			1000 421000	387		101000
	890002547.09.2024.01								
5		09/23/24 heart screen	52.58			1000 421000	387		101000
	890002547.09.2024.02								
120804		2862 ESSENTIA HEALTH FD	919.00						
		Pre-employment/random drug screens							
1		09/23/24 Jacob A - Police	65.00			1000 421000	387		101000
	890000526.09.2024								
2		09/23/24 Nathanael P - Sewer	60.00			6025 450000	387		101000
	890000526.09.2024								
3		09/23/24 Anthony R - Sanitation	91.00			6010 450200	387		101000
	890000526.09.2024								

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4	09/23/24	Bruce R - Sanitation	60.00			6010 450200	387		101000
890000526.09.2024									
5	09/23/24	Katie R - Library	62.00			7000 411600	399		101000
890000526.09.2024									
6	09/23/24	Zachery S - PW	60.00			1000 450000	387		101000
890000526.09.2024									
7	09/23/24	Ryan B - Street	60.00			1000 430000	387		101000
890000526.09.2024									
8	09/23/24	Breanna G - Forestry	70.00			2210 428000	387		101000
890000526.09.2024									
9	09/23/24	Adam M - Sanitation	60.00			6010 450200	399		101000
890000526.09.2024									
10	09/23/24	Brandy W - ROW	60.00			1000 430001	399		101000
890000526.09.2024									
11	09/23/24	Adam K - Sewer	60.00			6025 450000	399		101000
890000526.09.2024									
12	09/23/24	Justin D - Street	60.00			1000 430000	387		101000
890000526.09.2024									
13	09/23/24	Jeremy D - PW	60.00			1000 450000	387		101000
890000526.09.2024									
14	09/23/24	Michael K - Water	91.00			6020 450000	387		101000
890000526.09.2024									
Total for Vendor:			4,463.32						
121001		1851 F/S MANUFACTURING	83.24						
1	200582 09/18/24	HARDWARE	83.24			6010 450200	433		101000
Total for Vendor:			83.24						
120999		3344 FACTORY MOTOR PARTS	164.48						
1	110096823 09/23/24	CABLE TIES	5.99			1000 455000	433		101000
2	371225732 09/24/24	CABLE TIES/THREADLOCK	158.49			1000 455000	433		101000
Total for Vendor:			164.48						
120874		660 FARGO FREIGHTLINER	66.79						
1	X101158892 09/20/24	3100 TURN SIGNAL SWITCH RE	-168.99			1000 430000	427		101000
2	X101160432 09/23/24	407 SPRING BRAKE VALVE	235.78			6010 450200	427		101000

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120937		660 FARGO FREIGHTLINER	46.17						
1	X101161274	10/02/24 415 HOSE/CLAMP	35.59			6010 450200	427		101000
2	X101161274	10/02/24 415 HOSE/CLAMP - RET	-35.59			6010 450200	427		101000
3	X101161292	10/02/24 415 HOSE/CLAMP	46.17			6010 450200	427		101000
		Total for Vendor:	112.96						
120900		897 FARGO GLASS AND PAINT CO.	200.00						
1	1455547	09/27/24 PAINT	200.00			6010 450200	914		101000
		Total for Vendor:	200.00						
120893		136 FARGO TRAILER CENTER	52.02						
1	06P45504	09/26/24 CLEVIS HOOK	52.02			6010 450200	420		101000
		Total for Vendor:	52.02						
120873		124 FASTENAL	37.98						
1	305968	09/19/24 PIPE TAP	37.98			6025 450000	433		101000
120924		124 FASTENAL	2,068.10						
1	306370	09/26/24 TOOLS	2,068.10			6025 450000	825		101000
		Total for Vendor:	2,106.08						
121049		151 FEDERAL EXPRESS	24.50						
1	863822471	10/02/24 2 pkgs	24.50			1000 421000	661		101000
		Total for Vendor:	24.50						
120962		3792 FERGUSON ENTERPRISES LLC 1657	75.00						
1	889077	09/09/24 3 BLK MI 150#	75.00			1000 430000	427		101000
		Total for Vendor:	75.00						
121013		5138 FLEXIBLE PIPE TOOLS & EQUIPMENT	709.95						
1	30577	09/24/24 FIBERGLASS POLES/4 PRONG RAKE	709.95			6025 450000	432		101000
		Total for Vendor:	709.95						

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120863		2499 FM CONVENTION & VISITORS BUREAU	30,573.48						
1	Aug 24 08/31/24	Lodging Tax 2%	30,573.48			2141 411500	533		101000
120864		2499 FM CONVENTION & VISITORS BUREAU	15,286.72						
2	Aug 24 08/31/24	Lodging Tax 1%	15,286.72			2141 411500	653		101000
		Total for Vendor:	45,860.20						
121083		104 FORUM COMMUNICATIONS	575.00						
1	00037610 07/31/24	West Fargo Focus	575.00			1000 414102	602		101000
		Total for Vendor:	575.00						
120790		155 GALLS, LLC	186.60						
1	029134296 09/20/24	badge for roll	90.60			1000 421000	422		101000
2	029133727 09/20/24	name tag for cadet	96.00			1000 421000	375		101000
120846		155 GALLS, LLC	257.91						
1	029128775 09/20/24	uniforms for ostlund	171.98			1000 421000	422		101000
2	029158991 09/24/24	equip for casperson	25.94			1000 421000	422		101000
3	029147622 09/23/24	gloves for borg	59.99			1000 421000	422		101000
120912		155 GALLS, LLC	57.24						
1	029194713 09/27/24	equip for nielsen	57.24			1000 421000	422		101000
121051		155 GALLS, LLC	340.92						
1	029216566 09/30/24	flashlight for sorensen	162.86			1000 421000	422		101000
2	029214864 09/30/24	equip for balvik	178.06			1000 421000	422		101000
121064		155 GALLS, LLC	146.19						
1	029227108 10/01/24	items for carlson	248.80			1000 421000	422		101000
2	029243409 10/02/24	return shipping - young	7.99			1000 421000	422		101000
3	029244285 10/02/24	credit - young	-110.60			1000 421000	422		101000
121066		155 GALLS, LLC	671.16						
1	029022384 09/09/24	D Underhill Pants	69.04			2060 415200	422		101000
2	029134476 09/20/24	Cr. for overcharge of posta	-16.63			2060 415200	422		101000
3	029052427 09/12/24	K Frost Pants	172.60			2060 415200	422		101000

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4	029092526	09/17/24 B Temp Boots	186.96			2060 415200	422		101000
5	029074681	09/14/24 Return Lable for Bike Short	7.99			2060 415200	422		101000
6	029092526	09/17/24 A Wagemann Polo shirt	71.75			2060 415200	422		101000
7	029092526	09/17/24 T Matelski pants	153.00			2060 415200	422		101000
8	029092526	09/17/24 S/H for order	26.45			2060 415200	422		101000
		Total for Vendor:	1,660.02						
120978	999999	GARY BROWN	300.00						
		Tree Planting Permit - 413 38th Ave E							
1	10/03/24	Tree - 413 38th Ave E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120953	93	GATEWAY CHEVROLET	112.46						
1	1273604	10/01/24 5302 S CAP	6.79			1000 430001	427		101000
2	1273576	10/01/24 7601 SWITCH/MODULE	105.67			4387 480000	427		101000
		Total for Vendor:	112.46						
120896	4321	GO PROMO LLC	1,277.10						
1	44942	09/26/24 HATS - ST	322.50			1000 430000	422		101000
2		HATS - WA	154.80			6020 450000	422		101000
3		HATS - SW	154.80			6025 450000	422		101000
4		HATS - BG	154.80			1000 455000	422		101000
5		HATS - SA	322.50			6010 450200	422		101000
6		HATS - RW	103.20			1000 430001	422		101000
7		HATS - FO	64.50			2210 428000	422		101000
		Total for Vendor:	1,277.10						
120926	556	GRAINGER, INC.	55.49						
1	9266317453	10/01/23 WEX FIT UP	26.23			2970 480000	653		101000
2	9266317487	10/01/24 GRINDER BLADE	29.26			1000 455000	432		101000
121106	556	GRAINGER, INC.	249.84						
1	9257512450	09/23/24 4 Quick connects for steam	249.84			2060 415200	420		101000
		Total for Vendor:	305.33						

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120964		999999 GREG HARRISON	300.00						
		Tree Planting Permit - 489 34th Way E							
1	10/03/24	Tree - 489 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120907		2318 HABERDASHERY	282.97						
1	72856 08/20/24	New Emp Clothing - Eng	282.97			1000 414200	422		101000
		Total for Vendor:	282.97						
120851		2713 HAMPTON INN & SUITES	577.80						
2	NQRU419 09/26/24	lodging - glaser	192.60			1000 421000	340		101000
3	NQRU415 09/26/24	lodging - larson	192.60			1000 421000	340		101000
4	NQRU421 09/26/24	lodging - heitkamp	192.60			1000 421000	340		101000
121007		2713 HAMPTON INN & SUITES	192.60						
1	NQRU-422 09/26/24	lodging - johanneck	192.60			1000 421000	340		101000
		Total for Vendor:	770.40						
120892		135 HAWKINS WTR TREATMENT	6,685.67						
1	6870353 09/23/24	AQUAHAWK	6,685.67			6025 450000	423		101000
120935		135 HAWKINS WTR TREATMENT	6,685.67						
1	6879138 10/01/24	AQUAHAWK	6,685.67			6025 450000	423		101000
		Total for Vendor:	13,371.34						
121065		1310 HERO SCHEDULE LLC	300.00						
1	41002 10/01/24	oct 2024 user fee	300.00			1000 421000	497		101000
121094		1310 HERO SCHEDULE LLC	153.00						
1	41001 10/01/24	FD October 24 Payroll Charge	153.00			2060 415200	497		101000
		Total for Vendor:	453.00						
120827		4619 HERZOG ROOFING INC	362,002.61						
1	Pay App 7 08/31/24	WF Fire Dept Project	362,002.61			4795 480000	670		101000
		Total for Vendor:	362,002.61						

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120803		2820 HIGH POINT NETWORKS	500.00						
1	257684	09/23/24 WEX fit-up	500.00			2970 480000	653		101000
120815		2820 HIGH POINT NETWORKS	7,583.63						
1	257769	09/23/24 WEX camera project	7,583.63			2970 480000	653		101000
121054		2820 HIGH POINT NETWORKS	12,880.00						
		New City Hall Network Installation							
1	258139	09/30/24 Project 4817	12,880.00			2970 480000	653		101000
121098		2820 HIGH POINT NETWORKS	1,400.00						
1	258111	09/30/24 New HQ Intercom Install	1,400.00			2060 415200	497		101000
		Total for Vendor:	22,363.63						
120914		3593 HOLIDAY COMPANIES	20.00						
1	09/30/24	sept 2024 car wash	20.00			1000 421000	420		101000
	063501102400								
		Total for Vendor:	20.00						
120828		4978 HOUSE OF GLASS	18,880.50						
		WF Fire Dept							
1	Pay App 4	08/31/24 WF Fire Dept Project	18,880.50			4795 480000	670		101000
		Total for Vendor:	18,880.50						
121028		358 HUBERT OYE-SONS CONST.	2,178.28						
1	1212160	09/20/24 PROJ 2287	100.00			4099 480000	670		101000
2	1212189	09/23/24 HOT MIX ASPHALT	823.40			1000 430000	722		101000
3	1212192	09/26/24 HOT MIX ASPHALT	1,254.88			6020 450000	438		101000
		Total for Vendor:	2,178.28						
120696	114182S	2102 IACP	875.00						
1	01629275	07/17/24 annual membership	875.00			1000 421000	497		101000
		Total for Vendor:	875.00						

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121004		4592 INGRAM LIBRARY SERVICES	4,291.18						
1	83850037	09/20/24 BOOKS	12.78			7000 411600	662		101000
2	83850038	09/20/24 BOOKS	24.48			7000 411600	662		101000
3	83850039	09/20/24 BOOKS	73.03			7000 411600	662		101000
4	83850040	09/20/24 BOOKS	26.39			7000 411600	662		101000
5	83850041	09/20/24 BOOKS	66.34			7000 411600	662		101000
6	83850042	09/20/24 BOOKS	13.75			7000 411600	662		101000
7	83850043	09/20/24 BOOKS	14.27			7000 411600	662		101000
8	83873826	09/23/24 BOOKS	20.73			7000 411600	662		101000
9	83873827	09/23/24 BOOKS	12.12			7000 411600	662		101000
10	83873828	09/23/24 BOOKS	60.99			7000 411600	662		101000
11	83873829	09/23/24 BOOKS	20.48			7000 411600	662		101000
12	83873830	09/23/24 BOOKS	16.47			7000 411600	662		101000
13	83873831	09/23/24 BOOKS	10.82			7000 411600	662		101000
14	83898329	09/24/24 BOOKS	98.92			7000 411600	662		101000
15	83920021	09/25/24 BOOKS	95.75			7000 411600	662		101000
16	83920022	09/25/24 BOOKS	101.19			7000 411600	662		101000
17	83920023	09/25/24 BOOKS	53.85			7000 411600	662		101000
18	83920024	09/25/24 BOOKS	42.41			7000 411600	662		101000
19	83920025	09/25/24 BOOKS	43.12			7000 411600	662		101000
20	83920026	09/25/24 BOOKS	238.13			7000 411600	662		101000
21	83920027	09/25/24 BOOKS	833.39			7000 411600	662		101000
22	83920028	09/25/24 BOOKS	146.13			7000 411600	662		101000
23	83920029	09/25/24 BOOKS	961.58			7000 411600	662		101000
24	83920030	09/25/24 BOOKS	11.98			7000 411600	662		101000
25	83920031	09/25/24 BOOKS	22.77			7000 411600	662		101000
26	83920032	09/25/24 BOOKS	13.79			7000 411600	662		101000
27	83920033	09/25/24 BOOKS	15.74			7000 411600	662		101000
28	83947475	09/26/24 BOOKS	98.92			7000 411600	662		101000
29	83962510	09/27/24 BOOKS	28.72			7000 411600	662		101000
30	83962511	09/27/24 BOOKS	20.82			7000 411600	662		101000
31	83962512	09/27/24 BOOKS	20.24			7000 411600	662		101000
32	83962513	09/27/24 BOOKS	13.80			7000 411600	662		101000
33	83962514	09/27/24 BOOKS	28.95			7000 411600	662		101000
34	83962515	09/27/24 BOOKS	11.43			7000 411600	662		101000
35	83973530	09/27/24 BOOKS	45.52			7000 411600	662		101000

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36	83973531	09/27/24 BOOKS	32.56			7000 411600	662		101000
37	83973532	09/27/24 BOOKS	49.28			7000 411600	662		101000
38	83973533	09/27/24 BOOKS	156.79			7000 411600	662		101000
39	83973534	09/27/24 BOOKS	472.92			7000 411600	662		101000
40	83973535	09/27/24 BOOKS	246.08			7000 411600	662		101000
41	83973536	09/27/24 BOOKS	32.11			7000 411600	662		101000
42	83933980	09/25/24 BOOKS (CREDIT)	-18.36			7000 411600	662		101000
Total for Vendor:			4,291.18						
120993		1012 INTERSTATE POWER SYSTEMS, INC	35.05						
1	2104096	09/27/24 262 PLUG ASSY	9.80			6020 450000	427		101000
2	2103987	09/23/24 262 PLUG ASSY	25.25			6020 450000	427		101000
Total for Vendor:			35.05						
121041		233 J & L SPORTS	2,921.00						
1	33258	10/02/24 WINTER JACKETS - ST	859.00			1000 430000	422		101000
2		WINTER JACKETS - SA	595.00			6010 450200	422		101000
3		WINTER JACKETS - RW	234.00			1000 430001	422		101000
4		WINTER JACKETS - SW	361.00			6025 450000	422		101000
5		WINTER JACKETS - BG	234.00			1000 455000	422		101000
6		WINTER JACKETS - WA	234.00			6020 450000	422		101000
7		WINTER BEANIES - ST	50.00			1000 430000	422		101000
8		WINTER BEANIES - SA	50.00			6010 450200	422		101000
9		WINTER BEANIES - WA	50.00			6020 450000	422		101000
10		WINTER BEANIES - SW	50.00			6025 450000	422		101000
11		SCREEN PRINTING - ST	44.00			1000 430000	422		101000
12		SCREEN PRINTING - SA	40.00			6010 450200	422		101000
13		SCREEN PRINTING - RW	40.00			1000 430001	422		101000
14		SCREEN PRINTING - SW	40.00			6025 450000	422		101000
15		SCREEN PRINTING - WA	40.00			6020 450000	422		101000
Total for Vendor:			2,921.00						
120945		999999 JAMES HELGESON	300.00						
		Tree Planting Permit - 505 34th Way E							
1		10/03/24 Tree - 505 34th Way E	300.00			5000 422000	490		101000
Total for Vendor:			300.00						

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120897		5137 JODI ROLLE	51.72						
1	09/30/24	Mileage 09/01/24-09/30/24	51.72			1000 414100	340		101000
		Total for Vendor:	51.72						
121067		3526 JOHN NEEB	157.98						
1	2024 09/30/24	Mika Products	27.98			2060 415200	915		101000
2	2024 09/27/24	IAAI ND Conference Grand Forks	130.00			2060 415200	340		101000
		Total for Vendor:	157.98						
121025		2798 JOHNSON CONTROLS	296.15						
1	4125158007 09/24/24	LIEBERT UNIT REPAIR - PD	296.15			1000 455000	420		101000
		Total for Vendor:	296.15						
120909		2709 JOHNSON'S / VIGEN'S LAWN SERVICE	170.00						
1	423508 10/02/24	abatement 6118 Martin Ln W	170.00			1000 415000	555		101000
		Total for Vendor:	170.00						
120822		5396 JUSTFOIA INC	185.00						
Final 50%									
1	PS19773 09/26/24	JustFOIA Pro Plus	185.00			1000 416200	497		101000
		Total for Vendor:	185.00						
121014		5101 KARL EMERGENCY VEHICLES	140.24						
1	343317324 09/20/24	A KRAJEWSKI BOOTS	140.24			6025 450000	422		101000
		Total for Vendor:	140.24						
121091		999999 KEVIN COLES	300.00						
		Tree Planting Permit - 530 34th Way E							
1	10/04/24	Tree - 530 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120947		999999 KEVIN MELANDER	300.00						
		Tree Planting Permit - 525 34th Way E							
1	10/03/24	Tree - 525 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						

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120868		2752 KOST MATERIALS, LLC	13,950.00						
1	132414	09/19/24 4000 COMMERCIAL EXT	13,950.00			6020 450000	438		101000
		Total for Vendor:	13,950.00						
120918	-98958E	4482 KOTAPAY	3,779.90						
	10/04/24	payroll							
1	10/04/24	Child Support	3,779.90			1000 212549			101000
		Total for Vendor:	3,779.90						
120855		5444 KRISTEN HEITKAMP	22.00						
1	09/26/24	meal reimb	22.00			1000 421000	340		101000
		Total for Vendor:	22.00						
120995		277 LARSONS WELDING/MACHINE	550.00						
1	81469	09/27/24 3000 PINS	550.00			1000 430000	427		101000
		Total for Vendor:	550.00						
120805		4767 LENOVO (UNITED STATES) INC.	242.00						
1	6469254259	09/20/24 2 Monitors - Ali H	242.00			1000 418000	497		101000
		Total for Vendor:	242.00						
120832		1741 LIBERTY BUSINESS SYSTEMS, INC	1,054.10						
1	37525560	09/25/24 Sept 2024 CH 1st Floor	156.05			1000 415000	428		101000
2	37525561	09/25/24 Sept 2024 CH 1st Floor	126.15			1000 415000	428		101000
3	37525561	09/25/24 Sept 2024 City Hall	145.55			1000 415000	428		101000
4	37525561	09/25/24 Sept 2024 Public Works	273.88			6020 450000	428		101000
5	37525561	09/25/24 Sept 2024 Police	352.47			1000 421000	428		101000
		Total for Vendor:	1,054.10						
121068		3418 LOFFLER	354.25						
1	4785445	08/26/24 FD August Usage Billing	261.19			2060 415200	428		101000
2	4812755	09/24/24 FD September Usage Billing	93.06			2060 415200	428		101000
		Total for Vendor:	354.25						

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120976	999999	LORI DOELE	300.00						
		Tree Planting Permit - 407 38th Ave E							
1	10/03/24	Tree - 407 38th Ave E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
121002	711	LUTHER FAMILY FORD	769.53						
1	393070	09/30/24 1178 MOULDIN	57.62			1000 421000	427		101000
2	392915	09/26/24 1176 HEATER	582.20			1000 421000	427		101000
3	392883	09/25/24 1173 A KIT	55.19			1000 421000	427		101000
4	251064	09/23/24 6014 SENSOR	74.52			2210 428000	427		101000
		Total for Vendor:	769.53						
120949	999999	LYLE ROESLER	300.00						
		Tree Planting Permit - 509 34th Way E							
1	10/03/24	Tree - 509 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120971	3304	MAC'S - FARGO	25.99						
1	H98912	08/28/24 HARDWARE	25.99			1000 430002	391		101000
		Total for Vendor:	25.99						
121099	3536	MACQUEEN EMERGENCY	771.94						
1	p11589	09/30/24 L-75 Hyd Outriggers	488.50			2060 415200	420		101000
2	p11575	09/29/24 L-75 Repair Aerial Drain	283.44			2060 415200	420		101000
		Total for Vendor:	771.94						
120831	68	MANNING MECHANICAL	259,572.30						
1	Pay App 20	08/31/24 WF Fire Dept Project	259,572.30			4795 480000	670		101000
		Total for Vendor:	259,572.30						
120988	5349	MARCO TECHNOLOGIES, LLC	831.34						
1	37543074	09/27/24 PRINTERS LEASE & USAGE	831.34			7000 411600	428		101000
		Total for Vendor:	831.34						

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120854		1407 MARGY LARSON	22.00						
1	09/26/24	meal reimb	22.00			1000 421000	340		101000
		Total for Vendor:	22.00						
120950		999999 MARK ADAMSON	300.00						
		Tree Planting Permit - 534 34th Way E							
1	10/03/24	Tree - 534 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120801		3488 MARK HOUSH	90.00						
		NDBOA - 09/17/24-09/19/24 - Dickinson							
1	09/19/24	Travel reimb - NDBOA	90.00			1000 418000	340		101000
		Total for Vendor:	90.00						
120796		5206 MENARDS (POLICE)	94.70						
1	39930 09/18/24	ww electrical	52.76			2975 421000	427	18	101000
2	39865 09/17/24	ww electrical	41.94			2975 421000	427	18	101000
120797		5206 MENARDS (POLICE)	8.28						
1	40351 09/24/24	ww remodel electrical	8.28			2975 421000	427	18	101000
		Total for Vendor:	102.98						
120876		4622 MENARDS (PUBLIC WORKS)	14.81						
1	40768 09/30/24	PROJ 2285	68.54			4097 480000	670		101000
2	40504 09/26/24	RECIP BLADES	30.46			6020 450000	432		101000
3	40371 09/24/24	SHOP SUPPLIES	512.22			1000 455000	433		101000
4	39857 09/17/24	HARDWARE/SEALANT	323.48			1000 455000	420		101000
5	19893 12/14/23	ACCT CREDIT	-25.36			6010 450200	433		101000
6	40291 09/23/24	LP TANK EXCHANGE	39.84			1000 430000	722		101000
7	40023 09/19/24	HARDWARE	23.25			6020 450000	432		101000
8	40019 09/19/24	SCOOP SHOVELS	128.97			2210 428000	432		101000
9	40275 09/23/24	HARDWARE	9.77			6025 450000	439		101000
10	40280 09/23/24	TRASH CAN	27.97			6025 450000	433		101000
11	40031 09/19/24	HARDWARE/RECIP BLADE	27.11			6025 450000	439		101000
12	40014 09/19/24	HARDWARE	18.73			6025 450000	439		101000
13	40048 09/19/24	VFW PLAZE BULBS	34.87			2310 452120	420		101000

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14	16882	07/12/24 RETURN CREDITS	-839.97			6025 450000	432		101000
15	17518	07/12/24 RETURN CREDITS	-105.93			1000 430002	527		101000
16	17755	07/12/24 RETURN CREDITS	-134.94			1000 430002	527		101000
17	18003	07/12/24 RETURN CREDITS	-14.97			6020 450000	500		101000
18	18128	07/12/24 RETURN CREDITS	-40.90			6020 450000	420		101000
19	18073	07/12/24 RETURN CREDITS	-15.99			1000 430000	487		101000
20	18129	07/12/24 RETURN CREDITS	-14.35			1000 450000	420		101000
21	18635	07/12/24 RETURN CREDITS	-28.61			6020 450000	432		101000
22	36046	07/24/24 RETURN CREDITS	-9.38			6020 450000	420		101000
120908		4622 MENARDS (PUBLIC WORKS)	188.78						
1	36543	07/31/24 IT Tools	188.78			1000 414104	410		101000
120927		4622 MENARDS (PUBLIC WORKS)	69.74						
1	40847	10/01/24 WEX FIT UP	31.92			2970 480000	653		101000
2	40785	09/30/24 HARDWARE	37.82			6020 450000	432		101000
120931		4622 MENARDS (PUBLIC WORKS)	57.36						
1	40783	09/30/24 CONCRETE MIX	57.36			1000 430000	722		101000
120939		4622 MENARDS (PUBLIC WORKS)	107.33						
1	40498	09/26/24 HARDWARE	56.89			1000 455000	420		101000
2	40534	09/26/24 CLEANING SUPPLIES	50.44			1000 455000	500		101000
Total for Vendor:			438.02						
120853		4234 MICHELLE GLASER	22.00						
1	09/26/24	meal reimb	22.00			1000 421000	340		101000
Total for Vendor:			22.00						
120813		2766 MIDCONTINENT COMMUNICATIONS	235.26						
1	14291	09/23/24 191305202 - 3050 Sheyenne	235.26			2310 452120	497		101000
120834		2766 MIDCONTINENT COMMUNICATIONS	335.81						
1	09/23/24	sept 2024 ICAC	215.42			1000 421000	497		101000
22121930114291									
2	09/23/24	sept 2024 pw	120.42			6010 450200	497		101000
22121930114291									

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3	09/23/24 credit		-0.03			1000 421000	497		101000
22121930114291									
121070		2766 MIDCONTINENT COMMUNICATIONS	89.06						
1	720114303	10/01/24 PW INTERNET	89.06			1000 450000	497		101000
		Total for Vendor:	660.13						
120887		3797 MIDLAND DOOR SOLUTIONS	360.00						
1	11841 09/26/24	New door seal	360.00			7050 500000	420		101000
		Total for Vendor:	360.00						
121092		102 MIDSTATES WIRELESS	270.00						
1	6003442-1	10/03/24 L-76 Radio is dead-send for	270.00			2060 415200	497		101000
		Total for Vendor:	270.00						
120997		1854 MIDWEST TAPE	237.24						
1	506093892	09/24/24 BLU-RAY DISC	35.42			7000 411600	664		101000
2	506093891	09/24/24 DVD	27.72			7000 411600	664		101000
3	506093448	09/24/24 DVD	74.91			7000 411600	664		101000
4	506093449	09/24/24 DVD	22.47			7000 411600	664		101000
5	506093890	09/24/24 DVD	34.03			7000 411600	664		101000
6	506093894	09/24/24 DVD	42.69			7000 411600	664		101000
		Total for Vendor:	237.24						
121026		2121 MOEN PORTABLES & SEPTIC	107.50						
1	52071 09/24/24	PROJ 2287	107.50			4099 480000	670		101000
		Total for Vendor:	107.50						
121056		305 MOORE ENGINEERING INC	6,059.57						
1	40572 09/27/24	Lot Staking	6,059.57			1000 418000	520		101000
121095		305 MOORE ENGINEERING INC	119,735.27						
1	40568 09/27/24	Project 1342	2,600.27			4002 480000	313		101000
2	40549 09/27/24	CWF Task Order #2	537.50			1000 414200	313		101000
3	40570 09/27/24	Project 1349	15,206.51			4445 480000	313		101000
4	40665 09/30/24	Imp Dist 1348	33,700.51			4444 480000	313		101000
5	40567 09/27/24	Imp Dist 1345	37,587.05			4009 480000	313		101000

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6	40550	09/27/24 Imp Dist 1337	2,012.18			4086 480000	313		101000
7	40548	09/27/24 Imp Dist 1309.1	1,791.25			4387 480000	313		101000
8	40573	09/27/24 Project 9038	10,812.50			4505 480000	313		101000
9	40660	09/30/24 Project 9043	4,968.75			4445 480000	313		101000
10	40662	09/30/24 Imp Dist 3006	10,518.75			4003 480000	313		101000
		Total for Vendor:	125,794.84						
120793		688 MOTOROLA SOLUTIONS, INC	30,814.92						
1	1187131117	09/20/24 6 portable radios	30,814.92			1000 421000	641		101000
		Total for Vendor:	30,814.92						
120934		298 MVTL LABORATORIES	76.50						
1	1273882	10/02/24 WATER TESTING	76.50			6025 450000	335		101000
		Total for Vendor:	76.50						
120856		5445 MYA JOHANNECK	22.00						
1	09/26/24	meal reimb	22.00			1000 421000	340		101000
		Total for Vendor:	22.00						
120814		337 ND LEAGUE OF CITIES	275.00						
1	12973	09/23/24 Conference Reg - Sarah G	275.00			1000 414103	340		101000
		Total for Vendor:	275.00						
120812	-98964E	363 ND PERS	287,219.08						
1	09/30/24	Sept Payroll - Contributions	287,218.71			1000 212532			101000
2	09/30/24	Rounding	0.37			1000 414100	230		101000
121057	-98956E	363 ND PERS	6,874.80						
10/04/24		Payroll							
1	10/04/24	457b Def Comp - Contributions	6,874.80			1000 212532			101000
		Total for Vendor:	294,093.88						
121096		3946 NDFA	100.00						
1	2024	10/01/24 West Fargo 2025 Dues	100.00			2060 415200	667		101000
		Total for Vendor:	100.00						

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120989		756 NELCO FIRST AID	51.08						
1	015098	09/30/24 MEDICAL SUPPLY REFILL	51.08			7000 411600	672		101000
121016		756 NELCO FIRST AID	105.36						
1	015044	09/16/24 FIRST AID SUPPLIES - 40TH SHO	105.36			1000 455000	639		101000
		Total for Vendor:	156.44						
120870		5431 NEOTREKS INC	1,680.00						
1	04056	10/01/24 PLOW OPS SUBSCRIPTION (OCT)	1,680.00			1000 450000	497		101000
		Total for Vendor:	1,680.00						
120991		4765 NETWORK CABLING SERVICES, INC.	860.00						
1	09/11/24	REWIRING FOR MR1	860.00			7000 411600	497		101000
		Total for Vendor:	860.00						
121053		2261 NETWORK CENTER INCORPORATED	11,448.76						
1	INV221601	09/30/24 Troubleshoot Firewall Issue	11,448.76			1000 414104	497	18	101000
121055		2261 NETWORK CENTER INCORPORATED	6,862.00						
		Office 365 G1 - 150 licenses							
		Office 365 G3 - 221 licenses							
		MS Teams Rooms Pro - 5 licenses							
		Power BI Pro - 1 license							
		Office 365 G5 - 2 licenses							
1	INV221644	10/02/24 Microsoft 365 Subscriptions	170.60			1000 414000	497		101000
2	INV221644	10/02/24 Microsoft 365 Subscriptions	161.00			1000 414101	497		101000
3	INV221644	10/02/24 Microsoft 365 Subscriptions	115.00			1000 415000	497		101000
4	INV221644	10/02/24 Microsoft 365 Subscriptions	69.00			1000 416200	497		101000
5	INV221644	10/02/24 Microsoft 365 Subscriptions	124.60			1000 412000	497		101000
6	INV221644	10/02/24 Microsoft 365 Subscriptions	46.00			1000 414102	497		101000
7	INV221644	10/02/24 Microsoft 365 Subscriptions	253.00			1000 414200	497		101000
8	INV221644	10/02/24 Microsoft 365 Subscriptions	235.80			1000 414100	497		101000
9	INV221644	10/02/24 Microsoft 365 Subscriptions	92.00			1000 414103	497		101000
10	INV221644	10/02/24 Microsoft 365 Subscriptions	176.40			1000 414104	497		101000
11	INV221644	10/02/24 Microsoft 365 Subscriptions	226.20			1000 418000	497		101000
12	INV221644	10/02/24 Microsoft 365 Subscriptions	2,187.20			1000 421000	497		101000

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13	INV221644	10/02/24 Microsoft 365 Subscriptions	103.60			1000 430000	497		101000
14	INV221644	10/02/24 Microsoft 365 Subscriptions	51.80			1000 430001	497		101000
15	INV221644	10/02/24 Microsoft 365 Subscriptions	260.20			1000 450000	497		101000
16	INV221644	10/02/24 Microsoft 365 Subscriptions	220.60			1000 455000	497		101000
17	INV221644	10/02/24 Microsoft 365 Subscriptions	723.40			2060 415200	497		101000
18	INV221644	10/02/24 Microsoft 365 Subscriptions	42.20			2210 428000	497		101000
19	INV221644	10/02/24 Microsoft 365 Subscriptions	270.60			6010 450200	497		101000
20	INV221644	10/02/24 Microsoft 365 Subscriptions	189.80			6020 450000	497		101000
21	INV221644	10/02/24 Microsoft 365 Subscriptions	214.80			6025 450000	497		101000
22	INV221644	10/02/24 Microsoft 365 Subscriptions	489.00			7000 411600	497		101000
23	INV221644	10/02/24 Microsoft 365 Subscriptions	439.20			1000 415000	497		101000
Total for Vendor:			18,310.76						
120799	2626	NICK LEE	307.26						
Vanguard Users Group Conference - Bismarck, ND - 09/17/24-09/19/24 Hotel room billed to the City									
1	09/19/24	Travel Reimbursement	307.26			1000 414101	340		101000
Total for Vendor:			307.26						
120968	999999	NICK MITCHELL	190.00						
Tree Planting Permit - 3043 Claire Dr E									
1	10/03/24	Tree - 3043 Claire Dr E	190.00			5000 422000	490		101000
Total for Vendor:			190.00						
120951	999999	NICKI JOHNSON	300.00						
Tree Planting Permit - 501 34th Way E									
1	10/03/24	Tree - 501 34th Way E	300.00			5000 422000	490		101000
Total for Vendor:			300.00						
121105	4119	Northern Laundry Systems,	336.55						
1	8215 09/11/24	Gear Washer Maintenance	336.55			2060 415200	420		101000
Total for Vendor:			336.55						
120884	1028	NORTHERN TRUCK EQUIPMENT CORP.	140.96						
1	22720 10/01/24	EYE BOLT KIT	140.96			1000 430001	381		101000
Total for Vendor:			140.96						

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121046		141 NORTHSTAR SAFETY, INC	3,836.00						
1	PM4891-3	09/30/24 PROJ 2287	3,836.00			4099 480000	670		101000
		Total for Vendor:	3,836.00						
120883		4892 NORTHWEST TIRE INC.	149.23						
1	26050887	09/26/24 3401 TIRES	149.23			1000 430000	427		101000
120942		4892 NORTHWEST TIRE INC.	19.41						
1	26050998	10/01/24 8017 FLAT REPAIR	19.41			1000 415000	427		101000
		Total for Vendor:	168.64						
120840		5440 NORTHWEST TIRE INC. (PD)	719.39						
1	26050954	09/30/24 #1204 tire and install	719.39			1000 421000	427		101000
		Total for Vendor:	719.39						
121017		330 NORTHWESTERN EQUIP INC.	38.88						
1	54771	09/20/24 SHACKLE/CHAIN	38.88			6025 450000	432		101000
		Total for Vendor:	38.88						
120940		4744 O'REILLY AUTOMOTIVE STORES, INC	209.28						
1	1932378419	09/27/24 CLEANER	13.99			6025 450000	433		101000
2	1932379590	10/01/24 1222 FILTER	5.29			1000 421000	427		101000
3	1932379823	10/02/24 BATTERIES	308.65			1000 430000	433		101000
4	1932380008	10/02/24 BATTERIES - RETURN	-308.65			1000 430000	433		101000
5	1932379721	10/01/24 INPERSON	190.00			1000 455000	340		101000
120972		4744 O'REILLY AUTOMOTIVE STORES, INC	445.86						
1	1932375943	09/20/24 FUEL FILTER	170.49			6010 450200	427		101000
2	1932379198	09/30/24 BULBS	45.00			1000 455000	433		101000
3	1932379110	09/30/24 TOGGLE SWITCH	5.59			1000 455000	433		101000
4	1932378517	09/27/24 4301 HD FUEL	81.71			6010 450200	427		101000
5	1932379126	09/30/24 TOGGLE SWITCH	18.41			1000 455000	433		101000
6	1932376063	09/20/24 TPMS SENSOR	42.32			1000 421000	427		101000
7	1932377918	09/26/24 3401 OIL	45.96			1000 430000	433		101000
8	1932379638	10/01/24 5302 FILTER	31.09			1000 430001	427		101000
9	1932375896	09/20/24 FILTER	5.29			1000 415000	427		101000
		Total for Vendor:	655.14						

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120903		3505 OFFICE SIGN COMPANY	72.90						
1	SI-139294	09/23/24 Door/Desk Sign - Travis H	24.30			1000 414104	410		101000
2	SI-139294	09/23/24 Door/Desk Sign - Willy	24.30			1000 414100	410		101000
3	SI-139294	09/23/24 Door/Desk Sign - Nick	24.30			1000 414101	410		101000
		Total for Vendor:	72.90						
120901		352 OK TIRE STORE - COM CTR	1,121.28						
1	113708	08/23/24 ACCT CREDIT	-67.50			1000 430000	427		101000
2	05361599	09/25/24 3061 TIRES	1,188.78			1000 430000	427		101000
		Total for Vendor:	1,121.28						
120882		399 OLYMPIC SALES	498.00						
1	15029	09/30/24 415 LIFT TARP HOOK	498.00			6010 450200	427		101000
		Total for Vendor:	498.00						
121082		631 ONE CALL CONCEPTS, INC	936.20						
1	4094293	09/30/24 Sept Locates	936.20			6020 450000	412		101000
		Total for Vendor:	936.20						
121072		276 OSTROMS ACE HARDWARE	68.83						
1	227183	08/05/24 FD Night to Unite tarp	22.99			2060 415200	375		101000
2	227273	08/19/24 L-75 Clamps	4.59			2060 415200	500		101000
3	227342	08/27/24 Cage under Stairs/ne supplies	19.95			2060 415200	494		101000
4	227379	09/03/24 Hardware	12.99			2060 415200	500		101000
5	227453	09/17/24 Hardware	8.31			2060 415200	500		101000
121078		276 OSTROMS ACE HARDWARE	179.97						
1	227580	10/04/24 k9 & comfort dog food	179.97			1000 421000	915		101000
		Total for Vendor:	248.80						
120938		5119 OSTROMS ACE HARDWARE (PW)	28.97						
1	227532	09/27/24 CAULKGUN/CAULK	28.97			1000 455000	420		101000

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120961		5119 OSTROMS ACE HARDWARE (PW)	102.96						
1	227525	09/26/24 SHOVEL/PRUNER/TRASH CAN	102.96			2210 428000	432		101000
121009		5119 OSTROMS ACE HARDWARE (PW)	98.19						
1	227523	09/26/24 WRENCH COMB	61.98			6020 450000	432		101000
2	227459	09/17/24 FLAPPER KORKY PLUS CARD	6.99			1000 455000	420		101000
3	227491	09/20/24 HARDWARE	1.24			1000 455000	420		101000
4	227502	09/23/24 BUG FOGGER	27.98			1000 455000	420		101000
		Total for Vendor:	230.12						
121073		4455 OTIS ELEVATOR COMPANY	1,960.92						
1	1703885	09/17/24 FD Annual Elev Maint Fee	1,960.92			2060 415200	428		101000
		Total for Vendor:	1,960.92						
120977		999999 PAIGE RABOIN	300.00						
		Tree Planting Permit - 2686 Rivers Bend Dr E							
1		10/03/24 Tree - 2686 Rivers Bend Dr E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120880		563 PETRO SERVE USA	2,586.32						
1	2000	10/01/24 BULK FUEL	2,586.32			4387 480000	424		101000
120956		563 PETRO SERVE USA	3,119.56						
1	260	09/30/24 BULK OIL	1,580.66			6010 450200	424		101000
2	261	10/01/24 SUPERLUBE	603.25			1000 430001	424		101000
3	259	09/30/24 BULK OIL	935.65			1000 430000	424		101000
121005		563 PETRO SERVE USA	1,894.00						
1	101106	09/24/24 BULK OIL	1,894.00			6020 450000	424		101000
121022		563 PETRO SERVE USA	6,982.81						
1	101007	10/01/24 CENEX MAXTRON	1,635.70			6010 450200	424		101000
2	1881	09/09/24 BULK FUEL	2,656.72			4387 480000	424		101000
3	1964	09/24/24 BULK FUEL	2,690.39			4387 480000	424		101000
		Total for Vendor:	14,582.69						

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120879		4034 PETRO SERVE USA #63	1,709.48						
1	3509 09/18/24	413 DIESEL	64.25			6010 450200	424		101000
2	7721 09/20/24	7048 DIESEL	181.97			6025 450000	424		101000
3	7457 09/19/24	413 DIESEL	55.13			6010 450200	424		101000
4	8723 09/24/24	369 DIESEL	58.11			1000 430001	424		101000
5	2781 09/17/24	7045 DIESEL	314.80			4387 480000	424		101000
6	6504 09/25/24	3401 PREMIUM	30.83			1000 430000	424		101000
7	7210 09/26/24	7001 DIESEL	123.49			6025 450000	424		101000
8	8954 09/25/24	7045 DIESEL	424.99			4387 480000	424		101000
9	7707 09/27/24	7002 SUPER	59.42			6025 450000	424		101000
10	5467 09/23/24	4021 DIESEL	34.97			6010 450200	424		101000
11	9019 09/25/24	4102 DIESEL	61.31			6010 450200	424		101000
12	4492 09/20/24	7033 DIESEL	105.70			6025 450000	424		101000
13	8739 10/01/24	7048 DIESEL	194.51			6025 450000	424		101000
		Total for Vendor:	1,709.48						
121074		3943 POSTMASTER	146.00						
1	2024 10/01/24	FD two rolls forever stamps	146.00			2060 415200	661		101000
		Total for Vendor:	146.00						
121018		916 PRAIRIE SUPPLY INC	4,225.30						
1	0634763 09/25/24	BRACKET BROOM BUTTON	27.00			1000 430000	432		101000
2	0635292 09/30/24	BOLT ANCHORS	68.00			1000 430000	433		101000
3	0634762 09/25/24	CHEMLINK	1,175.80			6025 450000	437		101000
4	0634085 09/20/24	BRACKETS/TROWEL/HANDLES	1,524.50			1000 430000	432		101000
5	0633185 09/17/24	POWERGRIT CHAIN/SPROCKET	1,430.00			6020 450000	432		101000
		Total for Vendor:	4,225.30						
120838		5410 QUALLEY AND ASSOCIATES	8,805.00						
		Enterprise Grant							
1	09/30/24	Materials & labor for remodel	1,955.00			2960 411900	654		101000
2	09/30/24	Materials & labor for remodel	6,850.00			2960 411900	654		101000
		Total for Vendor:	8,805.00						

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121034		1128 R & R PETROLEUM EQUIPMENT	325,035.00						
1	102525	09/09/24 PROJ 9046	325,035.00			4094	480000	670	101000
		Total for Vendor:	325,035.00						
120800		790 RAMADA BISMARCK HOTEL	577.80						
1	293329436	09/19/24 Hotel for Vanguard Conf - N	192.60			1000	414101	340	101000
2	293329434	09/19/24 Hotel for Vanguard Conf - D	192.60			1000	414101	340	101000
3	293329017	09/19/24 Hotel for Vanguard Conf- Sh	192.60			1000	414101	340	101000
		Total for Vendor:	577.80						
120886		2982 RDO EQUIPMENT CO	281.63						
1	P9604354	10/01/24 FILTERS	281.63			4387	480000	427	101000
		Total for Vendor:	281.63						
120904		3204 RECORD KEEPERS	17.50						
1	A269725	07/31/24 City Hall Shred Bins	17.50			1000	415000	420	101000
121042		3204 RECORD KEEPERS	27.50						
1	A271875	09/30/24 service on 9/16/24	27.50			1000	421000	420	101000
121061		3204 RECORD KEEPERS	27.50						
1	A271874	09/30/24 City Hall Shred Bins	27.50			1000	415000	420	101000
		Total for Vendor:	72.50						
120877		1016 RED WING BUSINESS ADVANTAGE	460.97						
1	167730	09/30/24 A MASSETH BOOTS	195.49			6010	450200	422	101000
2	167245	09/23/24 B WOODROW INSOLES	69.99			1000	430001	422	101000
3	167244	09/23/24 B WOODROW BOOTS	195.49			1000	430001	422	101000
		Total for Vendor:	460.97						
120954		999999 RENEE JOHNSON	300.00						
		Tree Planting Permit - 497 34th Way E							
1		10/03/24 Tree - 497 34th Way E	300.00			5000	422000	490	101000
		Total for Vendor:	300.00						

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120965		999999 RICHARD SARTWELL	300.00						
		Tree Planting Permit - 533 34th Way E							
1	10/03/24	Tree - 533 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120906		1259 ROER'S CONSTRUCTION	145,811.60						
1	10/07/24	Imp Dist 6059	145,811.60			4021 480000	670		101000
		Total for Vendor:	145,811.60						
120829		2913 RUSCO WINDOW CO INC	39,436.00						
1	Pay App 9	08/31/24 WF Fire Dept Project	39,436.00			4795 480000	670		101000
		Total for Vendor:	39,436.00						
120966		999999 RYAN TRUAX	300.00						
		Tree Planting Permit - 2340 Rivers Bend Dr E							
1	10/03/24	Tree - 2340 Rivers Bend Dr E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120967		999999 SAM CALLAHAN	300.00						
		Tree Planting Permit - 3652 4th St E							
1	10/03/24	Tree - 3652 4th St E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
120810		3353 SAM'S CLUB MC/SYNCB	443.02						
1	09/24/24	Supplies for City Hall	443.02			1000 415000	410		101000
120841		3353 SAM'S CLUB MC/SYNCB	147.56						
1	000609 09/30/24	kitchen supplies	147.56			1000 421000	420		101000
121030		3353 SAM'S CLUB MC/SYNCB	168.88						
1	09/16/24	SUPPLIES	168.88			6020 450000	420		101000
		Total for Vendor:	759.46						

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120798		1881 SAM'S CLUB/SYNCHRONY BANK (FD)	604.01						
1	2014WX1RQ 08/28/24	2 6' shelving units-oversto	199.88			2060 415200	641		101000
2	2014WX1RQ 08/28/24	ST SUPPLIES	29.98			2060 415200	500		101000
3	0170fp2k 09/10/24	St 75 Supplies	176.84			2060 415200	500		101000
4	0170fpk2 09/10/24	ST 76 Supplies	176.78			2060 415200	500		101000
5	018ktsk5 09/20/24	Metro Fire Meeting	29.46			2060 415200	375		101000
6	0000rd247 09/03/24	Sam's adjustment	-8.93			2060 415200	375		101000
		Total for Vendor:	604.01						
120833		437 SANDY'S DONUTS & COFFEE SHOP	68.85						
1	943758 09/25/24	bakery - training	68.85			1000 421000	375		101000
120839		437 SANDY'S DONUTS & COFFEE SHOP	2,010.00						
1	#1 09/30/24	Enterprise Grant	1,760.00			2960 411900	654		101000
2	#2 09/30/24	Enterprise Grant	250.00			2960 411900	654		101000
120848		437 SANDY'S DONUTS & COFFEE SHOP	68.85						
1	943771 09/26/24	bakery - training	68.85			1000 421000	375		101000
		Total for Vendor:	2,147.70						
121008		454 SANITATION PRODUCTS	832.76						
1	90545 09/17/24	7033 HOSE	790.12			6025 450000	427		101000
2	90613 09/24/24	ADAPT HYD	42.64			6025 450000	432		101000
		Total for Vendor:	832.76						
120910		450 SCHEELS	760.93						
1	41252 10/02/24	less lethal cases/supplies	760.93			1000 421000	987		101000
		Total for Vendor:	760.93						
120948		999999 SCOTT MILLER	300.00						
		Tree Planting Permit - 538 34th Way E							
1	10/03/24	Tree - 538 34th Way E	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						

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120933		3330 SHAWN HANSON	76.83						
		FALL MAINTENANCE EXPO - ST. CLOUD, MN							
1	10/02/24	TRAVEL FUEL REIMBURSEMENT	76.83			1000 430000	340		101000
		Total for Vendor:	76.83						
120820		2885 SHORTPRINTER	79.80						
1	153761 09/24/24	Business cards for HR team	79.80			1000 414103	668		101000
120843		2885 SHORTPRINTER	62.60						
1	152753 09/23/24	notary stamp ellefson	62.60			1000 421000	667		101000
120898		2885 SHORTPRINTER	334.25						
1	151910 08/22/24	Business cards - Planning	159.60			1000 418000	410		101000
2	151910 08/22/24	Business cards - Finance	19.95			1000 414100	410		101000
3	151910 08/22/24	Business cards - Comm	19.95			1000 416200	410		101000
4	151910 08/22/24	Business cards - Admin	19.95			1000 415000	410		101000
5	151910 08/22/24	Business cards - Engineering	39.90			1000 414200	410		101000
6	151910 08/22/24	Business cards - Assessing	39.90			1000 414101	410		101000
7	151910 08/22/24	Design Fee	35.00			1000 415000	410		101000
121043		2885 SHORTPRINTER	427.13						
1	153832 09/30/24	envelopes	427.13			1000 421000	668		101000
		Total for Vendor:	903.78						
120821		5199 SIGN BADGERS	3,373.50						
1	32908 09/25/24	Boulevard Banners	3,373.50			1000 416200	602		101000
		Total for Vendor:	3,373.50						
121021		91 SIGN SOLUTIONS USA	368.98						
1	413912 09/20/24	SIGNS	247.63			1000 430000	487		101000
2	413911 09/20/24	SIGNS	121.35			1000 430000	487		101000
		Total for Vendor:	368.98						

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121033		3528 SNACKS PLUS VENDING	135.50						
1	5940653075	09/16/24 COFFEE	135.50			6020 450000	500		101000
121062		3528 SNACKS PLUS VENDING	216.00						
1	5940653463	09/17/24 Coffee for City Hall	216.00			1000 415000	410		101000
		Total for Vendor:	351.50						
120860		274 STEVE MOTTINGER	5,250.00						
October									
1	10/01/24	Court Appointed Attorney	5,250.00			1000 412000	310		101000
		Total for Vendor:	5,250.00						
121089		4821 STROH ARCHITECTS	7,040.00						
1	2024.24	10/03/24 New Commission Chambers	7,040.00			2970 480000	653		101000
		Total for Vendor:	7,040.00						
121075		176 SUMMIT FIRE PROTECTION	359.00						
1	2719985	10/03/24 PD ALARM MONITORING	359.00			1000 455000	307		101000
		Total for Vendor:	359.00						
120878		733 SWANSTON EQUIPMENT CORP.	2,833.39						
1	P06023	09/23/24 3056 OIL/HUB	2,847.14			1000 430000	427		101000
2	P06173	09/27/24 3056 OIL RET	-62.13			1000 430000	427		101000
3	P06172	09/27/24 5402 HYD FILTER	26.54			1000 430001	427		101000
4	P05985	09/20/24 3054 CAP CANISTER RET	-61.00			1000 430000	427		101000
5	P06060	09/24/24 3056 OIL	82.84			1000 430000	427		101000
		Total for Vendor:	2,833.39						
121077		3829 TARGETSOLUTIONS LEARNING, LLC	6,778.34						
1	Q-376092	09/23/24 FD 2025 Target Solutions Ren	6,778.34			2060 415200	497		101000
		Total for Vendor:	6,778.34						
121027		1156 TESSMAN	950.45						
1	404060	09/25/24 NEEDLE PUNCH/SOD STAPLES	950.45			1000 430001	358		101000
		Total for Vendor:	950.45						

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121011 1	09/26/24	3411 THE UPS STORE #6740 SHIPPING	164.22 164.22			6025 450000	335		101000
121080 1	2024 09/13/24	3411 THE UPS STORE #6740 Postage send 6MM headset/repai	50.23 50.23			2060 415200	661		101000
		Total for Vendor:	214.45						
120809 1	Pay App 2 09/24/24	906 TI-ZACK CONCRETE, INC. Project 2282	260,538.48 260,538.48			4026 480000	670		101000
		Total for Vendor:	260,538.48						
120980 1	PS0468623 09/27/24	3483 TITAN MACHINERY 366 BLADE KIT/LOCK	452.68 452.68			1000 430000	427		101000
		Total for Vendor:	452.68						
120885 1	PS0463403 10/01/24	3352 TITAN MACHINERY-FARGO CASE 294 ROD/BALL JOINT/FILTER	303.65 303.65			6020 450000	427		101000
121045 1	PS0414837 09/26/24	3352 TITAN MACHINERY-FARGO CASE GRADER EDGES	10,672.80 10,672.80			1000 430000	381		101000
121050 1	PS0463429 10/01/24	3352 TITAN MACHINERY-FARGO CASE 4502 COUPLER KIT	1,376.10 1,376.10			6010 450200	427		101000
		Total for Vendor:	12,352.55						
121012 1	0280407 09/23/24	1234 TOOL WAREHOUSE INC COUPLING	7.05 7.05			6025 450000	439		101000
		Total for Vendor:	7.05						
120837 ND GIS Conference - Bismarck 09/24/24-09/26/24 1	09/26/24	3001 TRAVIS GENTY Travel reimb 9/24-9/26	117.14 117.14			1000 414000	340		101000
		Total for Vendor:	117.14						

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121079		5447 TREVOR MATELSKI	175.00						
1	2024 10/01/24	Reimburse Drone Test Fee	175.00			2060 415200	340		101000
		Total for Vendor:	175.00						
120975		999999 TRINA KRUMM	300.00						
		Tree Planting Permit - 1110 Jill Dr W							
1	10/03/24	Tree - 1110 Jill Dr W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
121085		2951 TYLER TECHNOLOGIES, INC	379.35						
1	020-155720 09/30/24	OTC & Portal	379.35			1000 412000	740		101000
		Total for Vendor:	379.35						
120970		999999 TYSON VELDE	300.00						
		Tree Planting Permit - 853 60th Ave W							
1	10/03/24	Tree - 853 60th Ave W	300.00			5000 422000	490		101000
		Total for Vendor:	300.00						
121040		1553 VARITECH INDUSTRIES, INC	2,639.00						
1	0602000201 09/27/24	RADAR SENSOR KIT	2,639.00			1000 430000	377		101000
		Total for Vendor:	2,639.00						
121071	E	3212 VISA ADMINISTRATION	36.00						
		Oct statement for Sep transactions							
1	CC-1541 10/02/24	ND Secretary of State	36.00			1000 202200			101000
		Notary license renewal for Emily H							
		ND SECRETARY OF STATE				CC Accounting: 1000- -414000-667			
		Total for Vendor:	36.00						
121023	E	2437 VISA ASSESSING	1,162.61						
		Oct statement for Sep transactions							
1	CC-1538 09/12/24	Amazon	46.97			1000 202200			101000
		laminator & laminating pouches							
		AMAZON CAPITAL SERVICES				CC Accounting: 1000- -414101-410			
2	CC-1538 09/18/24	Amazon	42.89			1000 202200			101000
		whiteboard markers, erasers & cleaner							
		AMAZON CAPITAL SERVICES				CC Accounting: 1000- -415000-410			

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3	CC-1538	09/24/24 Amazon office supplies for finance director AMAZON CAPITAL SERVICES	58.97	CC Accounting: 1000-		1000 202200 -414100-410			101000
4	CC-1538	09/26/24 Ramada Hotel for State Board of Equalization RAMADA BISMARCK HOTEL	577.80	CC Accounting: 1000-		1000 202200 -414101-340			101000
5	CC-1538	09/26/24 Everspring Suites hotel for GIS travel-Travis Genty MISC CLAIM VENDOR	192.60	CC Accounting: 1000-		1000 202200 -414000-340			101000
6	CC-1538	09/26/24 Home Depot tile sample HOME DEPOT	3.23	CC Accounting: 2970-		2970 202200 -480000-653			101000
7	CC-1538	09/30/24 Amazon artwork for first floor-new city hall AMAZON CAPITAL SERVICES	147.49	CC Accounting: 1000-		1000 202200 -414101-410			101000
8	CC-1538	09/30/24 Amazon artwork for first floor-new city hall AMAZON CAPITAL SERVICES	92.66	CC Accounting: 1000-		1000 202200 -414101-410			101000
Total for Vendor:			1,162.61						
120957	E	3706 VISA COMMUNICATIONS Oct statement for Sep transactions	921.81						
1	CC-1531	09/24/24 Apple.com cloud storage APPLE.COM	0.99	CC Accounting: 1000-		1000 202200 -416200-497			101000
2	CC-1531	09/17/24 4 Imprint flashing round light with clip 4IMPRINT INC	920.82	CC Accounting: 1000-		1000 202200 -416200-602			101000
Total for Vendor:			921.81						
121039	E	3693 VISA ENGINEERING Oct statement for Sep transactions	1,649.29						
1	CC-1540	09/01/24 Holiday Station Store car washes HOLIDAY STATIONSTORE #469	20.00	CC Accounting: 1000-		1000 202200 -414200-420			101000
2	CC-1540	09/04/24 Home Depot Locator bag HOME DEPOT	39.98	CC Accounting: 6020-		6020 202200 -450000-412			101000

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3	CC-1540	09/04/24 Home Depot	38.42			6020 202200			101000
		Locator tools - wrench		CC Accounting: 6020-		-450000-412			
		HOME DEPOT							
4	CC-1540	09/11/24 The Venetian Resort-Las Vegas	407.32			1000 202200			101000
		hotel deposit for Trimble Conf for Troy O.		CC Accounting: 1000-		-414200-340			
		MISC CLAIM VENDOR							
5	CC-1540	09/12/24 AC Hotels-Marriott Atlanta	828.96			1000 202200			101000
		hotel for APWX conf for Kyle M		CC Accounting: 1000-		-414200-340			
		MISC CLAIM VENDOR							
6	CC-1540	09/26/24 Scheels	150.00			1000 202200			101000
		boot allowance for Jim M		CC Accounting: 1000-		-414200-422			
		SCHEELS							
7	CC-1540	09/30/24 Key Industries	164.61			1000 202200			101000
		work clothing allowance for Chris L		CC Accounting: 1000-		-414200-422			
		MISC CLAIM VENDOR							
		Total for Vendor:	1,649.29						
121102	E	3569 VISA FIRE DEPT 1	479.00						
1	CC-1543	09/04/24 Testing/Survey	300.00			2060 202200			101000
		TRUITY PSYCHOMETRICS, LLC		CC Accounting: 2060-		-415200-340			
2	CC-1543	09/20/24 Metro fire Officers Meeting	179.00			2060 202200			101000
		CRACKED PEPPER		CC Accounting: 2060-		-415200-375			
		Total for Vendor:	479.00						
121103	E	3568 VISA FIRE DEPT 2	3,269.24						
1	CC-1544	09/11/24 Svc. Truck tow rope	49.99			2060 202200			101000
		MACS INC		CC Accounting: 2060-		-415200-432			
2	CC-1544	09/11/24 Svc. Truck Hitch	329.97			2060 202200			101000
		VISTO'S TRAILER SALES		CC Accounting: 2060-		-415200-432			
3	CC-1544	09/12/24 Notebook	9.93			2060 202200			101000
		OFFICE DEPOT OFFICEMAX		CC Accounting: 2060-		-415200-410			
4	CC-1544	09/11/24 Manilla Folders	16.99			2060 202200			101000
		OFFICE DEPOT OFFICEMAX		CC Accounting: 2060-		-415200-410			
5	CC-1544	09/12/24 M Ashland EMT Test	104.00			2060 202200			101000
		National Registry of Emergency Medical T		CC Accounting: 2060-		-415200-340			
6	CC-1544	09/12/24 2025 Pub. Ed Color Books	337.50			2060 202200			101000
		ALERT INTERNATIONAL INC		CC Accounting: 2060-		-415200-375			

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7	CC-1544 09/12/24	2025 Pub. Ed Helmets	880.00			2060 202200			101000
		FIRE SMART PROMOTIONS		CC Accounting: 2060-		-415200-375			
8	CC-1544 09/19/24	Radio Repair	175.00			2060 202200			101000
		sonetics corporation		CC Accounting: 2060-		-415200-497			
9	CC-1544 09/23/24	E-76 chainsaw repair	103.86			2060 202200			101000
		PARTSTREE		CC Accounting: 2060-		-415200-420			
10	CC-1544 09/25/24	Cr refund for Pierce class	-100.00			2060 202200			101000
		occupational health dynamics		CC Accounting: 2060-		-415200-340			
11	CC-1544 09/30/24	D Sapp registration	1,452.00			2060 202200			101000
		PIERCE MFG		CC Accounting: 2060-		-415200-340			
12	CC-1544 09/03/24	Credit refund	-90.00			2060 202200			101000
		National Registry of Emergency Medical T		CC Accounting: 2060-		-415200-340			
Total for Vendor:			3,269.24						
121104	E	4351 VISA FIRE DEPT 3	2,876.57						
1	CC-1542 08/12/24	K Frost Cancel refund/Dallas	-1,394.47			2060 202200			101000
		RESERVATION.COM		CC Accounting: 2060-		-415200-340			
2	CC-1542 08/06/24	J Neeb IAAI Conference	250.00			2060 202200			101000
		IAAI		CC Accounting: 2060-		-415200-340			
3	CC-1542 08/06/24	D Underhill IAAI Conference	250.00			2060 202200			101000
		IAAI		CC Accounting: 2060-		-415200-340			
4	CC-1542 08/18/24	K Frost Cancel Refund/Dallas	-752.96			2060 202200			101000
		DELTA AIR		CC Accounting: 2060-		-415200-340			
5	CC-1542 08/26/24	R Dirk ISFSI Live Instructor	423.59			2060 202200			101000
		HAWTHORNSITES WILLISTON		CC Accounting: 2060-		-415200-340			
6	CC-1542 08/20/24	6 rolls fire line tape	109.70			2060 202200			101000
		FIRE SAFETY USA		CC Accounting: 2060-		-415200-500			
7	CC-1542 08/26/24	K Frost 2025 FOIII	600.00			2060 202200			101000
		Alabama Fire College		CC Accounting: 2060-		-415200-340			
8	CC-1542 07/05/24	M O'Bryant Fire Off. 1 (CE100	350.00			2060 202200			101000
		COLUMBIA SOUTHERN UNIVERSITY		CC Accounting: 2060-		-415200-340			
9	CC-1542 09/14/24	2025 Pub Ed Supplies	2,644.71			2060 202200			101000
		NFPA (NATIONAL FIRE PROTECTION ASSOC)		CC Accounting: 2060-		-415200-375			
10	CC-1542 09/27/24	D Underhill IAAI Conference	198.00			2060 202200			101000
		CANAD INN DESTINATION CENTER GRAND FORKS		CC Accounting: 2060-		-415200-340			
11	CC-1542 09/27/24	J Neeb IAAI Conference	218.80			2060 202200			101000
		CANAD INN DESTINATION CENTER GRAND FORKS		CC Accounting: 2060-		-415200-340			

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12	CC-1542	09/27/24 Refund of Taxes CANAD INN DESTINATION CENTER GRAND FORKS	-20.80			2060 202200			101000
				CC Accounting: 2060-		-415200-340			
		Total for Vendor:	2,876.57						
121029	E	2438 VISA PLANNING Oct statement for Sep transactions	1,117.80						
1	CC-1539	09/01/24 Holiday Station Store car washes	15.00			1000 202200			101000
				CC Accounting: 1000-		-418000-420			
		HOLIDAY STATIONSTORE #469							
2	CC-1539	09/19/24 Cenex-Dickinson gas for travel to NDBOA conf	31.20			1000 202200			101000
				CC Accounting: 1000-		-418000-340			
		MISC CLAIM VENDOR							
3	CC-1539	09/19/24 Roosevelt Grand Dakota hotel for NDBOA conference-Mark Housh	192.60			1000 202200			101000
				CC Accounting: 1000-		-418000-340			
		ROOSEVELT GRAND DAKOTA HOTEL							
4	CC-1539	09/30/24 American Planning Association AICP, APA & Western Central Chapter memberships	699.00			1000 202200			101000
				CC Accounting: 1000-		-418000-667			
		American Planning Association							
5	CC-1539	09/30/24 American Planning Association conference passport/registration	180.00			1000 202200			101000
				CC Accounting: 1000-		-418000-340			
		American Planning Association							
		Total for Vendor:	1,117.80						
120984	E	2435 VISA POLICE #1	2,238.65						
1	CC-1532	09/12/24 4 scanners	999.96			1000 202200			101000
		BEST BUY BUSINESS ADVANTAGE ACCOUNT		CC Accounting: 1000-		-421000-497			
2	CC-1532	09/12/24 Beck shoe-polisher	318.00			1000 202200			101000
				CC Accounting: 1000-		-421000-641			
		MISC CLAIM VENDOR							
3	CC-1532	09/25/24 #1222 bus bumper (more pumper	832.32			2531 202200			101000
				CC Accounting: 2531-		-421000-610			
		MISC CLAIM VENDOR							
4	CC-1532	09/27/24 kitchen towels	44.97			1000 202200			101000
				CC Accounting: 1000-		-421000-420			
		COSTCO MEMBERSHIP							
5	CC-1532	09/27/24 ww tv	439.99			2975 202200			101000
				CC Accounting: 2975-		-421000-641			
		COSTCO MEMBERSHIP							
6	CC-1532	09/27/24 ww tv refund	-416.58			2975 202200			101000
				CC Accounting: 2975-		-421000-641			
		COSTCO MEMBERSHIP							
7	CC-1532	09/30/24 hdmi cord	9.99			1000 202200			101000
				CC Accounting: 1000-		-421000-497			
		BEST BUY BUSINESS ADVANTAGE ACCOUNT							

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8	CC-1532	09/30/24 correct hdmi cord	10.00			1000 202200			101000
		BEST BUY BUSINESS ADVANTAGE ACCOUNT		CC Accounting: 1000-		-421000-497			
		Total for Vendor:	2,238.65						
120987	E	3233 VISA POLICE #2	3,494.08						
1	CC-1533	09/05/24 sam's federal renewal	549.00			1000 202200			101000
		SAM REGISTRATION RENEWAL		CC Accounting: 1000-		-421000-497			
2	CC-1533	09/08/24 primary arms - rifle maint.	143.38			1000 202200			101000
		MISC CLAIM VENDOR		CC Accounting: 1000-		-421000-987			
3	CC-1533	09/12/24 rifle maintenance	34.11			1000 202200			101000
		BROWNELLS		CC Accounting: 1000-		-421000-987			
4	CC-1533	09/13/24 expedia - trip protection	67.10			1000 202200			101000
		EXPEDIA.COM HEADQUARTERS		CC Accounting: 1000-		-421000-340			
5	CC-1533	09/13/24 k9 luncheon	254.59			1000 202200			101000
		BREWTUS BRICKHOUSE		CC Accounting: 1000-		-421000-375			
6	CC-1533	09/15/24 flight - dura	432.95			1000 202200			101000
		DELTA AIR		CC Accounting: 1000-		-421000-340			
7	CC-1533	09/15/24 flight - stanton	432.95			1000 202200			101000
		DELTA AIR		CC Accounting: 1000-		-421000-340			
8	CC-1533	09/19/24 rifle maintenance	86.38			1000 202200			101000
		MISC CLAIM VENDOR		CC Accounting: 1000-		-421000-987			
9	CC-1533	09/19/24 padded belt for stewart/nelso	319.90			1000 202200			101000
		KORE ESSENTIALS		CC Accounting: 1000-		-421000-422			
10	CC-1533	09/22/24 ww tv mount - gym	97.19			2975 202200			101000
		COSTCO WHOLESALE #1119		CC Accounting: 2975-		-421000-641			
11	CC-1533	09/24/24 car rental -wuollet/jj	364.68			1000 202200			101000
		TRAVELOCITY		CC Accounting: 1000-		-421000-340			
12	CC-1533	09/25/24 flight - wuollet	407.96			1000 202200			101000
		DELTA AIR		CC Accounting: 1000-		-421000-340			
13	CC-1533	09/25/24 flight - j. johnson	407.96			1000 202200			101000
		DELTA AIR		CC Accounting: 1000-		-421000-340			
14	CC-1533	09/11/24 reg refund t. johnson	-311.00			1000 202200			101000
		NTOA - NATIONAL TACTICAL OFFICERS ASSOCI		CC Accounting: 1000-		-421000-340			
15	CC-1533	09/30/24 padded belt - richardson	160.93			1000 202200			101000
		KORE ESSENTIALS		CC Accounting: 1000-		-421000-422			
16	CC-1533	10/01/24 chap krieg badge	46.00			1000 202200			101000
		CHAPLAIN BADGE		CC Accounting: 1000-		-421000-375			
		Total for Vendor:	3,494.08						

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120992	E	3234 VISA POLICE #3	993.38						
1	CC-1534	09/12/24 fuel - masset	44.14			1000 202200			101000
	MISC CLAIM VENDOR			CC Accounting: 1000-		-421000-340			
2	CC-1534	09/12/24 lodging - masset	354.72			1000 202200			101000
	Staybridge Suites Minot			CC Accounting: 1000-		-421000-340			
3	CC-1534	09/13/24 fuel - masset	35.29			1000 202200			101000
	MISC CLAIM VENDOR			CC Accounting: 1000-		-421000-340			
4	CC-1534	09/27/24 kitchen & cleaning supplies	559.23			1000 202200			101000
	COSTCO WHOLESALE #1119			CC Accounting: 1000-		-421000-420			
		Total for Vendor:	993.38						
121000	E	3244 VISA POLICE #4	389.99						
1	CC-1535	09/08/24 MNCPA - reg jorgensen	375.00			1000 202200			101000
	MINNESOTA CRIME PREVENTION ASSOCIATION (			CC Accounting: 1000-		-421000-340			
2	CC-1535	09/22/24 hdmi adapter	14.99			2975 202200			101000
	BEST BUY BUSINESS ADVANTAGE ACCOUNT			CC Accounting: 2975-		-421000-497			
		Total for Vendor:	389.99						
121003	E	4300 VISA POLICE #5	127.00						
1	CC-1536	09/22/24 pr bags	22.84			1000 202200			101000
	DOLLAR TREE #3133			CC Accounting: 1000-		-421000-375			
2	CC-1536	09/27/24 reg torch run tk convoy	104.16			1000 202200			101000
	MISC CLAIM VENDOR			CC Accounting: 1000-		-421000-375			
		Total for Vendor:	127.00						
121006	E	4301 VISA POLICE #6	868.52						
1	CC-1537	09/06/24 tech cert - haugen	55.00			1000 202200			101000
	SAFE KIDS WORLDWIDE			CC Accounting: 1000-		-421000-667			
2	CC-1537	09/08/24 paris lv lodging - gomez	766.82			1000 202200			101000
	MISC CLAIM VENDOR			CC Accounting: 1000-		-421000-340			
3	CC-1537	09/26/24 fuel - LEAS	46.70			1000 202200			101000
	MISC CLAIM VENDOR			CC Accounting: 1000-		-421000-340			
4	CC-1537	09/26/24 lodging - johanneck	192.60			1000 202200			101000
	HAMPTON INN & SUITES			CC Accounting: 1000-		-421000-340			
5	CC-1537	09/26/24 refund	-192.60			1000 202200			101000
	HAMPTON INN & SUITES			CC Accounting: 1000-		-421000-340			

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Claim/ Line #	Check Invoice #	Vendor #/Name/ #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
6	CC-1537 09/26/24	lodging - glaser	192.60			1000 202200			101000
		HAMPTON INN & SUITES		CC Accounting: 1000-		-421000-340			
7	CC-1537 09/26/24		-192.60			1000 202200			101000
		HAMPTON INN & SUITES		CC Accounting: 1000-		-421000-340			
Total for Vendor:			868.52						
120944		544 WALLWORK TRUCK CENTER	396.92						
1	01P531010 10/02/24	4006 CLEVIS KIT	61.24			6010 450200	427		101000
2	01P530541 10/01/24	7045 AIR SPRINGS	204.96			4387 480000	427		101000
3	01P527578 10/02/24	HYD CART	130.72			6010 450200	427		101000
120982		544 WALLWORK TRUCK CENTER	1,005.02						
1	01P526816 09/20/24	FILTER	107.34			6010 450200	427		101000
2	01P513075 09/30/24	3005 LIFESEAL	149.02			1000 430000	427		101000
3	01P528833 09/26/24	LAMP	30.15			6010 450200	427		101000
4	01P526880 09/23/24	HYD CART/FUEL ELEMENT	281.48			6010 450200	427		101000
5	01P526872 09/20/24	HYD CART/FUEL ELEMENT	140.74			6010 450200	427		101000
6	01P528552 09/25/24	4021 DEFROSTER FAN	123.58			6010 450200	427		101000
7	01P528838 09/26/24	412 SLACK ADJUSTER	172.71			6010 450200	427		101000
Total for Vendor:			1,401.94						
120849		576 WALMART COMMUNITY CARD	94.13						
1	874406 09/26/24	kitchen rags and towels	94.13			1000 421000	420		101000
Total for Vendor:			94.13						
121107		4773 WEST FARGO EVENTS	38,503.67						
1	0001217-IN 10/03/24	Programming fee: Essentia	17,563.69			2310 452120	810		101000
2	0001217-IN 10/03/24	Programming fee: POW/MIA	4,932.98			2310 452120	810		101000
3	0001217-IN 10/03/24	Mgmt fee: Parking Ramp	11,840.33			2320 452110	810		101000
4	0001217-IN 10/03/24	Mgmt fee: City Events	4,166.67			2960 411900	810		101000
Total for Vendor:			38,503.67						
121060		1040 WEST FARGO EXCHANGE CLUB	70.00						
Oct-Dec 2024									
1	1137 10/01/24	D Scott - 2nd Qtr Dues	50.00			1000 414000	667		101000
2	1137 10/01/24	Community Awards Luncheon	20.00			1000 414000	378		101000
Total for Vendor:			70.00						

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Claim/ Line #	Check	Vendor #/Name/ Invoice #/Inv Date/Description	Document \$/ Line \$	Disc \$	PO #	Fund Org Acct	Object	Proj	Cash Account
120788	114240S	566 WEST FARGO PARK DISTRICT	96,268.50						
1	09/30/24	Sept 2024 State Aid	96,268.50			2050 451000	992		101000
120789	114240S	566 WEST FARGO PARK DISTRICT	63,471.02						
	3rd Qtr 2024	Park Special Assessments							
1	3rd Qtr 24	2017-1 Brooks Harbor Elementar	93.17			8605 451000	630		101000
2	3rd Qtr 24	2014-2 Goldenwood Area Park	0.00			8610 451000	630		101000
3	3rd Qtr 24	8615 Shadowwood Park Spec 2010	55,668.38			8615 451000	630		101000
4	3rd Qtr 24	2011 Park Spec - Maple Ridge	35.08			8620 451000	630		101000
5	3rd Qtr 24	8625 Park Imp Dist 2011-1	514.53			8625 451000	630		101000
6	3rd Qtr 24	06-2017-2 Park Imp - The Wilds	6,828.32			8630 451000	630		101000
7	3rd Qtr 24	2014 Park Spec - River's Bend	331.54			8635 451000	630		101000
8	3rd Qtr 24	Rendezvous Park	0.00			8640 451000	630		101000
9	3rd Qtr 24	Maplewood Park	0.00			8645 451000	630		101000
		Total for Vendor:	159,739.52						
120875		2184 WEST SIDE STEEL	2,349.59						
1	10367 09/24/24	SQUARE TUBE/SHEET METAL	2,076.43			6010 450200	914		101000
2	10422 09/26/24	SHEET METAL	38.69			6010 450200	914		101000
3	10379 09/20/24	SHEET METAL	234.47			6010 450200	914		101000
120936		2184 WEST SIDE STEEL	13.04						
1	10478 10/02/24	FLAT BAR/ROUND TUBE	13.04			6025 450000	825		101000
		Total for Vendor:	2,362.63						
121086		4129 WESTERN NATIONAL MUTUAL INS CO	50.00						
1	76230 09/17/24	Notary Bond Renewal - Emily	50.00			1000 415000	667		101000
		Total for Vendor:	50.00						
120917	114246S	3549 WEX	3,004.54						
1	10/04/24	Med FSA - 10/04/24 payroll	116.67			1000 212530			101000
2	10/04/24	Dep FSA - 10/04/24 payroll	2,887.87			1000 212523			101000
		Total for Vendor:	3,004.54						

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120817	-98963E	4676 WEX ELECTRONIC BIWEEKLY	156.26						
	09.20.24	payroll - additional							
1	09/20/24	HSA Contributions - ER	78.13			1000 212530			101000
2	09/20/24	HSA Contributions - EE	78.13			1000 212530			101000
121093	-98955E	4676 WEX ELECTRONIC BIWEEKLY	34,712.49						
	10.04.24	payroll							
1	10/04/24	HSA Contributions - ER	11,237.94			1000 212530			101000
2	10/04/24	HSA Contributions - EE	23,474.55			1000 212530			101000
		Total for Vendor:	34,868.75						
120994		549 WF PUB SCHOOLS DIST #6	10,333.50						
1	250063	09/20/24 OCTOBER RENT	10,333.50			7000 411600	333		101000
		Total for Vendor:	10,333.50						
120899		4283 WINTER EQUIPMENT	11,557.00						
1	IV60042	09/19/24 CURBRUNNER	11,557.00			1000 430000	381		101000
		Total for Vendor:	11,557.00						
120816		338 XCEL ENERGY	48.00						
1	895315501	09/20/24 New City Hall (WEX Bldg)	48.00			1001 415000	527		101000
120847		338 XCEL ENERGY	22.98						
1	895433053	08/21/24 aug 2024 603/605 shey st	22.98			1000 421000	527		101000
120866		338 XCEL ENERGY	1,025.28						
1	895629130	09/24/24 1690 13TH AVE S TRAFFIC SIG	50.17			1000 430002	527		101000
2	895622547	09/24/24 SM33	93.39			6025 450000	527		101000
3	895620012	09/24/24 60L	65.57			6025 450000	527		101000
4	895630200	09/24/24 1680 13TH AVE E STREET LIGH	133.04			1000 430002	527		101000
5	895646868	09/24/24 312 5TH AVE W	242.62			1000 430002	527		101000
6	895650998	09/24/24 309 2ND AVE W	19.51			1000 430002	527		101000
7	895666752	09/24/24 1100 12TH AVE NW	174.75			6020 450000	527		101000
8	895460409	09/23/24 1100 12TH AVE NW	45.77			6020 450000	527		101000
9	895464028	09/23/24 300 SHEYENNE - PIONEER PLAC	57.33			2310 452120	527		101000
10	895446733	09/23/24 344 SHEYENNE - SHEYENNE PLA	17.31			2310 452120	527		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
11	895655703	09/24/24 901 10TH AVE E TRAFFIC SIGN	53.13			1000 430002	527		101000
12	895870937	09/25/24 1410 13TH AVE E TRAFFIC SIG	45.71			1000 430002	527		101000
13	895489708	09/23/24 810 12TH AVE NW	26.98			6020 450000	527		101000
120867		338 XCEL ENERGY	1,690.06						
1	895826388	09/25/24 1250L 10TH AVE E	91.26			6025 450000	527		101000
2	895826388	09/25/24 PW STORAGE BUILDING	344.14			6020 450000	527		101000
3	895826388	09/25/24 STREET LIGHT FEED POINTS	1,254.66			1000 430002	527		101000
121069		338 XCEL ENERGY	11,009.92						
1	896416810	09/30/24 2515 6TH ST E (CH)	10,824.36			1000 415000	527		101000
2	896868374	10/02/24 735 7TH AVE NW	90.20			1000 430002	527		101000
3	896615396	10/01/24 3050 SHEYENNE - THE LIGHTS	49.11			2310 452120	527		101000
4	896651737	10/01/24 3150 SHEYENNE - THE LIGHTS	46.25			2310 452120	527		101000
Total for Vendor:			13,796.24						
121015		582 ZEP MANUFACTURING	359.62						
1	9010281707	09/20/24 CLEANING SUPPLIES	359.62			6020 450000	500		101000
Total for Vendor:			359.62						
# of Claims			309	Total:	5518,842.69	# of Vendors	208		
Total Electronic Claims					945,973.92				
Total Non-Electronic Claims					4572868.77				

** 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 Agenda ***

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

1. CONTACT PERSON: Lisa Sankey

2. PHONE NUMBER: 515-5376 DATE: September 23, 2024

3. AGENDA TITLE:

A24-25 The Yards 2nd Addition Conditional Use Permit for Aboveground Fuel Tank in an M: Heavy Industrial Zoning District.

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

Conditional Use Permit for Aboveground Fuel Tank in an M: Heavy Industrial Zoning District. At their September 10, 2024 meeting, the West Fargo Planning and Zoning Commission voted to recommend approval of the proposed Conditional Use Permit with a condition of approval noted in the staff report. The condition has been satisfied with the execution of the conditional use permit agreement by the applicant.

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

Located at 643 5th Street Ct NW (Lot .31, Block 1 of The Yards 2nd Addition), City of West Fargo, North Dakota.

6. ACTION BEING REQUESTED FROM CITY COMMISSION:

Approve the Conditional Use Permit and CUP Agreement to allow the applicant to install an aboveground fuel tank.

STAFF REPORT

A24-25		CONDITIONAL USE PERMIT	
643 5 th Street Ct NW			
Lot 31, Block 1 of The Yards 2 nd Addition			
Owner/Applicant: Excavating, Inc. – Fargo Austin Stockert		Staff Contact: Lisa Sankey	
Planning & Zoning Commission Public Hearing:		09/10/2024 – Approved	
City Commission:		10/7/2024	

PURPOSE:

Allow for aboveground fuel tanks for fueling vehicles and equipment for a business.

STATEMENTS OF FACT:

Existing Land Use:	Trucking Facility (Under Construction)
Land Use Classification:	G-3 Employment Growth Sector
Current Zoning District(s):	M: Heavy Industrial Zoning District
Zoning Overlay District(s):	None
Total area size:	1.27 acres
Adjacent Zoning Districts:	M: Heavy Industrial
Adjacent street(s):	7 th Avenue NW (Local); 5 th Street Ct NW (Local)

DISCUSSION AND OBSERVATIONS:

- The applicant is requesting a 10,000-gallon aboveground fuel tank for vehicles and equipment.
- Aboveground class 1 (gasoline) and class 2 (diesel) liquid storage tanks are provided for as a conditionally permitted use in the M: Heavy Industrial zoning district without added conditions as are similar in more restrictive zoning districts.
- A permit is required by both the Fire Department and Building Inspections Department.
- Due to the nature of the surrounding development, it is recommended to provide conditions as may be recommended from the West Fargo Fire Department.
- The applicant has provided plans showing spill containment, as well as a foundation plan, which is a requirement prior to issuance of a building permit.
- A conditional use permit agreement is required to be signed prior to issuance of a building permit and may include conditions deemed appropriate by the 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 particular reference to automotive and pedestrian safety and convenience, traffic flow and control, and access in case of fire or catastrophe.
 - The property has adequate access, and the improvements will not affect the current access.

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.
 - No concerns noted.
3. Refuse and service areas, with particular reference to the items in (1) and (2) above.
 - No concerns noted.
4. Utilities, with reference of locations, availability, and compatibility.
 - No concerns noted.
5. Screening and buffering with reference to type, dimensions, and character.
 - The property is developed with heavy industrial uses. Screening and buffering requirements would be subject to City requirements, however, do not appear to be a concern.
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.
 - No concerns noted.
7. Required yards and other open space.
 - No concerns noted.
8. Soil conditions, as they relate to on-site sewage disposal, water supply, basement excavating, road construction and related land use.
 - No concerns noted.
9. General compatibility with adjacent properties and other properties in the district.
 - No concerns noted.

NOTICES:

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

Comments Received:

- None to date.

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

- The application may be considered consistent with the Comprehensive Plan and the intent of the M: Heavy Industrial District.
- With regards to planning issues dealing with aboveground storage tanks the staff does not have concern; however, the applicant must comply with all requirements set forth in the International Fire Code, which will be enforced by the West Fargo Fire Department

PLANNING AND ZONING COMMISSION ACTION

At their September 10, 2024 meeting, the West Fargo Planning and Zoning Commission voted to approve the Conditional Use Permit.

STAFF REPORT

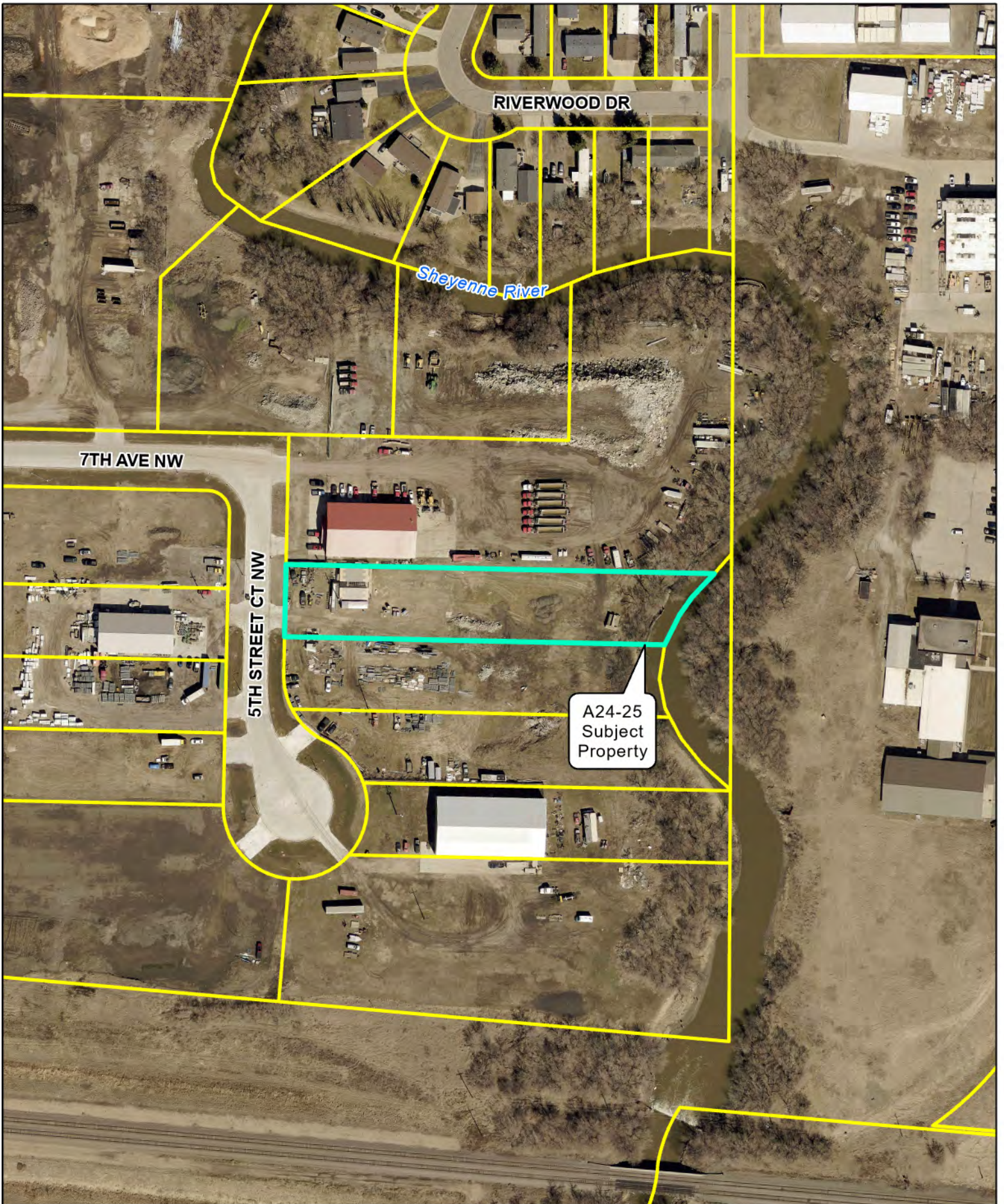
RECOMMENDATIONS:

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

1. A Signed Conditional Use Permit Agreement is received.

Attachments:

- Aerial map
- Zoning map
- Site Plan with Tank Overview, Containment and Foundation Plan
- Draft Conditional Use Permit Agreement



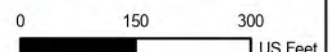
Features

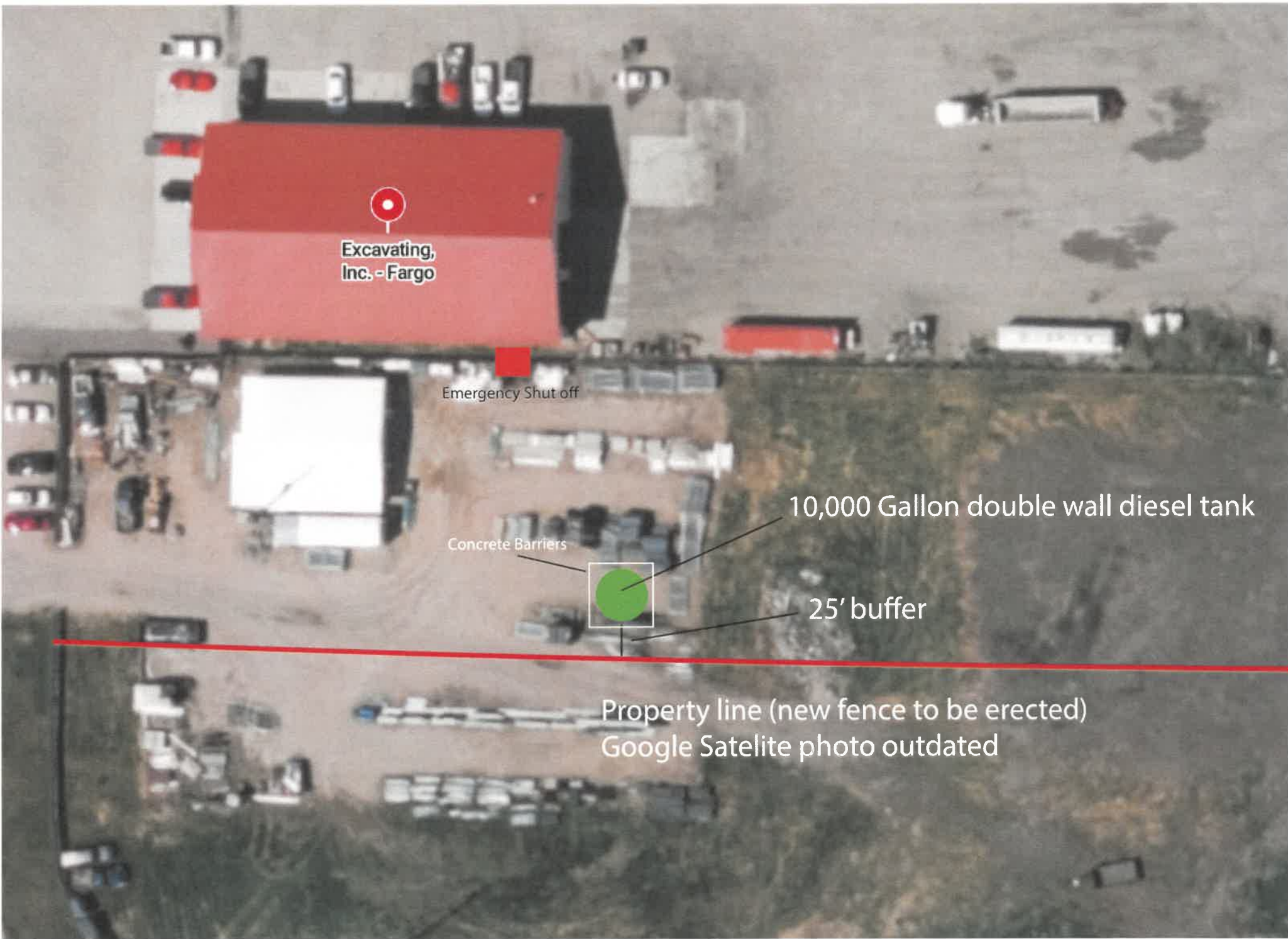
 Agenda Zone  Lots



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





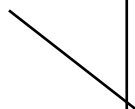
Tank Overview and Containment

This infographic is for informational purposes only

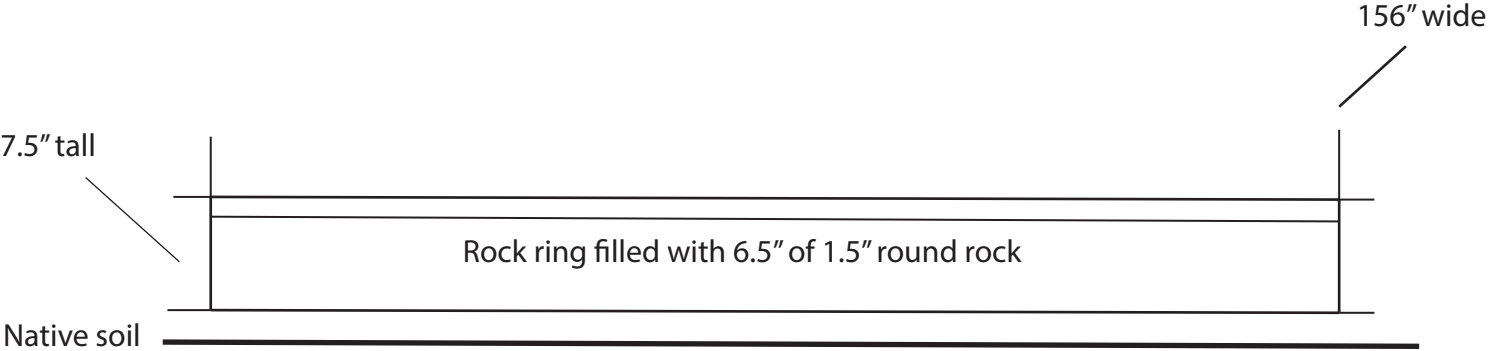


10,000 Gallon Double Wall Tank
UL- 142 listed

Secondary Containment



Foundation Plan





UL 142 Aboveground Flammable Liquid Tanks

Ten things to know about these Listed products.

Fire code officials and contractors who are involved with designing, installing and approving installations that contain aboveground flammable liquid tanks are used to seeing shop fabricated tanks that bear a UL Listing (Certification) Mark. However, they may not fully understand what the certification covers, or some key installation considerations that are applicable for the installation of the tank and related system.



This article describes ten items one should know about these certified tanks and related code applications.

1. Codes recognize the use of UL 142 listed tanks

The NFPA 30 Flammable and Combustible Liquids Code requires atmospheric tanks to be designed and constructed in accordance with one of several recognized engineering standards, one of which is the UL 142, Standard for Safety for Steel Aboveground Tanks for Flammable and Combustible Liquids. The International Fire Code in turn requires tanks to be designed, constructed and installed in accordance with NFPA 30.

2. Types of tanks covered by ul 142

UL 142 includes requirements that cover steel primary, secondary and diked type atmospheric storage tanks intended

for noncorrosive, stable flammable and combustible liquids that have a specific gravity not exceeding 1.0 in aboveground applications. UL 142 includes requirements for tanks fabricated in a combination of various shapes (cylindrical, rectangular or round) and orientations (horizontal, vertical) with or without multiple compartments.

UL 142 covers shop fabricated tanks only, and does not cover portable tanks intended for transporting flammable or combustible liquids (such as shipping containers), or mobile use applications (such as mounted on a trailer).

3. UL 142 requirements

UL 142 includes requirements that manufacturers use to design and fabricate aboveground steel tanks, and that certification organizations such as UL use to investigate and List (certify)



Wire and Cable Marking Considerations (continued)

these tanks. The standard includes a comprehensive set of requirements in the following areas:

- **Construction requirements** – These include specification for the tank materials, joints, connections, fittings, manholes (if provided), fill, drain and gauge openings, and painting. They also include specific construction requirements for the primary and secondary containment means, supports, etc.
- **Performance tests** – These requirements include tank leakage, hydrostatic strength, top loading, buoyancy, hydrostatic load, tank support load, and lift lug tests that are designed to verify that the tank design does not exhibit signs of leakage and/or structural damage as a result of these tests.
- **Markings and production line test** – UL 142 requires tanks to include specific markings discussed below. In addition, 100% of production of each Listed primary and secondary containment tank must be tested for leakage by the manufacturer.

4. Listing marks

Aboveground tanks that have been found to comply with applicable UL 142 requirements include a UL Listing Mark permanently affixed to the tank. The Listing Mark includes the UL symbol, the word “LISTED,” a control number and the name of the tank construction as indicated in the manufacturer’s Listings (e.g. Secondary Containment Aboveground Tank, Generator Base Tank, etc.)

5. Product categories

Information on tanks certified in accordance with UL 142 can be found in the Online Certifications Directory at www.ul.com/database. The guide information for the Aboveground Flammable-liquid Tanks (EEEV) product category includes useful information on the products covered under this category. In addition, the Special-purpose Tanks (EFVT) product category covers Listed UL 142 aboveground steel tanks that include generator base, work-top, lube oil, waste oil, day/utility and other special-purpose type tanks.

6. Features covered

The basic features of tanks covered by the UL 142 Listing include all containment spaces and their respective openings (manways, emergency vents, normal vents, fill/withdraw, gauging,

monitoring and other functional openings) with connections (threaded- or flanged-type fittings) and integral tank accessories such as ladders, stairs, lifting lugs and heating coils or hot wells.

All primary-tank compartment(s) are provided with openings to accommodate filling, withdrawing and inventory control; and all secondary-tank interstitial spaces are provided with openings for leak-detection monitoring.

7. Features not covered

UL 142 tank Listings covers the features and accessories described above, which are described in the individual Listings. Any other accessories or components that are shipped with the tanks, attached to the tanks or added to the tanks are not included in the scope of the tank Listing. It is anticipated that the code authority will approve the use and/or installation of any such accessories independent of the tank Listing.

8. Venting and leak detection

All primary-tank compartment(s) are provided with normal and emergency vent openings. All secondary-tank interstitial space(s) are provided with emergency vent openings. It is anticipated that venting will be provided at the actual installation in accordance with applicable code requirements.

9. Intended use

UL 142 Listed tanks are intended for installation in accordance with a variety of installation codes, including NFPA 30, NFPA 30A, NFPA 31, NFPA 37, NFPA 1 and the International Fire Code. They have not been investigated for use underground. However, they are suitable for use in UL 2245 Listed below grade vaults as allowed by the applicable installation code.

10. UL 80 Tanks

In comparison to UL 142, the UL 80 Standard for Steel Tanks for Oil-Burner Fuels and Other Combustible Liquids covers aboveground 60 to 660 gallon steel tanks intended for the storage of heating fuels for oil burning equipment, diesel fuels for compression ignition engines and new and used motor oils at automotive service stations.

Conditional Use Permit

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

WHEREAS, **Excavating, Inc.** (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, the **Applicant** is the legal owner of property located at 643 5th Street Ct NW, West Fargo, ND 58078, legally described as (hereinafter referred to as the “**Property**”):

Lot 13, Block 1 of The Yards Second Addition

NOW, THEREFORE, by order of the West Fargo City Commission, the said applicant is hereby issued a Conditional Use Permit to:

Allow for an aboveground fuel tank in the M: Heavy Industrial zoning district.

on the above-described Property with the following conditions:

1. The West Fargo Fire Department inspects and improves finished project prior to filling and operating fuel tanks.
2. The City of West Fargo reserves the right to inspect the property for compliance with these conditions.
3. Any and all claims that arise or may arise against Applicant, its 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.
4. 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.
5. If Applicant 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 revocation 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 remove the conditionally permitted use from the

property by the date stated by the City Commission at the hearing. Applicant shall pay as reasonable attorney's fees and court costs associated with the City's enforcement of the terms of this Conditional Use Permit.

6. 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.
7. The obligations herein shall run with the Property and shall bind the Applicant and the Owner and their successors and assigns.
8. Each provision, section, sentence, clause, phrase, and word of this Agreement is intended to be severable. If any provision, section, sentence, clause, phrase, and word hereof is held by a court with jurisdiction to be illegal or invalid for any reason whatsoever, such illegality or invalidity shall not affect the validity of the remainder of this Agreement.
9. The Applicant acknowledges receipt of this Conditional Use Permit and agrees to its terms and conditions.

Dated this 24th day of September, 2024.

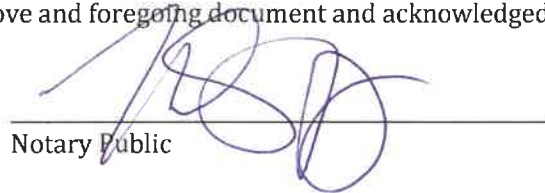
APPLICANT:



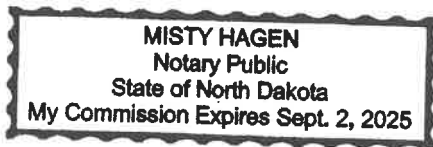
STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this 24th day of September, 2024, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Austin Stockert, 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



Dated this ____ day of _____, 20____.

CITY OF WEST FARGO

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

Dustin T. Scott, City Auditor

STATE OF NORTH DAKOTA)
)
COUNTY OF CASS)

On this ____ day of _____, 2024, before me, the undersigned, a Notary Public in and for said county and state, personally appeared Bernie L. Dardis and Dustin T. Scott, known to me to be the President of the Board of City Commissioners and City Auditor, respectively, of the City of West Fargo, that is described in and who executed the above and foregoing document and acknowledged to me that he executed the same on the behalf of the City of West Fargo.

[SEAL]

Notary Public



"Consent" or "Regular" Agenda
Item?

[Consent]

Commission President

Bernie Dardis

Primary Portfolio:

Administrative Services

Secondary Portfolio:

Police & Fire

Commission

Vice President

Brad Olson

Primary Portfolio:

Police & Fire

Secondary Portfolio:

Street, Water & Sewer

Commissioner

Roben Anderson

Primary Portfolio:

Community &

Development Services

Secondary Portfolio:

Administrative Services

Commissioner

Rory Jorgensen

Primary Portfolio:

Sanitation

Secondary Portfolio:

Community &

Development Services

Commissioner

Amy Zundel

Primary Portfolio:

Street, Water & Sewer

Secondary Portfolio:

Sanitation

City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: October 7, 2024

Subject: Improvement Dist. 3006 - Westwood Addition Reconstruction

Action: Informational – No Action

New Information and Recommendation:

On September 16th the Commission authorized moving forward with an Engineer's Report for the reconstruction of the Westwood Addition.

In November of 2022 a neighborhood survey was conducted to gather property owner feedback on the upcoming project. Since that time there has been no communication with these residents.

If this project moves forward to design and eventually construction, temporary construction easements will be needed to give the contractor adequate room to construct the improvements as the existing right of way in the neighborhood is currently 50' wide.

A letter has been mailed to the property owners the week of September 30th to let them know that this project has been brought forth to the Commission and may be moving forward for construction in 2025. The letter also states the need for these temporary easements and is requesting owners to contact City staff to discuss the acquisition of the easements.

This update is being provided to the Commission for awareness of these letters being sent in the event that a property owner reaches out.

The following documents are attached for review/consideration:

- Example of the letter sent to the property owners

Staff Recommendation: Informational, no action.

Previously Presented Information and Commission Actions:

September 16, 2024 –

- **Staff Recommendation:** Create Improvement District No. 3006; Direct Engineer to prepare an Engineer's Report; Approve Task Order for Preliminary Engineering Services.
- **Commission Action:** Commissioner Olson moved, and Commissioner Zundel seconded to approve. No opposition, motion carried.

August 5, 2024 –

- Commission adopted the 2024 Capital Improvement Plan which included this project to be constructed in 2025

November 2022 –

- Public out-reach door hangers delivered to residents within the Westwood Addition to partake in a neighborhood survey pertaining to a potential infrastructure project.

October 2, 2024

Re: Improvement District 3006 - Replacement of Water Supply, Sewerage Systems, Street Reconstruction, and Incidentals - Westwood Addition Reconstruct

Dear Current Resident,

The City of West Fargo ("City") is in the process pursuing a utility replacement and street reconstruction project ("Project") within your neighborhood, the Westwood subdivision. As you may recall, a neighborhood survey was conducted in November of 2022. Based on feedback from that survey and identified necessary infrastructure upgrades, the Project has been scheduled as a potential 2025 Capital Improvement Planning ("CIP") project.

The Project consists of replacing aging sanitary sewer pipes and water distribution pipes, installing a new storm sewer system, and replacing the deteriorated streets and sidewalks in the area shown on the attached Improvement District Map. The City is working with Moore Engineering, Inc. ("Moore") as the engineering consultant to prepare a Feasibility Study for the Project and pursue right-of-way needs within the Project area. The identified project engineer with Moore is Brandon Smith (701.551.1066 or brandon.smith@mooreengineeringinc.com).

Upon review of the Feasibility Study, the City Engineer will prepare an Engineer's Report which will be presented for approval at an upcoming City Commission meeting. If the Engineer's Report is approved, the Project will continue through the typical city project process including further public input steps and the preparation of plans and specifications. Please watch for further information on these next project steps and meetings.

If the Project progresses, Moore will begin reaching out to residents within the Project area to coordinate temporary construction easements ("TCEs"). For most properties, a TCE is required for sewer service, water service, and roadway replacements. Typical TCEs will include property along the existing street right-of-way and will vary in size depending on identified project needs at the respective property location. The identified right-of-way agent with Moore is Levi Hanson (701.551.1064 or levi.hanson@mooreengineeringinc.com). Please fill out the attached "Contact Information Sheet" with your preferred contact information and return the sheet to the "please return to" address or Levi's email address.

If you have any questions regarding the Project, please contact myself, Moore's project engineer, or Moore's right-of-way agent.

Sincerely,



Jerry Wallace, PE
Assistant City Engineer

Cc: Dan Hanson, City Engineer

Enclosures:

- 1) Contact Information Sheet
- 2) Project Exhibit Map: Improvement District Map

For information about a specific project, visit westfargond.gov/268/Engineering

CONTACT INFORMATION SHEET

Preferred Contact Information:

Name: _____

Mailing Address: _____

Email Address: _____

Phone Number: _____

Cell Phone Number: _____

Please return to: Moore Engineering, Inc.
Attn: Levi Hanson
925 10th Avenue East
West Fargo, ND 58078

For information about a specific project, visit westfargond.gov/268/Engineering



To: West Fargo City Commission
From: Fire Chief Dan Fuller
Date: October 7th, 2024
Subject: MOU Fire Dept Joint Training Program
Action: Approve

Commission President

Bernie Dardis

Primary Portfolio:
Administrative Services

Secondary Portfolio:
Police & Fire

Commission Vice President

Brad Olson

Primary Portfolio:
Police & Fire

Secondary Portfolio:
Street, Water & Sewer

Commissioner

Roben Anderson

Primary Portfolio:
Community &
Development Services

Secondary Portfolio:
Administrative Services

Commissioner

Amy Zundel

Primary Portfolio:
Street, Water & Sewer

Secondary Portfolio:
Sanitation

Commissioner

Rory Jorgensen

Primary Portfolio:
Sanitation

Secondary Portfolio:
Community &
Development Services

City Administrator

Dustin Scott

Summary and Recommendation:

The purpose of the Memorandum of Understanding Related to Joint Training Program for West Fargo and Fargo Fire Department Recruits (MOU) between The City of West Fargo and the City of Fargo is to establish a collaborative program under an MOU. The two departments have been working in tandem on the Joint Fire Academy since 2020, and this MOU is the result of determining what works for both departments. The MOU allows for both Chiefs and their respective staffs to determine the textbooks, activities, and length of the academy, recognizing that success for one department is success for the other department.

Policy Analysis:

The MOU supports policy already in place within both departments. Most importantly, it lays out a process to follow for damaged equipment, conduct, financial matters, works compensation and liability insurance requirements.

Financial Analysis:

The Joint Academy program has already saved the City of West Fargo significant cost and time in training new firefighter recruits over each department running an academy separately. The economy of scale of training one class with each department's training staff and physical resources allows for daily activities of the training staff to occur with on duty firefighters. Cost sharing of consumables, and use of specialized facilities unique to each department has offset the cost each department building new, duplicate facilities or running duplicate academies during the year.

Process/Timeline:

After the MOU is agreed upon and signed by each city, the MOU will be in effect

Process	Action
Approval	

MEMORANDUM OF UNDERSTANDING

RELATED TO JOINT TRAINING PROGRAM FOR WEST FARGO AND FARGO FIRE DEPARTMENT RECRUITS

THIS MEMORANDUM OF UNDERSTANDING (the “MOU”) is made and entered into this ____ day of _____, 2024 (the “Effective Date”), by and between the City of West Fargo, North Dakota, a municipal corporation (hereinafter referred to as “West Fargo”), and the City of Fargo, North Dakota, a municipal corporation (hereinafter referred to as “Fargo”).

WHEREAS, the West Fargo Fire Department and Fargo Fire Department (collectively, the “Fire Departments”) provide fire protection services in their respective jurisdictions; and

WHEREAS, due to the close proximity of the City of West Fargo and the City of Fargo, availability of staff, and other resources, it is in the best interest of the parties to enter into this MOU to partner together to provide for efficient and effective training for incoming recruits of the Fire Departments; and

WHEREAS, by providing a joint training program, recruits are equally equipped with knowledge and skills, and the collaborative approach allows the parties to better serve the residents of the Fargo-West Fargo community; and

WHEREAS, the parties desire to memorialize the terms, rights, and responsibilities in writing under this MOU.

NOW, THEREFORE, in consideration of the promises and other good and valuable consideration, the parties agree as follows:

1. Purpose. This MOU is made pursuant to N.D.C.C. § 54-40.3-01, which authorizes the joint and cooperative exercise of powers common to contracting parties. The law of the State of North Dakota provides that political subdivisions have the power to make and enter into mutual aid agreements with other political subdivisions in order to effectively provide public safety services during emergency situations. The purpose of this MOU is to allow the City of West Fargo and City of Fargo to partner together to provide an efficient and effective training program for Fire Department recruits. In light of the existing mutual aid agreements and the similarity in their training needs, a collaborative training approach promotes consistency in regional Fire Services and better service to residents.
2. Not a Separate Political Subdivision. This MOU is not intended to create a separate political subdivision. The parties will work in a collaborative manner to provide a joint training program for Fire Department recruits. The parties agree and acknowledge that each may not exercise any power on behalf of the other unless that power is expressly granted in this MOU.
3. Definitions. All capitalized terms used and not otherwise defined herein shall have the meanings given to them in this MOU as defined in this Section, unless a different meaning clearly applies from the context.

“*City of Fargo*” means the City of Fargo, a North Dakota Home Rule City and political subdivision of the State of North Dakota.

“City of West Fargo” means the City of West Fargo, a North Dakota Home Rule City and political subdivision of the State of North Dakota.

“Effective Date” means the date of approval and execution of this MOU by the West Fargo Board of City Commissioners and the Fargo Board of City Commissioners, whichever is later.

“Fire Department(s)” means, collectively, the West Fargo Fire Department and the Fargo Fire Department.

“Fire Services” means all services which the Fire Departments provide, including, but not limited to fire suppression services, emergency medical services, fire inspections, fire investigations, public education, code enforcement, major plans review, technical rescue, and hazmat operations response.

“MOU” means this Memorandum of Understanding for a joint training program for Fire Department recruits by and between the City of West Fargo and the City of Fargo.

4. Joint Training Program. The parties intend that recruits will participate in a training program for a certain length of time that is agreed upon by the Fire Departments that best fits the mutually agreed upon training needs. Upon completion of the training program, the recruits shall have knowledge and skills necessary to provide firefighting services, including, but not limited to, Emergency Medical Technician, Firefighter 1, Firefighter 2, and Hazmat Operations certifications. The fire chief of each party shall meet at least once per year to review goals, schedules, costs, and any other operational concerns.
5. Curriculum. The parties shall design and develop training curricula, objectives, and requirements for the training program. Any and all changes to the curriculum shall be agreed upon by both parties. Training curricula, objectives, and other requirements shall be consistent with federal and state law, regulations, and applicable certification requirements for firefighters in North Dakota.
6. Personnel. The parties shall provide at least one (1) individual to lead the training program on behalf of each Fire Department. The parties shall coordinate to ensure additional personnel are available to provide adequate instruction to recruits in the training program. The parties agree and acknowledge that personnel may instruct, coach, correct, and give feedback to recruits, irrespective of whether the recruit comes from the City of West Fargo or the City of Fargo.
7. Equipment. The parties shall furnish, provide, and maintain in safe working condition, all equipment to satisfactorily carry out the training program. Personnel are responsible for reporting any damaged or malfunctioning equipment to individuals leading the training program on behalf of the respective fire department. Vehicles shall be subject to an annual inspection with any deficiencies to be corrected by the appropriate fire department. The parties agree and acknowledge that recruits may utilize equipment owned by either Fire Department. Equipment provided by the Fire Departments for the use covered by this MOU shall meet all applicable safety standards for equipment as contained in appropriate federal and state laws, regulations, and rules. All equipment individually acquired by either party shall remain the property of that party.

8. Damage to or Destruction of Equipment. Each party is responsible for damage to its own equipment in providing training under this MOU, unless caused by negligence or intentional act of the other party to this MOU. If the other party to this MOU, its officers, agents, or employees, negligently or intentionally causes damage to the other party's equipment, that party is responsible for repairing or replacing the damaged equipment.

9. Conduct.
 - a. Any recruit may be summarily suspended from the training program for violations of any of the rules and regulations or other orders of the fire departments, including, but not limited to, insubordination, being under the influence of alcohol or controlled substances, disrespect or abuse toward personnel or other recruit(s), conduct unbecoming of an employee of the Fire Department, conduct prejudicial to good order, or incompetence.
 - b. In all matters of general conduct not specifically covered by this MOU, all recruits shall be governed by the ordinary rules of good behavior observed by law abiding self-respecting citizens, and shall be subject to disciplinary action for conduct tending to bring unfavorable reflections upon the Fire Department.
 - c. Recruits acting in violation of the rules and regulations or orders of the respective fire departments are subject to immediate corrective action, reprimand, or dismissal from the training program. The parties agree and acknowledge that any corrective action, reprimand, or dismissal shall be documented in writing and provided to the representative of the responsible Fire Department. The parties agree the recruits must follow the rules and regulations or orders of each Fire Department. The parties agree to accept written documentation of misconduct or other unacceptable behavior of either party's employees through the progression of the training program. The parties agree that each Fire Department has the right to provide corrective action, reprimand, or dismissal of any recruit, regardless of which Fire Department the recruit is employed by. However, the Fire Departments shall jointly discuss any disciplinary action unless there is an emergency situation which does not allow time to jointly discuss.

10. Financial Matters.
 - a. Each party shall maintain books, records, and documents which sufficiently and properly reflect all direct and indirect costs related to the performance of this MOU and maintain such accounting procedures and practices as may be deemed necessary to assure proper accounting of all funds paid pursuant to this MOU. These records shall be subject, at all reasonable times, to inspection, review or audit by the other party, its authorized representative, or other governmental officials authorized by law to monitor this MOU.
 - b. The parties may develop a rotating schedule to pay for costs of consumables, including, but not limited to, utilities, propane, supplies, and other costs permitted by this MOU. The party being reimbursed produce twice yearly billing statements that include fees and any additional costs permitted by this MOU. The party responsible for paying shall remit payment within thirty (30) days of receipt of the invoice.

11. Responsibility for Employees. Each party shall compensate its own employees for any time spent organizing the training program, providing instruction, attending training sessions, or other related activities. Neither party shall be liable for nor obligated to pay the other party's employee wages, leave, or any other benefit of employment, nor to pay any health premiums, or tax which may arise as an incident of employment. Any employees who are due overtime as a result of a training exercise or other activities will be paid such overtime by their respective employer.
12. Independent Professional Judgment. Nothing in this MOU shall be construed to interfere with or otherwise affect the rendering of Fire Services by the Fire Departments in accordance with the independent professional judgment of Fire Department personnel.
13. Indemnification and Release.
 - a. As permitted by applicable law, the parties will indemnify, defend, and hold harmless each other, each other's officers, employees, and agents from and against any and all claims by or on behalf of any person or persons for damages caused by the services provided under this MOU, and for injury or property damage arising from services provided under this MOU.
 - b. Nothing herein will be deemed a waiver by the parties of the limitations on liability set forth in N.D.C.C. § 32-12.1-03, and both party's obligation to indemnify, hold harmless, and defend the other party will be limited by the limitations on liability set forth in N.D.C.C. § 32-12.1-03, less any amounts which that party is required to pay on its own account, or on account of that party's officer, agents, or employees.
 - c. Under no circumstances will a party be required to pay on behalf of itself and the other party, any amounts in excess of the limits on liability established in N.D.C.C. § 32-12.1-03 applicable to any one (1) party. The limits of liability for the parties may not be added together to determine the maximum amount of liability for either party.
14. Workers' Compensation. Both parties to this MOU will be responsible for its own actions and those of its officers, agents, and employees. The parties will be responsible for complying with North Dakota workforce safety rules and for enrollment of its staff and employees with North Dakota Workers' Compensation.
15. Liability Insurance. The parties agree to obtain public liability insurance coverage with coverage limits which, at a minimum, equal the liability limits set forth in N.D.C.C. § 32-12.1-03 at all times. The policy must be with an insurance company licensed to do business in the State of North Dakota: 1) by being a qualified self-insured company; or 2) by being a member of a group self-insurance association. The parties agree that enrollment for coverage with the North Dakota Insurance Reserve Fund equal to, or greater than, the stated coverage limits is deemed to satisfy this requirement.

The parties are responsible for complying with the motor vehicle financial responsibility laws of the State of North Dakota. The parties agree to obtain automobile liability coverage with coverage limits which, at a minimum, equal the liability limits set forth in N.D.C.C. § 32-12.1-03 at all

times. Coverage must be extended to owned, non-owned, and hired vehicles by a policy with an insurance company licensed to do business in the State of North Dakota: 1) by being a qualified self-insured company; or 2) by being a member of a group self-insurance association. The parties agree that enrollment for coverage with the North Dakota Insurance Reserve Fund equal to, or greater than, the stated coverage limits is deemed to satisfy this requirement.

16. Termination. This MOU shall be in full force and effect for a period of five (5) years from the Effective Date. This MOU may be terminated at any time upon thirty (30) days' written notice thereof to the other party.
17. Open Records. The Fargo and West Fargo fire departments shall cooperate in responding to any request for documents by any third party to the extent such documents may be required to be disclosed under N.D.C.C. § 44-04 regarding open records laws.
18. Notice. Any notice or election required or permitted to be given or served by any party to this MOU upon any other will be deemed given or served in accordance with the provisions of this MOU if said notice or election is (a) delivered personally, or (b) mailed by United States certified mail, return receipt requested, postage prepaid, and in any case properly addressed as follows:

If to Fargo:	City of Fargo Attn: Fire Chief Fargo City Hall 637 NP Avenue Fargo, ND 58102
If to West Fargo:	City of West Fargo Attn: Fire Chief 1201 10 th Avenue E West Fargo, ND 58078

Each such mailed notice or communication will be deemed to have been given on the date the same is deposited in the United States mail. Each such delivered notice or communication will be deemed to have been given upon the delivery. Any party may change its address for service of notice in the manner specified in this MOU.
19. Time of the Essence. Time is of the essence of each provision of this entire MOU and of all the conditions thereof.
20. Entire Agreement. This MOU constitutes the entire and complete agreement between the parties and supersedes any prior oral or written agreements between the parties with respect to the matters contained herein. It is expressly agreed that there are no verbal understandings or agreements which in any way change the terms, covenants and conditions set forth herein, and that no modification of this MOU and no waiver of any of its terms and conditions will be effective unless in writing and duly executed by the parties.
21. Amendments. No amendment, modification, or waiver of any condition, provision or term will be valid or of any effect unless made in writing signed by the party or parties to be bound, or a duly authorized representative, and specifying with particularity the extent and nature of such amendment, modification or waiver.

22. No Forbearance. The failure or delay of any party to insist on the performance of any of the terms of this MOU, or the waiver of any breach of any of the terms of this MOU, will not be construed as a waiver of those terms, and those terms will continue and remain in full force and effect as if no forbearance or waiver had occurred and will not affect the validity of this MOU, or the right to enforce each and every term of this MOU.
23. Remedies. Except as expressly and specifically stated otherwise, nothing herein will limit the remedies and rights of the parties under and pursuant to this MOU.
24. Binding Effect. All covenants, agreements, warranties and provisions of this MOU will be binding upon and inure to the benefit of the parties and their respective representatives, successors and assigns.
25. Governing Law. This MOU has been made and entered into under the laws of the State of North Dakota, and said laws will control its interpretation. Any litigation arising out of this MOU will be venued in State District Court in Cass County, North Dakota, and the parties waive any objection to venue or personal jurisdiction.
26. Rules of Construction. The parties acknowledge that they have had the opportunity to review this MOU, and that they have an equal bargaining position in this transaction. No rule of construction that would cause any ambiguity in any provision to be construed against the drafter of this document will be operative against any party to this MOU.
27. Representation. The parties, having been represented by counsel or having waived the right to counsel, have carefully read and understand the contents of this MOU, and agree they have not been influenced by any representations or statements made by any other parties.
28. Headings. Headings in this MOU are for convenience only and will not be used to interpret or construe its provisions.
29. Severability. In the event that any term, part, or provision of this MOU is held to be invalid or unenforceable, all other terms, parts, and provisions will nevertheless continue to be valid and enforceable with the invalid or unenforceable term, part, or provision severed from the remainder of this MOU.
30. Execution in Counterparts; Electronic Signatures. This MOU may be executed in two or more counterparts, each of which together shall be deemed an original, but all of which together shall constitute one and the same instrument. In the event that any signature is delivered by facsimile transmission or by e-mail delivery of a “.pdf” format data file, such signature shall create a valid and binding obligation of the party executing (or on whose behalf such signature is executed) with the same force and effect as if such facsimile or “.pdf” signature page was an original thereof.
31. Effective Date. This MOU becomes effective on the date of the last signature appearing below.

(Signatures appear on the following pages.)

IN WITNESS WHEREOF, the parties approved this MOU on the date first written above.

CITY OF WEST FARGO:

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

ATTEST:

Dustin Scott, City Administrator

As to form of this MOU:

Daniel M. Fuller, Fire Chief

CITY OF FARGO:

Timothy Mahoney, M.D., Mayor

ATTEST:

Steven Sprague, City Auditor

As to form of this MOU:

Steven J. Dirksen, Fire Chief

**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	
☐ 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 West Fargo Pacer Wrestling Boosters		Dates of Activity (Does not include dates for the sales of tickets) 1/21/2024	
Organization or Group Contact Person Katy Kressin		E-mail Katy.Kressin@gmail.com	Telephone Number 320-761-8434
Business Address 16410 10th St W		City West Fargo	State ND
Mailing Address (if different)		City	State
			ZIP Code 58078

SITE INFO

Site Name West Fargo High School		County Cass	
Site Physical Address 801 9th St E		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.)			
Raffle tickets sell Nov. 1st, 2024 - Jan. 21, 2025 (draw date)			

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

Game Type	Description of Prize	Exact Retail Value of Prize
Raffle tickets	list attached	
Total (limit \$40,000 per year)		\$ 4,334.59

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds support the financial needs of the West Fargo Wrestling program as needed including food, hotels, uniforms and other items as needed	
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 Katy Kressin	Telephone Number 320-761-8434	E-mail Address Katy.Kressin@gmail.com
Signature of Organization Group's Permit Organizer Katy Kressin	Title President	Date 8/25/2024

Manufacturer / Model / Caliber	Style #	Cost	Cost w/ Tax
Ruger 10/22 WD/BLU 22LR 18.5IN	1103	\$300.00	\$322.50
Savage 93R17FXP 17HMR PKG 21IN	96209	\$330.00	\$354.75
Savage 110 APEX XP 243WIN PKG	57303	\$605.00	\$650.38
Ruger CFR AMER II 6.5CM GRYSPLTTR	46901	\$555.00	\$596.63
Skoeger SG M3000 12/28 SYN	36016	\$490.00	\$526.75
Sigsauer HG P365X FUSE 9MM 4.3 OR	365XF-9-B	\$608.00	\$653.60
Canik HG METE SFX 9MM FDE	HG5635-N	\$493.00	\$529.98
	Sub table	\$3,634.59	
Gift Card Amount	Qty		
\$25.00	4		\$100.00
\$50	4		\$200.00
\$100.00	4		\$400.00
	Sub Total:		\$700.00
	Total		\$4,334.59



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 Wyatt Simley Benefit		Dates of Activity (Does not include dates for the sales of tickets) October 25, 2024	
Organization or Group Contact Person Michelle Groth	E-mail teamdrg@midco.net	Telephone Number 701-866-3041	
Business Address 1608 38 1/2 Ave S	City Fargo	State ND	ZIP Code 58104
Mailing Address (if different)	City	State	ZIP Code

SITE INFO

Site Name Lights Event Center		County Cass	
Site Physical Address 360 32nd 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.) 10/25/24 benefit raffle (working with Lend A Hand)			

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

Game Type	Description of Prize	Exact Retail Value of Prize
raffle	(2) handmade quilts \$75	150.00
raffle	(1) Scheels voucher for Bergara B-14 Ridge West River 6.5 PRC gun	835.00
raffle	(5) Scheels vouchers for Taurus TX22 22LR guns @ \$285	1,425.00
Total (limit \$40,000 per year)		\$ 2,410.00

ADDITIONAL REQUIRED INFORMATION

Intended Uses of Gaming Proceeds proceeds benefit the Wyatt Simley family (medical)	
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 Michelle Groth	Telephone Number 701-866-3041	E-mail Address teamdrg@midco.net
Signature of Organization Group's Permit Organizer 	Title event coordinator	Date Oct 2, 2025

BENEFIT FUNDRAISER FOR

WYATT SIMLEY

FRIDAY
OCTOBER 25
5 P.M. – 8 P.M.

THE LIGHTS EVENT CENTER – DIVE BAR
360 32ND AVE. W. SUITE 140, WEST FARGO

**View and bid on auction
items or donate online**



**Donate an auction
or raffle item**

Contact Lindsey Botnen
for info: 701-361-8003

Attend the benefit!

Sloppy Joe meal
\$5 kiddos, \$10 adult
suggested donation

Unable to attend?

Donate online or direct a
donation to the Simley
family fund at Bell Bank



Online
gifts
boosted
20%!

Learn more/give, **LendAHandUp.org**

Wyatt was born on April 15, 2024, with Hypoplastic Left Heart Syndrome (HLHS), a rare congenital heart defect in which the left side of the heart is underdeveloped or not developed at all. On April 23, Wyatt underwent his first open heart surgery and is tentatively scheduled for his second before the end of the year. Wyatt has been a rockstar throughout many challenges and has amazed his parents every day. Funds raised at the benefit will help with living expenses, medical bills and lost wages while Samantha, Wyatt's mom, has taken time away from work to care for him at home full time.

Follow Wyatt's journey on CaringBridge by visiting bit.ly/wyattsimley.



Samantha, Wyatt,
Nate and Wren



Year To Date As of August 31, 2024

Prepared: 9/23/2024

Budgeted Funds		Revenue/Transfers			Expenditure/Transfers			Net			Cash
Fund	Description	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance	
1000	General Fund	\$ 18,675,261	\$ 30,330,276	\$ (11,655,015)	\$ 19,082,023	\$ 30,822,389	\$ 11,740,366	\$ (406,762)	\$ (492,113)	\$ 85,351	\$ 18,140,610
2030	Share of Specials	202,231	209,570	(7,339)	203,171	209,570	6,399	(939)	-	(939)	49,563
2060	Fire Dept	4,281,817	6,820,019	(2,538,202)	4,426,939	7,722,890	3,295,951	(145,123)	(902,871)	757,748	(1,991,271)
7000	Library (1)	2,082,626	2,399,111	(316,485)	1,421,629	2,354,762	933,133	660,997	44,349	616,648	1,431,781
7050	Airport	263,756	227,314	36,442	192,705	185,945	(6,760)	71,051	41,369	29,682	1,055,868
Total Government		\$ 25,505,691	\$ 39,986,290	\$ (14,480,599)	\$ 25,326,467	\$ 41,295,556	\$ 15,969,089	\$ 179,224	\$ (1,309,266)	\$ 1,488,490	\$ 18,686,551
2970	Capital Improvements	7,353,187	11,571,138	(4,217,951)	486,714	12,050,659	11,563,945	6,866,473	(479,521)	7,345,994	35,893,579
2975	Public Safety Sales Tax	2,356,876	3,836,250	(1,479,374)	385,643	2,882,266	2,496,623	1,971,233	953,984	1,017,249	3,237,464
2971	Prairie Dog Funds	-	-	-	-	-	-	-	-	-	880,357
2960	Economic Development	2,734,492	3,858,750	(1,124,258)	2,177,569	3,858,750	1,681,181	556,923	-	556,923	14,055,822
2130	Municipal Highway	-	1,845,504	(1,845,504)	-	1,845,504	1,845,504	-	-	-	(1,704,907)
2110	Gaming	21,251	12,000	9,251	-	12,000	12,000	21,251	-	21,251	145,829
2XXX	Event Funds	-	-	-	-	-	-	-	-	-	16,668
2200	Vector Control	159,321	110,000	49,321	89,105	65,000	(24,105)	70,216	45,000	25,216	518,565
2210	Forestry	312,768	428,940	(116,172)	256,041	325,551	69,510	56,727	103,389	(46,662)	150,351
2230	City Utility	45,615	130,000	(84,385)	99,905	130,000	30,095	(54,290)	-	(54,290)	153,088
25XX	Police Special Funds	16,238	5,500	10,738	53,813	17,920	(35,893)	(37,575)	(12,420)	(25,155)	325,069
2950	Assets Forfeitures	20,849	30,000	(9,151)	50,973	30,000	(20,973)	(30,125)	-	(30,125)	124,760
2980	South Facility Hookup	-	50,000	(50,000)	-	-	-	-	50,000	(50,000)	3,458,678
Total Special Funds		\$ 13,020,597	\$ 21,878,082	\$ (8,857,485)	\$ 3,599,763	\$ 21,217,650	\$ 17,617,887	\$ 9,420,833	\$ 660,432	\$ 8,760,401	\$ 57,255,324
3000	Total Debt Service	\$ 24,606,790	\$ 23,774,632	\$ 832,158	\$ 20,435,171	\$ 25,472,841	\$ 5,037,670	\$ 4,171,619	\$ (1,698,209)	\$ 5,869,828	\$ 57,830,049
6010	Sanitation	\$ 4,080,042	\$ 5,259,407	\$ (1,179,365)	\$ 4,671,279	\$ 6,658,227	\$ 1,986,948	\$ (591,237)	\$ (1,398,820)	\$ 807,583	\$ 1,741,576
6020	Water	6,369,892	9,264,036	(2,894,144)	5,145,699	7,882,359	2,736,660	1,224,192	1,381,677	(157,485)	10,792,696
6025	Sewer	3,416,318	5,684,011	(2,267,693)	4,137,050	6,381,454	2,244,404	(720,733)	(697,443)	(23,290)	90,255
Total Enterprise		13,866,251	20,207,454	(6,341,203)	13,954,029	20,922,040	6,968,011	(87,777)	(714,586)	626,809	\$ 12,624,528
5000	Tree Fund	\$ 27,977	\$ 50,000	\$ (22,023)	\$ 24,353	\$ 50,000	\$ 25,648	\$ 3,625	\$ -	\$ 3,625	573,164
2050	Park Funds/State Aid	730,164	1,014,163	(283,999)	730,164	1,014,163	283,999	-	-	-	95,641
8600	Park District Special Assessment	\$ 738,305	\$ 692,147	46,158	788,981	692,147	(96,834)	(50,676)	-	(50,676)	(50,676)
2141	FM CVB	296,051	383,297	(87,246)	295,200	383,297	88,097	851	-	851	56,945
Total Agency		\$ 1,792,497	\$ 2,139,607	\$ (347,110)	\$ 1,838,696	\$ 2,139,607	\$ 300,911	\$ (46,200)	\$ -	\$ (46,200)	\$ 675,074
Total All Budgeted Funds		\$ 78,791,825	\$ 107,986,065	\$ (29,194,240)	\$ 65,154,126	\$ 111,047,694	\$ 45,893,568	\$ 13,637,699	\$ (3,061,629)	\$ 16,699,328	\$ 147,071,526



Year To Date As of August 31, 2024

Prepared: 9/23/2024

Non-Budgeted Funds	Revenue/Transfers			Expenditure/Transfers			Net			Cash Balances
	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance	Actual	Annual Budget	Variance	
4000 Construction (2)	\$ 1,068,216	\$ -	\$ 1,068,216	\$ 8,091,173	\$ -	\$ (8,091,173)	\$ (7,022,958)	\$ -	\$ (7,022,958)	\$ (36,601,450)
2170 Clerk of Court Bond Fund	-	-	-	-	-	-	-	-	-	50,577
2XXX Misc. Special Funds	316,385	-	316,385	351,208	1,919,374	1,568,166	(34,824)	(1,919,374)	1,884,550	2,457,626
7XXX Agency Funds	-	-	-	-	-	-	-	-	-	218,391
Total Non-Budgeted Funds	\$ 1,384,600	\$ -	\$ 1,384,600	\$ 8,442,381	\$ 1,919,374	\$ (6,523,007)	\$ (7,057,781)	\$ (1,919,374)	\$ (5,138,407)	\$ (33,874,857)
All Funds Combined	\$ 80,176,426	\$ 107,986,065	\$ (27,809,639)	\$ 73,596,508	\$ 112,967,068	\$ 39,370,561	\$ 6,579,918	\$ (4,981,003)	\$ 11,560,921	\$ 113,196,669

Notes to the Financials

1	The Library fund has a high cash balance due to most of the Library tax funds are received in the first 6 months. This balance will reduce down to the beginning balance of approximately \$750,000
2	Capital funds will be partially replaced by the 2024A bond issue. (\$15M)

AGENDA ITEM DESCRIPTION
CITY COMMISSION
WEST FARGO, NORTH DAKOTA

1. CONTACT PERSON: Aaron Nelson, Planning Director
2. PHONE NUMBER: 701-515-5370 DATE: October 7, 2024
3. AGENDA TITLE: Public Hearing - A24-26 Zoning Ordinance Amendment to Title IV regarding landscaping, screening, & outdoor storage, Approval of First Reading of Ordinance
4. PLEASE **BRIEFLY** DESCRIBE YOUR REQUEST:
Targeted improvements to Title IV zoning & subdivision ordinances were identified as a priority short-term project within the West Fargo Planning Needs Assessment Action Plan in 2023. More-specifically, amendments to the landscaping, screening, and outdoor storage regulations were identified as needing attention mainly due to the overly complex and disjointed nature of the current standards. Additionally, there are some areas of overlapping and conflicting standards, which the proposed amendments seek to address. The Planning & Zoning Commission recommended approval of the proposed ordinance amendment at their September 10, 2024 meeting.
5. SITE ADDRESS OR LEGAL DESCRIPTION (if applicable): N/A
6. ACTION BEING REQUESTED FROM CITY COMMISSION:
Hold public hearing and approve First Reading of the Zoning Ordinance Amendment (Ordinance No. 1249)

STAFF REPORT

A24-26 Zoning Ordinance Amendments	
Zoning Ordinance Amendment to Title IV of the City Ordinance regarding Landscaping, Screening, & Outdoor Storage	
Applicant: City of West Fargo	Staff Contact: Aaron Nelson
Planning & Zoning Commission Introduction	July 9, 2024 – (discussion only)
Planning & Zoning Commission Introduction	August 13, 2024 – (discussion only)
Planning & Zoning Commission Public Hearing	September 10, 2024 – Approved
City Commission Public Hearing & 1 st Reading	October 7, 2024
City Commission 2 nd Reading	

PURPOSE:

Amendments to Title IV of the City Ordinances (zoning code) intended to organize and simplify existing landscape, screening, & outdoor storage standards for purposes of clarity.

DISCUSSION AND OBSERVATIONS:

- Targeted text amendments to Title IV zoning & subdivision ordinances were identified as a short-term project need within the West Fargo Planning Needs Assessment Action Plan in 2023. More-specifically, amendments to the landscaping, screening, and outdoor storage regulations were identified as needing attention mainly due to the overly complex and disjointed nature of the current standards. Additionally, there are some areas of overlapping and conflicting standards, which the proposed amendments seek to address.

Landscaping Standards

- The landscaping standards of §4-449-A are proposed to be reorganized and updated for clarity and comprehension, without deviating from the overall intent. In all, there are five categories of landscaping that may apply to a given development, which are summarized here:
 - Open Space Landscaping** - Open Space Landscaping is general landscaping required within the open spaces and yards of a development. The amount of Open Space Landscaping required is based on the zoning district and the lot size of the development.
 - Parking Lot Perimeter Landscaping** - Parking Lot Perimeter Landscaping is landscaping located between a parking lot and a public street. It is used to screen parking lots located within close proximity to public streets & sidewalks.
 - Parking Lot Island Landscaping** - Parking Lot Islands are used to break-up large swaths of parking lot. Landscaped Parking Lot Islands are required where there are rows of 20 or more parking spaces.
 - Boulevard Trees** - Boulevard Trees are the City street trees located within boulevard areas of the public right-of-way. The City Forester maintains a list of permissible tree species, which are generally spaced every 25-30 feet within City boulevards.
 - Buffer Yards** - Buffer Yards are used to ease the transition between various intensities of land-use, such as between commercial and residential developments. Buffer Yards may consist of a combination of fencing and vegetation with the size of the Buffer Yard contingent on the

STAFF REPORT

potential for incompatibility between land uses (i.e., less compatible land uses require bigger buffers whereas more compatible land uses require smaller buffers).

- In addition, individual zoning districts that contain landscaping standards are proposed to be modified for consistency with Section 4-449-A Landscaping Standards.
- In the interest of protecting riverbank stability along the Sheyenne River corridor, language is proposed to prohibit the removal of tree roots and stumps within 50 feet of the riverbank.

Screening & Outdoor Storage Standards

- One of the issues with the current zoning regulations is that there are multiple different sections of code that regulate visual screening of certain areas or uses in slightly different ways. The proposed amendments seek to remove areas of overlapping standards and clarify when and where visual screening is required, particularly for outdoor storage areas in both commercial and residential districts. Proposed updates include:
 - 1) Duplicative screening provisions removed from Section 4-441 fencing standards
 - 2) Section 4-446 updated to clarify requirements for the parking and storage of vehicles and equipment (such as cars, trailers, boats, and RVs) within residential districts, including when and where visual screening is required.
 - 3) Section 4-447 updated to clarify required screening and fencing requirements for refuse containers and outdoor storage areas.
 - 4) Overlay zoning districts that include requirements for screening modified for consistency with Section 4-447 screening requirements.
 - 5) Section 4-449-A buffer yard screening updated within the Landscaping standards (as noted above)

NOTICES:

Sent to:	Notice in the newspaper
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Comments Received:

- None Received

PLANNING & ZONING COMMISSION ACTION:

At their September 10, 2024 meeting, the Planning & Zoning Commission voted to recommend approval of the proposed amendments to Title IV as presented on the basis that the proposed amendments are consistent with the comprehensive plan.

RECOMMENDATION:

It is recommended that the City approve the proposed amendments to Title IV as presented on the basis that the proposed amendments are consistent with the comprehensive plan.

Attachments:

- Proposed Ordinance No. 1249
- Draft Amendments from Sept 10 P&Z Meeting

ORDINANCE NO. 1249

AN ORDINANCE TO AMEND AND REENACT CHAPTER 4-200 RELATING TO DEFINITIONS; TO AMEND AND REENACT SECTIONS 4-427-A.4(3), 4-431.5, 4-431-A.4, 4-431-B.5, AND 4-431-C.5 RELATING TO LANDSCAPING STANDARDS; SECTION 4-441 RELATING TO GENERAL FENCING AND SCREENING REQUIREMENTS; AND TO REPEAL AND REENACT SECTION 4-446 RELATING TO CURRENTLY LICENSED MOTORIZED VEHICLE AND EQUIPMENT PARKING IN RESIDENTIAL DISTRICTS; TO REPEAL SECTION 4-447 RELATING TO PARKING AND/OR STORAGE OF CERTAIN VEHICLES, EQUIPMENT AND MATERIALS; TO RECREATE AND ENACT SECTION 4-447 RELATING TO SCREENING OF DUMPSTERS AND OUTDOOR STORAGE AREAS; TO REPEAL AND REENACT SECTION 4-449 RELATING TO LANDSCAPING; AND TO AMEND AND REENACT SECTION 4-573 RELATING TO ENFORCEMENT; ALL IN THE REVISED ORDINANCES OF 1990 OF THE CITY OF WEST FARGO.

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

SECTION 1. Chapter 4-200 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to include the following definitions:

APPROVED TREE LIST: A list of trees that is approved by the City Forester and the City of West Fargo to plant within the city limits.

BUFFER YARD: Landscaping that is used to obstruct the view of an adjacent property.

CITY FORESTER: The Forester is a city employee who is responsible for the promotion of the health and sustainability of the urban forest within the municipal limits of the City of West Fargo and providing public education as to the benefits, best use, and maintenance of the city's urban forest.

DECIDUOUS TREE: A tree that sheds all its leaves every year at a certain season.

EVERGREEN TREE: A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.

FENCE: A structure constructed of any material or combination of materials that is erected to enclose or screen areas of land.

GROUND COVER: Grasses and other low-growing plants, vines, or grasses that form dense, extensive growth, and have a positive effect against soil erosion and soil moisture loss. Permeable natural landscape materials, such as mulch and rock, are also considered ground cover to the extent they are used in combination with live plant materials.

LANDSCAPING: The combination of elements such as trees, shrubs, ground covers, vines, and other organic material planted for shade, buffering, and the creation of a pleasing environment surrounding construction and development.

ORNAMENTAL TREE: A tree planted primarily for its decorative value or for screening and that, at its mature height, typically does not exceed 25 feet.

PERENNIAL: A non-woody plant that lasts for more than two growing seasons.

PERMEABLE MATERIAL: Any material that allows water and air to pass through it. In the context of landscaping, permeable material is required at the base of tree plantings, where ground cover must allow infiltration of water and air.

RIGHT-OF-WAY (ROW). An area of land under public ownership where facilities such as streets, sidewalks, street boulevards, railroads, or power lines are built.

RUNOFF. Water that is not absorbed by the ground surface or soil, and which flows onto other areas. With irrigation, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists. Runoff is also generated when water from precipitation events cannot be absorbed by the surface on which it falls.

SHIPPING CONTAINER. A shipping container, also known as a conex box, is a large, six-sided steel unit generally in lengths of twenty (20), thirty (30), and forty (40) feet, originally constructed as a general cargo container suitable for transportation by ship, rail, and/or truck, and used for the transportation of goods and materials.

SWALE. A depression in grade to control and direct the flow of surface water.

TREE TOPPING: A type of pruning where most of the canopy is removed from a tree, leaving mostly branch stubs.

TURF: Any grassy area maintained by frequent mowing, fertilization and watering used for lawn and playing fields.

SECTION 2. Section 4-427-A.4, subsection 3, of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-427-A.4 SITE DEVELOPMENT STANDARDS.

* * *

3. Landscaping Requirements.

- a. On all property within the C-OP District, no less than 25% of the property shall be landscaped with trees, shrubs, grass, and other cultured plantings. The number of trees to be planted shall be in accordance with the Landscaping standards of §4-449-A, ~~no less than the total number of feet of the length of the lot perimeter divided by 50 feet.~~

~~b. Within parking lots, one landscaped island of at least 150 square feet shall be provided for every twenty parking spaces.~~

~~c. Ponds for the management of storm water shall not count toward the minimum landscaped standard.~~

SECTION 3. Section 4-431.5 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-431.5. Lot Design Standards.

1. ~~Open Space~~ Landscaping:

- a. All yard areas not covered by buildings, sidewalks or paved parking areas shall be landscaped in accordance with the Landscaping standards of § 4-449-A. A minimum of 10% of the lot area shall be landscaped.
- b. For properties abutting the designated streets, with the exception of Sheyenne Street between Interstate 94 and 40th Avenue, 32nd Avenue West of Sheyenne Street and 13th Avenue East, a minimum of 20 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines. For properties not abutting the designated streets or an arterial or collector roadway, a minimum of 5 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines. For properties abutting a designated collector or arterial roadway, as approved by the City Commission, a minimum of 10 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines.
- c. A minimum of 5 feet of landscaped open space shall be required to separate parking areas from side and rear lot lines and a minimum of 5 feet of open space shall be required to separate parking areas and building setback lines.
- d. A minimum of 3 feet of landscaped open space shall be required to separate access driveways and side or rear lot lines unless said driveway is used as a common access to two adjacent properties.
- e. ~~Ponds for management of storm water shall not count toward the minimum landscaped standard.~~

2. Building Construction:

- a. A higher construction standard is required in the Corridor Overlay District. In areas of the Corridor Overlay District, which is zoned Light Commercial, any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided

that it is coordinated into the architectural design. Seventy percent (70%) of any wall (façade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Corridor Overlay District which are also zoned Heavy Commercial District, Light Industrial District, and Heavy Industrial District, all buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or precast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design.

- (1) Additions, Alterations, and Accessory Buildings. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
- (2) Appearance. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.

~~3. Boulevard/Front Yard Plantings: The planting must be in conformance to any applicable major street corridor landscape plan developed as part of a subdivision, Planned Unit Development, or other site development plan adopted by the City. Each tree shall be at least 1½ inches in caliper and all tree species shall be as recommended by the City Forester.~~

43. Curbs Required: All buildings and walkways bordering any parking areas shall be curbed.

54. Refuse Collection Areas and Outdoor Storage Areas: In addition to the requirements of Section 4-447, all refuse collection and outdoor storage areas shall only be permitted in rear yards and shall be visually screened from adjoining properties or streets.

65. Parking Areas:

- a. All parking areas shall be paved to provide a durable and dust-free surface.

- b. Light poles located within parking area perimeters shall be surrounded by curbed islands with a minimum distance of 4 feet from the center line of the light pole to the curb, or protected by an elevated concrete pedestal at least 3 feet in height and 2 feet in diameter.
 - c. Light poles located outside of paved parking areas shall be located a minimum of 4 feet from the curbed edge of the parking area, or protected by an elevated concrete pedestal of not less than 3 feet in height and 2 feet in diameter.
76. Fences: Fences along the Corridor Overlay District are not allowed within the required front yard along the designated streets of the development, except when a fence is an essential component of the development and is either approved as part of a Planned Unit Development for the development or as a conditional use. Special regard is given in residential areas for double frontage lots where the house faces a local street and the intended rear yard faces the designated street. Fences should be decorative and/or provide for added landscape treatments to meet the intent of the CO District and may be required to be set back to accomplish the intended effect. Once a fencing scheme has been approved, accessory buildings may be permitted, subject to the Supplementary District Regulations for accessory buildings and uses.

SECTION 4. Section 4-431-A.4 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-431-A.4 Site Development Standards.

1. Yard Setbacks. Structures adjacent to I-94 shall be set back a minimum of 100 feet from the interstate right-of-way for single and two-family uses. Principal structures for multiple family uses shall be set back a minimum of 100 feet from the interstate right-of-way with accessory structures set back a minimum of 50 feet. All other structures shall maintain a minimum setback of 50 feet from the interstate right of way, except for structures adjacent to interstate on and off-ramps, which shall maintain a minimum setback of 30 feet. All other yard setbacks shall be according to requirements of the underlying district.
2. Lot Coverage. For commercial and other non-residential uses, lot coverage by buildings shall not exceed 40%; for residential uses, lot coverage shall be the same as in the underlying district.
3. ~~Open Space~~ Landscaping and Buffers.
 - a. All yards adjacent to I-94 shall be landscaped open space. At least one tree shall be installed along the Interstate frontage for every 50 feet of interstate frontage. Trees may be grouped to create the desired effect. All yard areas not covered by buildings, sidewalks or paved parking areas shall be landscaped in accordance with the Landscaping Standards of § 4-449-A. A

minimum of 10% of the lot area shall be landscaped. ~~In addition to landscaped open space requirements along I-94, properties shall comply with the Open Landscaping requirements found in Section 4-431.5, pertaining to front, side and rear yards.~~

- b. Residential properties shall be buffered to minimize noise impacts from interstate traffic. Berming and vegetative buffers shall be created prior to development. For single family and two family uses berms shall be developed within an easement no less than 100 feet deep along I-94 and 30 feet deep along the on/off ramps and have a slope no greater than 3:1. Berms shall be required to be elevated six feet above the elevation of the driving lanes on I-94 with a lower elevation and more flexibility in design along the on/off ramps. The berms shall also have several rows of coniferous trees (evergreens) planted to provide year-round vegetative buffering. Berm easements should be placed so that there is minimal affect on utility easements. For multiple family residential uses, more flexibility is allowed in the design of berms and vegetative buffers.

4. Building Construction:

- a. A higher construction standard is required in the Interstate Corridor Overlay District. In areas of the Interstate Corridor Overlay District, which are zoned Light Commercial, Commercial Office Park, or Planned Unit Development and intended for light commercial uses, any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any wall (facade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Interstate Corridor Overlay District which are also zoned Heavy Commercial, Light Industrial, Heavy Industrial, or Planned Unit Development and intended for heavy commercial and industrial uses all buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design.

- (1) Additions, Alterations, and Accessory Buildings. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent

the upgrading of the quality of materials used in a remodeling or expansion program.

- (2) Appearance. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
5. Outdoor Displays, Storage, Truck Parking or Loading. In addition to the requirements of Section 4-447, aAll outdoor displays, storage, truck parking or loading shall be located to the side or rear of the building and screened with materials of the principal building and other screening, so that such uses are not directly visible from the Interstate and other public streets. Outdoor display areas shall be identified on the site plan and be subject to site and building plan review and approval. Display areas shall be established in such a manner as not to detract from the desired affects of the Interstate Corridor Overlay District.

SECTION 5. Section 4-431-B.5 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-431-B.5. Lot Design Standards.

1. ~~Open Space~~ Landscaping:
 - A. All yard areas not covered by buildings, sidewalks or paved parking areas (or fenced storage yards in industrial districts) shall be landscaped with grass, trees and other landscaping in accordance with the Landscaping Standards of § 4-449-A as approved by the City.
 - B. All required front yards and secondary front yards (side yards on corner lots fronting on a public street) shall be landscaped as open space.
 - C. A minimum of 5 feet of landscaped open space shall be required to separate parking areas from side and rear lot lines and a minimum of 5 feet of open space shall be required to separate parking areas and building setback.
 - D. A minimum of 3 feet of landscaped open space shall be required to separate access driveways and side or rear lot lines, unless side driveway is used as a common access to two adjacent properties.
 - E. Ponds for management of storm water shall not count toward the minimum landscaped standard.
2. Building Construction: A higher construction standard is required in the Redevelopment Corridor Overlay District. In areas of the Redevelopment Corridor

Overlay District, which is zoned Light Commercial, any exposed metal or fiberglass on all fronting buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any wall (facade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Redevelopment Corridor Overlay District which are also zoned Heavy Commercial, Light Industrial District, and Heavy Industrial District, all fronting buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design. Truck loading dock areas shall be to the side or rear of the building so that they do not face a public street. Where this is not possible, special approval shall be required by the Planning and Zoning Commission and City Commission, and screening of the truck loading dock shall be considered.

- A. Additions, Alterations, and Accessory Buildings. Buildings which are expanded or remodeled on the public street sides, or buildings which are expanded or remodeled by 25% of the building value shall conform to the building standards established above.
- B. Appearance. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.

~~3. Refuse Collection Areas and Outdoor Storage Areas: All refuse collection and outdoor storage areas shall only be permitted in side or rear yards and shall be visually screen from adjoining properties or streets.~~

43. Parking Areas:

- A. All Parking areas shall be paved with asphalt or concrete to provide a durable and dust-free surface. Existing buildings which are remodeled or expanded by 25% of the building value shall upgrade unpaved parking areas to a paved condition with asphalt or concrete.
- B. Light poles located within parking area perimeters within front yards shall be surrounded by curbed islands with a minimum distance of 4 feet from the center line of the light pole to the curb, or protected by an elevated concrete pedestal at least 3 feet in height and 2 feet in diameter.

- C. Light poles located outside of paved parking areas shall be located a minimum of 4 feet from the curbed edge of the parking area, or protected by an elevated concrete pedestal of not less than 3 feet in height and 2 feet in diameter.
- 54. Fences: Fences along the Redevelopment Corridor Overlay District are not allowed within the required front yard, except when a fence is an essential component of the development and is either approved as part of a Planned Unit Development for the development or as a conditional use.

SECTION 6. Section 4-431-C.5 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

~~4-431-C.5. Landscape Standards. Properties within the “CO-SR” District shall follow the landscape standards established in Section 4-449-A.~~ Tree Preservation.

- 1. Property owners are encouraged to protect and preserve trees and native riparian vegetation in a healthy condition to maintain riverbank and soil stability of the river corridor.
- 2. If trees are removed, their stump and root system shall be left intact. Stump grinding and/or excavation of roots is prohibited within 50 feet of the riverbank, unless otherwise approved by the City Forester, the City Engineer, or Southeast Cass Water Resource District.

SECTION 7. Section 4-441 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-441. GENERAL FENCING AND SCREENING REQUIREMENTS.

- 1. DEFINITION OF FENCE. An artificially constructed structure of any material or combination of material erected to enclose or screen areas of land.
- 2. GENERAL FENCING AND SCREENING REQUIREMENTS FOR RESIDENTIAL AREAS. In any residential district, fences, hedges, and plantings may be permitted in the buildable area and in any required yard, or along the edge of any yard, provided that no fence or hedge along the sides or front edge of any required front yard shall be over two and one-half (2½) feet in height, except on through lots or double frontage lots where one of the front yards is intended to serve as the rear yard and is consistent with the other lots on the block, a fence or hedge may be up to six (6) feet in height. All fencing and screening shall meet visibility requirements for intersections by not impeding vision between a height of two and one-half (2½) feet and ten (10) feet within thirty (30) feet from the intersecting curb lines, or within twenty (20) feet from the intersecting property lines if there is no curb. Coordinated fencing schemes for the block are strongly encouraged, and if

possible developed during the subdivision process. No fence or hedge within any buildable area or along any side or rear lot line shall be over six (6) feet in height.

Open fences such as a split rail or chain link without slats, which permit direct vision through at least 50% of the fence surface area shall be allowed a height of four (4) feet along the sides or front edge of any front yard.

- ~~3. REQUIRED FENCING AND SCREENING. Where any business, industrial users, or multiple family buildings of four (4) or more units (i.e., structure, parking or storage) abuts property zoned for residential use, that business, industry, or multiple family building shall provide screening along the boundary of the residential property. Screening shall also be provided where a business, industry, or multiple family building of four (4) or more units is across the street from a residential zone, but not on that side of a business, industry, or multiple family building considered to be the front yard. Provided, however, that the provisions of this section will not apply where a multiple family building abuts a property also zoned for multiple family use. All fencing and screening specifically required by this section shall meet visibility requirements for intersections and other requirements as stated herein, and shall consist of either a fence or green belt planting strip. A required screening fence shall be constructed of masonry, brick, wood or metal. Such fence shall provide a solid screening effect six (6) feet in height for multiple family uses and at least six (6) feet in height for business and industrial uses. A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide substantial visual screening to a minimum height of six (6) feet. Earth mounding and berms may be used but shall not be used to achieve more than three (3) feet of the required screen, unless otherwise provided for by the City (i.e., PUD requirements).~~
43. CONSTRUCTION STANDARDS. No fence, hedge, or plantings shall be constructed or maintained with electrified barbed wire, or other spiked materials which may pose injurious to public health and safety. Posts and other supporting structures used in the construction of fences shall be faced inward toward the property being fenced.
54. PRIVATE RECREATIONAL FENCES. Private recreational fences shall conform to the provisions attached to residential fences. Permanent swimming pool fences shall be governed by Title V of the Revised Ordinances of 1990 of the City of West Fargo, Chapter 5-05 International Property Maintenance Code, and specifically Section 303 Swimming Pools, Spas and Hot Tubs, as locally amended.
65. PUBLIC FENCES. Fences used in connection with public facilities and public recreational uses shall have a maximum height of ten (10) feet in any yard and be of the open fence variety. Residential construction standards shall apply to all public fences.

76. NON-RESIDENTIAL FENCES. Fences in light commercial areas shall conform to the provisions of residential fences. Fences in industrial or agricultural districts shall conform to the provisions attached to residential fences except where the Building Administrator determines it would be in the public welfare to add to fence height or to add security materials onto the fence. In such cases, fences shall not exceed ten (10) feet in height.
87. TEMPORARY FENCES. The provisions of this section do not apply to Temporary fences needed to enclose sites, such as construction sites, ~~do not require fencing permits.~~

SECTION 8. Section 4-446 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-446. CURRENTLY LICENSED MOTOR VEHICLE AND EQUIPMENT PARKING IN RESIDENTIAL DISTRICTS.~~

SECTION 9. Section 4-446 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby recreated and enacted to read as follows:

4-446. PARKING OF MOTORIZED VEHICLES AND EQUIPMENT IN RESIDENTIAL DISTRICTS

1. Applicability.
 - A. The provisions of this section apply to the parking and storage of currently licensed motorized vehicles and equipment within the following residential zoning districts: R-1E, R-L1A, R-1A, R-1B, R-1, R-1S, R-1SM, R-2, R-3, and R-5.
 - B. “Currently licensed motorized vehicles or equipment” includes any motorized vehicle or equipment, including passenger vehicles, recreational equipment, boats, RVs, trailers, and the like.
2. Standards.
 - A. Vehicles or equipment 25 feet in length or less may only be parked in the following described areas:
 - (1) Garage or Carport. Parking or storage may occur entirely within a garage or carport.
 - (2) Rear or side yard. Parking or storage may occur within a rear or side yard provided that a three-foot (3’) setback be maintained between the vehicle/equipment and any rear or interior-side lot line, and a

twelve-foot (12') setback be maintained from any street-side lot line. These setbacks are not applicable where:

- a. A driveway to a garage or carport takes access from the street-side of the lot; or
 - b. a six-foot (6') privacy fence or equivalent landscaped screened area exist between the vehicle/equipment and the lot line
- (3) Front yard. Parking or storage may occur within a front yard, provided that for one- or two-family dwellings, the parking or storage may only be located upon a driveway.
- B. Vehicles or equipment over 25 feet in length may only be parked in the following described areas:
- (1) Garage or Carport. Parking or storage may occur entirely within a garage or carport.
 - (2) Rear or Side Yard. Parking or storage may occur within a rear or side yard provided that a three-foot (3') setback be maintained between the vehicle/equipment and any rear or interior-side lot line, and a twelve-foot (12') setback be maintained from any street-side lot line. These setbacks are not applicable where:
 - a. A driveway to a garage or carport takes access from the street-side of the lot, in which case only temporary parking or storage is allowed in accordance with the Front Yard parking/storage provisions outlined below; or
 - b. a six-foot (6') privacy fence or equivalent landscaped screened area exist between the vehicle/equipment and the lot line
 - (3) Front Yard or Street-Side Driveway. Temporary parking or storage may occur within a front yard or street-side driveway as follows:
 - a. During the period between April 15th to October 15th, temporary parking or storage shall not exceed a total of eleven (11) days in any fourteen (14) day period.
 - b. During the period between October 16th to April 14th, temporary parking or storage shall not exceed a total of 72 hours in any seven (7) day period.

- c. All vehicles and equipment shall maintain a three-foot (3') setback from the sidewalk or, where no sidewalk exists, a one-foot (1') setback from the front and street-side property lines. Under no circumstances shall vehicle or equipment parking block the public right-of-way.
- C. Vehicle and equipment parking or storage may only be located on an improved parking surface consisting of concrete or bituminous paving, or gravel only where an existing gravel driveway has not been improved to concrete or asphalt. Grass, dirt, or individual pavers that are not integrated into a continuous driveway shall not constitute an improved parking surface.
- D. No such vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

SECTION 10. Section 4-447 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

~~4-447. PARKING AND/OR STORAGE OF CERTAIN VEHICLES, EQUIPMENT AND MATERIALS.~~

SECTION 11. Section 4-447 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby recreated and enacted to read as follows:

4-447. SCREENING OF DUMPSTERS AND OUTDOOR STORAGE AREAS

- 1. Applicability.
 - A. The provisions of this section apply to dumpsters/refuse containers and outdoor storage areas used for the storage, placement, and/or parking of equipment, materials, and inventory.
- 2. Exemptions.
 - A. These standards do not apply to areas within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R).
 - B. Single-family, twin home, and two-family residential uses are not required to meet the requirements of this section.
 - C. Outdoor display of vehicles and equipment for sale or lease, as part of a dealership selling/renting new or used motor vehicles, farm implements,

recreational vehicles, construction equipment, or similar use are exempt from these standards, so long as the outdoor display area is set back at least 4 (four) feet from any front or street-side lot line.

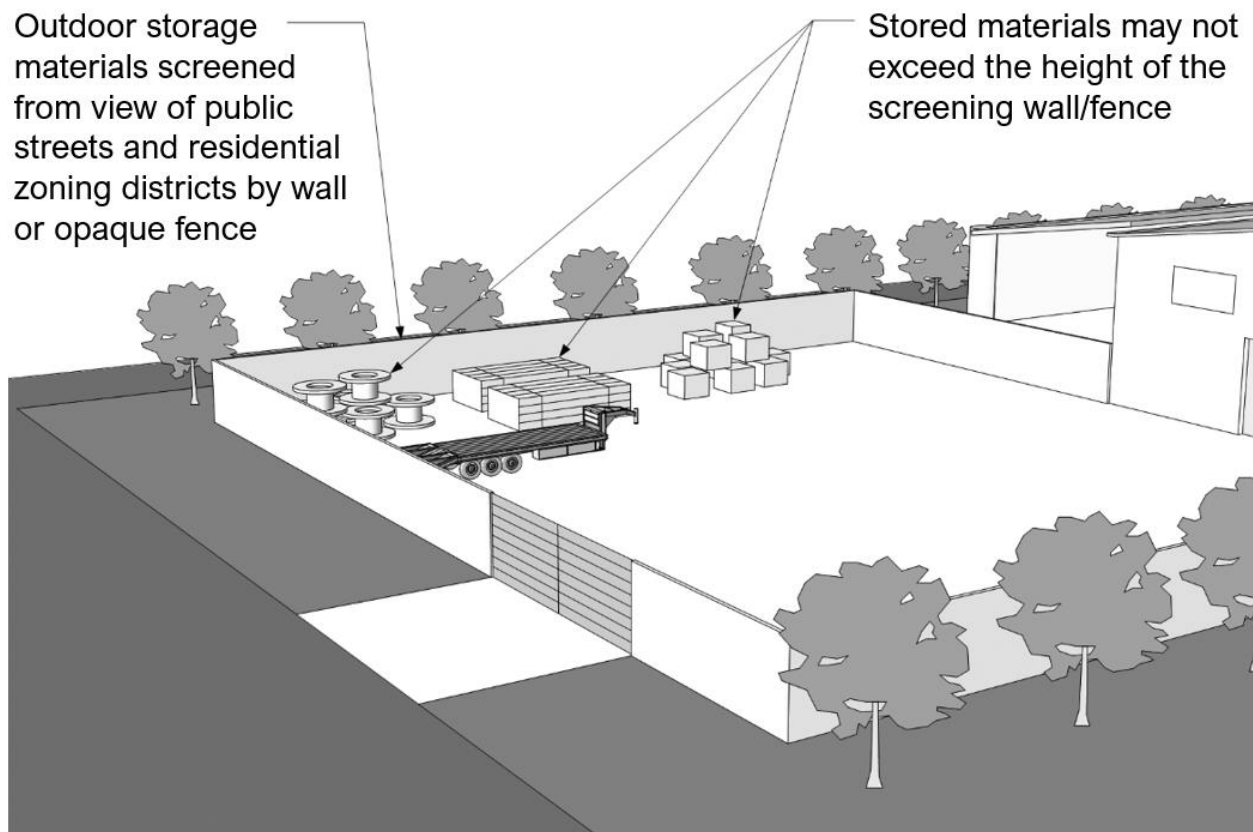
3. Standards

A. All dumpsters and refuse containers shall conform to the following provisions:

- (1) Dumpsters and refuse containers shall be located at the side or rear of buildings and be visually screened from adjacent public streets or residential zoning districts.
- (2) Dumpsters and refuse containers shall contain permanent walls or opaque fencing on at least three sides. Service openings within the walls/fencing shall be a minimum of 14 feet wide, unless otherwise approved by the Public Works Director.
- (3) If the service opening faces and is directly visible from any public street or residentially zoned property. The service opening shall incorporate an opaque gate to visually screen the dumpsters or refuse containers.

B. All outdoor storage areas shall conform to the following provisions, unless otherwise approved as a conditional use:

- (1) The outdoor storage area shall not be located within a required front or required street-side yard setback area.
- (2) The outdoor storage area shall be completely screen from view of public streets or residential zoning districts using an opaque screening fence or wall at least six feet tall.
- (3) Storage boxes, crates, shipping containers, or other units used for storing materials and protecting them from the weather are considered outdoor storage and must be completely screened from view of public streets and residential zoning districts unless otherwise camouflaged by either painting the same color as the principle structure or by adding similar materials of the principle structure.
- (4) Shipping containers intended to be installed as a permanent structure/feature and/or to be used for anything other than accessory storage shall comply with all zoning standards applicable to accessory structures and shall require review and approval by the City Planner prior to placement.



SECTION 12. Section 4-449-A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby repealed in its entirety.

SECTION 13. Section 4-449-A of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby recreated and enacted to read as follows:

4-449-A. LANDSCAPING STANDARDS.

1. Purpose. The purpose of this Landscaping section, through the preservation, protection, maintenance, and planting of trees and other plant materials, is to:
 - a. Help reduce the city's impact on the environment.
 - b. Enhance green space within the city.
 - c. Provide shade and wind breaks to reduce extreme weather.
 - d. Mitigate flood hazards, erosion, and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.

- e. Reduce the heat island effect that is generated by hardscape such as asphalt parking lots by requiring organic ground cover and shade.
- f. Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses.
- g. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.
- h. Help aid in energy conservation.

2. Applicability.

a. New Development

- (1) All new development (including reconstruction and expansion) shall be required to provide landscaping, screening, and buffering in accordance with the standards of this section, unless otherwise exempt by this code.
- (2) When an expansion or redevelopment of a building on a lot requires the removal of required landscaping, that landscaping shall be replaced elsewhere on the lot.

b. Exceptions

- (1) Single- and Two-Family Residential. Single-family, twin home, and two-family residential uses are not required to meet the landscaping requirements of this section. However, such development is required to provide street trees in accordance with this section, as well as ground cover for all areas of the lot that are not covered by improvements.
- (2) Agricultural District. Agricultural uses within the “A” zoning district shall not be required to provide landscaping.
- (3) Parking Lots.
 - (a) The requirements of this section do not apply to parking lot re-striping and repaving where there is no expansion of the parking area.
 - (b) When a parking lot is being expanded to an extent 50 percent or more of the lot’s surface area prior to expansion, or at least 50 percent more parking spaces are being added, whichever

is less, landscaping as described in this section shall be required.

- (c) For parking lot expansions of less than 50 percent, only the parking lot area being added shall be required to meet the standards of this section. For example, if a parking lot is expanded in an area not adjacent to a street, no Parking Lot Perimeter landscaping is required, and only the expanded area shall be subject to the Parking Lot Island landscaping standards of this section.
- (d) Expansions are measured cumulatively, so that separate expansions adding up to a 50 percent or greater increase within five years shall be required to meet the landscaping requirements of this section.
- (4) DMU District. Development within the “DMU” zoning district shall not be required to provide landscaping in accordance with this section.
- (5) Improvements & Repairs
 - (a) Improvements or repairs to existing development that do not increase the existing floor area on the lot by more than 1,000 square feet or 10 percent, whichever is greater, shall not be required to provide landscaping in accordance with this section.
 - (b) Expansions are measured cumulatively, so that separate expansions adding up to more than 1,000 square feet or 10 percent (whichever is greater) within five years shall be required to meet the landscaping requirements of this section.
- (6) Change in Use. Changes in use that do not require more parking spaces or a more intensive zoning than the previous use shall not be required to provide landscaping in accordance with this section.

3. Landscape Plan Required.

- a. A landscape plan shall accompany all development applications and/or building permit requests that require landscaping pursuant to this section, and shall include the minimum information specified by the City.
- b. No building permit shall be issued until a landscape plan is submitted and approved by the City Planner.

- c. No certificate of occupancy shall be issued for any building or structure until all landscaping shown on the approved landscape plan has been installed. The City Planner may approve a deferral of up to eight months, on account of adverse weather conditions. If a property owner requests a deferral, the request shall be accompanied by a proposed schedule for completion of installation.
- d. A temporary certificate of occupancy may be issued when a deferral has been approved by the City Planner.

4. General Standards.

a. Plant Material & Installation

- (1) All plant materials shall be living plants suitable for USDA Plant Hardiness Zone 4.
- (2) Artificial plants are prohibited.
- (3) All trees and shrubs shall be planted in good condition. All plant materials to be installed shall be nursery-grown and root-pruned stock, free of insects, weeds, disease, debris, and defects.
- (4) Plant materials used to satisfy the requirements of this section shall meet the size requirements of the Plant Material Size Table, below:

Plant Material Size Table

Type of Plant Material	Min. Size at Time of Planting	Mature Size
Large Deciduous Tree ^[1]	1-inch caliper width	>30 feet tall
Large Evergreen Tree ^[1]	3.5 feet tall	>30 feet tall
Small Deciduous Tree ^[1]	1-inch caliper width	12 to 30 feet tall
Small Evergreen Tree ^[1]	2.5 feet tall	12 to 30 feet tall
Shrub	2 gallon container size	3 feet tall
Perennial Plants ^[2]	1 gallon container size	2.5 feet tall

[1] Smaller caliper/height trees for certain species may be acceptable upon approval of the City Planner.

[2] Perennial plant materials shall not exceed twenty percent (20%) of the open space requirement

- (5) Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used.
- (6) Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain

cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the City.

- (7) The maximum slope of any landscaped berm shall be 2:1.

b. Maintenance.

- (1) The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscaping. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- (2) Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City.
- (3) The Tree Topping of trees is prohibited.

c. Administrative approval for practical landscaping improvements.

- (1) The City Planner has authority to allow flexibility to the requirements of this section to enable:
 - (a) Flexibility concerning the location of landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land uses, entrance areas, or other areas of increased visibility.
 - (b) Flexibility concerning irregular, narrow, or shallow lots.
 - (c) Flexibility to approve alternative planting plans that include aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas, courtyards, and front yard/entrance statements.
- (2) The City Planner has authority to allow flexibility to the Buffer Yard standards of this section when any of the following circumstances are found to exist:

- (a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of the required Buffer Yard.
 - (b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
 - (c) The required Buffer Yard would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- (3) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, Buffer Yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.
 - (4) When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific Buffer Yard requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.

5. Open Space Landscaping.

- a. Relationship to Other Landscaping Standards. Landscaping provided to meet the Boulevard Tree or Buffer standards of this section may not be counted towards meeting a development's Open Space Landscaping requirements. Parking Lot Landscaping, however, may be counted towards meeting a development's Open Space Landscaping requirements.
- b. Plant Units Required.
 - (1) Commercial, Office, Residential, & Corridor Overlay Districts. Within commercial, office, residential, and corridor overlay zoning districts (C, C-OP, HC, R, CO, CO-I, CO-R), at least four (4) plant units shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.
 - (2) Mixed-Use, and Public Districts. Within mixed-use, and public zoning districts (EMU, P) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least two (2) plant units shall be provided for each 1,000 square feet of lot area or fraction thereof.

- (3) Industrial Districts. Within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least one (1) plant unit shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

- c. Plant Unit Equivalency. The following table provides a breakdown of plant unit equivalencies.

<i>Type of Plant Material</i>	<i>Equivalent Plant Units</i>
Large Deciduous Tree	10
Large Evergreen Tree	10
Small Deciduous Tree	5
Small Evergreen Tree	5
Shrub	2
Perennial Plants	1

Existing mature trees may be counted as double the equivalent plant units noted in the table above, so long as the mature tree has a current caliper width of more than 7 inches for a large tree or more than 4 inches for a small tree, and meets all other applicable standards of this section.

- d. Location of Plant Units. A minimum of seventy percent (70%) of the plant units required pursuant to this subsection shall be within front or street-side yards. In the EMU zoning district, said seventy percent (70%) requirement shall not apply.
- e. Plant Unit Calculation. On-site wetlands, stormwater ponds, natural preservation areas, and outdoor recreation facilities (sports fields, tracks, playgrounds, etc.) may be excluded from the lot area square-footage value used to calculate required plant unit.

6. Parking Lot Perimeter Landscaping.

- a. Applicability. Parking Lot Perimeter Landscaping is required for all off-street parking and vehicle circulation areas located within 30 feet of public street rights-of-way.
- b. Location. Parking lot perimeter landscaping shall be located between adjacent street rights-of-way and off-street parking areas and all vehicular circulation^[1] areas in accordance with the following table:

(Table to follow on following page.)

Parking Area Size Number of Spaces	Buffer Width Minimum (feet)	Minimum Planting/Screening Requirements ^[2]
1 - 50	4	Row of shrubs or perennial plants spaced no greater than 2-4 feet apart to create a continuous row at maturity.
	6	Masonry wall or decorative metal fence ^[3] (height between 2.5 and 3 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
	10	Berm (minimum height of 2.5 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
51 - 250	10	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	10	1 tree + 6 shrubs, per 25 linear feet
251+	15	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	15	1 tree + 6 shrubs, per 25 linear feet

Notes:

[1] Vehicular circulation refers to any surfaces intended for motor vehicle use.

[2] These are minimum standards. Use of additional planting/screening materials are encouraged to provide flexibility in design and visual interest.

[3] Decorative metal fences must be wrought iron or similar in nature. Chain link fences are not considered a decorative metal fence.

7. Parking Lot Island Landscaping.

- a. Applicability. All parking lots with 20 or more parking spaces shall provide landscape islands as described in this subsection.
- b. Landscape Islands.
 - (1) One interior landscape island shall be provided for every twenty (20) continuous parking spaces, and a terminal island shall be provided at both ends of each row of parking. There may not be more than twenty (20) continuous parking spaces (40 back to back) in a continual row without providing an island or peninsular landscaping. See Figure 1.
 - (2) Interior and terminal landscapes island shall be no less than six feet wide and no shorter than the length of the adjacent parking space(s).

(Figure to follow on following page.)

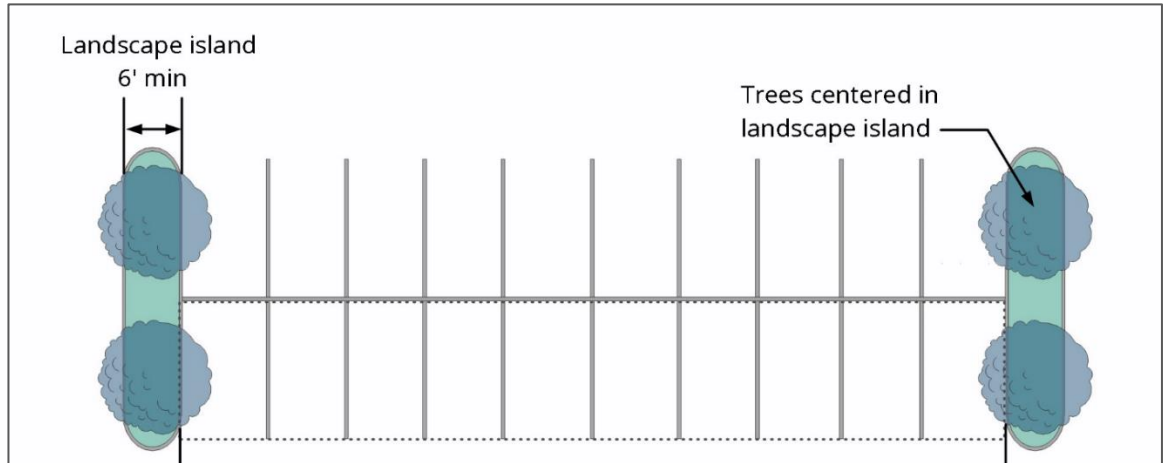


Figure 1: Double-Length Landscape Island

- (3) Each landscape island adjacent to the length of one parking space shall contain at least one tree surrounded by at least 90 square feet of permeable surface area.
- (4) Each double-length landscape island adjacent to the length of two parking spaces shall provide at least two trees. Trees in double length islands shall be planted no less than 15 feet apart. Each tree shall have a minimum permeable surface area of 90 square feet.
- (5) Trees and any other vegetation planted within parking lot landscape islands may be counted towards Open Space plant unit minimum standards.
- (6) Any remaining surface area of the island shall be covered with living plant material or other approved ground cover, such as mulch, pea gravel, river rock, or similar landscaping material.

8. Boulevard Trees.

- a. **Coordination with Other Plans.** Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester.
- b. **Permit Required.** The City Forester's office reviews and approves all proposed boulevard tree plantings and removals. Prior to installation or removal of a boulevard tree, an application must first be submitted and approved by the City Forester's office.
- c. **Minimum Requirements.** The City Forester shall have final approval of proposed boulevard tree plans, species, and placement, and may approve variances from these minimum requirements where conditions necessitate.

- (1) Species of Trees.
 - (a) Boulevard trees shall be chosen from the City's Approved Plant List, as maintained by the City Forester.
 - (b) Boulevard trees shall be single-stem trunks with a straight vertical line.
 - (c) Evergreen trees shall not be planted as boulevard trees.
 - (d) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and/or the fruit is considered a nuisance or high maintenance, as determined by the City Forester.
- (2) Number of Trees.
 - (a) In residential areas, one boulevard tree shall be planted every twenty-five (25) feet within boulevards. In all other areas, one boulevard tree shall be planted every thirty (30) feet within boulevards, unless the City Forester determines otherwise.
 - (b) If the branches of a boulevard tree at mature height would interfere with overhead powers lines, ornamental trees may be planted at a rate of two ornamental trees for every one required canopy tree. The substitution and placement of ornamental trees shall be reviewed and approved by the City Forester.
- (3) Spacing of Trees.
 - (a) New trees shall be planted at least twenty-five (25) feet from existing trees.
 - (b) On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs.
 - (c) Trees shall be planted at least twelve (12) feet from driveways and alleyways, unless otherwise determined by the City Forester.
- (4) Size Requirements.
 - (a) At time of planting, boulevard trees must be at least 1 inch in diameter.

- (b) The lowest branch on the tree cannot be over 9 ½ feet above the ground.

9. Buffer Yards.

a. Applicability. The requirement for Buffer Yards shall apply when:

- (1) Multi-family residential development of four (4) or more units is constructed on a parcel that shares a property line with a single- and two-family residential zoning district (R-R, R-1E, R-L1A, R-1A, R-1B, R-1, R1-S, R-1SM), or existing single- or two-family residential development.
- (2) Non-residential or mixed-use development is constructed on a parcel that shares a property line with any residential zoning district (R), or existing residential development, including multi-family development.
- (3) Industrial development is constructed on a parcel that shares a property line with any non-industrial zoning district.

b. Exceptions.

- (1) These buffer yard requirements do not apply when residential development is constructed in non-residential zoning districts. The residential development may install screening fences and/or buffering at their discretion; however, existing or new non-residential development shall not be required to do so.
- (2) These buffer yard requirements do not apply to non-residential development within a residential zoning district (R) or Public Facilities (P) district.

c. Screening and Buffering Along Shared Property Lines.

Buffering and Screening Requirements		
Type of Development	Adjacent to:	Minimum Buffer
Multi-Family Residential (4 or more units)	Single and two-family residential district or development ^[2]	Six-foot tall opaque screening fence ^[1] OR Ten-foot wide landscape buffer
Mixed-Use	Single and two-family residential district or development ^[2] OR Multi-family district	Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer OR Fifteen-foot wide landscape buffer

Non-Residential	Any residential district	Six-foot tall opaque screening fence ^[1] AND fifteen-foot wide landscape buffer
Industrial	Any non-industrial district	Residential or Mixed-Use district: Minimum eight-foot tall opaque screening fence ^[1] AND twenty-foot wide landscape buffer Non-Residential district: Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer
NOTES [1]: See subsection 4-441, <i>General Fencing and Screening Requirements</i> for additional information on fence standards. [2]: See above: requirements do not apply to residential development in non-residential zoning districts.		

- d. Buffer Planting Requirements. In side- and rear-yard landscape buffers, for every thirty (30) linear feet of required buffer, evergreen trees shall be planted as follows, unless an alternative is approved by the City Planner:
- (1) Ten-Foot Wide Buffer. Two (2) large evergreen trees shall be planted at least ten (10) feet apart, interspersed with four (4) shrubs, plus ground cover.
 - (2) Fifteen-Foot Wide Buffer. Three (3) large evergreen trees at least eight (8) feet apart, interspersed with eight (8) shrubs, plus ground cover.
 - (3) Twenty-Foot Wide Buffer. Six (6) large evergreen trees, planted in a double row, with the planting offset so as to create a continuous screen, with each tree in the same row planted least eight (8) feet apart, plus ground cover.

SECTION 14. Section 4-573 of the Revised Ordinances of 1990 of the City of West Fargo, North Dakota, is hereby amended and reenacted to read as follows:

4-573. ENFORCEMENT. If the administrative official shall find that any of the provisions of this Ordinance are being violated, s/he shall notify in writing the person responsible for such violations, indicating the nature of the violation and ordering the action necessary to correct it. S/he may order discontinuance of illegal use of land, buildings, or structures; removal of illegal buildings or structures or of illegal additions, alterations, or structural changes; discontinuance of any illegal work being done; or any other action deemed relevant by the administrative official. The notice shall provide a minimum of a thirty(30) day period in which to comply with the notice. The notice shall also state that the person or entity may appeal the order of the administrative official to the West Fargo Board of Adjustment by filing a written appeal within thirty (30) days of the receipt of the notice with the City Auditor, or the administrative official who executed the original notice. If the person or entity served with the original notice does not appeal within the thirty (30) day period nor comply with the order of the administrative

official within the time set out in the notice, the administrative official should refer the matter to the City Attorney. The City Attorney may commence criminal proceedings in the West Fargo Municipal Court and/or commence civil proceedings to enjoin or abate the violation.

Subsequent violations for the same offense on the same property within twelve (12) months may be sent directly to the City Attorney or issued citations by the West Fargo Police Department.

SECTION 15. Effective Date. This ordinance shall be in full force and effect from and after the date of its final passage and publication.

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

ATTEST:

City Auditor

Date of First Reading:

Date of Second Reading:

Date of Publication:

DRAFT

Proposed Updates to Landscaping, Screening, & Outdoor Storage Standards

September 10, 2024

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§4-449-A Landscaping Standards

A. Purpose

The purpose of this Landscaping section, through the preservation, protection, maintenance, and planting of trees and other plant materials, is to:

1. Help reduce the city's impact on the environment.
2. Enhance green space within the city.
3. Provide shade and wind breaks to reduce extreme weather.
4. Mitigate flood hazards, erosion, and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.
5. Reduce the heat island effect that is generated by hardscape such as asphalt parking lots by requiring organic ground cover and shade.
6. Provide buffers and screens against noise, air pollution, and unsightly and incompatible land uses.
7. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.
8. Help aid in energy conservation.

B. Applicability

1. New Development

- A. All new development (including reconstruction and expansion) shall be required to provide landscaping, screening, and buffering in accordance with the standards of this section, unless otherwise exempt by this code.
- B. When an expansion or redevelopment of a building on a lot requires the removal of required landscaping, that landscaping shall be replaced elsewhere on the lot.

2. Exceptions

A. Single- and Two-Family Residential

Single-family, twin home, and two-family residential uses are not required to meet the landscaping requirements of this section. However, such development is required to provide street trees in accordance with this section, as well as ground cover for all areas of the lot that are not covered by improvements.

B. Agricultural District

Agricultural uses within the "A" zoning district shall not be required to provide landscaping.

C. Parking Lots

1. The requirements of this section do not apply to parking lot re-striping and repaving where there is no expansion of the parking area.
2. When a parking lot is being expanded to an extent 50 percent or more of the lot's surface area prior to expansion, or at least 50 percent more parking spaces

are being added, whichever is less, landscaping as described in this section shall be required.

3. For parking lot expansions of less than 50 percent, only the parking lot area being added shall be required to meet the standards of this section. For example, if a parking lot is expanded in an area not adjacent to a street, no Parking Lot Perimeter landscaping is required, and only the expanded area shall be subject to the Parking Lot Island landscaping standards of this section.
4. Expansions are measured cumulatively, so that separate expansions adding up to a 50 percent or greater increase within five years shall be required to meet the landscaping requirements of this section.

D. DMU District

Development within the "DMU" zoning district shall not be required to provide landscaping in accordance with this section.

E. Improvements & Repairs

1. Improvements or repairs to existing development that do not increase the existing floor area on the lot by more than 1,000 square feet or 10 percent, whichever is greater, shall not be required to provide landscaping in accordance with this section.
2. Expansions are measured cumulatively, so that separate expansions adding up to more than 1,000 square feet or 10 percent (whichever is greater) within five years shall be required to meet the landscaping requirements of this section.

F. Change in Use

Changes in use that do not require more parking spaces or a more intensive zoning than the previous use shall not be required to provide landscaping in accordance with this section.

C. Landscape Plan Required

1. A landscape plan shall accompany all development applications and/or building permit requests that require landscaping pursuant to this section, and shall include the minimum information specified by the City.
2. No building permit shall be issued until a landscape plan is submitted and approved by the City Planner.
3. No certificate of occupancy shall be issued for any building or structure until all landscaping shown on the approved landscape plan has been installed. The City Planner may approve a deferral of up to eight months, on account of adverse weather conditions. If a property owner requests a deferral, the request shall be accompanied by a proposed schedule for completion of installation.
4. A temporary certificate of occupancy may be issued when a deferral has been approved by the City Planner.

D. General Standards

1. Plant Material & Installation

- A. All plant materials shall be living plants suitable for USDA Plant Hardiness Zone 4.
- B. Artificial plants are prohibited.
- C. All trees and shrubs shall be planted in good condition. All plant materials to be installed shall be nursery-grown and root-pruned stock, free of insects, weeds, disease, debris, and defects.
- D. Plant materials used to satisfy the requirements of this section shall meet the size requirements of the Plant Material Size Table, below:

Plant Material Size Table

Type of Plant Material	Min. Size at Time of Planting	Mature Size
Large Deciduous Tree ^[1]	1-inch caliper width	>30 feet tall
Large Evergreen Tree ^[1]	3.5 feet tall	>30 feet tall
Small Deciduous Tree ^[1]	1-inch caliper width	12 to 30 feet tall
Small Evergreen Tree ^[1]	2.5 feet tall	12 to 30 feet tall
Shrub	2 gallon container size	3 feet tall
Perennial Plants ^[2]	1 gallon container size	2.5 feet tall

[1] Smaller caliper/height trees for certain species may be acceptable upon approval of the City Planner.

[2] Perennial plant materials shall not exceed twenty percent (20%) of the open space requirement

- E. Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used.
- F. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the City.
- G. The maximum slope of any landscaped berm shall be 2:1.

2. Maintenance

- A. The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscaping. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.
- B. Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City.
- C. The Tree Topping of trees is prohibited.

3. Administrative approval for practical landscaping improvements

- A. The City Planner has authority to allow flexibility to the requirements of this section to enable:
 - 1. Flexibility concerning the location of landscaping to allow for landscaping to be focused in buffer areas adjacent to conflicting land uses, entrance areas, or other areas of increased visibility.
 - 2. Flexibility concerning irregular, narrow, or shallow lots.
 - 3. Flexibility to approve alternative planting plans that include aesthetic design elements and hardscapes that complement the plant material such as public art, fountains, plazas, courtyards, and front yard/entrance statements.
- B. The City Planner has authority to allow flexibility to the Buffer Yard standards of this section when any of the following circumstances are found to exist:
 - 1. Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of the required Buffer Yard.
 - 2. Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.
 - 3. The required Buffer Yard would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.
- C. When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, Buffer Yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.
- D. When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific Buffer Yard requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.

E. Open Space Landscaping

1. Relationship to Other Landscaping Standards

Landscaping provided to meet the Boulevard Tree or Buffer standards of this section may not be counted towards meeting a development's Open Space Landscaping requirements. Parking Lot Landscaping, however, may be counted towards meeting a development's Open Space Landscaping requirements.

2. Plant Units Required

A. **Commercial, Office, Residential, & Corridor Overlay Districts**

Within commercial, office, residential, and corridor overlay zoning districts (C, C-OP, HC, R, CO, CO-I, CO-R), at least four (4) plant units shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

B. **Mixed-Use, and Public Districts**

Within mixed-use, and public zoning districts (EMU, P) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least two (2) plant units shall be provided for each 1,000 square feet of lot area or fraction thereof.

C. **Industrial Districts**

Within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R), at least one (1) plant unit shall be provided for each one thousand (1,000) square feet of lot area or fraction thereof.

3. Plant Unit Equivalency

The following table provides a breakdown of plant unit equivalencies.

Type of Plant Material	Equivalent Plant Units
Large Deciduous Tree	10
Large Evergreen Tree	10
Small Deciduous Tree	5
Small Evergreen Tree	5
Shrub	2
Perennial Plants	1

Existing mature trees may be counted as double the equivalent plant units noted in the table above, so long as the mature tree has a current caliper width of more than 7 inches for a large tree or more than 4 inches for a small tree, and meets all other applicable standards of this section.

4. Location of Plant Units

A minimum of seventy percent (70%) of the plant units required pursuant to this subsection shall be within front or street-side yards. In the EMU zoning district, said seventy percent (70%) requirement shall not apply.

5. Plant Unit Calculation

On-site wetlands, stormwater ponds, natural preservation areas, and outdoor recreation facilities (sports fields, tracks, playgrounds, etc.) may be excluded from the lot area square-footage value used to calculate required plant unit.

F. Parking Lot Perimeter Landscaping

1. Applicability

Parking Lot Perimeter Landscaping is required for all off-street parking and vehicle circulation areas located within 30 feet of public street rights-of-way.

2. Location

Parking lot perimeter landscaping shall be located between adjacent street rights-of-way and off-street parking areas and all vehicular circulation^[1] areas in accordance with the following table:

Parking Area Size Number of Spaces	Buffer Width Minimum (feet)	Minimum Planting/Screening Requirements ^[2]
1 - 50	4	Row of shrubs or perennial plants spaced no greater than 2-4 feet apart to create a continuous row at maturity.
	6	Masonry wall or decorative metal fence ^[3] (height between 2.5 and 3 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
	10	Berm (minimum height of 2.5 feet) + 1 small tree or 6 shrubs/perennial grasses per 25 linear feet
51 - 250	10	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	10	1 tree + 6 shrubs, per 25 linear feet
251+	15	Masonry wall or berm, with minimum height of 2.5 feet + 1 tree and 3 shrubs, per 25 linear feet
	15	1 tree + 6 shrubs, per 25 linear feet

Notes:

[1] Vehicular circulation refers to any surfaces intended for motor vehicle use.

[2] These are minimum standards. Use of additional planting/screening materials are encouraged to provide flexibility in design and visual interest.

[3] Decorative metal fences must be wrought iron or similar in nature. Chain link fences are not considered a decorative metal fence.

G. Parking Lot Island Landscaping

1. Applicability

All parking lots with 20 or more parking spaces shall provide landscape islands as described in this subsection.

2. Landscape Islands

- A. One interior landscape island shall be provided for every twenty (20) parking spaces, and a terminal island shall be provided at both ends of each row of parking. See Figure 1.

- B. Interior and terminal landscape islands shall be no less than six feet wide and no shorter than the length of the adjacent parking space(s).

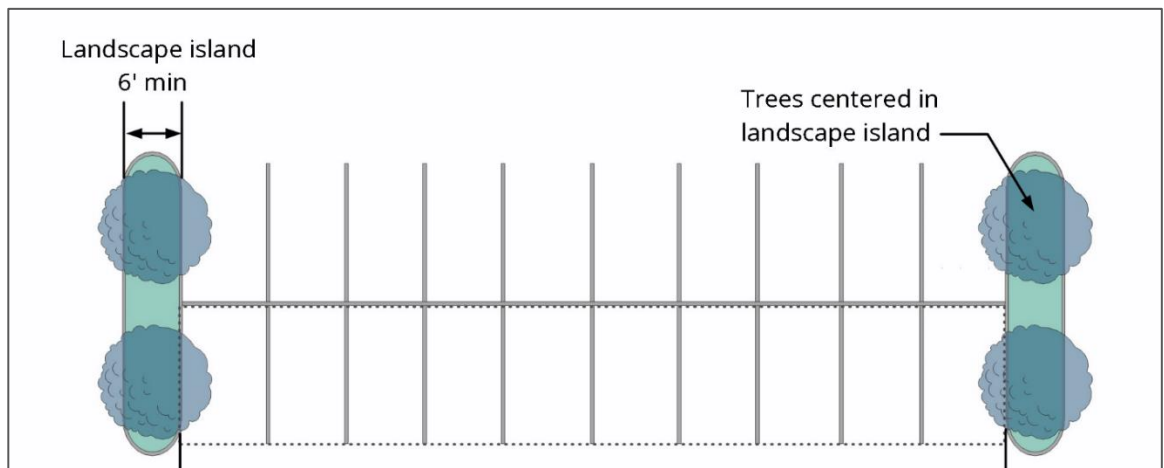


Figure 1: Double-Length Landscape Island

- C. Each landscape island adjacent to the length of one parking space shall contain at least one tree surrounded by at least 90 square feet of permeable surface area.
- D. Each double-length landscape island adjacent to the length of two parking spaces shall provide at least two trees. Trees in double length islands shall be planted no less than 15 feet apart. Each tree shall have a minimum permeable surface area of 90 square feet.
- E. Trees and any other vegetation planted within parking lot landscape islands may be counted towards Open Space plant unit minimum standards.
- F. Any remaining surface area of the island shall be covered with living plant material or other approved ground cover, such as mulch, pea gravel, river rock, or similar landscaping material.

H. Boulevard Trees

1. Coordination with Other Plans

Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester.

2. Permit Required

The City Forester's office reviews and approves all proposed boulevard tree plantings and removals. Prior to installation or removal of a boulevard tree, an application must first be submitted and approved by the City Forester's office.

3. Minimum Requirements

The City Forester shall have final approval of proposed boulevard tree plans, species, and placement, and may approve variances from these minimum requirements where conditions necessitate.

A. Species of Trees

1. Boulevard trees shall be chosen from the City's [Approved Plant List, as maintained by the City Forester](#).
2. Boulevard trees shall be single-stem trunks with a straight vertical line.
3. Evergreen trees shall not be planted as boulevard trees.
4. Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and/or the fruit is considered a nuisance or high maintenance, as determined by the City Forester.

B. Number of Trees

1. In residential areas, one boulevard tree shall be planted every twenty-five (25) feet within boulevards. In all other areas, one boulevard tree shall be planted every thirty (30) feet within boulevards, unless the City Forester determines otherwise.
2. If the branches of a boulevard tree at mature height would interfere with overhead powers lines, ornamental trees may be planted at a rate of two ornamental trees for every one required canopy tree. The substitution and placement of ornamental trees shall be reviewed and approved by the City Forester.

C. Spacing of Trees

1. New trees shall be planted at least twenty-five (25) feet from existing trees.
2. On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs.
3. Trees shall be planted at least twelve (12) feet from driveways and alleyways, unless otherwise determined by the City Forester.

D. Size Requirements

1. At time of planting, boulevard trees must be at least 1 inch in diameter.
2. The lowest branch on the tree cannot be over 9 ½ feet above the ground.

I. Buffer Yards

1. Applicability

The requirement for Buffer Yards shall apply when:

- A. Multi-family residential development of four (4) or more units is constructed on a parcel that shares a property line with a single- and two-family residential zoning district (R-R, R-1E, R-L1A, R-1A, R-1B, R-1, R1-S, R-1SM), or existing single- or two-family residential development.

- B. Non-residential or mixed-use development is constructed on a parcel that shares a property line with any residential zoning district (R-x), or existing residential development, including multi-family development.
- C. Industrial development is constructed on a parcel that shares a property line with any non-industrial zoning district.

2. Exception

- A. These buffering requirements do not apply when residential development is constructed in non-residential zoning districts. The residential development may install screening fences and/or buffering at their discretion; however, existing or new non-residential development shall not be required to do so.

3. Screening and Buffering Along Shared Property Lines

Buffering and Screening Requirements		
Type of Development	Adjacent to:	Minimum Buffer
Multi-Family Residential (4 or more units)	Single and two-family residential district or development	Six-foot tall opaque screening fence ^[1] OR Ten-foot wide landscape buffer
Mixed-Use	Single and two-family residential district or development OR Multi-family district or development	Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer OR Fifteen-foot wide landscape buffer
Non-Residential	Any residential district ^[2]	Six-foot tall opaque screening fence ^[1] AND fifteen-foot wide landscape buffer
Industrial	Any non-industrial district ^[2]	Residential or Mixed-Use district: Minimum eight-foot tall opaque screening fence ^[1] AND twenty-foot wide landscape buffer Non-Residential district: Six-foot tall opaque screening fence ^[1] AND ten-foot wide landscape buffer
NOTES ^[1] : See subsection 4-441, <i>General Fencing and Screening Requirements</i> for additional information on fence standards. ^[2] : See above: requirements do not apply to residential development in non-residential zoning districts.		

4. Buffer Planting Requirements

In side- and rear-yard landscape buffers, for every thirty (30) linear feet of required buffer, evergreen trees shall be planted as follows, unless an alternative is approved by the City Planner:

A. Ten-Foot Wide Buffer

Two (2) large evergreen trees shall be planted at least ten (10) feet apart, interspersed with four (4) shrubs, plus ground cover.

B. Fifteen-Foot Wide Buffer

Three (3) large evergreen trees at least eight (8) feet apart, interspersed with eight (8) shrubs, plus ground cover.

C. Twenty-Foot Wide Buffer

Six (6) large evergreen trees, planted in a double row, with the planting offset so as to create a continuous screen, with each tree in the same row planted least eight (8) feet apart, plus ground cover.

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~~1. Purpose: The preservation of existing trees and vegetation, as well as the planting of new trees and vegetation, can significantly add to the quality of the physical environment of the community. The regulations outlined herein are designed to provide for the health, safety and welfare of the residents of the City of West Fargo. Landscaping Plan can provide the following benefits to the community:~~

~~a. Help reduce the cities impact on the environment.~~

~~b. Enhances green space within the city.~~

~~c. Helps provide shade and wind breaks to reduce extreme weather.~~

~~d. Reduces the hazards of flooding and aid in the control of erosion and storm water runoff. Trees can help in the stabilization of soil and replenish groundwater supplies.~~

~~e. Provides buffers and screens against noise, air pollution, and unsightly and incompatible land uses.~~

~~f. Absorb carbon dioxide and supply oxygen in our atmosphere, which is an essential ecological function in the preservation of human and animal life. Trees can provide a haven for birds which, in turn, assist in the control of insects.~~

~~g. Help aid in energy conservation.~~

~~2. Definitions: The following definitions are intended to provide a common interpretation of terms in order to avoid confusion and insure that the Standards are utilized in a uniform manner.~~

~~AESTHETICALLY PLEASING: in a pleasing manner or beautiful, indicated when someone does not necessarily have an interest or bias towards something but can still accept that it is still acceptable to look at.~~

~~APPROVED PLANT LIST: A list of plants that is approved by the City Forester and the City of West Fargo to plant within the city limits.~~

~~BACKFILL: Soil that is returned to a planting hole after a plant's roots have been positioned.~~

~~BERMS: Graded mounds of earth used to create a screen, buffer or a landscape design element.~~

~~BIOSWALE: Are landscape elements designed to remove silt and pollution from surface runoff water. They consist of a swale drainage course with gently sloped sides (less than six percent) and filled with vegetation, compost and/or riprap. Water flows throw this path, along with the wide and shallow ditch, while doing so the bioswale is designed to maximize the time water spends in the swale, which aids the trapping and filtering of pollutants and silt.~~

~~BUFFER YARD: Landscaping that is used to obstruct the view of an adjacent property.~~

~~BOULEVARD: An area located in front of a property facing a city street or public right of way.~~

~~CALIPER: A way of measurement for trees around the trunk of the tree, in other words by, measuring the outer circumference or perimeter of a tree trunk.~~

~~CITY FORESTER: Forester an employee of the city and is responsible for the promotion of the health and sustainability of the urban forest within the municipal limits of the City of West Fargo and providing public education as to the benefits and best use of the urban forest and the maintenance or such forest.~~

~~DECIDUOUS SHADE TREE: A tree that sheds all its leaves every year at a certain season.~~

~~DECORATIVE BLOCK: Generally refers to non-standard, masonry, building block. The face of the block is typically textured and contains a non-standard finish or shape.~~

~~DRIPLINE: is the area directly located under the outer circumference of the tree's branches.~~

~~DROUGHT-TOLERANT PLANT: A plant that can survive with minimum supplemental water.~~

~~EVERGREEN TREE: A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.~~

~~FIFTEEN (15) GALLON TREE: Tree measuring a minimum of six (6) feet in height, four (4) feet in spread and one and one-quarter (1 1/4) inch trunk caliper measured at six (6) inches above the soil line.~~

~~FINISHED ELEVATION: The elevation/grade which re-establishes the finished grade after all site improvements are completed.~~

~~GARDEN PLANTS: The practice of growing plants. Ornamental plants are normally grown for their overall appearance such as flowers, or plants that are grown for consumption (such as but not limited to: vegetables, fruits, herbs, and leaf vegetables) or for medicinal use, which eventually die after one growing season.~~

~~GROUND COVER: Plants grown for their low spreading capabilities for the protection of soils, to prevent growth of weeds and for aesthetic purposes.~~

~~HATRACKING: is a type of pruning where most of the canopy is removed from a tree, leaving mostly branch stubs. Hatracking initiates decay in the trunk and main branches and attracts wood boring insects. Never top a tree or allow anyone to top one of your trees. Hatracking is equivalent to butchering a tree.~~

~~HARDSCAPE: Elements of the landscape constructed from non-living materials such as concrete, boulders, brick, blacktop and lumber.~~

~~IRRIGATION SYSTEM: The combination of elements such as automatic controllers, meter, pressure vacuum breakers, pipes, valves, emitters, bubblers, spray heads, tubing and other materials designed for the purpose of transporting water to landscaping.~~

~~LANDSCAPING: The combination of elements such as trees, shrubs, ground covers, vines, and other organic material that are for the express purpose of creating an attractive and pleasing environment. Plazas, patios, art, and decorative courtyards may also be considered landscape elements.~~

~~MEANDERING SIDEWALK: A sidewalk with windings or turns in a circuitous pattern.~~

~~NATIVE PLANTS: Plants that are naturally meant to be in this area.~~

~~NON-POROUS MATERIALS: A material that does not allow the movement of water and air to pass through it.~~

~~OVERHEAD SPRAY HEADS: An irrigation method that delivers water to the landscape in a spray or stream-like manner from above-ground spray heads (including pop-ups, impulse~~

~~sprinklers, rotors, micro-misters, etc., but does not include bubblers).~~

~~PERENNIAL: A non-woody plant that lasts for more than two growing seasons.~~

~~POROUS/PERMEABLE MATERIAL: A material that does allow the movement of water and air to pass through it.~~

~~PUBLIC RIGHT OF WAY (ROW): The strip of land over which facilities such as highways, railroads, or power lines are built. The customary or legal right of a person, vessel, or vehicle to pass in front of another.~~

~~RIP-RAP: Hardscape materials that provide erosion protection along a drainage way (i.e. large boulders).~~

~~ROCK MULCH: A non-soluble protective covering which includes rock, gravel, decomposed granite, or crushed rock applied to the soil surface to reduce weed growth, reduce evaporation of moisture from the soil surface, maintain even temperature around plant roots, and slow erosion.~~

~~RUNOFF: Irrigation water that is not absorbed by the soil to which it is applied and which flows onto other areas. Runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists.~~

~~SOIL: All unconsolidated mineral and organic material of whatever origin that overlies bedrock and can be readily excavated.~~

~~SOIL AMENDMENTS: Organic and inorganic material added to soils to improve texture, nutrients, moisture holding capacity, and infiltration rates.~~

~~STEM WALL: A wall usually less than two (2) feet in height, used to divert or direct storm water flows within an area specified by the Department of Public Works.~~

~~SWALES: A depression in grade to control and direct the flow of surface water.~~

~~TOPSOIL: The top layer of native soil that is usually better for plant growth than what is beneath it. The term is also used to describe good soil imported for landscaping.~~

~~TURF: Any grassy area maintained by frequent mowing, fertilization and watering used for lawn and playing fields.~~

~~TWENTY-FOUR (24) INCH BOX TREES: Trees measuring a minimum of eight (8) feet in height, and six (6) feet in spread with a two (2) inch trunk caliper measured at six (6) inches above the soil line.~~

~~XERISCAPING: Xeriscaping is a creative method of landscaping that emphasizes water conservation. This is accomplished by following sound horticultural and landscaping practices, such as planning and design, soil improvements, limited turf areas, use of mulches, use of low water demand plants, efficient irrigation, and appropriate maintenance. When combined, these practices will produce an attractive, efficient, sustainable landscaping arrangement for residential, commercial and industrial situations.~~

~~3. General Goals and Objectives for Landscape Standards:~~

~~a. Clearly define spaces, articulate use areas, and unify site elements through use of landscape materials:~~

~~(1) Create a distinction of natural planting areas and implemented landscaping.~~

~~(2) Use consistent site features such as signs and benches.~~

~~b. Provide clear wayfinding as appropriate for facilities and properties:~~

~~(1) Create a strong entry.~~

~~(2) Provide clear direction to primary building entries.~~

~~(3) Enhance circulation corridors with trees and plant materials.~~

~~c. Support a safe and clear circulation system(s):~~

~~(1) Provide appropriate sidewalk and roadway width as described in the Site Design Standards.~~

~~(2) Improve visibility, safety, and aesthetics as appropriate for facilities.~~

~~d. Use sustainable landscaping practices:~~

- ~~(1) Limit and control erosion throughout site.~~
- ~~(2) Minimize use of non-sustainable fertilizers, herbicides, and pesticides~~
- ~~(3) Use plant material to reduce adverse climatic conditions such as heat, wind, and precipitation.~~
- ~~(4) Guide future development toward sustainable and environmentally sound design through use of native and locally available plant material, reclaimed water irrigation, and other practices.~~
- ~~(5) Feature native plant material.~~
- ~~(6) Reinforce a natural context of the site by simulation a natural type of planting.~~
- ~~(7) Consider xeriscaping approaches where natural, low maintenance plant material would be desired (i.e. exterior fringes of plant site).~~

~~4. Applicability: The requirements of this division apply to all development within the City. All street boulevards are required to have boulevard trees unless the City Forester deems otherwise. Single family, twin home and two family residential and industrial properties are not required to meet proposed plant units for each lot, though they are encouraged to do so; however, all multiple family properties, commercial properties and properties within any overlay district are required to adhere to the plant unit chart standards. All properties which require green areas (grassed) or landscaped open space, shall have the appropriate landscaping completed prior to the issuance of a certificate of occupancy. A temporary certificate of occupancy may be issued when weather and/or seasonal conditions do not allow the installation of landscaping with a schedule for completion as may be approved by the City Planner.~~

~~5. Plant Standards:~~

~~A. General Standards:~~

- ~~(1) Acceptable trees include, but are not limited to; those identified as suitable for the~~

~~intended use in the "Approved Plant List."~~
~~Acceptable vegetative ground cover consists of shrubs and ground cover including grass and native prairie grass.~~

~~(2) Species of trees shall not be planted if the roots cause damage to public works, the branches are subject to a high incidence of breakage, and the fruit is considered a nuisance or high maintenance, as determined by the City Forester.~~

~~(3) All trees shall be planted in good condition. All plant materials to be installed shall be nursery grown and root pruned stock free of insects, disease, and defects.~~

~~(4) The developer shall plant, or install, as appropriate grass, tree grates, porous pavers, or similar pervious surfaces, which shall extend to twice the initial drip line of the newly planted tree. Minimum tree grate size shall be five square feet.~~

~~B. Approved Plant List: The City shall maintain a Plant List identifying plants compatible with local soils and climatic conditions including salt tolerance, sun and heat exposure, and mean low temperature. All required landscape plants must be selected from the Plant List. Plant material shall be selected that is best suited to withstand the soil and physical growing conditions on the project site. Plant species that are freeze and drought tolerant are preferred. Protection and preservation of native species and natural areas is encouraged.~~

~~6. Landscaping Material:~~

~~A. Where landscaping and associated landscape plans are required, the landscaping materials shall consist of the following:~~

~~(1) Walls and Fences: Walls shall be constructed of natural stone, brick or other appropriate aesthetically pleasing decorative materials. Chain link fencing will be permitted only if covered with plant material or otherwise screened.~~

~~a. Retaining: Retaining walls exceeding four (4) feet in height, including stage walls~~

~~which cumulatively exceed four (4) feet in height, must be constructed in accordance with plans prepared by a registered engineer or landscape architect of brick, concrete or natural stone. Artificial material may be approved if appropriate. A building permit is required.~~

~~(2) Earth Berms: Earth berms shall be physical barriers, which block or screen the view similar to a hedge, fence, or wall. Mounds shall be constructed with proper and adequate plant material to prevent erosion. A difference in elevation between areas requiring screening does not constitute an existing earth mound, and shall not be considered as fulfilling any screening requirement.~~

~~(3) Plants: All plant materials shall be living plants; artificial plants are prohibited. Plants to be selected from the approved plants list, following this division or as approved by City Forester. Plant materials shall meet the following requirements:~~

~~(a) Deciduous Trees: Shall be species having an average crown spread of greater than fifteen (15) feet and having trunk(s) which can be maintained with over five (5) feet of clear wood in areas which have visibility requirements, except at vehicular use area intersections where an eight-foot clear wood requirement will control. Trees having an average mature spread of crown less than fifteen (15) feet may be substituted by grouping of the same so as to create the equivalent of a fifteen-foot crown spread. A minimum of ten (10) feet overall height or minimum caliper (trunk diameter, measured six (6) inches above ground for trees up to four (4) inches caliper) of at least two and one-half (2 ½) inches immediately after planting shall be required. Trees of species whose roots are known to cause damage to public roadways or other public works shall not be placed closer than fifteen (15) feet to such public works,~~

~~unless the tree root system is completely contained within a barrier for which the minimum interior containing dimensions shall be five (5) feet square and five (5) feet deep and for which the construction requirements shall be four (4) inches thick, reinforced concrete.~~

- ~~(b) Evergreen Trees: Evergreen trees shall be a minimum of six (6) feet high with a minimum caliper of one and one-half (1 ½) inches when planted.~~
- ~~(c) Shrubs and Hedges: Deciduous shrubs shall be at least two (2) feet in average height when planted, and shall conform to the opacity and other requirements within four (4) years after planting. Evergreen shrubs shall be at least two (2) feet in average height and two (2) feet in diameter.~~
- ~~(d) Vines: Vines shall be at least twelve (12) inches high at planting, and are generally used in conjunction with walls or fences.~~
- ~~(e) Grass or Ground Cover: Grass shall be planted in species normally grown as permanent lawns, and may be sodded, plugged, sprigged, or seeded; except in swales or other areas subject to erosion, where solid sod, erosion reducing net, or suitable mulch shall be used, nurse-grass seed shall be sown for immediate protection until complete coverage otherwise is achieved. Grass sod shall be clean and free of weeds and noxious pests or diseases. Ground cover such as organic material shall be planted in such a manner as to present a finished appearance and seventy-five (75) percent of complete coverage after two (2) complete growing seasons, with a minimum of fifteen (15) inches on center. In certain cases, ground cover also may consist of rocks, pebbles, sand and similar materials if approved by the city.~~

~~7. Material Specifications:~~

- ~~A. Minimum Number of Trees Required: A property owner should have a variety of trees on their property. This will allow the trees to be less prone to disease and have a healthy life. It is suggested that as many different tree species be placed on the site as possible but a minimum number of a variety of tree species shall be provided in accordance with the following table:~~

Number of Trees	Number of Species
1 - 3	1
4 - 6	2
7 - 9	3
10 - 12	4
13 - 15	5
16 - 18	6
19 - 21	7
22 - 24	8
25 +	9

- ~~B. Plant Units: Residential and industrial districts are encouraged to follow the number of plant units for each lot as described below. All multiple family residential, commercial and overlay Zoning districts must have a minimum number of plant units on each lot. These standard plant units are (4) units for every thousand (1,000) square feet of a lot. Only the plants on the owner's property will be counted towards required total plant units. Garden plants will not count toward the plant units. Below, is the equation of the plant units per square footage and the plant units chart:~~

~~(See Chart on Following Page)~~

$$\frac{(\text{Square Footage of Lot})}{1000} \times 4 = \text{Plant Units}$$

1000

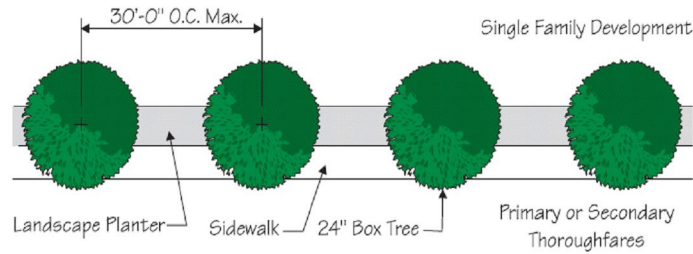
PLANT UNITS CHART		
Large, Mature Deciduous Tree	1.5 to 3-inch - > 30 foot mature height	10
Large, Mature Evergreen Tree	5 to 6 foot height - > 30 foot mature height	10
Small, Mature Deciduous Tree (Max. of 20% of plant units)	1.5 to 3-inch caliper - 12 to 30 foot mature height	7
Small, Mature Evergreen Tree (Max. of 20% of plant units)	3 to 4 foot height - 12 to 30 foot mature height	7
Mature Shrub	2 gallon	5
Perennial Plants	2 gallon	3

C. ~~Onsite Retention: If an area where a wetland, bioswale, rain garden, or native prairie grass is designated for onsite retention, the square footage of that area will be excluded from the total lot area prior to calculation of plant units.~~

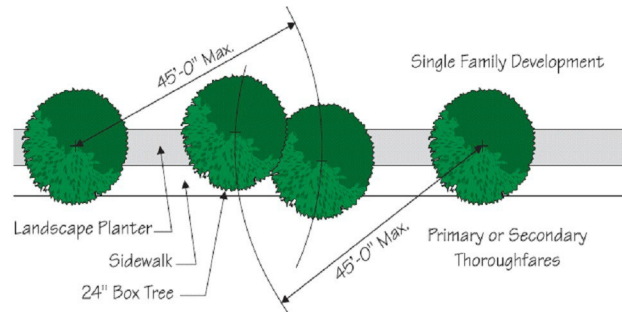
8. Boulevard and Street Vegetation:

A. ~~Tree Layouts: Tree layouts (plans) shall be coordinated with existing corridor planting plans, subdivision street landscape plans, and other established landscape plans to provide the desired effect as determined by this standard and the City Forester. It is required by the City to have at least one (1) tree on all street boulevards every thirty (30) feet, unless the City Forester determines otherwise. Trees shall be planted twelve (12) feet from driveways and alleyways. The spacing shall be at least twenty-five (25) feet from existing trees. On corner lots, the trees shall be planted forty (40) feet from the point of intersection of the curbs. The City Forester or City Planner shall have final approval of the location of the tree and have the right to approve variances from the above requirements where conditions necessitate. Recommended tree layouts are as follows:~~

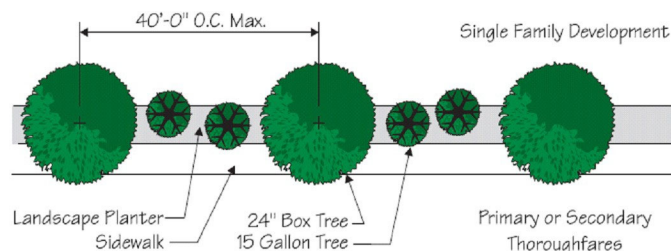
- ~~(1) Alternative 1: Spacing of trees shall not exceed thirty (30) feet on center.~~



- ~~(2) Alternative 2: Clustering of trees is allowed if: the total number of trees exceeds the minimum number of trees required by at least one (1) tree; the spacing between any two (2) trees does not exceed forty-five (45) feet; and at least three (3) trees are located within a forty five (45) feet radius.~~



- ~~(3) Alternative 3: The minimum number of trees required is one (1) 24 inch box deciduous or evergreen tree for every forty (40) linear feet of planter plus one (1) extra 24 inch box tree. In addition, two (2) 15 gallon deciduous or evergreen trees shall be required for every forty (40) linear feet of planter, and will be located between the 24 inch box trees. The spacing of the 24 inch box trees shall not exceed forty (40) feet on center. The 15 gallon trees can be either regularly spaced or grouped in between the 24 inch trees.~~



~~B. Size Requirements: No tree measuring less than 1 1/4" in diameter of trunk one foot above ground may be planted on the City Boulevard. The lowest branch shall not be over 9 1/2 feet from the ground. The Tree must be a single stem trunk and have a straight vertical line.~~

~~9. Buffer Yards:~~

~~A. Purpose: The purpose of buffer yards is to limit the view and reduce the noise between abutting incompatible uses, and to ease the transition from one zoning district to another. Buffer yards are intended to provide a physical integration of uses, which promote the public health, welfare and safety by:~~

- ~~(1) Preventing visual pollution;~~
- ~~(2) Preventing the overcrowding of land;~~
- ~~(3) Preventing the undue congregation of people and vehicles; and~~
- ~~(4) Promoting the peaceful enjoyment of property within the City of West Fargo.~~

~~B. When Required:~~

- ~~(1) A buffer yard shall be required of any lot in any zoning district when the lot in that district abuts a zoning district of lower intensity.~~
- ~~(2) When a public right-of-way separates zones of different intensities, the following criteria shall apply, regardless of whether the zoning line is on one side or the other or the center of the public right-of-way:~~
 - ~~(a) If the public right-of-way is an alley, a buffer yard with screening shall be provided.~~
 - ~~(b) If the public right-of-way is a local or collector street, a buffer yard with screening shall be provided on any side or rear of the higher intensity use which abuts the right-of-way as per the table below, or according to approved subdivision landscaping plans or corridor~~

~~overlay district plans; however the buffer yard shall not be required on the front of the higher intensity use where the front abuts the public right-of-way.~~

~~(c) If the public right-of-way is an arterial street or highway, no buffer yard or screening shall be required for the portion of the higher intensity use abutting the public right-of-way.~~

~~(3) When single and two-family uses are located on Arterial streets and Interstate 94.~~

~~(4) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, buffer yard and screening requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the City Planner.~~

~~C. General Standards:~~

~~(1) Buffer yards shall contain vegetative and/or architectural screening that achieves the purpose of the buffer yard, and which meets the requirements for screening, Buffer Yards Screening and Zoning Standards Table, below.~~

~~(2) The maximum slope of any buffer yard shall be 2H: 1V where H is the horizontal distance and V is the vertical distance. Additional width shall be added to any portion of any buffer yard which exceeds this slope such that the minimum buffer yard width is met by land less steep than 2H: 1V.~~

~~(3) The buffer yard shall be located entirely within the higher intensity zoning district and abutting the zoning district line or adjacent right-of-way if such right-of-way separates the lot from the zoning district line. However, the buffer yard may be placed in the lower intensity zoning district or partially within both zoning districts if both sides of the zoning district line and entire buffer yard width are within common ownership and a permanent easement is provided over any~~

~~portion of the buffer yard not within the higher intensity zoning district.~~

- ~~(4) A driveway required to serve the principal structure on the site may exist in the buffer yard. This driveway shall run substantially perpendicular to the buffer yard.~~
- ~~(5) Buffer yards shall be maintained in a natural condition free of structures, loading or storage areas, parking, roads, or driveways except as provided for in (4) above.~~
- ~~(6) Buffer yards required by this standard shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the City Planner, if the City Planner finds any of the following circumstances exist on the proposed building site, or surrounding properties:~~
 - ~~(a) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.~~
 - ~~(b) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.~~
 - ~~(c) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.~~
 - ~~(d) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.~~
- ~~(7) When the acreage of a site is significantly larger than the area proposed for physical improvements or active usage, buffer yards shall be reserved as required by this section. However, to achieve the intent of this section, the City Planner may require an alternative location and design for required screening and plantings.~~

- ~~(8) When property lines abut an adjacent jurisdiction, the City Planner shall determine the specific screening and buffering requirements along that property line after consideration of the zoning designation and or land use of the adjacent property. Requirements shall not exceed those that would be required for similarly situated/zoned property within the City.~~
- ~~(9) Dimensions: Buffer yard dimensions and screening requirements shall be provided as detailed in the table below:~~

Buffer Yards, Screening, and Zoning Standards Table

BUFFER YARDS	ARCHITECTURAL	VEGETATIVE
A	4' Screen 10' Buffer Yard Small Evergreen Trees Alternated with Deciduous Trees	20' Buffer Yard Small Evergreen Trees, Alternated with Deciduous Trees, and One Row Evergreen or Other Shrubs
B	6' Screen 15' Buffer Yard Small Evergreen Trees Alternated with Deciduous Trees	30' Buffer Yard Small Evergreen Trees, Alternated with Deciduous Trees, and One Row of Evergreen or Other Shrubs
C	6' Screen 25' Buffer Yard Large and Small Evergreens Alternated with Deciduous Trees	50' Buffer Yard Large Evergreen Trees, Alternated with Deciduous Trees, Small Evergreen Trees, and One Row of Evergreen or Other Shrubs
D	8' Screen 30' Buffer Yard Large Deciduous Trees Alternated with Large Evergreen Trees	60' Buffer Yard Large Evergreen Trees, Alternated with Deciduous Trees, Small Evergreen Trees, and One Row of Evergreen or other Shrubs

Abutted Existing District					
Developers or Selected District	R1, R-1A, R-1B, R-1E, R-L1A, R-R	R-2, R-3, R-4, R-5	A	C, C-OP, HC, LI, P	M
R1, R-1A, R-1B, R-1E, R-L1A, R-R	N/A	A	B	C	D
R-2, R-3, R-4, R-5	A	N/A	A	B	C
A	B	A	N/A	A	B
C, C-OP, HC, LI, P	C	B	A	N/A	A
M	D	C	B	A	N/A

~~10. Screening:~~

~~A. When Required:~~

- ~~(1) Screening shall be provided within a buffer yard to ease the transition of one land use or activity to another, to achieve the purposes of the buffer yard. Screening may be accomplished through architectural or vegetative materials.~~
- ~~(2) Screening shall be provided, in addition to the requirements listed below, for:~~
 - ~~(a) All articles or materials being stored, maintained, repaired, processed, erected, fabricated, dismantled, or salvaged, such that the activity is not visible from surrounding properties or roads.~~
 - ~~(b) Refuse storage and loading areas such that these activities are not visible from surrounding properties or roads.~~
 - ~~(c) Rooftop and ground level mechanical equipment such that it is not visible from surrounding properties or roads.~~

~~(d) All trash dumpsters or containers used for recycling shall be screened on three sides with architectural screening supplemented by plantings. Screening shall be based upon the standards below and subject to the approval of the City Planner.~~

~~1) Four-foot tall architectural screening is acceptable when household style trash containers are used in place of dumpsters;~~

~~2) The requirement for supplemental plantings may be waived by the City Planner in cases where dumpsters or containers are added to an existing development. In determining whether to grant a waiver, the City Planner shall be guided by these standards: proximity of the facility to residential structures; efficacy of screening to mitigate any adverse effect of the use; and benefit of the screening relative to its cost.~~

~~3) When a site plan is submitted to modify or expand an existing building or site improvements, or accommodate a change in land use, screening requirements shall only be applied to those portions of the site that are directly affected by the proposed improvements, or change in land use, as determined by the City Planner.~~

~~4) Screening for single family and two-family uses along Arterial streets shall follow type "B" buffer yards. Screening for single family and two-family uses along Interstate 94 shall follow type "D" buffer yards. Screening for multiple family uses along Interstate 94 shall follow type "B" buffer yards.~~

~~B. General Standards:~~

- ~~(1) Screening shall be continuous and in place at the time of occupancy. If vehicular or pedestrian access through the screen is necessary, the screening function shall be preserved, and approved by the City Planner.~~
- ~~(2) Requirements: Screening may be architectural or vegetative, per the requirements below:~~
 - ~~(a) Visual Impact: Required screening for any visual impact may be achieved with fences, walls, earth berms, hedges or other landscape materials. All walls and fences shall be architecturally harmonious with the principal building. The use of chain link fences equipped with slats is prohibited. Earth berms shall not exceed a slope of 3:1 unless provided with landscaping designed to minimize maintenance. The screen shall be designed to provide effective visual barrier during all seasons.~~
 - ~~(b) Height: Architectural screening shall be at least four feet in height, and shall be supplemented with plantings.~~
 - ~~(c) Health: Vegetative material shall be alive and in good health.~~
 - ~~(d) Small Coniferous Trees: shall be at least 4 feet in height at planting and allowed to grow to at least 6 feet in height. Large evergreen trees shall be at least 6 feet in height at planting and allowed to grow at least 10 feet in height. All required evergreen vegetation shall be maintained in good condition.~~
 - ~~(e) Deciduous Trees: shall be at least 1" caliper 10' to 12' in height. They shall be supplemental and not deemed to be adequate screening in themselves.~~
 - ~~(f) Plants: Acceptable vegetative plantings include any tree listing in the "Approved Plant List" for screening purposes.~~

- ~~C. Screening design and development shall be compatible with the existing and proposed land use and the development character of the surrounding land and structures.~~
- ~~D. Screening shall be of sufficient density and diversity to achieve the intent of this section. However, at the time of planting, the spacing of trees shall not exceed twelve (12) feet on center, and the planting pattern shall be staggered. Shrubbery shall be more closely spaced. Specific exceptions to this requirement may be granted by the City Planner to encourage quality and creativity of design where the intent of this section is met.~~
- ~~E. Existing vegetation within buffer yards shall be considered as a substitute for otherwise required landscaping or screening, if in the opinion of the City Planner, the type, size, and density of the existing vegetation complies with the standards and intent of this section.~~
- ~~F. When a proposed buffer yard has a variation in elevation of greater than 10 vertical feet at any point, the required screening or landscaping within the yard shall be placed to maximize the effectiveness of the screening or landscaping, as determined by the City Planner.~~
- ~~G. Trees planted to meet any of the screening requirements may also be used to meet any other landscaping requirement within this standard.~~
- ~~H. Screening required by this Section shall be applied equally to all similarly situated properties. Modifications to these standards may be granted in writing by the City Planner if the City Planner finds any of the following circumstances exist on the proposed building site, or surrounding properties:~~
- ~~(1) Natural land characteristics such as topography or existing vegetation on the proposed building site would achieve the same intent of this section.~~
 - ~~(2) Innovative landscaping or architectural design is employed on the building site to achieve an equivalent screening or buffering effect.~~

~~(3) The required screening and landscaping would be ineffective at maturity due to the proposed topography of the site, and or the location of the improvements on the site.~~

~~(4) The topography of adjacent and surrounding sites is such as to render required screening ineffective at maturity.~~

~~11. River Buffer: A healthy and properly watershed buffer zone shall stabilize the shoreline or stream bank, provide erosion control benefits, provide a source of organic matter for aquatic organisms, capture nutrients, reduce flood peak flows, and provide water temperature controls.~~

~~A. River District is hereby created to celebrate, conserve, promote, and manage those areas on such as the Sheyenne River within the corporate limits of the City of West Fargo. These watershed buffer standards will ensure that new development is compatible with and enhances the unique river resources. It is the intent of these standards to promote economic revitalization throughout the river valleys while providing for an opportunity for enjoyment of the river by a maximum number of citizens, neighbors, and guests. The goals of the River District are to:~~

~~(1) Promote the protection and improvement of the Sheyenne River as water resources;~~

~~(2) Promote responsible development that will result minimal stormwater runoff, soil erosion, river bank destabilization, grading, and flood damage;~~

~~(3) Promote the preservation of a vegetative river resource corridor between the top of the river bank and new development to protect property from flooding and to enhance water quality;~~

~~(4) Encourage the planting of specific riparian landscaping that will aid in controlling erosion, improving water quality, reducing stormwater runoff, enhancing fish and wildlife habitats, and protecting visual quality;~~

- ~~(5) Promote the protection of existing natural areas, wetlands, and habitats, especially bluffs along the rivers;~~
- ~~(6) Encourage the establishment of vegetative buffer yards between incompatible land uses to lessen negative impacts;~~
- ~~(7) Encourage the conservation, protection, and promotion of the district's natural, cultural, and historic resources to enhance its value as a significant amenity to West Fargo's citizens, neighbors, and tourists;~~
- ~~(8) Promote improvements to existing infrastructure and the coordination of all new utility improvements;~~

~~B. Conditional Uses: Any use that's not natural to the Sheyenne River and is manmade, is subject to a conditional use permit and the use in the River District must be approved by the City Planner.~~

~~C. General Standards: The following standards shall be required for uses in the River District.~~

- ~~(1) River District: The River District is any area that is a one hundred (100) feet from the Sheyenne River bank.~~
- ~~(2) Landscaping/Buffering Standards: Landscaping and/or buffering shall be provided as required. Tree species suitable for a river environment shall be specified in the "Approved Tree List" for required landscaping and buffering in the River District. In areas experiencing natural stream bank erosion, planting of riparian vegetation shall be the required stabilization measure.~~
- ~~(3) Parking Standards: Parking lots shall be allowed if approved by a conditional use permit if the parking lot doesn't harm the river but not recommended in the River District. No parking shall be permitted in any setback more than fifty (50) feet or less from the river. Uses in the River District shall be permitted a 20 percent reduction in required parking. Shared parking arrangements and common parking areas are encouraged.~~

- ~~(4) Design Standards: The Design of the River District is to be a natural look. It shall include native plantings and native trees to this area. The speculative grading of land within the River District is prohibited. Natural slopes in excess of 45 degrees shall not be graded, and the existing vegetation shall not be removed. Buffers or shorelines shall have bands or strips with permanent vegetation that run adjacent to the river. The purpose of a buffer is to provide a protective barrier or cushion between activities occurring on the upland side of the buffer and the river.~~
- ~~(5) Construction: All new or expanded operations/ construction located within or near the River District must take all precautions not to harm the river by polluting, increasing erosion, or littering.~~
- ~~(6) Storage: Outdoor storage of materials is prohibited in the river district.~~
- ~~(7) Walking Trail: The development of a pedestrian trail/greenway along the rivers is encouraged within the River District. Land owners are encouraged to dedicate/grant a dry land right-of-way or easement within the river resource yard.~~

~~12. Open Space Landscaping:~~

- ~~A. Undeveloped Areas: All undeveloped areas of the site, excluding protected wetlands, river districts, and tree preservation areas, shall be seeded or sodded. Seeding includes native prairie grass. In addition, an appropriate mix of trees and other plant material shall be provided to create an aesthetically pleasing site. Native plantings and xeriscaping is recommended but not limited to.~~
- ~~B. Undeveloped Areas Next to Public ROW: Where undeveloped or open areas of a site are located adjacent to public right-of-way, the plan shall provide for over-story boulevard trees. A minimum of one (1) tree for every thirty (30) feet of frontage is required. The City Planner may approve alternatives if it meets the intent of the ordinance.~~

~~13. Parking Lot Landscaping Standards:~~

- ~~A. Perimeter areas: When parking lot perimeters, including driveways and drive aisles, are not entirely screened visually by an intervening building or structure or land mass from any abutting right-of-way, there shall be provided landscaping designed to buffer direct views of cars and hard surface areas. The landscaping must break up expanses of hard surface areas, help to visually define boulevards and soften direct views of parking areas and provide for reforestation with overstory tree from the approved tree species list identified for parking or other species as approved by City Forester or City Planner.~~
- ~~1. Perimeter Dimensions: The perimeter of the parking lot will consist of an area ten (10) feet to the outside of the parking lot area in all directions where otherwise green space would be. Within this ten (10) foot dimension the following shall apply:~~
- ~~(a) A six (6) foot minimum dimension to all trees from edge of pavement so that this would provide space to where vehicles overhang;~~
 - ~~(b) A four (4) foot minimum dimension to all trees where vehicles to not overhang; and~~
 - ~~(c) A four (4) foot minimum dimension for perennials and shrubs.~~
- ~~B. Interior Landscaping Any open vehicular use areas containing more than six thousand (6,000) square feet of area, or twenty (20) or more vehicular parking spaces, shall provide interior landscaping in accordance with this division in addition to "perimeter" landscaping. Interior landscaping may be peninsular or island types. Landscaped area shall include all parking lot and drive islands and perimeter vegetative landscaping or green space. Required setback areas shall be excluded. There may not be more than twenty (20) continuous parking spaces (40 back to back) in a continual row without providing an island or peninsular landscaping.~~
- ~~C. Curbing: Concrete curbing is encouraged to protect landscaped areas unless the area is implemented to be a rain garden or bioswale.~~

~~D. Soil: All landscaping areas shall have the proper soil preparation to ensure the viability of the vegetation to survive. The landscaping plan shall provide specifications for proper soil preparation.~~

~~14. Landscape Aesthetics and Design Criteria: Landscaping plans shall provide for an appropriate mix of plantings around the exterior footprint of all buildings. The intent of this section is to improve the appearance of the structures and, where necessary, break up large unadorned building elevations. These plantings are not intended to obscure views of the building or accessory signage.~~

~~A. Aesthetics: Landscape areas shall be designed with an emphasis on aesthetic appeal, function, safety, appropriateness to site conditions, and water conservation. The grouping of plants with similar water requirements is encouraged.~~

~~B. Xeriscaping: Xeriscaping is recommended throughout all landscapes.~~

~~C. Utility Lines: Where overhead utility lines are located above landscape, small ornamental trees that do not exceed the growth of fifteen (15) feet shall be substituted instead of large shade tree that will have to be trimmed after tree has matured.~~

~~D. Lawn Grass: Grass may be sodded, plugged, sprigged, or seeded, except that solid sod shall be used in swales or other areas subject to erosion. Slopes steeper than 10:1 shall be sodded. However, if natural prairie grass, cattails, or reeds are being implemented proper erosion control practices shall be engaged.~~

~~E. Mulch: All trees, shrubbery, ground cover, and vine planting beds shall be mulched with standard mulch materials such as shredded cypress bark, pine bark chips, pine straw, or decorative stone to prevent invasion of other plant species and weeds, to absorb and retain moisture for the benefit of the plants, to prevent erosion, to enrich the soil, to provide protection from maintenance equipment, and to present a neat and orderly appearance of the landscaped area.~~

~~15. Existing Trees and Landscapes:~~

~~A. Existing Tree Requirements: Where the site contains existing trees, a special effort shall be made to preserve them in accordance with the following requirements:~~

- ~~(1) Protect: Trees in a healthy condition shall be protected and preserved.~~
- ~~(2) Removing Trees: Removal of unhealthy or diseased trees is mandatory, however removal of healthy trees of a height of six feet or more shall be done only with approval of the City Forester. Tree replacement may be required.~~
- ~~(3) Construction: Trees to be preserved shall be protected during construction operations by the use of barricades or fencing large enough to include everything inside the outer edge or drip line of the tree and conspicuous enough to be seen easily by operators of trucks and heavy equipment.~~
- ~~(4) Grading: No grade changes shall be made around existing trees without approval of the City Forester. Retaining walls shall be used when changing existing grades around specimen trees.~~
- ~~(5) Roots: Tree roots shall be protected and preserved where possible. Tunneling shall be used to avoid damaging roots where construction in the immediate area is necessary. No trenching of tree roots within twenty feet of the trunk shall be performed without approval of the City Forester.~~
- ~~(6) Chemicals: Chemical poisoning and run-off from petroleum products, lime and mortar, fertilizers, pesticides, soil sterilants, or the washing of equipment designed to apply these materials shall be prohibited, within the dripline of trees to be preserved.~~
- ~~(7) Tree Rows: Agricultural tree rows (wind breaks) shall not be removed unless authorized by the City Forester or the City Council. These trees are not only an important part of the City's quality, but are needed to help~~

~~control extreme winds and weather. Adequate measures shall be taken to mitigate any danger to the preservation or health of the tree rows. If agricultural tree rows (wind breaks) cannot be preserved, based upon the discretion from the City Forester stating that the trees are no longer in a healthy condition, the trees may be removed. Tree rows authorized for removal shall be replaced and/or additional landscape enhancement shall be provided as approved by the City Planner.~~

~~B. Wooded Areas:~~

- ~~(1) Wooded areas with mature trees are to be preserved, at the applicants option may be included to meet all or part of the canopy requirements, provided the site plan identifies such trees and the trees meet the standards of size, health, placement, etc. set out in this section. The City Forester shall evaluate use of existing trees to ensure they have adequate health and strength to allow such use.~~
- ~~(2) Existing trees in wooded areas designated to be included as part of these requirements should be protected during construction by fencing placed at a distance in feet equal to or greater than one and a half (1 ½) times the diameter of the tree in inches at the height of four (4) feet.~~

~~16. Installation:~~

- ~~A. Materials: All materials installed shall conform to the approved landscape plans. If any changes of materials are desired, amended plans must be submitted and approved before installation.~~
- ~~B. Curb Cuts and Driveway: Curb cuts and driveway aprons which are abandoned shall be removed and replaced with standard curbing and sod.~~
- ~~C. Construction: During installation of landscaping, grassed areas off-site or within the public rights-of-way which have been disturbed by construction activity shall be cleaned of all debris, regraded to the proper elevations, and resodded or reseeded. Any preserved vegetation areas that have been damaged or removed shall be~~

~~replanted and refurbished to restore the area as much as possible to its original condition.~~

~~17. Maintenance:~~

- ~~A. Duty to Trim Trees: It shall be the duty of all persons, whether owners or tenants, to keep the shade trees along the public streets and avenues adjoining such property trimmed in such a manner that such trees shall not interfere with travel on said streets, avenues, and sidewalks.~~
- ~~B. Responsible: The property owner and tenant shall be jointly and severally responsible for maintenance of all required landscape, irrigation, and hardscape improvements as originally approved. This maintenance requirement shall carry with the land and shall be the responsibility of any subsequent owners and tenants of the property. It is the responsibility of the owner to notify any subsequent owners of the property of this responsibility.~~
- ~~C. Improvements: Landscape areas and site improvements shall be maintained in good condition for a healthy, neat, and orderly appearance and shall be kept free from weeds and debris. All plant materials shall be maintained in a healthy and vigorous condition through proper irrigation, fertilization, pruning, weeding, mowing, and other standard horticultural practices so as to grow to their normal shape, color, and height, and to fulfill the required functions of screening, shading, buffering, and aesthetic appeal set forth by the City. The hatracking of trees is prohibited. All dead plants shall be replaced. All damaged plants including lawn grass shall be replaced or restored. Mulch shall be at the proper coverage and depth.~~
- ~~D. Hardscapes: Pavement, curbing, wheel stops, and other hardscape improvements shall be sound and in place. If it is determined by maintenance inspections that such curbs are insufficient to prevent vehicular encroachment, then installation of bollards or similar devices substantial enough to prohibit encroachment may be required. Any such fixtures shall be architecturally consistent with other site fixtures and structures for materials and colors.~~

~~E. Violations: The City shall notify the property owner and tenant in writing of any maintenance violations. Upon notification of a maintenance violation, the property owner, tenant, or authorized agent shall correct the violation within 30 days. Where immediate attention and care may restore damaged plants, the owner or tenant shall submit a treatment narrative and schedule prepared by a registered landscape architect or a local nursery professional. If the treatment plan and procedures fail to restore the plants to vigorous growth to meet their normal growth habit and the original design intent within 90 days, then the plants must be replaced.~~

~~18. Replacement:~~

~~A. Tree Replacement Requirements:~~

- ~~(1) City Policy: It is the policy of the City to preserve natural woodland areas throughout the city and with respect to specific site development to retain as far as practical, substantial tree stands which can be incorporated into the overall landscape plan.~~
- ~~(2) Tree Health: The owner, tenant, and their respective agents shall be held jointly and severally responsible to maintain their property and landscaping in a condition presenting a healthy, neat and orderly appearance and free from refuse and debris. Plants and ground cover which are required by an approved site or landscape plan and which have died shall be replaced within three (3) months of notifications by the city. However, the Zoning Administrator may extend the time for compliance up to nine (9) months in order to allow for seasonal or weather conditions.~~
- ~~(3) Clear Cutting: No clear cutting of woodland areas shall be permitted except if approved by the City Planning Department or City Forester.~~
- ~~(4) Removed Trees: Any trees on the site which are a caliper of five (5) inches or more at a height of five (5) feet above the ground, or ornamental trees over twelve (12) feet in height which are to be removed during site development should be moved elsewhere on site or replaced with a new tree.~~

~~19. Plan Submission and Approval: The property owner or developer may be required to prepare a landscape plan drawn by a registered landscape architect or other professional acceptable to the city if deemed necessary by the City Planner. The city shall apply the following standards (but not limited too) in reviewing the landscape plans and shall contain these contents following:~~

- ~~A. Plot plan: drawn to an easily readable scale, showing and labeling by name and dimensions, all existing and proposed property lines, easements, buildings, and other structures, vehicular use areas (including parking stalls, driveways, service areas, square footage), water outlets and landscape material (including botanical name and common name, installation size, on-center planting dimensions where applicable, and quantities for all plants used).~~
- ~~B. Elevations: Typical elevations and/or cross sections may be required in any landscape plan.~~
- ~~C. Context of Plans: Title block with the pertinent names and addresses (property owner, person drawing plan, and person installing landscape material), scale date, north arrow (generally orient plan so that north is to top of plan), and zoning district.~~
- ~~D. Existing Landscape Material: shall be shown on the required plan and any material in satisfactory condition may be used to satisfy this article in whole or in part.~~

~~20. Approved Plant List:~~

- ~~A. The list of approved boulevard trees and other species as approved by the City Forester.~~

#

[NOTE: These definitions are proposed to be relocated from the existing §4-449-A Landscaping Standards section to the §4-200 zoning code definitions. Underlined text indicates new additions to the list of defined words.]

§4-200 Definitions

Approved Tree List

A list of trees that is approved by the City Forester and the City of West Fargo to plant within the city limits.

Buffer Yard

Landscaping that is used to obstruct the view of an adjacent property.

City Forester

The Forester is a city employee who is responsible for the promotion of the health and sustainability of the urban forest within the municipal limits of the City of West Fargo and providing public education as to the benefits, best use, and maintenance of the city's urban forest.

Deciduous Shade-Tree

A tree that sheds all its leaves every year at a certain season.

Dripline

The area directly located under the outer circumference of the tree's branches.

Evergreen Tree

A tree, either broad leaf or conifer, which maintains at least a portion of its leaves or needles throughout the year.

Fence

A structure constructed of any material or combination of materials that is erected to enclose or screen areas of land.

Ground Cover

Grasses and other low-growing plants, vines, or grasses that form dense, extensive growth, and have a positive effect against soil erosion and soil moisture loss. Permeable natural landscape materials, such as mulch and rock, are also considered ground cover to the extent they are used in combination with live plant materials.

Landscaping

The combination of elements such as trees, shrubs, ground covers, vines, and other organic material planted for shade, buffering, and the creation of a pleasing environment surrounding construction and development.

Native Plants

Plants that grow naturally in a particular region, ecosystem, or habitat without human introduction.

Ornamental Tree

A tree planted primarily for its decorative value or for screening and that, at its mature height, typically does not exceed 25 feet.

Perennial

A non-woody plant that lasts for more than two growing seasons.

Permeable Material

Any material that allows water and air to pass through it. In the context of landscaping, permeable material is required at the base of tree plantings, where ground cover must allow infiltration of water and air.

Right-of-Way (ROW)

An area of land under public ownership where facilities such as streets, sidewalks, street boulevards, railroads, or power lines are built.

Runoff

Water that is not absorbed by the ground surface or soil, and which flows onto other areas. With irrigation, runoff may result from water that is applied at too great a rate (application rate exceeds infiltration rate) or where a severe slope exists. Runoff is also generated when water from precipitation events cannot be absorbed by the surface on which it falls.

Swale

A depression in grade to control and direct the flow of surface water.

Tree Topping

A type of pruning where most of the canopy is removed from a tree, leaving mostly branch stubs.

Turf

Any grassy area maintained by frequent mowing, fertilization and watering used for lawn and playing fields.

§4-427-A "C-OP" District Or Commercial Office Park District

4-427-A.1 Statement Of Intent

This district is intended to provide for the development of office, office showroom, and office warehouse buildings in an area of high quality site development standards, amenities, and building materials. This district would be particularly well situated in areas of high visibility and include support uses which meet the level of development quality, benefit from the visibility and access to traffic, and create an aesthetically attractive impression on surrounding areas and roadways. It is the intent of this district that building architecture and site development provide the primary means of exposure and communication, and that reliance on signs is minimized. Businesses which require more signage or building construction which is out of character with the district are not appropriate.

4-427-A.2 Permitted Uses

1. Commercial and professional office buildings, single or multi tenant.
2. Business services, such as banks, and other financial institutions, and professional offices.
3. Cultural and educational facilities.
4. Churches and Schools.
5. Public/Semi-public facilities.
6. Medical and dental facilities such as clinics, hospitals, nursing, basic care or convalescent homes, not including Behavioral Health Care Facility.
7. Child Care Centers.

4-427-A.3 Conditionally Permitted Uses

The following uses may be permitted in the "C-OP" District subject to the conditions hereinafter imposed and subject further to review and approval by the City as required by Section 4-550 of this ordinance:

1. Office combined with showrooms, in which products are provided for viewing and display to retail or wholesale buyers, provided that in such building, office space comprises of no less than forty percent (40%) of the gross floor space of the building, but not outdoor display.
2. Office combined with warehouse, in which products are stored for use, repackaging, display, and shipping, but not assembly, manufacturing, or fabrication, provided that in such building, office space comprises no less than forty percent (40%) of the gross floor space of the building, but not outdoor storage.

3. Full service restaurants, provided that where such restaurant is integral to another principal building, such as an office or hotel, parking supply is calculated to accommodate the mix of uses.
4. Hotels and motels.
5. Assisted living facilities when the following conditions are met:
 1. The majority of residents are age fifty-five (55) and older and there is a minimum of one full time equivalent employee per every six residents.
 2. The services of a licensed registered nurse are available to all residents.
 3. The applicant provides the city planner with a detailed plan showing the activities and personnel that will be available to residents of the facility.

4-427-A.4 Site Development Standards

The following standards shall apply to all uses in the C-OP District, in addition to other provisions found elsewhere in this ordinance. Where these regulations conflict with other general provisions, these regulations shall be deemed to apply.

1. YARD REQUIREMENTS.
 1. Front Yard: 60 feet from front property line.
 2. Side Yard: 10 feet from the side property line.
 3. Rear Yard: 35 feet from rear property line.
 4. Parking: 15 feet from front property line, 5 feet from all other property lines.
2. BUILDING CONSTRUCTION.
 1. A higher construction standard is required in the Commercial Office Park District. Any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Truck parking or loading shall be screened with materials of the principal building and other screenings, so that such uses are not directly visible from the Interstate or any public street.
 1. ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
 2. APPEARANCE. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
3. LANDSCAPING REQUIREMENTS.

- ~~1. On all property within the C-OP District, no less than 25% of the property shall be landscaped with trees, shrubs, grass, and other cultured plantings. The number of trees to be planted shall be in accordance with the Landscaping standards of §4-449-A, no less than the total number of feet of the length of the lot perimeter divided by 50 feet.~~
 - ~~2. Within parking lots, one landscaped island of at least 150 square feet shall be provided for every twenty parking spaces.~~
 - ~~3. Ponds for the management of storm water shall not count toward the minimum landscaped standard.~~
4. SIGNAGE REQUIREMENTS.
1. One monument-style sign is permitted for each building. Pylon or pole signs are not permitted, except by conditional use. Such sign, if found not to detract from the intent and character of the C-OP District, may be allowed, provided that it shall be limited to a maximum of one hundred fifty (150) square feet in area and thirty-five (35) feet in height.
 2. In addition to the monument sign, one wall-mounted sign is permitted for each public street frontage of the parcel. No individual sign may exceed eighty (80) square feet in area.
 3. SIGN CONSTRUCTION AND ILLUMINATION. Signs may be illuminated by external flood lights, or internally. No flashing, blinking, or motion lighting of any kind is permissible.

4-427-A.5 Other Applicable Regulations

Section 4-440 Supplementary District Regulations

Section 4-450 Off-Street Parking and Loading Requirements

Section 4-460 Sign Regulations

§4-431 “CO” District or Corridor Overlay District

4-431.1 Statement Of Intent

The provisions of the CO District are intended to promote orderly development and safe, attractive and desirable spatial patterns and locations for urban and suburban land uses adjacent to the Cass County 17/Sheyenne Street, 32nd Avenue, 40th Avenue, 52nd Avenue, 9th Street East, Veteran’s Boulevard and 13th Avenue corridors. Full regard is given for the importance of these corridors as major growth areas for West Fargo and as landscaped gateways to the City. In some areas of the district as identified in the Yard Requirements and Lot Design Standards, full regard is given to the context of the street and adjacent land uses for their urban appeal, which would include such things as streetscape, lighting, and other amenities that encourage interaction beyond vehicular traffic. The CO District shall extend along Cass County 17 (Sheyenne Street) from 13th Avenue East to 52nd Avenue and from 12th Avenue North to 40th Avenue North, 52nd Avenue from Cass County 17 to the west, 40th Avenue, 32nd Avenue, Veteran’s Boulevard, 9th Street East from Interstate 94 to 13th Avenue, and 13th Avenue from Sheyenne Street to the east City limits hereinafter referenced to as “the designated streets,” and be a depth of six hundred (600) feet on each side of the centerline of Cass County 17 (Sheyenne Street), 32nd Avenue, 40th Avenue, 52nd Avenue, 9th Street East, Veteran’s Boulevard, and 13th Avenue.

Source: Ord. 1049, Sec. 24 (2015); Ord. 1111, Sec. 1 (2018)

4-431.2 Permitted Uses

All uses permitted in any underlying district as designated on the City Zoning Map.

4-431.3 Conditionally Permitted Uses

Any use conditionally permitted in any underlying district as designated on the City Zoning Map and subject to the specific provisions relating to each use.

4-431.4 Yard Requirements For The CO District

1. **SIDE YARD MINIMUM.** For commercially zoned lots, the minimum side yard shall be 10 feet. Residentially zoned property in the Corridor Overlay District shall maintain the side yard required in the underlying Residential District.
2. **REAR YARD MINIMUM.** For commercially zoned lots abutting the designated streets, the minimum rear yard shall be 20 feet. For commercially zoned lots not abutting the designated streets, the minimum rear yard shall be 10 feet. Residentially zoned property in the CO District shall maintain the same rear yard as required in the underlying residential district.
3. **FRONT YARD MINIMUM.** For the purpose of this ordinance, all front yards for properties abutting the designated streets shall be facing those streets. All front yards abutting a designated arterial or collector roadway, as approved by the City Commission, shall be considered facing that roadway. A minimum front yard depth

of 45 feet shall be required for all properties abutting the designated street rights-of-way, with the exception of Sheyenne Street between Interstate 94 and 40th Avenue, 32nd Avenue west of Sheyenne Street and 13th Avenue East. Minimum front yard depths for commercially zoned property not abutting the designated streets shall be 15 feet, except where frontage is on a designated arterial or collector roadway, as approved by the City Commission, where the minimum front yard depth shall be 30 feet. Depths for residentially zoned property not abutting the designated streets shall be the same as required for the underlying Residential Zoning District. For corner properties abutting the designated streets and an arterial or collector roadway, the secondary front yard which does not face the designated streets shall have a minimum front yard depth of 30 feet.

4. LOT COVERAGE. For commercial uses, lot coverage by buildings shall not exceed 40%; for residential uses, lot coverage shall be the same as in the underlying district.

4-431.5 Lot Design Standards

1. **OPEN SPACE** LANDSCAPING.

1. All yard areas not covered by buildings, sidewalks or paved parking areas shall be landscaped in accordance with the Landscaping standards of §4-449-A. A minimum of 10% of the lot area shall be landscaped.
2. For properties abutting the designated streets, with the exception of Sheyenne Street between Interstate 94 and 40th Avenue, 32nd Avenue West of Sheyenne Street and 13th Avenue East, a minimum of 20 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines. For properties not abutting the designated streets or an arterial or collector roadway, a minimum of 5 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines. For properties abutting a designated collector or arterial roadway, as approved by the City Commission, a minimum of 10 feet of landscaped open space shall be required to separate parking areas or access drives and front lot lines.
3. A minimum of 5 feet of landscaped open space shall be required to separate parking areas from side and rear lot lines and a minimum of 5 feet of open space shall be required to separate parking areas and building setback lines.
4. A minimum of 3 feet of landscaped open space shall be required to separate access driveways and side or rear lot lines unless said driveway is used as a common access to two adjacent properties.
5. ~~Ponds for management of storm water shall not count toward the minimum landscaped standard.~~

2. BUILDING CONSTRUCTION.

1. A higher construction standard is required in the Corridor Overlay District. In areas of the Corridor Overlay District, which is zoned Light Commercial, any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any

wall (façade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Corridor Overlay District which are also zoned Heavy Commercial District, Light Industrial District, and Heavy Industrial District, all buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design.

1. ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
2. APPEARANCE. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
3. ~~BOULEVARD/FRONT YARD PLANTINGS. The planting must be in conformance to any applicable major street corridor landscape plan developed as part of a subdivision, Planned Unit Development, or other site development plan adopted by the City. Each tree shall be at least 1 ½ inches in caliper and all tree species shall be as recommended by the City Forester.~~
4. CURBS REQUIRED. All buildings and walkways bordering any parking areas shall be curbed.
5. REFUSE COLLECTION AREAS AND OUTDOOR STORAGE AREAS. In addition to the requirements of Section 4-447, aAll refuse collection and outdoor storage areas shall only be permitted in rear yards and shall be visually screened from adjoining properties or streets.
6. PARKING AREAS.
 1. All parking areas shall be paved to provide a durable and dust-free surface.
 2. Light poles located within parking area perimeters shall be surrounded by curbed islands with a minimum distance of 4 feet from the center line of the light pole to the curb, or protected by an elevated concrete pedestal at least 3 feet in height and 2 feet in diameter.
 3. Light poles located outside of paved parking areas shall be located a minimum of 4 feet from the curbed edge of the parking area, or protected by

an elevated concrete pedestal of not less than 3 feet in height and 2 feet in diameter.

7. FENCES. Fences along the Corridor Overlay District are not allowed within the required front yard along the designated streets of the development, except when a fence is an essential component of the development and is either approved as part of a Planned Unit Development for the development or as a conditional use. Special regard is given in residential areas for double frontage lots where the house faces a local street and the intended rear yard faces the designated street. Fences should be decorative and/or provide for added landscape treatments to meet the intent of the CO District and may be required to be set back to accomplish the intended effect. Once a fencing scheme has been approved, accessory buildings may be permitted, subject to the Supplementary District Regulations for accessory buildings and uses.

4-431.6 Other Applicable Regulations

Section 4-440 Supplementary District Regulations

Section 4-450 Off-Street Parking and Loading Requirements

Section 4-460 Sign Regulations

§4-431-A “CO-I” District Or Interstate Corridor Overlay District

4-431-A.1 Statement Of Intent

Statement of Intent. The provisions of the "CO-I" District are intended to promote orderly development and safe, attractive and desirable spatial patterns and locations for urban land uses adjacent to the Interstate 94 Corridor. 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. The "CO-I" District shall extend along the entire I-94 section within the City Limits and Extraterritorial Area and shall be an approximate depth of 600 feet on each side of the interstate right-of-way.

4-431-A.2 Permitted Uses

All uses permitted in any underlying district as designated on the City Zoning Map.

4-431-A.3 Conditionally Permitted Uses

Any use conditionally permitted in any underlying district as designated on the City Zoning Map and subject to the specific provisions relating to each use.

4-431-A.4 Site Development Standards

1. YARD SETBACKS. Structures adjacent to I-94 shall be set back a minimum of 100 feet from the interstate right-of-way for single and two-family uses. Principal structures for multiple family uses shall be set back a minimum of 100 feet from the interstate right-of-way with accessory structures set back a minimum of 50 feet. All other structures shall maintain a minimum setback of 50 feet from the interstate right-of-way, except for structures adjacent to interstate on and off-ramps, which shall maintain a minimum setback of 30 feet. All other yard setbacks shall be according to requirements of the underlying district.
2. LOT COVERAGE. For commercial and other non-residential uses, lot coverage by buildings shall not exceed 40%; for residential uses, lot coverage shall be the same as in the underlying district.
3. **OPEN SPACE** LANDSCAPING AND BUFFERS.
 1. All yards adjacent to I-94 shall be landscaped open space. At least one tree shall be installed along the Interstate frontage for every 50 feet of interstate frontage. Trees may be grouped to create the desired effect. All yard areas not covered by buildings, sidewalks or paved parking areas shall be landscaped in accordance with the Landscaping standards of §4-449-A. A minimum of 10% of the lot area shall be landscaped. In addition to landscaped open space requirements along I-94, properties shall comply with the Open Landscaping requirements found in Section 4-431.5, pertaining to front, side and rear yards.

2. Residential properties shall be buffered to minimize noise impacts from interstate traffic. Berming and vegetative buffers shall be created prior to development. For single family and two family uses berms shall be developed within an easement no less than 100 feet deep along I-94 and 30 feet deep along the on/ off ramps and have a slope no greater than 3:1. Berms shall be required to be elevated six feet above the elevation of the driving lanes on I-94 with a lower elevation and more flexibility in design along the on/off ramps. The berms shall also have several rows of coniferous trees (evergreens) planted to provide year-round vegetative buffering. Berm easements should be placed so that there is minimal affect on utility easements. For multiple family residential uses, more flexibility is allowed in the design of berms and vegetative buffers.
4. BUILDING CONSTRUCTION.
1. A higher construction standard is required in the Interstate Corridor Overlay District. In areas of the Interstate Corridor Overlay District, which are zoned Light Commercial, Commercial Office Park, or Planned Unit Development and intended for light commercial uses, any exposed metal or fiberglass on all buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any wall (façade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Interstate Corridor Overlay District which are also zoned Heavy Commercial, Light Industrial, Heavy Industrial, or Planned Unit Development and intended for heavy commercial and industrial uses all buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design
 1. ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS. All subsequent additions, exterior alterations and accessory buildings, constructed after the erection of an original building or buildings shall be of the same materials as those used in the original building and shall be designed in a manner conforming to the original architectural concept and general appearance. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.
 2. APPEARANCE. Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as the principal structure. These provisions shall not

prevent the upgrading of the quality of materials used in a remodeling or expansion program.

5. OUTDOOR DISPLAYS, STORAGE, TRUCK PARKING OR LOADING. In addition to the requirements of Section 4-447, aAll outdoor displays, storage, truck parking or loading shall be located to the side or rear of the building and screened with materials of the principal building and other screening, so that such uses are not directly visible from the Interstate and other public streets. Outdoor display areas shall be identified on the site plan and be subject to site and building plan review and approval. Display areas shall be established in such a manner as not to detract from the desired affects of the Interstate Corridor Overlay District.

§4-431-B “CO-R” District Or Redevelopment Corridor Overlay District

4-431-B.1 Statement Of Intent

The provisions of the “CO-R” District are intended to promote orderly development and redevelopment and safe, attractive and desirable spatial patterns and locations for urban land uses adjacent to major street corridors, with full regard for the importance of these corridors as major growth areas for West Fargo and as gateways to the City. The “CO-R” District shall extend along the entire length of Main Avenue, 12th Avenue North, 8th Street West, Sheyenne Street north of 13th Avenue, Center Street, 9th Street East north of 13th Avenue and 45th Street. The depth of the “CO-R” District shall be generally the depth of the lots fronting on each side of the above described roadways.

4-431-B.2 Permitted Uses

All uses permitted in any underlying district as designated on the City Zoning Map.

4-431-B.3 Conditionally Permitted Uses

Any use conditionally permitted in any underlying district as designated on the City Zoning Map and subject to the specific criteria relating to each use.

4-431-B.4 Yard Requirements For The CO-R District

1. **SIDE YARD MINIMUM.** For commercial and industrial zoned lots, the minimum side yard shall be 5 feet except on a corner lot a side yard facing a public way shall be 10 feet. Side yards may be reduced as a conditional use, particularly where it is intended to join buildings on narrow lots established in the downtown area. Residentially zoned property in the Corridor Overlay District shall maintain the side yard required in the underlying residential district.
2. **REAR YARD MINIMUM.** For commercially and industrially zoned lots in the “CO-R” District, the minimum rear yard shall be 10 feet. Residentially zoned property in the “CO-R” District shall maintain the same rear yard as required in the underlying residential district.
3. **FRONT YARD MINIMUM.** For commercially zoned property in the “CO-R” District, properties shall maintain a minimum front yard setback from any public street of 10 feet. Industrial properties shall maintain a front yard setback of 20 feet and side yard setback of 10 feet from a public street. Residentially zoned lots shall maintain a minimum front yard of 40 feet along the designated street. Double frontage lots shall provide a setback for the opposite front yard on the local street as required by the underlying district.
4. **LOT COVERAGE.** For commercial uses, lot coverage by buildings shall not exceed 65%; for industrial uses, lot coverage by buildings shall not exceed 85%; for residential uses, lot coverage shall be the same as in the underlying district.

4-431-B.5 Lot Design Standards

1. **OPEN SPACE LANDSCAPING.**
 1. All yard areas not covered by buildings, sidewalks or paved parking areas (or fenced storage yards in industrial districts) shall be landscaped with grass, trees and other landscaping in accordance with the Landscaping standards of §4-449-A, as approved by the City.
 2. All required front yards and secondary front yards (side yards on corner lots fronting on a public street) shall be landscaped as open space.
 3. A minimum of 5 feet of landscaped open space shall be required to separate parking areas from side and rear lot lines and a minimum of 5 feet of open space shall be required to separate parking areas and building setback.
 4. A minimum of 3 feet of landscaped open space shall be required to separate access driveways and side or rear lot lines, unless side driveway is used as a common access to two adjacent properties.
 5. Ponds for management of storm water shall not count toward the minimum landscaped standard.
2. **BUILDING CONSTRUCTION.** A higher construction standard is required in the Redevelopment Corridor Overlay District. In areas of the Redevelopment Corridor Overlay District, which is zoned Light Commercial, any exposed metal or fiberglass on all fronting buildings shall be limited to no more than thirty (30) percent of any wall which fronts on a public street, provided that it is coordinated into the architectural design. Seventy percent (70%) of any wall (facade area) which fronts on a public street shall be constructed of glass, brick, wood, stone, architectural concrete cast in place or precast concrete panels, or, as approved by the Commission(s), other integrated materials per the architectural design. In areas of the Redevelopment Corridor Overlay District which are also zoned Heavy Commercial, Light Industrial District and Heavy Industrial District, all fronting buildings constructed of curtain wall panels of finished steel, aluminum or fiberglass shall be required to be faced with brick, wood, stone, architectural concrete cast in place or pre-cast concrete panels on all wall surfaces with frontage on a public street. The required wall surface treatment may allow a maximum of seventy (70) percent of the metal or fiberglass wall to remain exposed if it is coordinated into the architectural design. Truck loading dock areas shall be to the side or rear of the building so that they do not face a public street. Where this is not possible, special approval shall be required by the Planning and Zoning Commission and City Commission, and screening of the truck loading dock shall be considered.
 1. **ADDITIONS, ALTERATIONS, AND ACCESSORY BUILDINGS.** Buildings which are expanded or remodeled on the public street sides, or buildings which are expanded or remodeled by 25% of the building value shall conform to the building standards established above.
 2. **APPEARANCES.** Garages, accessory structures, screened walls and exposed areas of retaining walls shall be of a similar type, quality and appearance as

the principal structure. These provisions shall not prevent the upgrading of the quality of materials used in a remodeling or expansion program.

~~3. REFUSE COLLECTION AREAS AND OUTDOOR STORAGE AREAS. All refuse collection and outdoor storage areas shall only be permitted in side or rear yards and shall be visually screen from adjoining properties or streets.~~

4. PARKING AREAS.

1. All Parking areas shall be paved with asphalt or concrete to provide a durable and dust-free surface. Existing buildings which are remodeled or expanded by 25% of the building value shall upgrade unpaved parking areas to a paved condition with asphalt or concrete.
 2. Light poles located within parking area perimeters within front yards shall be surrounded by curbed islands with a minimum distance of 4 feet from the center line of the light pole to the curb, or protected by an elevated concrete pedestal at least 3 feet in height and 2 feet in diameter.
 3. Light poles located outside of paved parking areas shall be located a minimum of 4 feet from the curbed edge of the parking area, or protected by an elevated concrete pedestal of not less than 3 feet in height and 2 feet in diameter.
5. FENCES. Fences along the Redevelopment Corridor Overlay District are not allowed within the required front yard, except when a fence is an essential component of the development and is either approved as part of a Planned Unit Development for the development or as a conditional use.

4-431-B.6 Other Applicable Regulations

Section 4-440 Supplementary District Regulations

Section 4-450 Off-Street Parking and Loading Requirements

Section 4-460 Sign Regulations

§4-431-C "CO-SR" District Or Sheyenne River Corridor Overlay District

4-431-C.1 Statement Of Intent

The provisions of the "CO SR" District are intended to promote orderly, safe and desirable development patterns along the Sheyenne River where unstable soil conditions exist. The "CO-SR" Districts shall extend along the entire Sheyenne River Corridor and shall be approximately 100 feet from the established river bank.

4-431-C.2 Building Control Line And Use Restrictions

The City hereby establishes a building control line along the Sheyenne River within the Corporate limits of the City of West Fargo and within the Extraterritorial Jurisdiction limits of the City. The building control line shall be 100 feet from the established riverbank as determined by the City Engineer. The building control line shall be the minimum setback line for any primary and accessory structures requiring permits, parking lots, fill and other development activities which may cause increased riverbank destabilization.

4-431-C.3 Relaxation Of Use Restrictions

Where it can be demonstrated through a soils analysis that soils are stable within the building control area, the City Commission may consider reducing the required minimum setback by variance. The soils analysis shall be conducted by a qualified professional engineer and demonstrate that the soils can accommodate the type of structure, parking lot or other use without sustaining future damage. No use may be closer than fifty (50) feet from the established riverbank.

4-431-C.4 Existing Nonconforming Uses And Structures

Existing nonconforming uses and structures shall not be expanded unless in conformity with the provisions of the "CO-SR" District. Where required setbacks cannot be achieved, relaxation of setbacks may be pursued according to Section 4-431-C.3. Nonconformities are subject to Section 4-470.

4-431-C.5 Landscape Standards

Properties within the "CO-SR" District shall follow the landscape standards established in Section 4-449-A.

4-431-C.5 Tree Preservation

1. Property owners are encouraged to protect and preserve trees and native riparian vegetation in a healthy condition to maintain riverbank and soil stability of the river corridor.

2. If trees are removed, their stump and root system shall be left intact. Stump grinding and/or excavation of roots is prohibited within 50 feet of the riverbank, unless otherwise approved by the City Forester, the City Engineer, or Southeast Cass Water Resource District.

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§4-440 SUPPLEMENTARY DISTRICT REGULATIONS.

4-441. GENERAL FENCING AND SCREENING REQUIREMENTS.

1. DEFINITION OF FENCE. An artificially constructed structure of any material or combination of material erected to enclose or screen areas of land.
2. GENERAL FENCING AND SCREENING REQUIREMENTS FOR RESIDENTIAL AREAS. In any residential district, fences, hedges, and plantings may be permitted in the buildable area and in any required yard, or along the edge of any yard, provided that no fence or hedge along the sides or front edge of any required front yard shall be over two and one-half (2½) feet in height, except on through lots or double frontage lots where one of the front yards is intended to serve as the rear yard and is consistent with the other lots on the block, a fence or hedge may be up to six (6) feet in height. All fencing and screening shall meet visibility requirements for intersections by not impeding vision between a height of two and one-half (2½) feet and ten (10) feet within thirty (30) feet from the intersecting curb lines, or within twenty (20) feet from the intersecting property lines if there is no curb. Coordinated fencing schemes for the block are strongly encouraged, and if possible developed during the subdivision process. No fence or hedge within any buildable area or along any side or rear lot line shall be over six (6) feet in height.

Open fences such as a split rail or chain link without slats, which permit direct vision through at least 50% of the fence surface area shall be allowed a height of four (4) feet along the sides or front edge of any front yard.

3. ~~REQUIRED FENCING AND SCREENING. Where any business, industrial users, or multiple family buildings of four (4) or more units (i.e., structure, parking or storage) abuts property zoned for residential use, that business, industry, or multiple family building shall provide screening~~

along the boundary of the residential property. Screening shall also be provided where a business, industry, or multiple family building of four (4) or more units is across the street from a residential zone, but not on that side of a business, industry, or multiple family building considered to be the front yard. Provided, however, that the provisions of this section will not apply where a multiple family building abuts a property also zoned for multiple family use. All fencing and screenings specifically required by this section shall meet visibility requirements for intersections and other requirements as stated herein, and shall consist of either a fence or green belt planting strip. A required screening fence shall be constructed of masonry, brick, wood or metal. Such fence shall provide a solid screening effect six (6) feet in height for multiple family uses and at least six (6) feet in height for business and industrial uses. A green belt planting strip shall consist of evergreen trees and/or deciduous trees and plants and shall be of sufficient width and density to provide an effective visual screen. This planting strip shall be designed to provide substantial visual screening to a minimum height of six (6) feet. Earth mounding and berms may be used but shall not be used to achieve more than three (3) feet of the required screen, unless otherwise provided for by the City (i.e., PUD requirements).

4. CONSTRUCTION STANDARDS. No fence, hedge, or plantings shall be constructed or maintained with electrified barbed wire, or other spiked materials which may pose injurious to public health and safety. Posts and other supporting structures used in the construction of fences shall be faced inward toward the property being fenced.
5. PRIVATE RECREATIONAL FENCES. Private recreational fences shall conform to the provisions attached to residential fences. Permanent swimming pool fences shall be governed by Title V of the Revised Ordinances of 1990 of the City of West Fargo, Chapter 5-05 International Property Maintenance Code, and specifically Section 303 Swimming Pools, Spas and Hot Tubs, as locally amended.
6. PUBLIC FENCES. Fences used in connection with public facilities and public recreational uses shall have a maximum height of ten (10) feet in any yard and be of the open fence variety. Residential construction standards shall apply to all public fences.
7. NON-RESIDENTIAL FENCES. Fences in light commercial areas shall conform to the provisions of residential fences. Fences in industrial or agricultural districts shall conform to the provisions attached to residential fences except where the Building Administrator determines it would be in the public welfare to add to fence height or to add security materials onto the fence. In such cases, fences shall not exceed ten (10)

feet in height.

8. TEMPORARY FENCES. The provisions of this section do not apply to Temporary fences needed to enclose sites, such as construction sites, do not require fencing permits.

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4-446. PARKING OF MOTORIZED VEHICLES AND EQUIPMENT IN RESIDENTIAL DISTRICTS

1. Applicability

- A. The provisions of this section apply to the parking and storage of currently licensed motorized vehicles and equipment within the following residential zoning districts: R-1E, R-L1A, R-1A, R-1B, R-1, R-1S, R-1SM, R-2, R-3, and R-5.
- B. “Currently licensed motorized vehicles or equipment” includes any motorized vehicle or equipment, including passenger vehicles, recreational equipment, boats, RVs, trailers, and the like.

2. Standards

- A. Vehicles or equipment 25 feet in length or less may only be parked in the following described areas:
 - 1. Garage or Carport. Parking or storage may occur entirely within a garage or carport.
 - 2. Rear or side yard. Parking or storage may occur within a rear or side yard provided that a three-foot (3') setback be maintained between the vehicle/equipment and any rear or interior-side lot line, and a twelve-foot (12') setback be maintained from any street-side lot line. These setbacks are not applicable where:
 - a. A driveway to a garage or carport takes access from the street-side of the lot; or
 - b. a six-foot (6') privacy fence or equivalent landscaped screened area exist between the vehicle/equipment and the lot line
 - 3. Front yard. Parking or storage may occur within a front yard, provided that for one- or two-family dwellings, the parking or storage may only be located upon a driveway.
- B. Vehicles or equipment over 25 feet in length may only be parked in the following described areas:
 - 1. Garage or Carport. Parking or storage may occur entirely within a garage or carport.
 - 2. Rear or Side Yard. Parking or storage may occur within a rear or side yard provided that a three-foot (3') setback be maintained between the vehicle/equipment and any rear or interior-side lot line, and a twelve-foot (12') setback be maintained from any street-side lot line. These setbacks are not applicable where:
 - a. A driveway to a garage or carport takes access from the street-side of the lot, in which case only temporary parking or storage is allowed in accordance with the Front Yard parking/storage provisions outlined below; or

- b. a six-foot (6') privacy fence or equivalent landscaped screened area exist between the vehicle/equipment and the lot line
- 3. Front Yard or Street-Side Driveway. Temporary parking or storage may occur within a front yard or street-side driveway as follows:
 - a. During the period between April 15th to October 15th, temporary parking or storage shall not exceed a total of eleven (11) days in any fourteen (14) day period.
 - b. During the period between October 16th to April 14th, temporary parking or storage shall not exceed a total of 72 hours in any seven (7) day period.
 - c. All vehicles and equipment shall maintain a three-foot (3') setback from the sidewalk or, where no sidewalk exists, a one-foot (1') setback from the front and street-side property lines. Under no circumstances shall vehicle or equipment parking block the public right-of-way.
- C. Vehicle and equipment parking or storage may only be located on an improved parking surface consisting of concrete or bituminous paving, or gravel only where an existing gravel driveway has not been improved to concrete or asphalt. Grass, dirt, or individual pavers that are not integrated into a continuous driveway shall not constitute an improved parking surface.
- D. No such vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.

~~4-446. CURRENTLY LICENSED MOTORIZED VEHICLE AND EQUIPMENT
PARKING IN RESIDENTIAL DISTRICTS.~~

~~A. Purpose: To prohibit the parking or storage of certain vehicles and equipment and prevent the extended storage of those vehicles and equipment which (due to general factors of nuisance) affects the well functioning and character of a residential neighborhood and the community.~~

~~B. For the purposes of this ordinance, the following definitions apply:~~

~~1. Currently Licensed Motorized vehicle or Equipment. Any motorized vehicle or equipment which is licensed and operable for the current year in which it is inspected by the City. This includes passenger vehicles with a cargo capacity rating of one ton or less and recreational equipment.~~

~~2. Improved Parking Surface. Shall consist of a durable surface to include concrete or bituminous, or gravel only where the existing driveway has not been improved to concrete or asphalt. Grass or dirt shall not constitute a durable surface.~~

~~3. Residential Districts. Shall include the zoning districts specified as R-1E, R-L1A, R-1A; R-1B; R-1; R-1S; R-1SM; R-2; R-3; and R-5.~~

~~4. Summer Parking/Storage. Shall include the period between April 15th to October 15th.~~

~~5. Winter Parking/Storage. Shall include the period between October 15th to April 15th.~~

~~C. Currently licensed vehicle or equipment parking on residential lots may be parked in the following described areas:~~

~~1. Garage/Carport. Parking or storage may occur entirely within a garage or carport.~~

2. ~~Required Rear Yard.~~ Parking or storage may occur on an improved parking surface within the required rear yard provided that a 3' setback be maintained for rear or side lot lines. This requirement may be waived where written agreement authorizing this waiver is made between the subject property and those neighbors whose property physically touch the subject property. This agreement shall thereupon be presented to the City Planner for recording. The 3' setback requirement may also be waived should a 6' privacy fence or equivalent landscaped screened area exist between vehicle/equipment parking and the lot line.
3. ~~Required Side Yard.~~ Parking or storage may occur on an improved parking surface within the required side yard provided that a 12-foot setback is maintained on the street side of a corner lot and a 3 foot setback is maintained from the side lot line on interior lot lines. This requirement may be waived along interior lot lines where written agreement authorizing this waiver is made between abutting neighbors to either side of the subject property and thereupon presented to the City Planner for recording. This requirement may also be waived should a 6' privacy fence or equivalent landscaped screened area exist between vehicle/equipment parking and the required side yard lot line.

Vehicles or equipment over 25' in length shall be parked behind the nearest portion of a building to the street unless written authorization is given by the neighbors in accordance with the process as described above. Should this authorization be given and recorded, these vehicles and equipment may extend no more than 25' past the nearest portion of a building to a street and be parked on an improved parking surface. However, under no circumstance shall vehicle or equipment parking occur within 3' of the sidewalk or, where no sidewalk exists, 1' from the front lot line. For vehicles and equipment over 25' in length, summer parking/storage shall occur for a time not to exceed a total of 11 days in any 14 day period. Winter parking for these vehicles and equipment shall occur for a time not to exceed 72 hours in any seven (7) day period.

- ~~4. Required Front Yard. Currently licensed vehicles and equipment 25' or under in length may be parked during any period on an improved parking surface. For vehicles and equipment over 25' in length, summer parking/storage shall occur on an improved parking surface for a time not to exceed a total of 11 days in any fourteen (14) day period. For vehicle and equipment over 25' in length, winter parking/storage shall occur on an improved parking surface and for a time not to exceed 72 hours in any seven (7) day period. All vehicles and equipment shall maintain a 3' setback from the sidewalk or, where no sidewalk exists, a 1' setback from the front property line. Under no circumstances shall vehicle or equipment parking block the public right of way.~~
- ~~5. No such vehicle or equipment shall be used for living, sleeping or housekeeping purposes when parked or stored on a residential lot, or in any location not approved for such use.~~

4-447. SCREENING OF DUMPSTERS AND OUTDOOR STORAGE AREAS

3. Applicability

- A. The provisions of this section apply to dumpsters/refuse containers and outdoor storage areas used for the storage, placement, and/or parking of equipment, materials, and inventory.

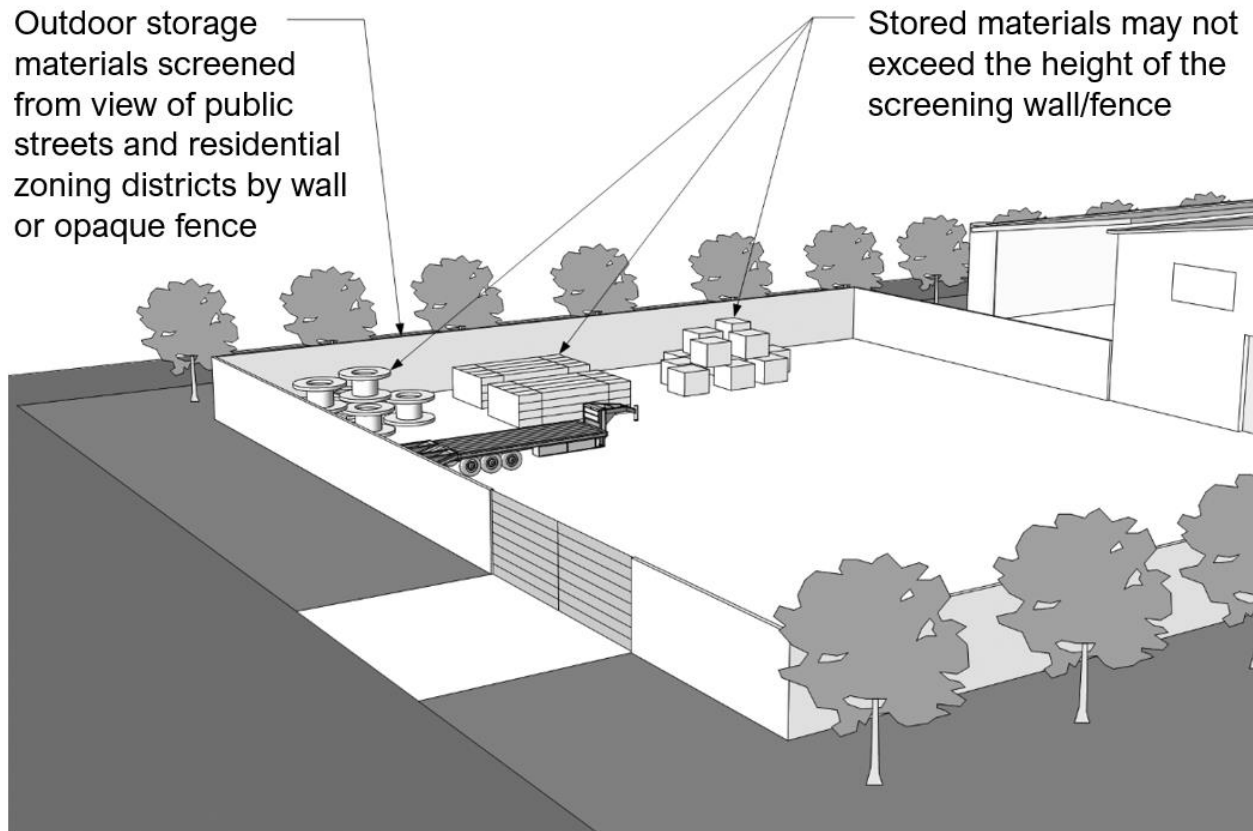
4. Exemptions

- A. These standards do not apply to areas within industrial zoning districts (LI, M) that are not within the Corridor Overlay, Redevelopment Overlay, and/or Interstate Corridor Overlay zoning districts (CO, CO-I, CO-R).
- B. Single-family, twin home, and two-family residential uses are not required to meet the requirements of this section.
- C. Outdoor display of vehicles and equipment for sale or lease, as part of a dealership selling/renting new or used motor vehicles, farm implements, recreational vehicles, construction equipment, or similar use are exempt from these standards, so long as the outdoor display area is set back at least 4 (four) feet from any front or street-side lot line.

5. Standards

- A. All dumpsters and refuse containers shall conform to the following provisions:
 - 1. Dumpsters and refuse containers shall be located at the side or rear of buildings and be visually screened from adjacent public streets or residential zoning districts.
 - 2. Dumpsters and refuse containers shall contain permanent walls or opaque fencing on at least three sides. Service openings within the walls/fencing shall be a minimum of 14 feet wide, unless otherwise approved by the Public Works Director.
 - 3. If the service opening faces and is directly visible from any public street or residentially zoned property. The service opening shall incorporate an opaque gate to visually screen the dumpsters or refuse containers.
- B. All outdoor storage areas shall conform to the following provisions, unless otherwise approved as a conditional use:
 - 1. The outdoor storage area shall not be located within a required front or required street-side yard setback area.
 - 2. The outdoor storage area shall be completely screen from view of public streets or residential zoning districts using an opaque screening fence or wall at least six feet tall.

3. Storage boxes, crates, shipping containers, or other units used for storing materials and protecting them from the weather are considered outdoor storage and must be completely screened from view of public streets or residential zoning districts.



~~4-447. PARKING AND/OR STORAGE OF CERTAIN VEHICLES, EQUIPMENT AND MATERIALS.~~

- ~~1. Commercial and Industrial Districts. Outside storage of equipment, materials and inventory as part of a principal commercial or industrial use shall be subject to the district use provisions. All outside storage shall conform to the following provisions:~~
 - ~~a. The area occupied is not within a required front or required street side yard, except for vehicle and equipment sales display areas.~~
 - ~~b. Unless otherwise approved as a conditional use, the storage area with all equipment, materials, and inventory is completely screened from the motoring public by fence or landscaping as provided for in Section 4-449.A.~~
 - ~~c. Display and storage areas generally shall be improved to allow for good drainage, dust control and provide for neat appearance. Grassed areas may be utilized if there is good drainage, dust can be controlled and the grassed surface can be maintained for neat appearance.~~
 - ~~d. The storage area does not encroach upon required parking space, required loading space, or snow storage area for the use.~~
 - ~~e. Storage boxes, crates or other units utilized for the purpose of storage and protecting materials from the weather are considered outdoor storage. Such units are allowed in Commercial areas, except within the "CO" District or Corridor Overlay District, provided they do not exceed six (6) feet in height, are located in a side or rear yard, and are fully screened from view from any public street according to the screening provisions found in Section 4-441.3. In industrial areas, these storage units are not limited by height; however, must be located in a side or rear yard and be fully screened from any public street.~~
 - ~~f. All new commercial and industrial uses shall comply with the above procedures and standards. For the purposes of public health, safety and aesthetic appeal to the community, any outside storage existing upon the effective date of this Section, shall be brought into compliance within twelve (12) months of written notification by certified mail to the property owner.~~



To: West Fargo City Commission
From: Aaron Nelson, Planning Director
Date: October 7, 2024

Subject: Growth Area Master Plan

Action: Direct staff to publish RFP and initiate the project

Commission President

Bernie Dardis

Primary Portfolio:

Administrative Services

Secondary Portfolio:

Police & Fire

Commission

Vice President

Brad Olson

Primary Portfolio:

Police & Fire

Secondary Portfolio:

Street, Water & Sewer

Commissioner

Roben Anderson

Primary Portfolio:

Community &
Development Services

Secondary Portfolio:

Administrative Services

Commissioner

Rory Jorgensen

Primary Portfolio:

Sanitation

Secondary Portfolio:

Community &
Development Services

Commissioner

Amy Zundel

Primary Portfolio:

Street, Water & Sewer

Secondary Portfolio:

Sanitation

City Administrator

Dustin T. Scott

Summary and Recommendation:

Staff requests formal approval to initiate a growth area master plan project and to issue a request for proposals (RFP) to engage a qualified multi-disciplinary consulting team to lead the development of the plan in collaboration with City staff and project stakeholders.

As discussed at the September 3, 2024 City Commission meeting, this project will produce a growth area master plan to strategically guide the City's future development in an orderly and coordinated manner that is both fiscally sustainable and consistent with the community's vision for the future of West Fargo. Work on the plan is anticipated to commence in early 2025 with project completion in early 2026. Once underway, the process will include robust public and stakeholder participation throughout the life of the project. A project summary and draft RFP document are attached for reference.

Recommended Action: At their September 10, 2024 meeting, the Planning & Zoning Commission recommended the following suggested motion: "To direct staff to draft and publish a request for proposals for the development of a growth area master plan and to otherwise initiate this project."

Policy Analysis:

Staff is proposing the City initiate the creation of a growth area master plan to proactively prepare for anticipated population growth and development upon completion of the FM Diversion project and the associated removal of vast swaths of the City's extraterritorial area from the floodplain. To this end, the primary purpose of this project is to establish a strategic framework to guide the City's future growth and development decisions.

Financial Analysis:

Project funding of \$300,000 has been budgeted for year 2025 within the City's 2024 Capital Improvement Plan, funded 50/50 with capital improvement sales tax and economic development sales tax. In addition, the West Fargo Park District has indicated their intention to contribute \$30,000 to the project (the Park Board is scheduled to take final action at their next meeting on October 9). A final project budget will be negotiated with the selected consultant prior to future consideration of a project contract by the City Commission.

Process/Timeline:

At this time, staff is seeking approval to publish a request for proposals in order to select a project team with which to develop a final project scope of work and budget for future consideration and approval by the City Commission—likely in January 2025.

Currently, the process and anticipated future timeline is as follows:

- August 13, 2024 – Planning & Zoning Commission Discussion & Request for Input
- September 3, 2024 – City Commission Discussion & Request for Input
- September 5, 2024 – EDAC Discussion & Request for Input
- September 10, 2024 – Planning & Zoning Commission Consideration of Recommendation for Project Approval & Initiation
- **October 7, 2024 – City Commission Consideration of Project Approval & Initiation**
- October 2024 – Publication of project Request for Proposals
- November – December 2024 – Consultant selection & contract negotiations
- January 2025 – Contract Approval
- February/March 2025 – Project kick-off

Attachments:

- Project Overview
- Draft Growth Area Master Plan Request for Proposals (RFP)

DRAFT Growth Area Master Plan – Project Overview

Updated: September 5, 2024

Project Abstract:	This project will produce a Growth Area Master Plan to strategically guide the City's future development in an orderly and coordinated manner that is both fiscally sustainable and consistent with the community's vision for the future of West Fargo.
Purpose & Objectives:	The primary purpose of this project is to establish a strategic framework to guide the City's future growth and development decisions. To accomplish this, the following objectives are proposed: • Objective 1: To better understand future growth demand and the long-term fiscal implications of today's growth decisions. (Expand the knowledge base) — To ensure new development is orderly, sustainable, and can adequately fund itself long-term. — To explore alternative options for the financing of growth. — To ensure development is sustainable long-term. — To understand likely future demand and growth scenarios. — To ensure the City is adequately prepared to fund and provide for future demands on expansion of City services and infrastructure. • Objective 2: To establish and map out a phased plan for the City's physical growth based on the City's Comprehensive Plan. (Flesh-out the vision) — To guide the location and phasing of new development, annexation, extension of public services — To consolidate and distill existing plans and policies into one cohesive plan for growth (including such plans as West Fargo 2.0, Northwest Metro Transportation Plan, West 94 Transportation Plan, Metro Housing Study, CIP, utility master plans, School/Park facilities master plans, etc.) — To coordinate the location, phasing, and timing of interrelated capital improvements and expansion of City services. • Objective 3: To collaboratively manage growth decisions amongst dispersed stakeholder entities. (Improve the collaboration) — To collect public input and ensure growth plans remain consistent with the will of the public. — To ensure the growth decisions of local governments (e.g., city, county, school district, park district, etc.) are coordinated with each other. — To ensure the City's growth decisions are coordinated with the area landowners, the development community, and other stakeholders. — To cultivate a collaborative approach to growth management across City departments and partner agencies/jurisdictions. • Objective 4: To develop the tools and action steps necessary for managing future growth. (Establish the tools) — To develop the decision-making frameworks needed to guide development decisions. — To lay the groundwork for the modernization of development regulations that are consistent with the City's vision for growth & development.

	— To aid in the implementation of the vision of the West Fargo 2.0 Comprehensive Plan through the identification of actionable steps and detailed recommendations. — To help align the use of City programs, incentives, and funding to desirable outcomes in relation to the City's vision for growth and development.
Scope of Work Elements & Plan Focus Areas	• Project Management A. Consultant responsible for project management, outcomes, budget, and timeline. • Public & Stakeholder Participation A. Public input & participation throughout the process B. Targeted engagement and participation of key stakeholders C. Use of Steering & Technical Committees D. Communication check-ins to the public and City leadership at project milestones throughout the project. • Plan Focus Areas: A. Existing Conditions & Issue Assessment ▪ Review of Existing Plans & Studies ▪ Data Collection ▪ Capacity to accommodate future growth ▪ Stakeholder input on issues/needs/goals ▪ Summary of Community Vision and Core Concepts/Goals B. Growth Scenarios & Fiscal Impact Assessment ▪ Evaluation of various growth scenarios (including such variables as: growth locations, densities, land-uses, public infrastructure/service expansion, etc.) ▪ Special focus on options for the City-owned lagoon land ▪ Special focus on fiscal impacts (pros & cons) of various growth scenarios C. Decision-Making Framework ▪ Future Land-Use Maps and/or combination of similar policy maps (transects, contexts, nodes, etc.) ▪ Phased development/annexation/service extension plan, including public infrastructure and future public facilities maps and phasing plan ▪ Framework & maps for the strategic use of incentives and city-financing (e.g., tax incentive programs and special assessments) ▪ Framework for fiscal impact assessment of individual development proposals D. Action Plan & Next Steps ▪ Recommendations for Growth & Development Regulations ▪ Development Financing & Incentives • Fiscal impact assessment for development proposals • Calibration of incentive programs to meet specified goals • Alternatives for development financing (alternatives to traditional special assessments) ▪ Cross-Jurisdictional Coordination Steps ▪ Lagoon Property Strategy

	• Plan Development A. Drafting and refinement of plan documents & digital content ▪ Executive summary, growth management master plan, recommendations, action plan/12-month implementation guide ▪ Digital/web materials for project website • Approval & Adoption Process A. Presentations to City boards & commissions B. Resolution of Adoption as addendum to WF 2.0 Comp Plan, as per NDCC §40-48-10 • Plan Implementation A. 12-month implementation action plan ▪ Focused on the immediate action steps upon plan adoption ▪ Consensus/approval of next steps built into the plan ▪ Detailed outline of Prioritization, Roles/Responsibilities, & Resource needs B. Implementation kick-off and hand-off meetings ▪ Consultant-lead hand-off meeting(s) with City leadership to catalyze implementation of recommendations.
Study Area	Primary Focus: • Periphery of the City's corporate limits • Exclusive extraterritorial jurisdiction, within the FM Diversion alignment • City lagoon property • I-94 Corridor west of the City Secondary Focus: • Extraterritorial areas outside of Primary Focus areas. • Mixed-use nodes and other infill opportunity areas.
Anticipated Timeline:	• Q3 2024 – Project scoping and initiation approval ○ August 13, 2024 – P&Z Introduction & Discussion ○ September 3, 2024 – CC Introduction & Discussion ○ September 5, 2024 – EDAC Introduction & Discussion ○ September 10, 2024 – P&Z Recommendation for project approval and to issue RFP ○ September 16, 2024 – CC Project approval and approval to issue RFP • Q4 2024 – Publication of request for proposals (RFP) • Q1 2025 – Consultant selection & contracting • Q2 2025 – Project kick-off & consultant-lead planning process • Q2 2026 – Project completion
Issues:	• The FM Area Diversion channel creates both opportunities and limitations on future growth areas. Given the massive \$3-billion public investment to flood protect this area, there is a need to responsibly protect this public investment through well-reasoned land-use and development policy. • Lack of direction or consensus on the future use of the lagoons property.

	• Lack of tools to sufficiently evaluate and assess proposed development projects in terms of fiscal impacts to the City budget and long-term sustainability. • Coordination gaps between City and partner agencies on future development-related decisions (e.g., location & timing of new schools in relation to future land-use and utility services; coordination of services between Cass Rural Water & the City). • Lack of sufficient growth management guidance within the Comprehensive Plan (no future land-use component to WF 2.0 Plan and the Plan's growth map is insufficiently detailed). • Sanitary sewer capacity issues are limiting growth potential: ◦ The sanitary sewer system is at capacity south of the interstate. ◦ City-wide sanitary sewer capacity is restricted due to costs to send sewage to Fargo. ◦ Need for redundant lift station to reduce risk of city-wide sewage backup & for future capacity of the system. • Little to no preservation strategy for future public right-of-way and facility needs. (E.g., trail corridors, schools, street connectivity, utility lines, parks & open space.) • Current and future demand for rural development within the City's future growth area. Existing rural residential developments present challenges and impediments to orderly urban growth as the City expands into these areas. • Landowners/developers unable to anticipate how the City is likely to respond to future development proposals. Such uncertainty increases development risk, resulting in increased costs to develop, which contributes to such things as overall housing costs. • The likely timing of future growth demand is not well understood. • Existing infrastructure needs & costs exceed available funding sources. There is a need to ensure future growth maximizes efficiencies of public infrastructure. • Increasing pressure on City to allow rural residential development within the City's future growth area. There is a need to establish policy direction regarding if/when/where rural type development is appropriate. • Need to review development fees and funding options—determine if/how development should/can pay for itself. • Need to identify how walkable mixed use urban nodes identified in the Comp Plan are planned for and developed differently than other “typical” areas. • Misaligned housing goals at the city vs regional level in terms of need for more housing vs desire to increase ratio of jobs/businesses to housing.
Feedback & Questions:	West Fargo Planning Department Attn: Aaron Nelson 2515 6th St E West Fargo, ND 58078 Phone: (701) 515-5370 Email: Aaron.Nelson@WestFargoND.gov



DRAFT

REQUEST FOR PROPOSALS

Professional Consulting Services For

Growth Area Master Plan

2024

Issued By:

City of West Fargo, North Dakota
800 4th Avenue E, Suite 1
West Fargo, ND 58078

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Project Overview

Summary

The City of West Fargo, North Dakota is seeking proposals to lead a planning process for the development of a Growth Area Master Plan.

The purpose of this project is to produce a Growth Area Master Plan to strategically guide future development within the City's growth area in an orderly and coordinated manner that is both fiscally sustainable and consistent with the community's vision for the future of West Fargo.

The City intends to partner with a qualified, multidisciplinary consultant firm/team to produce a Growth Area Master Plan that will detail the vision and outline the implementation strategy for the effective management of the City's growth and development over the next 10-25 years. The plan will build upon the City's Comprehensive Plan and will distill information and recommendations from a handful of existing plans, policies, studies, and institutional knowledge into a comprehensive guide for growth management. (A list of existing plans & studies is provided in Appendix B.)

In doing so, the City desires to create a Plan that integrates all aspects of growth management, including, but not limited to, land-use, urban form, annexation & municipal service extension, transportation, public facilities/uses, parkland/greenspace, economic development, fiscal impacts & fiscal sustainability, capital improvement planning & infrastructure improvements, etc. While the City has previously engaged in various levels of planning and study on a number of these fronts, there is a need to analyze these independent efforts within the collective context of growth management, to identify and address any knowledge gaps or conflicting direction, and to establish a cohesive growth management strategy that guides the decision-making process to provide clear direction that aligns with community values.

The City is particularly interested in ensuring growth decisions are fiscally sustainable in the long term, as the City is currently grappling with how to fund necessary infrastructure replacement projects and how to keep pace with the critical maintenance and replacement schedule of a growing infrastructure system.

Recognizing that urban growth and development economics react to the cumulative actions of many independent entities, the project will include a high degree of collaboration and coordination amongst City departments, partner agencies (Parks, Schools, Utility Providers, etc.), the development community, property owners, local businesses, and other stakeholders.

By the end of this process, the City will have the knowledge and the tools necessary to guide development in a manner that aligns with the public interest and vision, is well coordinated with partner entities, and is fiscally sustainable.

Project Objectives & Outcomes

As summarized above, the primary purpose of this project is to establish a strategic framework to guide decisions regarding growth and development. To accomplish this, the following objectives are proposed:

Objective 1 – Better understand future growth demand and the long-term fiscal implications of today’s growth decisions. (Expand the knowledge base)

Outcomes:

- Ensure development is fiscally sustainable long-term.
- Understand alternative options for the financing of growth.
- Understand likely future demand for various land uses, alternative growth scenarios, and the different future outcomes resulting from today’s growth decisions.
- Ensure the City is adequately prepared to fund and provide for future demands on expansion of City services and infrastructure.

Objective 2 – Establish and map out a phased plan for the City’s physical growth based on the City’s Comprehensive Plan. (Flesh-out the vision)

Outcomes:

- An addendum to the City’s Comprehensive Plan which geographically represents the City’s vision and plans for future development, including such elements as:
 - Future land-use/urban form maps
 - Transportation & infrastructure networks for right-of-way preservation
 - Future public facilities (parks, schools, emergency services, public works)
 - Phasing, timing, & location of City service expansion & annexation areas
- An amalgamation and distillation of existing plans and policies into one cohesive plan for growth (including West Fargo 2.0, Northwest Metro Transportation Plan, West 94 Transportation Plan, Metro Housing Study, CIP, utility master plans, School/Park facilities master plans, etc.)

Objective 3 – Collaboratively manage growth decisions amongst dispersed stakeholder entities. (Improve the collaboration)

Outcomes:

- The growth decisions of local governments (e.g., city, county, school district, park district, etc.) are coordinated with each other.
- The City’s growth decisions are coordinated with the area landowners, the development community, and other stakeholders.
- A collaborative approach to growth management is cultivated across City departments and partner agencies/jurisdictions.

Objective 4 – Develop the tools and action steps necessary for managing future growth. (Establish the tools)

Outcomes:

- New development is orderly, effectively managed, and fiscally sustainable.
- The groundwork is laid for the modernization of development regulations that are consistent with the City's vision and goals. This may include:
 - Recommendations for code updates necessary for growth management.
- Establishment of policy regarding the use of City incentives and funding programs in a manner aligned with the plan.
- Detailed plan recommendations are provided along with a detailed implementation tool kit.

Background & Context

The City of West Fargo is a municipal government entity located in Cass County, North Dakota. West Fargo makes up the western portion of the Fargo ND-MN metropolitan statistical area, which is home to over a quarter of a million population. Over the past decade or so, West Fargo has been one of the fastest growing communities in the metro area as well as in North Dakota, growing from a population of roughly 15,000 in the year 2000 to over 40,000 residents today. This rapid growth rate has slowed in recent years, as the City approaches full build out within its current corporate limits. New growth is temporarily hampered by surrounding floodplain, infrastructure capacity and funding challenges, and development opportunities in adjacent communities. However, the growth rate is projected to increase once again in the future due in part to the metro's strong, diversified, and growing economy and the imminent completion of a major permanent flood protection project—the FM Area Diversion—which will remove most of the City's future growth area from the existing floodplain.

Appendix C contains an overview of some of the issues and needs that have been identified by various stakeholders in relation to the City's future growth and development. These issues have helped to inform the purpose, objectives, and scope of this project and provide important context for consultants in preparing their proposals. In general, these issues fit into one or more categories, including:

- Infrastructure Capacity and Challenges
- Land-Use and Development Policy Uncertainty
- Fiscal Sustainability and Development Costs
- Coordination and Consensus amongst stakeholders

Scope of Work

Study Area

The study area primarily includes:

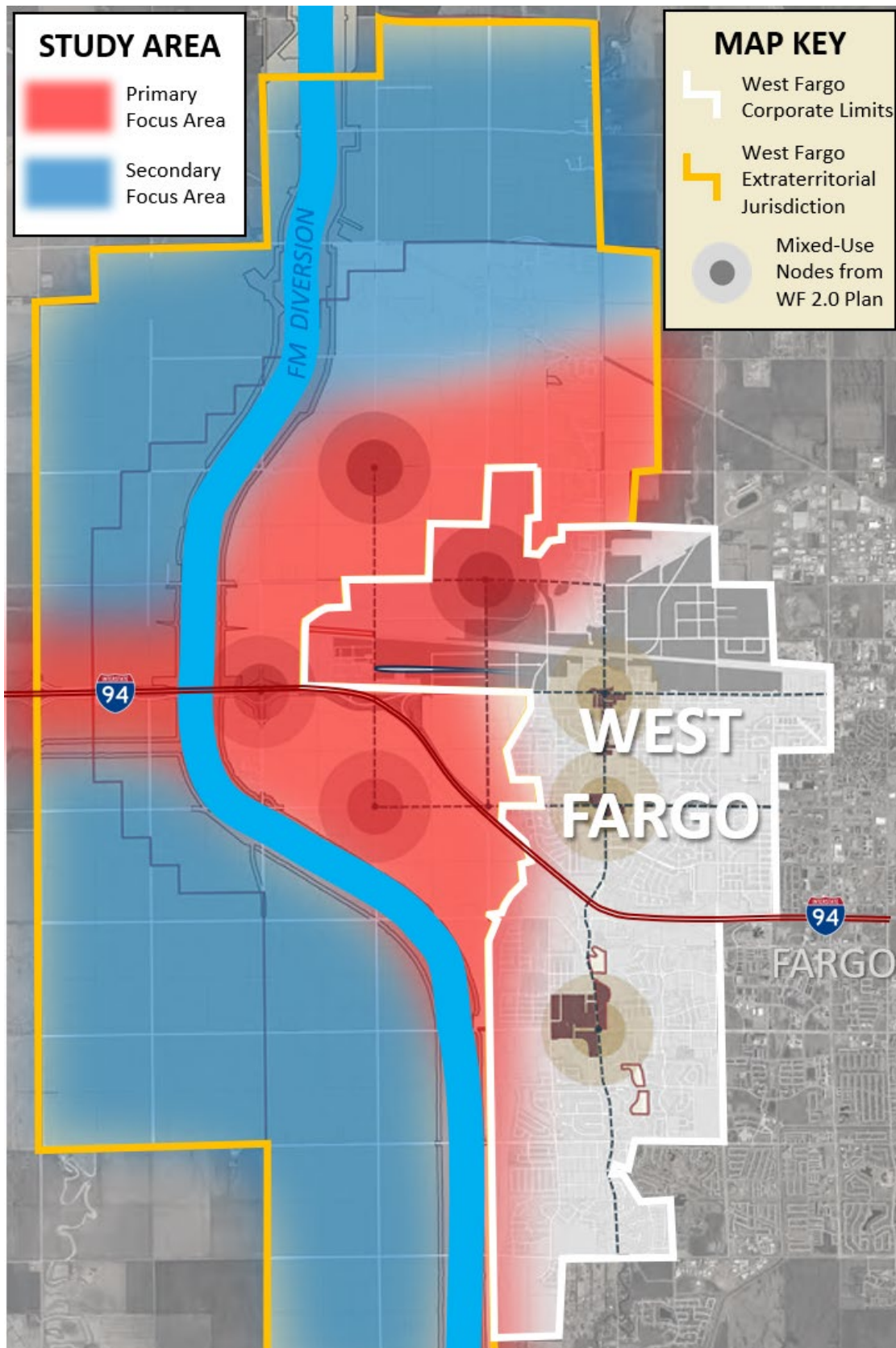
- Periphery of the City's corporate limits
- Exclusive extraterritorial jurisdiction, within the FM Diversion alignment
- City lagoon property
- I-94 Corridor, west of the City

To a lesser extent, the study may touch on areas of secondary focus, including:

- Extraterritorial jurisdiction (exclusive and joint jurisdictional) outside of Primary Focus areas
- Mixed-use nodes and other infill opportunity areas within the City's corporate limits

The map on the following page illustrates the study area.

Exhibit A: Study Area Map



Preliminary Project Schedule

The City reserves the right to modify the timeline if necessary.

RFP Available for Viewing	October 10, 2024
Questions Due	October 24, 2024
Question Responses Posted	October 30, 2024
Proposals Due	11:00 AM CST – November 14, 2024
Interview Selection Notice	November 22, 2024
Interviews	December 9 – 13, 2024
Selection Notice	December 13, 2024
Final Scoping & Contract Negotiations	December 16, 2024 – January 10, 2025
Contract Approval	January 20, 2025
Project Kick-off	February/March 2025
Final Presentations & Plan Adoption	Q1 2026
Project Completion	Q2 2026

Scope of Work Elements

The intent of the Scope of Work Elements provided below is to provide general guidance that consultants can incorporate into their proposed Work Program however they deem appropriate based on their professional expertise and knowledge. **The proposed scope of work is not limited to the elements outlined below, and consultants should feel free to modify and/or deviate from these elements as they see fit, based on their understanding of the City's needs and desired outcomes.**

The City asks the consultant to propose a Work Program that ensures the project objectives and outcomes are met. The final scope of work will be negotiated with the selected consultants in conjunction with City staff prior to contract approval. The consultant is expected to provide interpretation and identification of deliverables or milestones it believes are integral to the project in the submitted proposal, as outlined within the Submittal Requirements section of this RFP.

- Project Management – The consultant will take the lead in managing their time, staff, resources, budget, and related activities to ensure that the project objectives are met—on time and within budget. The consultant will be in close communication with staff throughout the life of the project. Staff will provide general oversight of the consultant and will help to facilitate interactions with City staff, board/committee members, and project stakeholders.
- Public & Stakeholder Participation – The consultant shall be responsible for developing and proposing a comprehensive public & stakeholder participation strategy that is best suited to meet project objectives. Special emphasis shall be placed on broad participation and input from City leadership and partner agencies whose decisions affect the urban growth pattern (directly or indirectly;

consciously or unconsciously). Additionally, there shall be robust public input and participation opportunities throughout the process.

The City intends for this project to include a project steering committee, which should be incorporated into the proposed participation strategy. The project steering committee will likely include representation from multiple stakeholder groups, including City officials, staff from various City departments, representatives from partner agencies, development community, & others.

The participation strategy should include regular communication check-ins throughout the life of the project with City leadership (namely the Board of City Commissioners), the public, and other stakeholders.

- Existing Conditions & Issue Assessment – The consultant will work to gain a firm understanding of the context, trends, issues, and related information applicable to the City's growth and development. This information and data will be used to inform the study's focus and direction, and to ground the study in objectivity. This should include a review of existing plans/studies related to the City's growth and development, and an assessment of the City's development financing mechanisms and capital improvement funds. Additionally, due to the pluralist nature of decision-making relative to urban growth, it is anticipated that discussion, data, and input will be needed from multiple stakeholder groups to gain a complete understanding of existing conditions and issues. Findings should be assessed in relation to previously documented community vision and goals, with proposed updates to community vision as goals as appropriate.
- Fiscal Impacts Assessment – Fostering responsible development that is fiscally sustainable over the long term is of particular importance to the City. As such, the City desires to better understand the fiscal implications of various growth decisions and to incorporate such findings into its decision making framework. This may include evaluation of various growth scenarios at the macro level, as well as the development of evaluation tools for assessing fiscal impacts of development decisions at the micro level.
- Special Topic: Decommissioned City Sewage Lagoon Property – As outlined in greater detail within the *Planning Needs Assessment Action Plan* document linked within Appendix B of this RFP, the City needs to determine a process for the disposition of the municipal sewage lagoons land in a strategic and comprehensive manner consistent with the West Fargo 2.0 Comprehensive Plan. Such a strategy should be developed in conjunction with, and as a special topic within, the Growth Area Master Plan.
- Development Decision Making Framework – The consultant will work with the City during the planning process to develop (a) decision-making framework(s) for growth management that is/are reflective of the project purpose and objectives. The framework will be multifaceted as it will need to weave together all aspects of growth management, including development demand, zoning/subdivision regulations, incentives & financing, utility servicing, transportation networks,

economic & fiscal impacts, etc. The decision-making framework will be used for such things as:

- Assessing the appropriateness of future development proposals;
- Determining the thresholds & timing of annexation and the expansion of municipal infrastructure and services;
- Assessing the likely economic & fiscal impacts of specific developments; &
- Determining the use and extent of city incentives and financing for a specific development.

Additionally, the Park District would like to develop a framework for determining the thresholds & timing of parkland and greenspace development and recreational facility construction.

- Action Plan/Detailed Implementation Strategy – The consultant will develop a pragmatic and detailed plan of action for achieving project objectives and outcomes and implementing plan recommendations. The consultant will be innovative, proactive, and collaborative in their approach to implementation, in order to ensure the highest chance for success.

The plan of action should incorporate such things as:

- Growth & development regulations
- Development financing considerations and incentive programs
 - Fiscal impact assessments
 - Calibration of incentive programs to advance identified goals
 - Alternatives for development financing (alternatives to traditional special assessments)
- Cross-jurisdictional coordination
- Strategy for the development/disposition of the City's lagoon property

The plan of action shall also incorporate a detailed implementation strategy as outlined in the *Plan Implementation* section, below.

- Plan Development – The consultant shall develop a final Growth Area Master Plan document that is high-quality, user-friendly, and easily understandable. The final document will include an executive summary (or similarly concise overview), will clearly convey the City's vision and policies for managing growth, and will include a detailed implementation toolkit/strategy, in addition to all other relevant information necessary to effectively convey relative project information.

A section of the plan should focus specifically on the Park District and provide the Park District with the tools to act independently, but parallel with the City of West Fargo.

- Milestone Presentations & Plan Adoption Process – In conjunction with the public & stakeholder input scope of work element noted above, the consultant will work with staff to communicate with project stakeholders throughout the process, and

to present intermediate deliverables and related information in relation to key project milestones. The consultant will present updates and deliverables to the West Fargo City Commission and the Planning & Zoning Commission throughout the planning process and will present the final plan and deliverables for adoption by the City Commission. (The adoption process for municipal master plans is outlined in Chapter 40-48 of the North Dakota Century Code.)

- Plan Implementation – As part of the action plan outlined above, the consultant shall develop a detailed 12-month implementation plan that is focused on the immediate action steps upon plan adoption. The 12-month implementation plan shall aid the transition of work from the consultant to community. As such, it shall detail roles/responsibilities, resource needs, and shall have the support of responsible parties at the time of adoption of the master plan document. To further support plan implementation, the consultant shall lead a series of hand-off meetings with project champions, which will take place after final adoption of the master plan document.

Project Deliverables

It is anticipated that the project deliverables will include most of the components listed below. As with the Scope of Work Elements outlined in the previous section, the list of Components to Project Deliverables is intended to provide general guidance to the consultant when drafting their proposal. **Within their proposal, consultants are encouraged to include any additional or alternative deliverables that they feel would be necessary, based on their professional expertise and understanding of the City's issues and needs.** Although the consultant and/or City may identify additional/alternative deliverables when the final scope of work is negotiated (see *Final Project Scoping & Contract Award* section for more information).

Anticipated Components to Project Deliverables:

- Stakeholder and public participation plan
- Existing conditions assessment (including analysis of issues and opportunities)
- Alternative growth scenario analysis (including costs, benefits, and tradeoffs of each)
- Technical memo/report with recommendations regarding fiscally sustainable growth management
 - Including the topics of special assessments, alternative development financing mechanisms, development exactions, fiscal impact assessments for development proposals, etc.
- Fiscal impact assessment tool/framework for use in evaluating development proposals

- A Municipal Master Plan, adopted as an addendum to the West Fargo 2.0 Comprehensive Plan, in accordance with North Dakota Century Code (NDCC) Chapter 40-48.
- Future land-use and/or typologies (use/transects/intensities) map(s)
 - Land Development typology details & examples (narrative with images)
- Streets/transportation plan in accordance with NDCC Chapter 40-48
- City service extension phasing plan (annexation & CIP infrastructure phasing)
- A City Water Service Area Plan, in accordance with NDCC Chapter 61-35.
- Identification of preservation needs for public facilities, parks, trails, schools, ROW, & natural areas
- Action plan and/or technical memo to the West Fargo Park District regarding best practices and recommendations for public park growth management, including:
 - Park amenities and needs for future growth areas
 - Thresholds, metrics, and trigger points for service delivery & expansion
 - (e.g., X acres of park per Y population, X number of amenity Y per Z residents, at least 1 amenity X within Y feet of every residence)
 - Funding mechanisms
 - (e.g., fees for services, sales tax, property tax, other?)
 - Land acquisition methods
 - (e.g., pre-purchase prior to development vs land dedication at time of development)
- An action plan for the City's decommissioned sewage lagoon land.
 - An updated conceptual plan for the lagoons area (updating the vision from the West Fargo 2.0 Comp Plan)
- Documented results of community and stakeholder input and feedback used to inform the plan.
- Technical memo regarding recommendations for cross-jurisdictional coordination and collaboration.
 - Draft/example Memoranda of Understanding (MOUs) for inter-governmental coordination of growth management
- A decision-making framework to guide future growth decisions.
 - Alignment of considerations for land-use, transportation, infrastructure, annexation, fiscal impacts, economic development, etc.
- Recommendations for capital improvement phasing and financing
- Growth management recommendations for the use of, and updates to, incentive programs and development regulations.

- A 12-month implementation action plan
 - Focused on the immediate action steps upon plan adoption
 - Consensus/approval of next steps built into the plan
 - Detailed outline of Prioritization, Roles/Responsibilities, & Resource needs
- An easy to use and understand Plan document
 - City Branded
 - Digital copies in PDF format. High resolution version for professional printing/publication and small file size version for online posting & download.
 - Thirty (30) printed and bound hard copies.
- Copies of all presentations, technical memos, other project materials created throughout the process.
- ArcGIS digital format copies of map layers & geographic data
- Presentations and communications to Planning & Zoning Commission, City Commission, partner agencies, and other applicable stakeholder groups.

Project Budget

While the final project costs are negotiable, the City has budgeted \$300,000 for this project. Additionally, the West Fargo Park District will contribute up to an additional \$30,000, for an estimated maximum budget of \$330,000.

The final contract dollar amount, along with the final scope of work, will be negotiated with the selected consultant prior to final approval of the project contract, as outlined within the following sections of the RFP.

Submission Requirements

Proposal submissions shall consist of two documents: a Project Proposal and a separate Cost Proposal.

Project Proposal

The content and sequence of the information contained in each copy of the Project Proposal shall be as follows:

A. Cover Letter

Include your firm's understanding of the work to be performed within the terms and conditions set forth in this RFP. In addition, state why your firm believes it to be the best qualified to perform the services requested, including features, experience, key personnel, historical performance, references from prior projects, skills, and/or services which distinguish your firm and make it the better choice for the City. The length of time during which the proposal and the prices quoted shall be valid for consideration by the City is required to be 120 days from the proposal's due date. The RFP cover letter must be signed by an officer of the consultant or a designated agent empowered to bind the firm in the contract offer. (Keep response to one page.)

B. Table of Contents

Include a clear identification of the material by section and by page number.

C. Contact Summary Sheet

This section of the proposal must be a completed copy of the Contact Summary Sheet (Appendix A) included with this RFP.

D. Work Program

Provide a detailed work program **that will meet the project objectives** outlined within this RFP, and that you believe is appropriate based on your understanding of the City's issues, needs, outcomes, deliverables, and the scope of work elements outlined within this RFP. The work program should specify how you will manage, control, and supervise the project in order to ensure satisfactory provision of services. The work program should include, but is not limited to, the following:

1. Project phases/tasks
2. Project schedule and milestones
3. Outcomes and deliverables

E. References

List all of the municipal governments that your firm has worked for or with in a similar capacity to the work outlined within this RFP within the last five (5) years. List names of organizations, and names, telephone numbers, and email addresses of persons who can be contacted with regard to the services you have provided.

F. Project Team Roles & Qualifications

List the project manager who will be responsible for the work, principal(s) providing oversight, and project team members. Provide relevant background information for each, such as education, professional experience, certifications, etc. Identify the role of each individual in relation to the project, including a breakout of hours for each team member by major task area within your proposed work program, and an overall indication of the level of effort (percentage of overall project team hours) allocated to each task.

G. Work Samples

Provide 2-3 work product examples showcasing recent relevant projects, along with key contacts and phone numbers for the client, and a brief description of each project. The work product examples must be provided in full in digital format. Work samples may be included within the proposal PDF or may be provided via web link.

Cost Proposal

In addition to the Project Proposal outlined above, a separate Cost Proposal shall be submitted. The Cost Proposal shall be based on an hourly "not-to-exceed" amount. The City wishes to know the final and complete cost of the proposal and to realize only those additional costs beyond the proposal that the City requests. All cost quotations must include but not be limited to fees, modifications, travel and per diem, documentation, taxes, discounts, etc. All cost tables should be sub-totaled and totaled. As noted in the *Project Budget* section of this RFP, \$330,000 has been budgeted for this project.

The Cost Proposal of the selected consultant will be reviewed after consultant selection but prior to final scoping and contract negotiations, as discussed in the *Final Project Scoping & Contract Award* section of this RFP.

The City will not be liable for any costs incurred by the consultant in the preparation of a proposal submitted in response to this RFP, in conduct of a presentation, or other activities related to responding to this RFP. No costs chargeable for work under this proposed contract may be incurred before receipt of either a fully executed contract with the City or specific written authorization from the City of West Fargo.

Proposal Submission

Consultants are to submit the Proposal (including both the Project Proposal and the Cost Proposal) in accordance with the requirements set forth within this RFP. Proposals shall be submitted electronically in PDF format. The information included should be as concise as possible. Proposals should generally be drafted on pages sized to 8 ½" x 11", but pages with charts, matrices, or diagrams may be formatted on larger page sizes. Document pages should be numbered. Type size should be no smaller than 11 points for narrative

sections, but may be reduced for captions, footnotes, etc. as required while still maintaining legibility.

Proposals are to be submitted to the City electronically. Proposals shall be submitted via email to the project contact at Aaron.Nelson@WestFargoND.gov. Submissions must have "City of West Fargo Growth Area Master Plan Proposal" and the firm's name as the subject line. Proposals must be in PDF format and can be included as an attachment to the submission email or can be provided via digital file share link within the body of the submission email.

Proposals must be submitted to the City at or before **11:00 A.M., November 14, 2024 (Central Time)**. Proposals received later than the time and date specified may not be considered.

Communications

This Request for Proposals (RFP) is available to download at the City's website: <https://www.westfargond.gov/Bids.aspx>. Any addendum made to this Request for Proposals will be posted at the same website used for downloading the RFP.

All questions related to this RFP must be submitted in writing by email to the project contact, Aaron Nelson, at Aaron.Nelson@WestFargoND.gov. The question period shall expire as defined within the Project Schedule section of this RFP. Responses to questions will be posted on the same webpage as this RFP (<https://www.westfargond.gov/Bids.aspx>). Questions received after the deadline for questions will not be answered.

For technical issues, consultants can dial (701) 515-5370 for assistance. Office hours are 7:30 a.m. to 4:30 p.m. Monday through Friday, excluding holidays.

Evaluation, Selection, Final Project Scoping, & Contract Award

Evaluation & Selection Process

Proposals will first be reviewed for completeness. Only those proposals that are properly completed and meet the minimum content requirements will be considered in the evaluation process. The City reserves the right to deem any proposal complete. Complete proposals will then be evaluated by a selection committee. The selection committee may elect to conduct short phone interviews with select consultants in order to further evaluate the proposals, at the committee's discretion.

If necessary, the selection committee may choose a limited number of consultants with which to conduct interviews for the final selection. Consultants will have the option of conducting the interview in-person or virtual. Consultants electing to participate virtually will be responsible for hosting the virtual meeting on their platform of choice. Consultants electing to participate in-person should be prepared to convene in West Fargo, ND.

Proposal evaluation by the selection committee will be qualifications-based, utilizing the following general criteria (but not necessarily in order of priority or weight):

- Proposed Work Program and Deliverables (Understanding of the project scope and objectives; quality of response to proposed work program and to proposed deliverables)
- Communications (Organization/completeness of response; writing skills, as shown through the submission and any submitted work samples)
- References and Work Product Examples (Confirmation that consultant has performed similar work in past; assessment of ability to produce quality product within the project schedule; assessment of ability to conduct productive meetings; assessment of ability to work with staff, stakeholders, and elected officials; quality and applicability of submitted work examples)
- Demonstrated Experience & Capacity (Past performance of consultant firm on similar projects; expertise and experience of project manager and team members; current workload and availability of consultant team members; and general ability to complete the project on time)

The City reserves the right to reject any/all proposal(s) or accept what is, in its judgment, the proposal which is in the City's best interest. The City further reserves the right, in the best interests of the City, to waive any technical defects or irregularities in any/all proposal(s) submitted.

The City may request additional information from consultants during the selection process. Additionally, discussion may be conducted with consultants to assure full understanding of, and responsiveness to, the requirements of this RFP. Proposers will not be compensated for their time in preparing a response to this RFP.

Final Project Scoping & Contract Award

The selection committee will select a consultant with whom City staff shall commence final project scoping and contract negotiations. The Cost Proposal of the selected consultant will be reviewed after selection by the selection committee, but prior to final scoping and contract negotiations. The selection of a proposal shall not imply acceptance by the City of all terms of the proposal.

The selected consultant shall organize a minimum of one meeting with designated City staff to discuss the proposed scope of work, project costs, and project contract. The intent of this meeting is to allow an opportunity for the selected consultant and the City to refine the final scope of work to best meet the City's needs.

If a satisfactory contract cannot be negotiated in a reasonable time, the City, in its sole discretion, may terminate negotiations with the highest ranked consultant and begin contract negotiations with the next highest ranked consultant.

Appendix A: Contact Summary Sheet

Firm Name: _____

Firm Parent or Ownership: _____

Firm Address: _____

Firm Telephone Number: _____

Person responsible for direct contact with the City of West Fargo regarding this RFP and submitted proposal (This may be the project manager or principal in charge):

Name: _____ Title/Role: _____

Telephone Number: _____

Email: _____

Person responsible for day-to-day communications with the City of West Fargo throughout the life of the project (This is typically the project manager):

Name: _____ Title/Role: _____

Telephone Number: _____

Email: _____

Types of services provided by the firm: _____

Appendix B: Plans, Policy Documents, & Resources

General City Information

West Fargo 2.0 Comprehensive Plan

<https://www.westfargond.gov/252/Comprehensive-Plan> or
https://issuu.com/tpudc/docs/small_west_fargo_comp_plan_final_dr

Community Branding Research Results

<https://youtu.be/AbiuZjDEof4>

West Fargo Interactive GIS Map

<https://map.westfargond.gov/TaxParcels/>

West Fargo Budget

<https://www.westfargond.gov/1183/City-Budget>

Special Assessment Financing

<https://www.westfargond.gov/267/Special-Assessments>

Planning, Development, & Infrastructure

West Fargo Zoning Code <https://www.westfargond.gov/DocumentCenter/View/1005/Title-04---Planning-and-Zoning-PDF>

Planning Needs Assessment Action Plan

<https://www.westfargond.gov/DocumentCenter/View/9758>

West Fargo Economic Development Incentive Programs

<https://www.westfargond.gov/278/Incentives>

FM Metro Demographic Forecast Study

<https://www.fmmetrocog.org/projects-rfps/completed-projects/metro-cog-baseline-2050-demographic-forecast>

FM Metro Housing Needs and Market Analysis

<https://www.fmmetrocog.org/projects-rfps/housing-needs-and-market-analysis>

South side Sanitary Sewer Evaluation Study

<https://westfargond.portal.civicclerk.com/event/789/files/attachment/2356>

West Fargo Capital Improvement Plan (CIP)

<https://www.westfargond.gov/DocumentCenter/View/9945>

West Fargo Core Area Infrastructure Master Plan

<https://www.westfargond.gov/799/Core-Area-Infrastructure-Master-Plan>
<https://www.westfargond.gov/DocumentCenter/View/3730/Core-Area-Infrastructure-Master-Plan-Executive-Summary>

Transportation

Northwest Metro Transportation Plan

<https://www.fmmetrocog.org/projects-rfps/completed-projects/nwmetro-transportation-plan>

West 94 Area Transportation Plan

<https://www.fmmetrocog.org/projects-rfps/west-94-area-transportation-plan-1>

West Metro Perimeter Highway Study

<https://www.fmmetrocog.org/WestMetro>

Partner Entities

West Fargo Park District

<https://wfparks.org/>

West Fargo Public Schools

<https://www.west-fargo.k12.nd.us/>

2024 Facilities Plan 2.0 – <https://www.west-fargo.k12.nd.us/about-us/2024-facilities-plan-20>

FM Area Diversion Project

<https://fmdiversion.gov/>

Project Fact Sheet – <https://fmdiversion.gov/wp-content/uploads/2022/12/MFDA-Fact-Sheet-Compressed.pdf>

FM Greenway Recreation Master Plan – <https://www.fmmetrocog.org/FMGreenway>

Metro COG

<https://www.fmmetrocog.org/>

Cass Rural Water District

<https://www.cassruralwater.com/>

Map of service area - <https://gishubdata-ndgov.hub.arcgis.com/datasets/a4f83983d536407eb1adee8740f1ccde/explore>

Appendix C: Context, Issues, and Questions

General Background & Context

The City of West Fargo is a municipal government entity located in Cass County, North Dakota that is dedicated to providing essential services to its roughly 40,000 residents. West Fargo is truly “a city on the grow” as one of the fastest growing communities in North Dakota. Throughout this phenomenal growth, West Fargo continues to offer an excellent student-oriented school district, a park district with world-class facilities, and a variety of housing options to meet the needs of any resident.

Government Structure

The City of West Fargo is a Home Rule city, governed by the Board of City Commissioners, which consists of the President of the Commission and four commissioners, all elected at large. The President of the Commission is the presiding officer of the Commission.

Reporting directly to the President of the Commission and the City Commission, the City Administrator oversees all departments in developing operating policies for city functions and personnel.

A handful of appointed boards and committees aid the City Commission in the governing structure of the city, including:

- The Planning & Zoning Commission – Responsible for establishing a master plan and related zoning and subdivision regulations for the physical development of the city, and for advising the City Commission on matters relating to growth and development.
- The Economic Development Advisory Committee – Responsible for establishing and advising the City Commission on economic development incentive programs and activities.

Other Units of Local Government

The West Fargo Park District is a separate unit of local government that is independent from the City of West Fargo. The Park District is governed by the West Fargo Park Board, which consists of five Commissioners, elected at large.

The City of West Fargo is located within the West Fargo School District, which is the second largest school district in the State, and which also includes portions of Fargo and surrounding communities. The West Fargo School Board consists of seven board members elected at large.

Cass Rural Water Users District is a political subdivision under Section 61-35 of the North Dakota Century Code, which provides potable water utilities within the City's extraterritorial area, as well as some areas within the City's corporate limits. Because Cass Rural Water Users District operates independently of the City, Future growth of the City

within Cass Rural Water Users District will require continued cooperation and enhanced coordination.

The Metro Flood Diversion Authority is the primary non-federal sponsor of the FM Area Diversion project—a Congressionally authorized federal flood protection project intended to provide permanent flood protection to the Fargo-Moorhead metro area. The Metro Flood Diversion Authority is a political subdivision established via joint powers agreement between several units of local government from North Dakota and Minnesota.

The Fargo-Moorhead Metropolitan Council of Governments (Metro COG) is the federally designated Metropolitan Planning Organization for the Fargo-Moorhead area Transportation Management Area, responsible for the regional administration of state and federal transportation dollars, among other things.

Population growth & projections

The population of the City of West Fargo is approximately 40,400 according to 2023 estimates from the U.S. Census Bureau. From 2000-2020 the City's population growth rate was estimated to be about 6.3% per year, a much faster growth rate than the previous two decades before that (1980-2000) which had an average annual rate of 2.2%. While the City's population may temporarily stabilize as it reaches near full build-out. The population is expected to again increase at a quick rate once the Fargo-Moorhead Flood Diversion Project is completed within the coming years, providing permanent flood protection to much of the City's extraterritorial jurisdiction. With this continued growth, most recent projections put the City's population at over 60,000 by the year 2050.

Infrastructure Capacity and Challenges

- The City's sanitary sewer system represents both a driver for future growth as well as a major impediment. As of 2017, the City of West Fargo began sending its wastewater to the City of Fargo's regional water reclamation facility and began the process of decommissioning its municipal sewage lagoons. Generally, all wastewater flows from south to north within the City's sanitary sewer system, though a system of gravity mains, force mains, and lift stations, until eventually flowing into Fargo's system at a connection point at 9th St NE and 19th Ave NE. Throughout this system there are several pinch points where lift stations are currently at or near maximum capacity, which restricts additional development and sewer connections from being added "upstream" of these lift stations.
 - The area south of Interstate 94 is one such area where the current sanitary sewer system is at capacity. As such, the City currently has a consultant studying the south side sanitary sewer system to examine future capacity needs and the infrastructure improvements that will be necessary to handle future demand.

- “Downstream,” there is also need for additional capacity and redundancy on the north end of town, as the sanitary sewer system converges into a final lift station before being sent to the connection point with Fargo. The City is preparing to apply for a BRIC (Building Resilient Infrastructure and Communities) grant to help fund a second master lift station on the north side of town. In addition to providing the redundancy necessary for a resilient wastewater system, the second master lift station will provide the necessary additional capacity to support development in the City's future growth areas to the north and west of the City.
- A third limiting factor is the cost of sending more wastewater to the City of Fargo. Per the agreement in place with Fargo, the City can send an average of up to 6.5 million gallons per day to Fargo, and makes payment on a volume basis depending on how much flow is being pumped. This payment is based on a rate structure that is negotiated periodically between the two cities.

Land-Use and Development Policy Uncertainty

- The FM Area Diversion channel creates both opportunities and limitations on future growth areas. Given the massive \$3-billion public investment to flood protect this area, there is a need to responsibly protect this public investment through well-reasoned land-use and development policy.
- The West Fargo 2.0 Comprehensive Plan, adopted in 2018, provides an overarching vision and direction for the City. However, the Comprehensive Plan is not sufficiently detailed in relation to growth management. For example, it does not contain a future land use map and provides no guidance for coordinating utilities, transportation, service expansion, as the City grows. As a result, landowners and developers are unable to anticipate how the City is likely to respond to future development proposals. Such uncertainty increases development risk, which can result in missed opportunities and increased development costs.
- As the metro population continues to increase and the stock of developable land within the City continues to decline, there is increasing pressure on the City to allow rural residential development within the City's future growth area, adjacent to areas of existing rural development. There is a need to establish policy direction regarding if/when/where rural type development is appropriate.
- The City is currently in the process of decommissioning its municipal sewage lagoons after signing an agreement for the City of Fargo to provide wastewater treatment services to the City of West Fargo. The lagoons property consists of approximately 600 acres with 400-500 acre of developable land available upon successful decommissioning of the lagoons. This represents the largest ever City-owned development opportunity for the City. However, there is currently no consensus or strategy in place for how the City can best handle eventual disposition of the property in a manner most beneficial to the citizens of West Fargo and the public good.

- The West Fargo 2.0 Comprehensive Plan envisions future employment and mixed-use growth centers within the City's future growth area, however, there is little detail on how to best achieve this vision. There is a need to identify the pragmatic steps necessary to bridge the gap between vision and reality.
- There is currently no comprehensive policy or preservation strategy for future public right-of-way and facility needs. (E.g., trail corridors, schools, street connectivity, utility lines, parks & open space.)
- The likely timing and location of future growth demand is not well understood.
- The Park District does not have a policy determining what parks, facilities, and services are offered in different parts of the city.

Fiscal Sustainability and Development Costs

- The costs of special assessments that the City uses to pay for infrastructure construction, repair, and replacement is a perennial issue and constitutes a large financial burden on residents and property owners. This is especially true in some of the City's core neighborhoods, where the original infrastructure has reached the end of its useful lifespan and requires complete replacement. The costs of these projects on benefitting homeowners can be substantial in relation to the relatively modest home values in these older parts of town.
- Additionally, the City is likely not keeping up with the amount of annual repair and replacement needed to keep pace with infrastructure systems that are both growing and aging. Existing infrastructure needs & costs exceed available infrastructure funding. As such, there is a need to better understand the long-term fiscal implications of today's development decisions, and to chart a path towards more fiscally sustainable growth and development. The City currently lacks the tools necessary to sufficiently evaluate and assess proposed development projects in terms of fiscal impacts to the City budget and long-term sustainability.
- Public infrastructure for new development is typically financed by the City through special assessment financing, in which 100% of the project costs are assessed directly to the benefiting properties over a number of years. Maintenance and reconstruction of existing infrastructure is partially funded through special assessment financing, although at a smaller percentage as established with the City's Special Assessment Policy and Capital Improvement Plan (CIP). The City is interested in exploring alternative development financing tools to special assessments.

Coordination and Consensus amongst stakeholders

- The West Fargo 2.0 Comprehensives Plan identifies the need to increase jobs and the commercial tax base in order to balance out the predominantly residential nature of the City and, in so doing, relieve the tax burden on residents. At the same time, housing costs continue to rise and there is an ever-present need to increase

the supply of housing in the metro area. How should the City address these two competing goals?

- There has historically been a lack of coordination between City and partner agencies on future development-related decisions (e.g., placement, timing, and construction of new schools; water services between Cass Rural Water & the City).
 - As an example, in order to find enough acreage at an affordable price point, school districts will often purchase rural tracts of land within future growth areas years in advance of construction. When existing schools are at capacity and the new school is needed, the surrounding area may or may not have adequate infrastructure to support the new school. Additionally, at the time of purchase, the future school lots are often adjacent to rural section line roads. As the area develops, these section line roads become arterial streets, which may not be conducive to kids walking to school. The location along an arterial street can often also displace the opportunity for commercial development.
- As the City grows into the Cass Rural Water Users District, increased coordination will be needed to facilitate water utilities in an efficient manner.
- Most of the City Commissioners were not involved with the development of the City's Comprehensive Plan, West Fargo 2.0. As such, there is a need to reaffirm the development vision and goals as they relate to the proposed Growth Area Master Plan.
- The Park District is often reactionary to new development requests and does not have the framework in place to properly and consistently determine when Parkland Dedication, cash-in-lieu of land, special assessment, or other method should be used to fund parkland growth.



"Consent" or "Regular" Agenda
Item?

[Regular]

Commission President

Bernie Dardis

Primary Portfolio:

Administrative Services

Secondary Portfolio:

Police & Fire

Commission

Vice President

Brad Olson

Primary Portfolio:

Police & Fire

Secondary Portfolio:

Street, Water & Sewer

Commissioner

Roben Anderson

Primary Portfolio:

Community &

Development Services

Secondary Portfolio:

Administrative Services

Commissioner

Rory Jorgensen

Primary Portfolio:

Sanitation

Secondary Portfolio:

Community &

Development Services

Commissioner

Amy Zundel

Primary Portfolio:

Street, Water & Sewer

Secondary Portfolio:

Sanitation

City Administrator

Dustin T. Scott

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: October 7, 2024

Subject: School Zone Signage

Action: Information Update

New Information and Recommendation:

At the September 16th Commission meeting, Commissioner Zundel requested staff to review school zone signage after a brief discussion regarding an upcoming 2025 project that is going to address some safety concerns in the area of Liberty Middle School. Additionally, Commissioner Jorgensen asked for staff to look at signage around the West Fargo High School.

Staff has analyzed several different school locations; they are as follows:

- Liberty Middle School/Sheyenne High School
- West Fargo High School
- Cheney Middle School

In general, all three of these schools do have pedestrian signage in their respective areas, however there are inconsistencies that was found.

Attached are exhibits of all three locations showing existing signage and proposed signage to provide appropriate and additional protection to pedestrians in these school zones.

Note that in the case of the Liberty Middle School/Sheyenne High School location we are proposing some signs to be installed on the east side of Veterans Blvd which is controlled by the City of Fargo so for West Fargo to install these signs we will need to get approval from Fargo's engineering department.

In all cases, we have also taken into consideration if the signage with conditional speed limit adjustments will negatively impact signal timing and overall traffic patterns and determined that if there is any effect it would be minimal. Additionally, with our proposed signage to be speed reduction when children are present the increase in safety is more of a priority.

Unless the Commission finds these proposed signage changes unacceptable the intent is to have Public Works install them as soon as we can get them ordered and work scheduled.

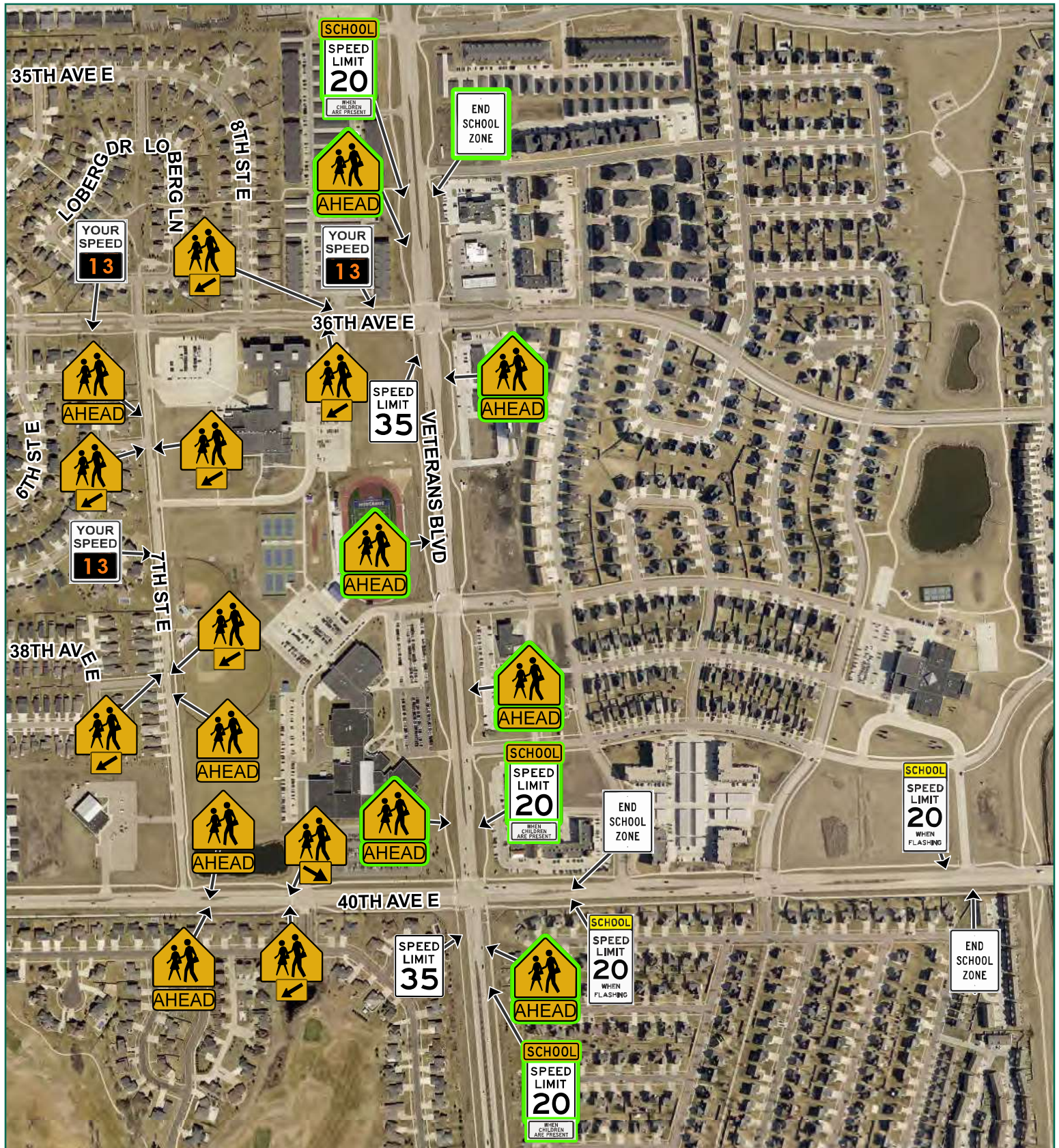
Financial Analysis:

The cost for this work is intended to be paid for via the existing Public Works signage budget.

Previously Presented Information and Commission Actions:

September 16, 2024 –

- Commission discussion of school zone signage detailed above.



Traffic Control for School Areas

Liberty Middle School & Sheyenne High School

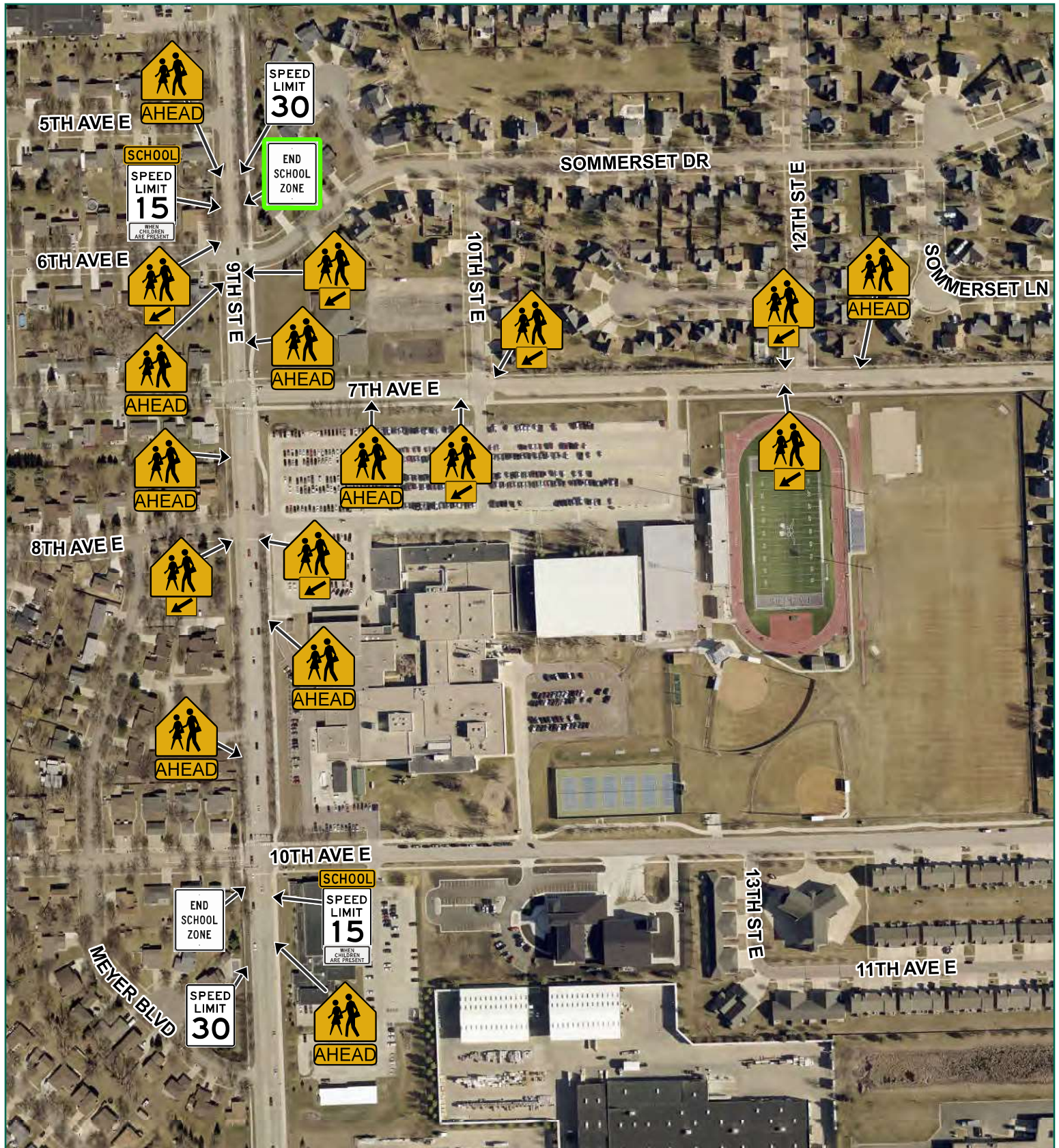


New signs outlined in green

Created By: West Fargo GIS
Created: October 1, 2024



0 0.04 0.07 0.14 Miles



Traffic Control for School Areas

West Fargo High School

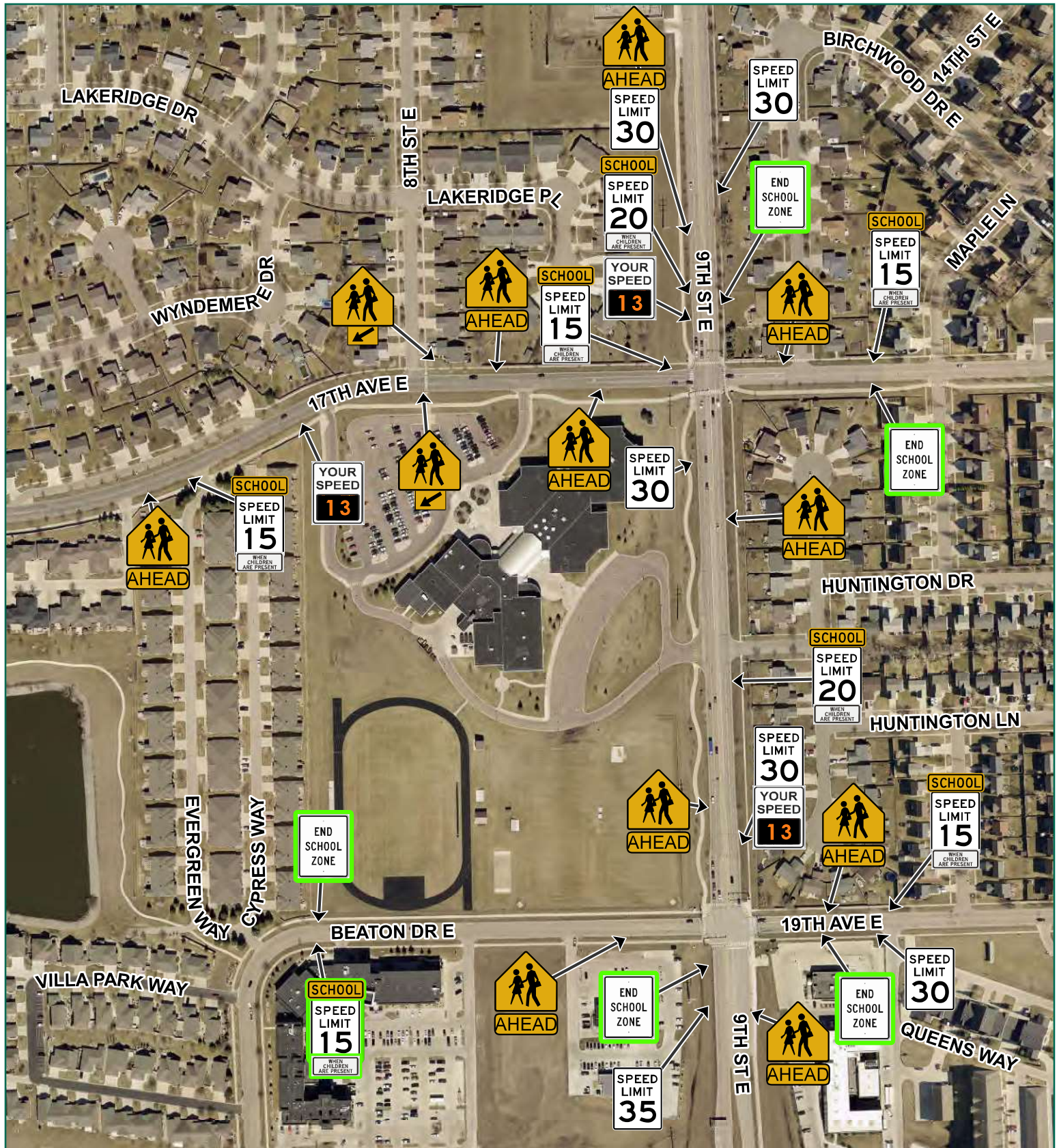


0 0.02 0.04 0.07 Miles



New signs outlined in green

Created By: West Fargo GIS
Created: October 1, 2024



Traffic Control for School Areas

Cheney Middle School



0 0.02 0.04 0.07 Miles



New signs outlined in green

Created By: West Fargo GIS
Created: October 1, 2024



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

To: West Fargo City Commission

From: Dan Hanson, City Engineer

Date: October 7, 2024

Subject: Project No. 1348 – Sanitary Sewer Rehabilitation (Core Area Alley's and Rear Yards)

Action: Approve Change Order No. 2

Commission President

Bernie Dardis

Primary Portfolio:

Administrative Services

Secondary Portfolio:

Police & Fire

Commission Vice President

Brad Olson

Primary Portfolio:

Police & Fire

Secondary Portfolio:

Street, Water & Sewer

Commissioner

Roben Anderson

Primary Portfolio:

Community &

Development Services

Secondary Portfolio:

Administrative Services

Commissioner

Rory Jorgensen

Primary Portfolio:

Sanitation

Secondary Portfolio:

Community &

Development Services

Commissioner

Amy Zundel

Primary Portfolio:

Street, Water & Sewer

Secondary Portfolio:

Sanitation

City Administrator

Dustin T. Scott

New Information and Recommendation:

This project has been underway to rehabilitate existing sanitary sewer in areas that are not easily accessible to ensure continued sanitary service to over 400 residences in the City's core area.

During design there were many areas that were not able to be televised as there was either blockage or the camera was submerged in a sag. During construction as these areas have been able to be accessed by the Contractor there have been numerous locations where the pipe has not been able to be relined due to issues such as missing pipe, broken pipe, severely offset joints and other issues.

As these issues have arisen the Contractor has been directed to dig up these locations and fix the issue to allow the sanitary mains to be relined. Thus, many of the spot locations that this Change Order addresses have already been fixed. The Consultant has negotiated costs and compiled them in this Change Order with CC Steel, LLC.

On April 1, 2024, after bids were opened, an Engineer's Statement of Cost (ESOC) was presented in the Commission Packet and is attached. Given the unknowns with this project, there were contingencies included in the estimated total construction in the amount of \$367,355.85. With this change order, total additional costs as compared to the original bid are projected to be \$335,103.86 which is within the contingency amount shown on the ESOC.

The following documents are attached for review/consideration:

- Change Order 2
- Engineer's Statement of Cost presented April 1, 2024

Staff Recommendation: Approve Change Order 2 with CC Steel, LLC. in the amount of \$291,603.86.

Financial Analysis:

This project is included on the 2024 CIP showing a cost of \$4,050,000. Current projection of the anticipated final cost is \$4,017,662.36. Per the direction of the Commission at the November 14th, 2023 special Commission Meeting this project is being paid for with Capital Improvement Sales Tax funds. No special assessments are proposed with this project.

Previously Presented Information and Commission Actions:

April 15, 2024 –

- **Staff Recommendation:** Adopt Resolution Approving Contract and Contractor's Bond and Authorize Notice to Proceed.
- **Commission Action:** Commissioner Olson moved, and Commissioner Simmons seconded to approve. No opposition, motion carried.

April 1, 2024 –

- **Staff Recommendation:** Accept Bid and Award Contract to CC Steel, LLC. For their bid amount of \$3,682,558.50.
- **Commission Action:** Commissioner Anderson moved, and Commissioner Olson seconded to approve. No opposition, motion carried.

February 20, 2024 –

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

February 5, 2024-

- **Staff Recommendation:** Approve Task Order No. 83-2 for "Basic Services"

January 22, 2024

- **Staff Recommendation:** Create Project No. 1348, Approve Engineer's Report; and Direct Engineer to prepare Plans and Specifications
- **Commission Action:** Commissioner Olson moved, and Commissioner Anderson seconded to approve. No opposition, motion carried.

November 14, 2023 – A special Commission Meeting funding workshop took place where this project was discussed. No action was taken at that meeting.

CHANGE ORDER NO.: 2

Owner: City of West Fargo
Engineer: Moore Engineering, Inc.
Contractor: CC Steel, LLC
Project: Core Area – Alleys and Rear Yards
Contract Name: Project No. 1348; Sanitary Sewer Rehabilitation
Date Issued: 9/26/2024

Owner's Project No.: 1348
Engineer's Project No.: 22269A
Contractor's Project No.: WF 1348
Effective Date of Change Order:

The Contract is modified as follows upon execution of this Change Order:

Description: Pay items for additional work and/or changes in scope in sewer main spot repairs, manhole invert rehabilitations, and relining materials.

Attachments: Exhibit A, Dirt Dynamics' invoices, CC Steel time and materials, Manhole Rehab Proposal, and Relining Proposal

Change in Contract Price	Change in Contract Times
Original Contract Price: \$ 3,682,558.50	Original Contract Times: Milestone 1: November 1, 2024 Substantial Completion: June 27, 2025 Ready for Final Payment: August 29, 2025
Increase from previously approved Change Orders No. 0 to No. 1 \$ 43,500.00	[Increase][Decrease] from previously approved Change Orders No. 0 to No. 1 Milestone 1: _____ Substantial Completion: _____ Ready for Final Payment: _____
Contract Price prior to this Change Order: \$ 3,726,058.50	Contract Times prior to this Change Order: Milestone 1: November 1, 2024 Substantial Completion: June 27, 2025 Ready for Final Payment: August 29, 2025
Increase this Change Order: \$ 291,603.86	Increase this Change Order: Milestone 1: 30 Substantial Completion: _____ Ready for Final Payment: _____
Contract Price incorporating this Change Order: \$ 4,017,662.36	Contract Times with all approved Change Orders: Milestone 1: December 1, 2024 Substantial Completion: June 27, 2025 Ready for Final Payment: August 29, 2025

Recommended by Engineer (If required)

By: Brandon Smith 

Title: Project Engineer

Date: 9/26/2024

Authorized by Owner

By: _____

Title: _____

Date: _____

Accepted by Contractor

By: 

Title: Ella G. Trio, Chief Manager | CC Steel

Date: 9/26/2024

EXHIBIT A

CHANGE ORDER NO.: 2

<u>Item No. & Description</u>	<u>Unit</u>	<u>Quantity</u>	<u>Bid Unit Price</u>	<u>Decrease in Contract Price</u>	<u>Increase in Contract Price</u>
BASE BID					
26. 333111.00 Spot Repair - Additional Scope - W1001	LSUM	1.00	\$ 10,500.00		\$ 10,500.00
27. 333111.00 Spot Repair - Additional Scope - W1004	LSUM	1.00	\$ 16,012.50		\$ 16,012.50
28. 333111.00 Spot Repair - Additional Scope - W1020	LSUM	1.00	\$ 16,800.00		\$ 16,800.00
29. 333111.00 Spot Repair - Additional Scope - W1005	LSUM	1.00	\$ 13,650.00		\$ 13,650.00
30. 333111.00 Spot Repair - Additional Scope - W1019	LSUM	1.00	\$ 12,600.00		\$ 12,600.00
31. 333111.00 Spot Repair - Additional Scope - W1021	LSUM	1.00	\$ 14,437.50		\$ 14,437.50
32. 333111.00 Spot Repair - Additional Scope - W1025	LSUM	1.00	\$ 19,162.50		\$ 19,162.50
33. 333111.00 Spot Repair - Additional Scope - W1022	LSUM	1.00	\$ 13,650.00		\$ 13,650.00
34. 333111.00 Spot Repair - Additional Scope - W1018	LSUM	1.00	\$ 13,650.00		\$ 13,650.00
35. 333111.00 Spot Repair - Additional Scope - W1008	LSUM	1.00	\$ 14,437.50		\$ 14,437.50
36. 333111.00 Spot Repair - Additional Scope - W1017	LSUM	1.00	\$ 26,953.33		\$ 26,953.33
37. 333111.00 Spot Repair - Additional Scope - W1038	LSUM	1.00	\$ 12,872.70		\$ 12,872.70
38. 333111.00 Spot Repair - Additional Scope - W1027	LSUM	1.00	\$ 14,777.83		\$ 14,777.83
39. 330130.81 Rehabilitate - S74 Obstruction Removal	LSUM	1.00	\$ 920.00		\$ 920.00
40. 330130.81 Rehabilitate - S94 Obstruction Removal	LSUM	1.00	\$ 690.00		\$ 690.00
41. 330130.81 Rehabilitate - S99-98 Obstruction Removal	LSUM	1.00	\$ 920.00		\$ 920.00
2. 330130.72 Sanitary Sewer Reline - 8"	LF	(479.00)	\$ 38.90	\$ (18,633.10)	
42. 330130.72 Sanitary Sewer Reline - 10"	LF	479.00	\$ 45.90		\$ 21,986.10
43. 330130.72 Sanitary Sewer Preline - 8"	LF	478.00	\$ 5.50		\$ 2,629.00
44. 333111.00 Spot Repair - Additional Scope - W1035	LSUM	1.00	\$ 27,030.00		\$ 27,030.00
45. 333111.00 Spot Repair - Additional Scope - W1036	LSUM	1.00	\$ 25,953.00		\$ 25,953.00
46. 333111.00 Spot Repair - Additional Scope - W1037	LSUM	1.00	\$ 30,605.00		\$ 30,605.00

Bold font indicates new items

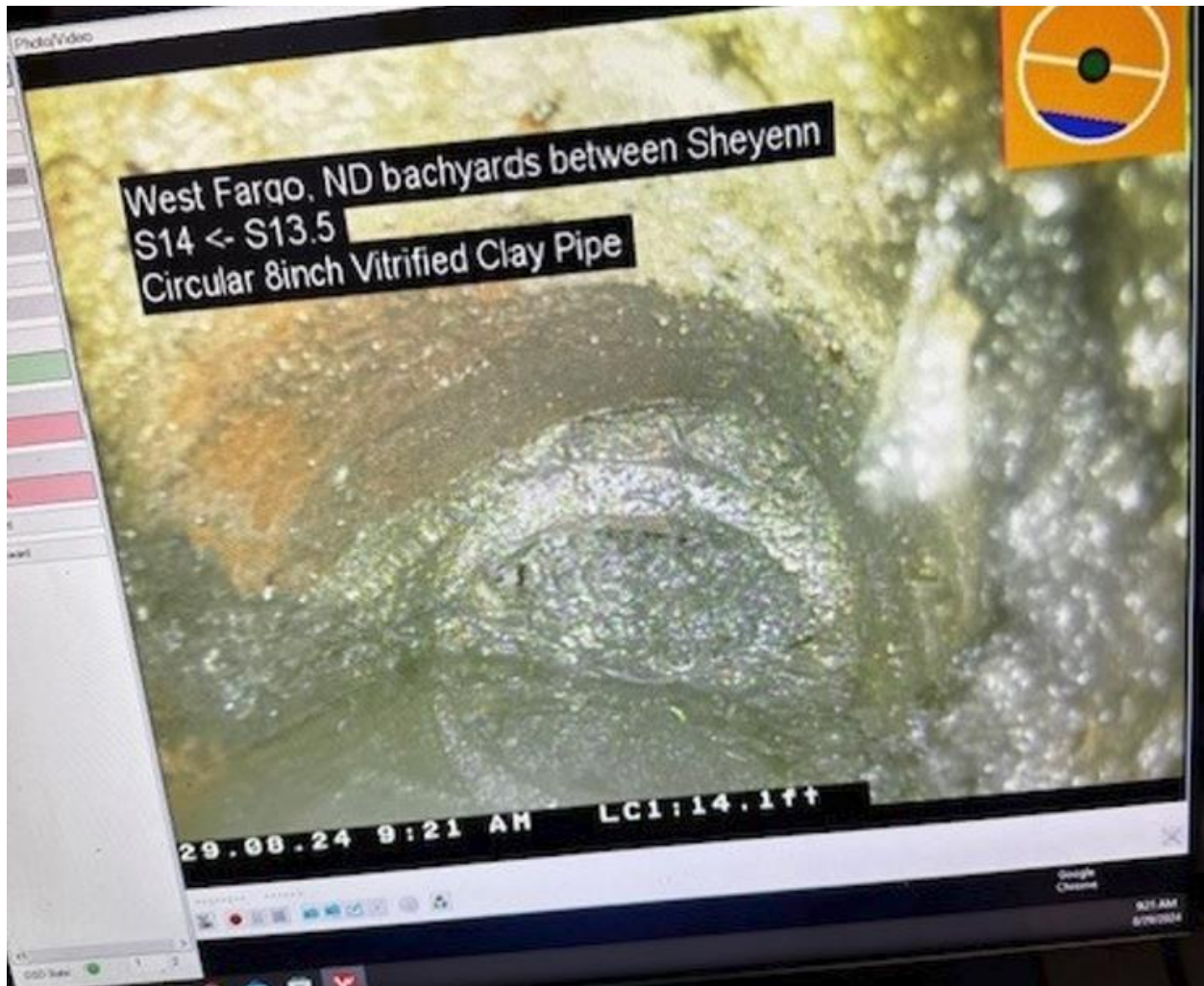
TOTALS \$ (18,633.10) \$ 310,236.96

NET CHANGE IN CONTRACT PRICE \$291,603.86

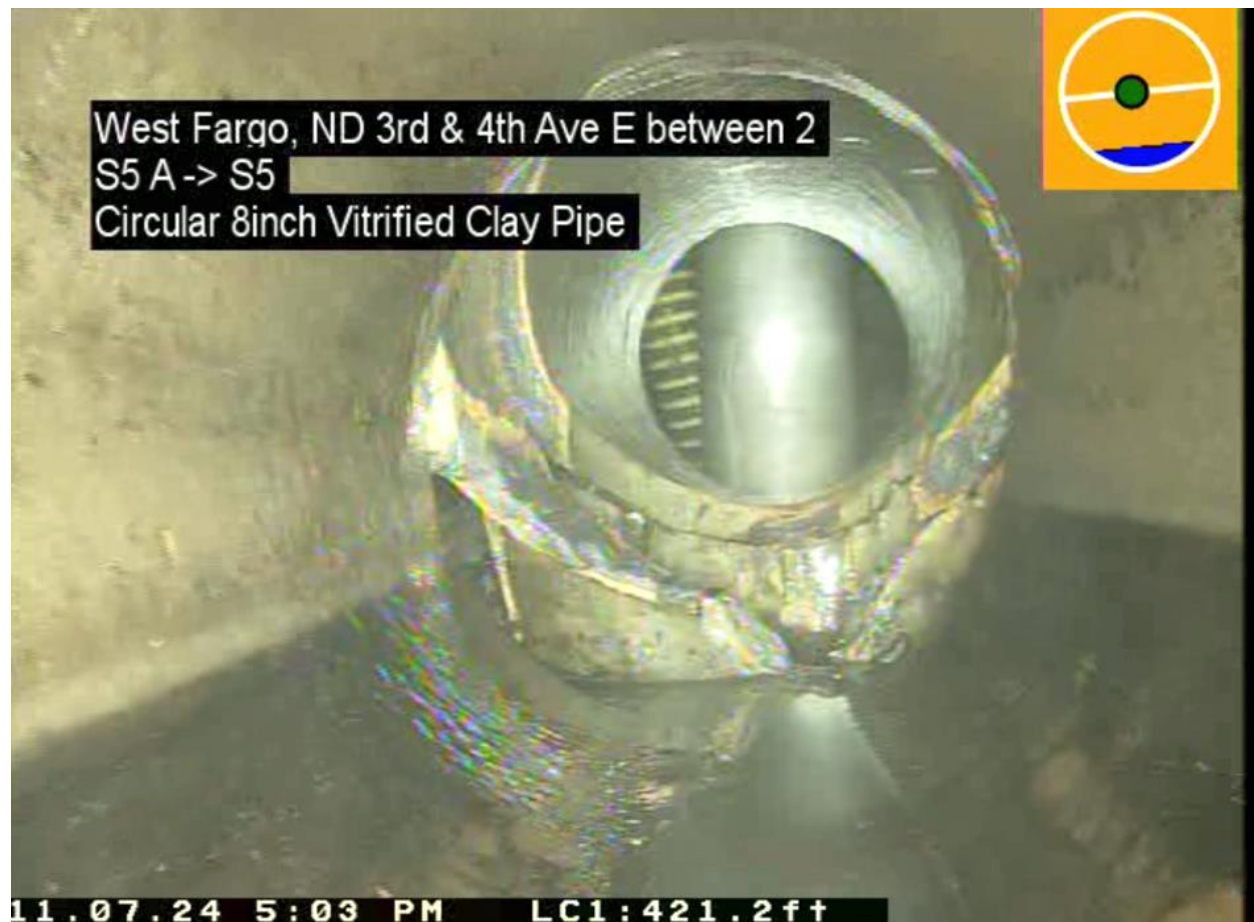
JUSTIFICATION:

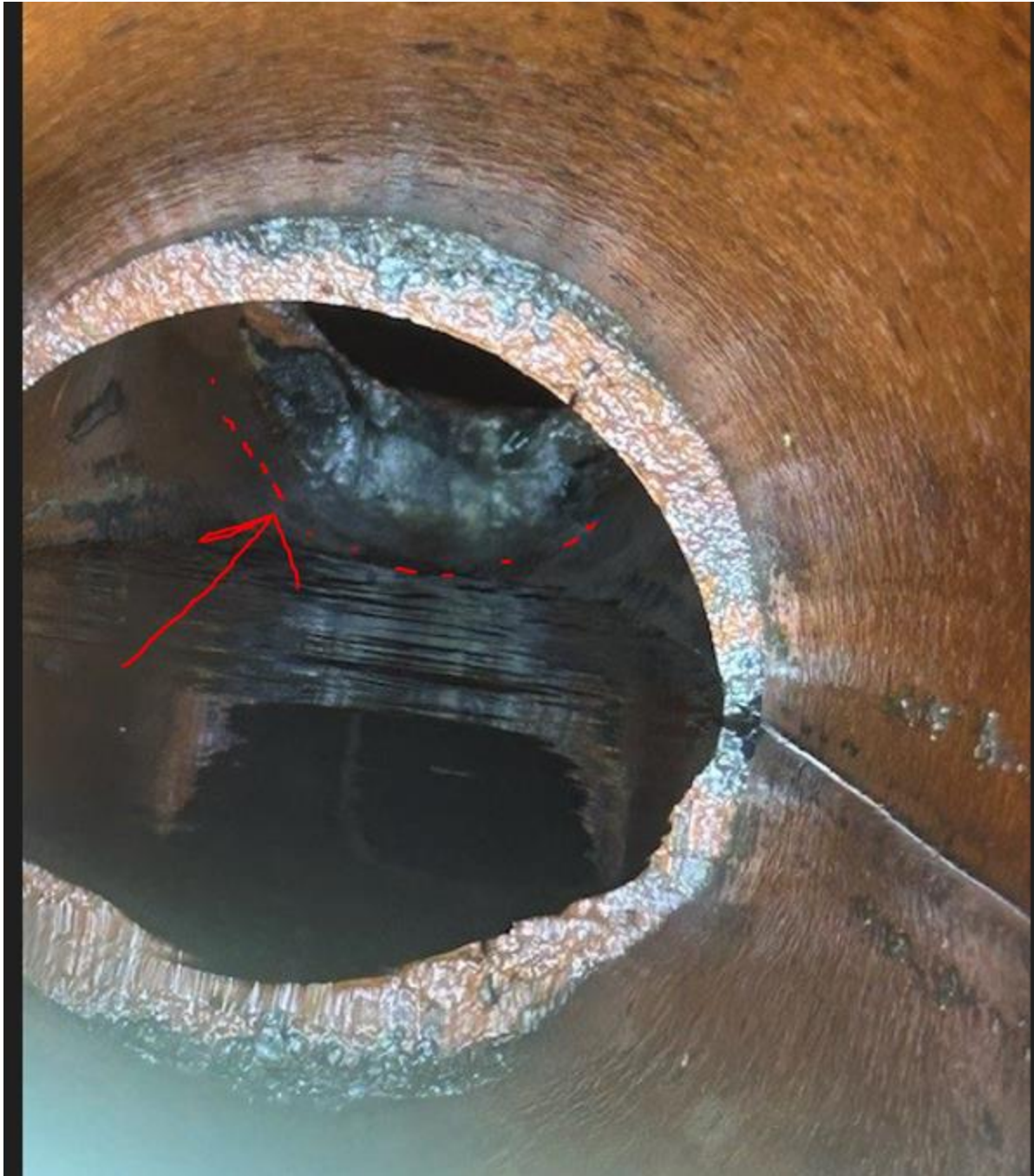
26. The list of "Spot Repair - Additional Scope - W< >" items are for unknown spot repair locations that were identified after all sewers were
- 38. televised during construction.
39. The scope and time and material breakdowns for the "Rehabilitate - S < > Obstruction Removal" items are included in the attached
- 41. "Manhole Rehab Proposal" email list from 9/17/2024, Line 2. Breakdown per Incident "Obstruction Removal". The additional scope of this effort is for additional removals of concrete and preexisting invert repairs that included pipes there were either shoved or grouted into manhole and/or pipe inverts.
42. "Sanitary Sewer Reline - 10"" is for a 10" pipe that was incorrectly indicated as an 8" pipe on the Drawings. Information from the Contractor is included in the attached "Relining Proposal".
43. "Sanitary Sewer Preline - 8" is to "preline" the sewer main between S74 and S73 prior to relining. This segment of existing VCP is in the worst condition of all sewer mains on the project with the most severe cracking, offset joints, and broken pipe. The preliner is recommended by the Contractor to provide more support and a more effective passageway for the final CIPP. Information from the Contractor is included in the attached "Relining Proposal".
44. Items 43 through 46 are additional excavation items required to perform sanitary sewer spot repairs within back yards that have significant
- 46. access restrictions and no easements. These are similar to previous "W < >" items, but additional costs are required to coordinate with the property owners, use smaller equipment, restore lawns, restore landscaping, restore fencing, and work next to structures.

Examples of VCP Issues that Require Spot Repairs











Project No. 1348; Sanitary Sewer Rehabilitation
Core Area – Alleys and Rear Yards
West Fargo ND
Project No. 22269A
ENGINEER'S STATEMENT OF ESTIMATED COST

BID ITEM NO. & DESCRIPTION			UNIT	ESTIMATED QUANTITY	BID UNIT PRICE	BID PRICE
BASE BID						
<u>Sanitary Sewer Items</u>						
1.	15000	Temporary Bypass	LSUM	1	\$41,500.00	\$41,500.00
2.	330130.72	Sanitary Sewer Reline - 8"	LF	23,425	\$38.90	\$911,232.50
3.	330130.81	Sanitary Sewer Manhole - Rehabilitate	VF	792	\$425.00	\$336,600.00
4.	330130.81	Manhole Scanning	EA	85	\$250.00	\$21,250.00
5.	330130.81	Sanitary Sewer Manhole Invert - Rehabilitate	EA	20	\$780.00	\$15,600.00
6.	330130.72	Sanitary Sewer Service - T-Liner	EA	526	\$2,850.00	\$1,499,100.00
7.	330130.86	Replace Manhole Casting	EA	8	\$1,500.00	\$12,000.00
8.	333111.00	Sanitary Sewer - 8" Spot Repair	LF	115	\$475.00	\$54,625.00
9.	333111.00	Sanitary Sewer Service Connection	EA	2	\$1,500.00	\$3,000.00
10.	330130.72	Cleaning	LF	23,425	\$4.00	\$93,700.00
<u>Roadway Items</u>						
11.	024200	Removal of Aggregate	SY	237	\$20.00	\$4,740.00
12.	024200	Removal of Pavement	SY	68	\$20.00	\$1,360.00
13.	024200	Removal of Curb Gutter	LF	22	\$20.00	\$440.00
14.	312316.00	Subgrade Preparation	SY	237	\$35.00	\$8,295.00
15.	321123.00	Geotextile Fabric - Type R1	SY	237	\$3.00	\$711.00
16.	321123.00	Aggregate Base Course - Class 5	CY	40	\$23.00	\$920.00
17.	321623.00	Driveway - 7" Concrete	SY	43	\$220.00	\$9,460.00
18.	321313.00	Curb & Gutter	LF	22	\$100.00	\$2,200.00
19.	321216.00	Superpave FAA42	TON	17	\$425.00	\$7,225.00
<u>General Items</u>						
20.	012000	Mobilization	LSUM	1	\$633,000.00	\$633,000.00
21.	015000	Traffic Control	LSUM	1	\$25,600.00	\$25,600.00
Construction Subtotal						\$3,682,558.50
Contingencies (~10%)						\$367,355.85
Total Construction						\$4,050,000.00
Study & Report						\$40,000.00
Additional Design Services						\$45,000.00
Additional Construction Services						\$180,000.00
Engineering						\$345,000.00
TOTAL COST						\$4,660,000.00

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION SETTING RATES AND CHARGES
FOR WATER , SEWER AND SANITATION SERVICES

WHEREAS, the City of West Fargo, pursuant to Section 9-0230 of the Revised Ordinances of 1990 of the City of West Fargo, has established that the minimum service charge for water service shall be in such amounts as set by resolution of the City Commission, including surcharges for vector control and forestry; and

WHEREAS, the City of West Fargo, pursuant to Section 9-0305 of the Revised Ordinances of 1990 of the City of West Fargo, has established that the minimum service charge for sewer service and the flow rate shall be in such amounts as set by resolution of the City Commission; and

WHEREAS, the City of West Fargo, pursuant to Section 15-0207 of the Revised Ordinances of 1990 of the City of West Fargo, has established that the fees for garbage collection shall be in an amount as set by resolution of the City Commission; and

WHEREAS, the City desires to set the fees pursuant to Titles IX and XV.

NOW THEREFORE, be it resolved as follows:

That the rates for water, sewer, and sanitation shall be as set forth in Exhibit A, attached hereto and incorporated herein; and shall only be amended by resolution of the City Commission.

That said rates shall be effective as of January 1, 2025.

Dated: October 7, 2024.

APPROVED:

President of Board of City Commissioners

ATTEST:

City Auditor

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

voted nay: _____. The following commissioners were absent and not voting: _____.

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

West Fargo Water Rates

2025			*		
Monthly fee 3/4*		\$	7.61	5/8	\$ 7.61
Res Tier 1		\$	7.77	3/4	\$ 7.61
Res Tier 2		\$	9.61	1	\$ 12.60
Commercial		\$	7.77	1.5	\$ 25.20
Multi- Family/Other		\$	7.77	2	\$ 40.43
				3	\$ 75.86
				4	\$ 126.00
				6	\$ 252.00

* Monthly Fees vary due to meter size

West Fargo Sewer Rates

2025			
Base Rate		\$	12.83
Flow rate*		\$	5.70

* Residential capped at 8,000 gallons/month, May 15 to September 15

West Fargo Sanitation Rates

2025			**			
Residential rate 64 gal		\$	23.55	<u>Dumpster</u>	<u>Monthly</u>	<u>Monthly</u>
Residential rate 96 gal		\$	27.00	<u>Size</u>	<u>Rental</u>	<u>Service</u>
Second 64 gal can/mo.		\$	6.90	1 yard	Fee	Fee
Second 96 gal can/mo		\$	10.35	1.5 yards	\$7.47	\$53.30
Multifamily flat rate		\$	18.84	2 yards	\$7.47	\$63.96
Mixed Use per unit		\$	8.07	3 yards	\$8.53	\$69.30
				4 yards	\$9.60	\$82.40
Commercial rate increase*			3%	5 yards	\$11.73	\$95.94
Roll off Rate	Pull		\$169.75	6 yards	\$13.86	\$111.94
				8 yards	\$14.92	\$127.93
					\$18.13	\$159.91

*These are only the changes to rates, Specialty items and other charges remain the same.

** See attached for full listing of Commercial Dumpster rates

West Fargo Forestry and Vector Rates

2025			
Forestry		\$	3.00
Vector		\$	1.00

2025 WEST FARGO DUMPSTER RATES

Updated 09/26/2024

<i>Size</i>		<i>1X/week</i>	<i>2X/week</i>	<i>3X/week</i>	<i>4X/week</i>	<i>5X/week</i>	<i>6X/week</i>	<i>7X/week</i>
	Rent/Mo							
1 yard	\$7.46	\$60.76	\$114.07	\$167.37	\$220.67	\$273.97	\$327.28	\$380.58
	privately owned	\$53.30	\$106.61	\$159.91	\$213.21	\$266.51	\$319.82	\$373.12
1.5 Yard	\$7.46	\$71.43	\$135.39	\$199.35	\$263.31	\$327.28	\$391.24	\$455.20
	privately owned	\$63.96	\$127.93	\$191.89	\$255.85	\$319.82	\$383.78	\$447.74
2 Yard	\$8.53	\$77.82	\$147.11	\$216.41	\$285.70	\$354.99	\$424.29	\$493.58
	privately owned	\$69.29	\$138.59	\$207.88	\$277.17	\$346.47	\$415.76	\$485.05
3 Yard	\$9.59	\$94.88	\$180.16	\$265.45	\$350.73	\$436.01	\$521.30	\$606.58
	privately owned	\$85.28	\$170.57	\$255.85	\$341.14	\$426.42	\$511.70	\$596.99
4 yard	\$11.73	\$107.67	\$203.62	\$299.56	\$395.50	\$491.45	\$587.39	\$683.34
	privately owned	\$95.94	\$191.89	\$287.83	\$383.78	\$479.72	\$575.67	\$671.61
5 Yard	\$13.86	\$125.79	\$237.73	\$349.66	\$461.60	\$573.53	\$685.47	\$797.41
	privately owned	\$111.94	\$223.87	\$335.81	\$447.74	\$559.68	\$671.61	\$783.55
6 Yard	\$14.92	\$142.85	\$270.78	\$398.70	\$526.63	\$654.55	\$782.48	\$910.41
	privately owned	\$127.93	\$255.85	\$383.78	\$511.70	\$639.63	\$767.56	\$895.48
8 Yard	\$18.12	\$178.03	\$337.94	\$497.85	\$657.75	\$817.66	\$977.57	\$1137.48
	privately owned	\$159.91	\$319.82	\$479.72	\$639.63	\$799.54	\$959.45	\$1119.35

**RESOLUTION AUTHORIZING THE ISSUANCE OF
IMPROVEMENT WARRANTS AND EXCHANGING THEM FOR
\$15,980,000 REFUNDING IMPROVEMENT BONDS, SERIES 2024**

CITY OF WEST FARGO

Adopted: October 7, 2024

This instrument was drafted by:

Ohnstad Twichell, P.C.
P.O. Box 458
West Fargo, ND 58078-0458

Commissioner _____ introduced the following resolution and moved its adoption:

RESOLUTION AUTHORIZING THE ISSUANCE OF IMPROVEMENT WARRANTS
AND EXCHANGING THEM FOR \$15,980,000
REFUNDING IMPROVEMENT BONDS, SERIES 2024

WHEREAS, the City of West Fargo, North Dakota (the "Issuer") has previously created one or more improvement districts as set out in this resolution for the purpose of constructing municipal improvements (the "Improvements"); and

WHEREAS, to finance such Improvements, the Issuer will issue one or more improvement warrants and has levied or will levy assessments on the property in the improvement district(s) benefitted thereby to pay for the warrants; and

WHEREAS, pursuant to Chapter 40-27 of the North Dakota Century Code, the Issuer will immediately exchange the warrant(s) for its \$15,980,000 Refunding Improvement Bonds, Series 2024 (the "Bonds").

NOW, THEREFORE, BE IT RESOLVED by the governing body of the Issuer as follows:

Section 1. Authorization and Sale.

1.01. The Issuer has duly created Sewer, Water, Storm, and Street Improvement District No. 1337; Improvement District No. 1339 – New Water Supply, Sewerage, Street Systems, and Incidentals; Improvement District No. 2270 – New Traffic Control System, Street Reconstruction and Incidentals; Improvement District No. 2271 – New Concrete Paving, Streetlighting, Storm Sewer, and Incidentals (the "Districts"), and has duly ordered, received, and approved engineer's reports and the estimates of the costs of the Issuer's portion of the acquisition, construction, improvement, and development of the Improvements which will be of special benefit to the properties in the Districts. It is determined that the total benefits which will result from the improvement to properties within the Districts will not be less than the cost thereof to the Issuer. In anticipation of the collection of special assessments levied for the Improvements, the Issuer is authorized to issue the Bonds. All acts, conditions, and things required by the Constitution and laws of the State of North Dakota to be done, to exist, to happen, and to be performed preliminary to the issuance and sale of the Bonds authorized herein have been done, do exist, have happened, and have been performed as so required.

1.02. The actions heretofore taken by the City Auditor and others relating to the sale of the improvement warrant(s) and Refunding Improvement Bonds sold on this date, are approved, ratified and confirmed; that, having considered all bids received for the purchase of the improvement warrant(s), it is hereby found and determined that the most favorable of such bids is that of Robert W. Baird & Co., to purchase the warrants at a price of \$16,220,179.65 plus accrued interest, on the condition that the warrant(s) shall be exchanged on a par for par basis for the Bonds described in this resolution, which terms are equivalent to an average annual true interest cost on the Bonds of 3.9167917% per annum; that the President of the Board of City Commissioners and City Auditor are authorized and directed to make and execute all documents necessary on the part of the Issuer for the sale of the warrant(s) and Bonds in accordance with this resolution.

Section 2. Special Assessments.

2.01. The Issuer covenants and agrees with all holders of each warrant and Bonds that it will do and perform as soon as may be possible, in accordance with law, all acts and things necessary for the final and valid levy of special assessments against properties within each district benefitted by the improvements as set out in Section 3, in an aggregate amount equal to the total cost of the improvement to the Issuer, except any portion, not exceeding one-fifth of the cost of the improvement and not exceeding any applicable constitutional or statutory debt limit, as the Issuer may determine to pay by the levy of ad valorem taxes upon all taxable property within its corporate limits. In the event that the assessment should at any time be held invalid with respect to any lot or tract of land, due to any error, defect or irregularity in any action or proceeding taken or to be taken by the Issuer or by the governing body or by any officers or employees, either in the making of the assessment or in the performance of any condition precedent thereto, the Issuer covenants and agrees that it will forthwith do all such further acts and take all such further proceedings as may be required by law to make such assessment a valid and binding lien upon such lot or tract. The installments of special assessments from time to time remaining unpaid shall bear interest at the rate of 5.40% per annum and the special assessments shall be levied in equal annual installments of principal as set out in Section 3.

Section 3. The Warrants.

3.01. Each warrant shall bear interest from the date of issue until paid at the rate of 3.9167917% per annum, payable semi-annually on each May 1 and November 1, commencing May 1, 2025. Each warrant shall be exchanged for the Bonds at closing. The principal of and interest on each warrant shall be payable at the office of the City Auditor. Each warrant shall be in the principal amounts set forth below, and shall be payable on May 1 in the respective years and amounts as follows:

<u>District Designation</u>	<u>Principal Amount</u>	<u>Years Levied</u>	<u>Amounts and Years of Principal Payment</u>
Sewer, Water, Storm and Street Improvement District No. 1337	\$11,345,000	2025-2049	\$ 453,800.00 in each of the years 2026-2050
Improvement District No. 1339 – New Water Supply, Sewerage, Street Systems, and Incidentals	\$ 1,260,000	2025-2049	\$ 50,400.00 in each of the years 2026-2050
Improvement District No. 2270 – New Traffic Control System, Street Reconstruction, and Incidentals	\$ 670,000	2025-2049	\$ 26,800.00 in each of the years 2026-2050

Improvement District No. 2271 – New Concrete Paving, Street Lighting, Storm Sewer, and Incidentals	\$ 2,705,000	2025-2049	\$ 108,200.00 in each of the years 2025-2050
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3.02. Each improvement warrant shall be typewritten and photocopied in substantially the form attached hereto as Attachment 3.

Section 4. Terms of Bonds.

4.01. The Bonds shall initially be dated October 21, 2024. Bonds issued upon exchange or transfer after May 1, 2025, shall be dated as of the interest payment date next preceding their issuance, or if the date of such issuance shall be on an interest payment date as of the date of such issue; provided, however, that if interest on the Bonds shall be in default, the Bonds shall be dated as of the date to which interest has been paid in full on the Bonds being transferred. The Bonds shall be issued in fully registered form in denominations of \$5,000 or any multiple thereof, of single maturities. The Bonds shall be numbered in consecutive numerical order from R-1 upwards as issued and shall mature on May 1 in the years and in the amounts and shall bear interest at the rates set forth in the Schedule of Maturities and Interest Rates attached hereto as Attachment 1.

4.02. Interest on the Bonds and, upon presentation and surrender thereof, the principal thereof shall be payable in lawful money of the United States of America by check or draft by the Starion Bond Services as Paying Agent, or its successor. Interest shall be payable on May 1 and November 1 in each year, commencing May 1, 2025, to the holder of record on the close of the 15th day (whether or not a business day) of the immediately preceding month. Interest on the Bonds shall cease at maturity or on a date prior thereto on which they have been duly called for redemption unless the holder thereof shall present the same for payment and payment is refused.

Section 5. Redemption.

5.01. The Bonds maturing on May 1, 2035, are subject to optional redemption by the Issuer on May 1, 2034, and on any date thereafter, and may be redeemed prior to their respective maturity dates, at the option of the Issuer, at a price equal to the principal amount plus accrued interest. Redemption may be in whole or in part, and if in part, at the option of the Issuer and in such manner as the Issuer shall determine and within a maturity by lot as selected by the registrar. Not less than thirty (30) days prior to the date specified for redemption and prepayment of any of the Bonds, the Issuer will cause notice of the call thereof to be sent by mail to the Bond Registrar, Paying Agent and registered owner of the Bond to be redeemed in whole or in part at the address shown on the registration books of the Registrar.

Section 6. Execution.

6.01. The Bonds shall be prepared under the supervision and at the direction of the City Auditor, executed by the manual signature of the President of the Board of City Commissioners, and attested to by the manual signature of the City Auditor and delivered to the holder at closing upon receipt of the purchase price plus any accrued interest. The Bonds shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under this Resolution until the

Certificate of Authentication thereon shall have been executed by the Bond Registrar by manual signature of one of its authorized representatives.

6.02. The Bonds shall be reproduced in substantially the form attached to this Resolution as Attachment 2.

Section 7. Construction Fund.

7.01. The Issuer shall establish a Construction Fund which shall be established and maintained as a separate fund and used only to pay or reimburse costs and expenses which under accepted accounting practices constitute capital costs necessarily incurred to construct the Improvements, including but not limited to land, easements, buildings, structures, machinery and equipment and the cost of all architectural, engineering, legal and other professional services, printing and publication and other costs reasonable, necessary and incidental thereto. To this fund shall be credited all proceeds of the Bonds, except accrued interest which will be deposited into the Bond Fund. Only costs and expenses of the Improvements shall be paid from time to time as incurred from the Construction Fund, and the monies in the Construction fund should be used for no other purposes. If upon the completion of the Improvements there shall remain any unexpended balance in the Construction Fund, such balance shall be transferred to the Bond Fund.

Section 8. Bond Fund.

8.01. There shall be and is hereby established a special fund to be maintained by the City Auditor separate and apart from all other funds of the Issuer, to be designated as the Refunding Improvement Bonds, Series 2024 Bond Fund (the "Bond Fund"). To the Bond Fund shall be credited each improvement warrant issued by this resolution when received by the City Auditor, which warrant(s) shall thereupon become and shall thereafter be held as an asset of the Bond Fund, and the proceeds of all assessments for each improvement warrant so acquired shall be held by the Issuer in trust for the use and benefit of the holders from time to time of the Bonds herein authorized.

The assessments levied for each warrant shall be continued and payments shall be made therefrom on each improvement warrant drawn thereon in the same manner as though each improvement warrant had not been exchanged. All payments of principal and interest made on each improvement warrant shall be credited to the Bond Fund and shall be used and applied in payment of the principal of and interest on the Bonds as such principal and interest become due.

8.02. In the event the moneys in the Bond Fund should at any time be insufficient to meet all payments of principal and interest then due on the Bonds, said moneys shall be first used to pay the interest accrued on all outstanding Bonds issued pursuant to this resolution, and the balance shall be applied in payment of the principal of said Bonds in order of their maturity dates, earliest Bonds first, Bonds bearing the same maturity dates being paid pro rata. The Issuer reserves the right and privilege of refunding any of such matured Bonds for the payment of which moneys are not at the time available by issuing new refunding improvement bonds payable from said fund, which refunding improvement bonds shall be on a parity with those theretofore issued as to interest charges thereon, but the maturity thereof shall be subsequent to the maturity of all Bonds payable from said fund and then outstanding, provided that no holder of Bonds herein authorized to be issued shall be obligated to accept any such refunding improvement bond in exchange for any of such matured Bond.

Section 9. Covenants of Issuer.

9.01. The Issuer will use due diligence to collect said improvement warrants and to levy and collect the special assessments appropriated for their payment.

9.02. The Issuer will preserve and enforce for the benefit of the holders from time to time of the Bonds all of the rights, powers and privileges reserved to the holders of each improvement warrant.

9.03. At the time and in the manner prescribed by Section 40-26-08, North Dakota Century Code, as amended, this governing body will levy general taxes on all taxable property in the corporate limits of the Issuer and/or appropriate sums from all other legally available funds for the payment of any deficiency in any of said improvement district funds and will cause the proceeds thereof to be applied in payment of the principal of and interest on the then unpaid improvement warrants drawn on said funds; provided that the Issuer reserves the right to levy taxes in the manner and to the extent permitted by law and/or to appropriate sums from any other legally available funds for payment and discharge of any deficiency in said improvement district funds prior to the date upon which it may become obligatory to levy such deficiency taxes, and the amounts thereof shall be credited against the levies which the Issuer might otherwise have been obligated to make.

Section 10. Negative Covenants.

10.01. The Issuer shall not (i) consent or agree to or permit any rescission of or amendment to the Warrants set forth in Section 3 which would reduce the amount of the Warrant or which would in any manner materially impair or materially adversely affect the rights of, or the validity, perfection or priority of the security interest of the Bondholders in and to, the Warrants, and (ii) amend, modify or supplement, nor agree to any amendment or modification of, or supplement to, any of the Related Documents or consent to, or permit or suffer to occur any action, course of dealing or omission which results in, or is equivalent to, an amendment, supplementation, termination or modification of any of the Related Documents, without the prior written consent of the Bondholders and any such amendment, supplementation, termination or modification made or entered into in violation of this subsection shall be deemed a nullity and of no force and effect.

10.02. The Issuer shall not directly or indirectly liquidate, wind up, terminate, reorganize, dissolve, merge or consolidate (or suffer any liquidation, winding up, termination, reorganization or dissolution), except as consented to in writing by the Bondholder in its sole discretion.

10.03. The Issuer will not adopt, permit or consent to any change in accounting practices other than as required by GAAP and will not adopt, permit or consent to any change in its Fiscal Year or take (or permit to be taken) any action that results in (a) a change to its entity classification for Federal or State income tax purposes, or (b) a change to the method of accounting applicable to the Warrants, or the times of commencement or termination of Fiscal Years or other accounting periods relating to Warrants without first disclosing in writing such change to the Bondholders.

10.04. To the extent that ERISA may become applicable to the Issuer, the Issuer will not violate ERISA in any way that could reasonably be expected to have a Material Adverse Effect.

10.05. The Issuer shall not take any action or omit to take any action that, if taken or omitted, would adversely affect the excludability of interest on the Bond from the gross income of the holders thereof for purposes of Federal income taxation under the Code and State income taxation.

Section 11. Arbitrage.

11.01. The Issuer covenants and agrees with the holders from time to time of the Bonds that it will not take or permit to be taken by any of its officers, employees or agents, any action which would cause the interest on the Bonds to become subject to taxation under the Internal Revenue Code of 1986 (the "Code"), and Regulations, Amended Regulations and Proposed Regulations issued thereunder, as now existing or as hereinafter amended or proposed and in effect at the time of such action.

Section 12. Parity Warrants and Bonds.

12.01. The Issuer hereby reserves the right to issue additional improvement warrants and refunding improvement bonds, payable on a parity with the Bonds issued hereunder and the warrants to be exchanged for the Bonds issued hereunder, to the extent required to complete the Improvements, provided that the total amount of special assessments and taxes appropriated for payment of the cost of the Improvements shall not be less than the total amount of warrants issued with respect thereto.

Section 13. Discharge.

13.01. When all of the Bonds have been discharged as provided in this paragraph, all pledges, covenants and other rights granted by this resolution shall cease. The Issuer may discharge its obligations with respect to any Bonds which are due on any date by depositing with the paying agent on or before that date a sum sufficient for the payment thereof in full; or if any Bond shall not be paid when due, the same may nevertheless be discharged by depositing with the paying agent a sum sufficient for the payment thereof in full with interest accrued from the due date to the date of such deposit. The Issuer may also discharge its obligations with respect to any prepayable Bonds according to their terms, by depositing with the paying agent on or before that date an amount equal to the principal, interest and redemption premium, if any, which are then due, provided that notice of such redemption has been duly given as provided herein. The Issuer may also at any time discharge its obligations with respect to any Bonds, subject to the provisions of law now or hereafter authorizing and regulating such action, by depositing irrevocably in escrow, with a bank qualified by law as an escrow agent for this purpose, cash or securities which are general obligations of the United States or securities of United States agencies which are authorized by law to be so deposited, bearing interest payable at such times and at such rates and maturing on such dates as shall be required to pay all principal, interest and redemption premium to become due thereon to maturity or said redemption date.

Section 14. Designation of Bond Registrar and Paying Agent.

14.01. The Issuer hereby designates Starion Bond Services as Paying Agent and Bond Registrar for the Bonds.

Section 15. Certificate of Proceedings.

15.01. The officers of the Issuer are hereby authorized and directed to prepare and furnish to said purchaser, and to the attorneys approving the legality of said Bonds, certified copies of such proceedings, ordinances, resolutions and records and all such certificates and affidavits and other instruments as may be required to evidence the legality and marketability of said Bonds, and all certified copies, certificates, affidavits and other instruments so furnished, including any heretofore furnished, shall constitute representations of the Issuer as to the correctness of all facts stated or recited therein.

Section 16. Book Entry System.

16.01. The Bonds shall be initially issued and, so long as they remain in book entry form only (the "Book Entry Only Period"), shall at all times be in the form of a separate single fully registered Bond for each maturity of the Bonds. The Depository Trust Company, a limited purpose trust company organized under the laws of the State of New York or any of its successors or successors to its functions hereunder (the "Depository") will act as securities depository for the Bonds.

16.02. Upon initial issuance, ownership of the Bonds shall be registered in a bond register maintained by the Bond Registrar in the name of CEDE & CO., as the nominee (it or any nominee of the existing or a successor Depository, the "Nominee").

16.03. With respect to the Bonds, neither the Issuer nor the Bond Registrar shall have any responsibility or obligation to any broker, dealer, bank, or any other financial institution for which the Depository holds Bonds as securities depository (the "Participant") or the person for which a Participant holds an interest in the Bonds shown on the books and records of the Participant (the "Beneficial Owner"). Without limiting the immediately preceding sentence, neither the Issuer, nor the Bond Registrar, shall have any such responsibility or obligation with respect to (A) the accuracy of the records of the Depository, the Nominee or any Participant with respect to any ownership interest in the Bonds, or (B) the delivery to any Participant, any Owner or any other person, other than the Depository, of any notice with respect to the Bonds, including any notice of redemption, or (C) the payment to any Participant, any Beneficial Owner or any other person, other than the Depository, of any amount with respect to the principal of or premium, if any, or interest on the Bonds, or (D) the consent given or other action taken by the Depository as the Registered Holder of any Bonds (the "Holder"). For purposes of securing the vote or consent of any Holder under this Resolution, the Issuer may, however, rely upon an omnibus proxy under which the Depository assigns its consenting or voting rights to certain Participants to whose accounts the Bonds are credited on the record date identified in a listing attached to the omnibus proxy.

16.04. The Issuer and the Bond Registrar may treat as and deem the Depository to be the absolute owner of the Bonds for the purpose of payment of the principal of and premium, if any, and

interest on the Bonds, for the purpose of giving notices of redemption and other matters with respect to the Bonds, for the purpose of obtaining any consent or other action to be taken by Holders for the purpose of registering transfers with respect to such Bonds, and for all purpose whatsoever. The Bond Registrar, as paying agent hereunder, shall pay all principal of and premium, if any, and interest on the Bonds only to or upon the Holder or the Holders of the Bonds as shown on the bond register, and all such payments shall be valid and effective to fully satisfy and discharge the Issuer's obligations with respect to the principal of and premium, if any, and interest on the Bonds to the extent of the sum or sums so paid.

16.05. Upon delivery by the Depository to the Bond Registrar of written notice to the effect that the Depository has determined to substitute a new Nominee in place of the existing Nominee, and subject to the transfer provisions in Section 19 (with respect to registration, transfer, exchange) hereof, references to the Nominee hereunder shall refer to such new Nominee.

16.06. So long as any Bond is registered in the name of a Nominee, all payments with respect to the principal of and premium, if any, and interest on such Bond and all notices with respect to such Bond shall be made and given, respectively, by the Bond Registrar or Issuer, as the case may be, to the Depository as provided in the Letter of Representations, to the Depository required by the Depository as a condition to its acting as book-entry Depository for the Bonds (said Letter of Representations, together with any replacement thereof or amendment or substitute thereto, including any standard procedures or policies referenced therein or applicable thereto respecting the procedures and other matters relating to the Depository's role as book-entry Depository for the Bonds, collectively hereinafter referred to as the "Letter of Representations").

16.07. All transfers of beneficial ownership interests in each Bond issued in book-entry form shall be limited in principal amount to Authorized Denominations and shall be effected by procedures by the Depository with the Participants for recording and transferring the ownership of beneficial interests in such Bonds.

16.08. In connection with any notice or other communication to be provided to the Holders pursuant to this Resolution by the Issuer or Bond Registrar with respect to any consent or other action to be taken by Holders, the Depository shall consider the date of receipt of notice requesting such consent or other action as the record date for such consent or other action; provided, that the Issuer or the Bond Registrar may establish a special record date for such consent or other action. The Issuer or the Bond Registrar shall, to the extent possible, give the Depository notice of such special record date not less than 15 calendar days in advance of such special record date to the extent possible.

16.09. Any successor Bond Registrar in its written acceptance of its duties under this Resolution and any paying agency registrar agreement shall agree to take any actions necessary from time to time to comply with the requirements of the Letter of Representations.

16.10. In the case of a partial prepayment of a Bond, the Holder may, in lieu of surrendering the Bonds for a Bond of a lesser denomination as provided in Section 19 hereof, make a notation of the reduction in principal amount on the panel provided on the Bond stating the amount so redeemed.

Section 17. Termination of Book-Entry Only System.

17.01. The Depository may determine to discontinue providing its services with respect to the Bonds at any time by giving written notice to the Issuer and discharging its responsibilities with respect thereto under applicable law. The Issuer may terminate the services of the Depository with respect to the Bond if it determines that the Depository is no longer able to carry out its functions as securities depository or the continuation of the system of book-entry transfers through the Depository is not in the best interests of the Issuer or the Beneficial Owners.

17.02. Upon termination of the services of the Depository as provided in the preceding paragraph, and if no substitute securities depository is willing to undertake the functions of the Depository hereunder can be found which, in the opinion of the Issuer, is willing and able to assume such functions upon reasonable or customary terms, or if the Issuer determines that it is in the best interests of the Issuer or the Beneficial Owners of the Bond that the Beneficial Owners be able to obtain certificates for the Bonds, the Bonds shall no longer be registered as being registered in the bond register in the name of the Nominee, but may be registered in whatever name or names the Holder of the Bonds shall designate at that time, in accordance with Section 19 hereof. To the extent that the Beneficial Owners are designated as the transferee by the Holders, in accordance with Section 19 (with respect to registration, transfer, exchange) hereof, the Bonds will be delivered to the Beneficial Owners.

17.03. Nothing in this section shall limit or restrict the provisions of Section 19 (with respect to registration, transfer, exchange) hereof.

Section 18. Letter of Representations.

18.01. The provisions in the Letter of Representations are incorporated herein by reference and made a part of the resolution, and if and to the extent any such provisions are inconsistent with the other provisions of this resolution, the provisions in the Letter of Representations shall control.

Section 19. Transfer.

19.01. Except as provided above, the Bonds are transferable upon the books of the Issuer at the principal office of the Bond Registrar, Bismarck, North Dakota, by the registered owner thereof in person or by his attorney duly authorized in writing upon surrender thereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or his attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the Issuer will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange. No transfer of Bonds shall be required to be made during the 15 days next preceding an interest payment date, nor during the 45 days next preceding the date fixed for redemption of such Bonds.

19.02. The Issuer and the Bond Registrar may deem and treat the person in whose name any Bond is registered as the absolute owner thereof, whether the Bond is overdue or not, for the purpose

of receiving payment and for all other purposes, and neither the Issuer nor the Bond Registrar shall be affected by any notice to the contrary.

Section 20. Repealer.

20.01. All prior resolutions and other acts or proceedings of this governing body which are in any way inconsistent with the terms of this Resolution are hereby amended to the extent necessary to give full force and effect to this Resolution.

Nothing herein contained shall be deemed to modify, amend, violate, repudiate or repeal any provision or covenant contained in any Bond, or any resolution pursuant to which any Bond has been issued and is outstanding, to the extent that a modification, amendment, violation, repudiation or repealer would impair the obligation or contract owed to any holders of such Bonds or would otherwise be invalid or ineffective.

Section 21. Bond Insurance.

21.01. *Reserved for future use.*

Section 22. Bonds Not Subject to Acceleration.

22.01. The Bonds are not subject to acceleration in the event of default.

Section 23. Amendment of Resolution.

23.01. This Resolution may be amended without the consent of any Bondholders for one or more of the following purposes:

- (a) To add to the covenants and agreements of the Issuer in this Resolution and any other covenants and agreements thereafter to be observed by the Issuer, or to surrender any right or power herein reserved to or conferred upon the Issuer.
- (b) To cure any ambiguity or formal defect contained in this Resolution, that cure does not, in the judgment of the Issuer, adversely affects the interests of the Bondholders.

23.02. This Resolution may be amended for any other purpose only upon the consent of not less than 50% of an aggregate principal amount of the Bonds outstanding, provided, however, that no amendment shall be valid which:

- (a) Extends the maturity of any Bond, reduces the rate of interest upon any Bond, extends the time of payment of interest on the Bond, reduces the amount of principal payable on any Bond, or reduces any premium payable on any Bond, without the consent of the affected Bondholder; or
- (b) Reduces the percent of Bondholders required to approve the mandatory resolutions.

Section 24. No Credit Enhancement.

24.01. There is no credit enhancement facility securing the Bonds, nor is there any provision for a credit enhancement facility to be provided to secure the Bonds.

Section 25. Headings.

25.01. Headings in this Resolution are included for convenience of reference only and are not a part hereof, and shall not limit or define the meaning of any provision hereof.

Section 26. North Dakota Law Applies.

26.01. This Resolution shall be controlled by the laws of the State of North Dakota, and as a result, any claim, demand, or cause of action arising under the terms of this Resolution shall be brought in an appropriate venue in the State of North Dakota.

Section 27. Not Qualified Tax Exempt Under Section 265.

27.01. The Issuer hereby acknowledges that the Bonds are **not** designated as a qualified tax-exempt obligation within the meaning of Section 265(b)(3) of the Internal Revenue Code of 1986.

Section 28. Official Statement.

28.01. The Official Statement relating to the Bonds, substantially in the form presented at this meeting, is hereby approved. The officers of the Issuer are hereby authorized and directed to execute such certificates as may be appropriate concerning the accuracy, completeness and sufficiency of the Official Statement.

Section 29. Continuing Disclosure.

29.01. The City Auditor is hereby authorized to execute, on behalf of the Issuer, the Continuing Disclosure Certificate attached as Attachment 4 to this Resolution.

President of the Board of City Commissioners

Attest:

City Auditor

The motion for the adoption of the foregoing resolution was duly seconded by Commissioner _____, and upon roll call vote, the following voted in favor thereof: _____
_____. The following were absent and not voting: _____, and the following voted against the same: _____, whereupon the resolution was declared duly passed and adopted.

CITY OF WEST FARGO

STATE OF NORTH DAKOTA

\$15,980,000

REFUNDING IMPROVEMENT BONDS, SERIES 2024

SCHEDULE OF MATURITIES AND INTEREST

<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>	<u>Year</u>	<u>Amount</u>	<u>Interest Rate</u>
2026	\$ 365,000	5.00%	2039	\$ 640,000	4.00%
2027	380,000	5.00	2040	675,000	4.00
2028	400,000	5.00	2041	700,000	4.00
2029	425,000	5.00	2042	715,000	4.00
2030	445,000	5.00	2043	750,000	4.00
2031	465,000	5.00	2044	780,000	4.00
2032	490,000	4.00	2045	810,000	4.00
2033	505,000	4.00	2046	845,000	4.00
2034	525,000	4.00	2047	880,000	4.00
2035	555,000	4.00	2048	915,000	4.00
2036	570,000	4.00	2049	950,000	4.00
2037	590,000	4.00	2050	985,000	4.00
2038	620,000	4.00			

Principal due May 1 in each year

UNITED STATES OF AMERICA
STATE OF NORTH DAKOTA

CITY OF WEST FARGO

REFUNDING IMPROVEMENT BONDS, SERIES 2024

Registered
Number

Registered
Dollars

INTEREST RATE

MATURITY

DATE OF ORIGINAL
ISSUE

CUSIP

October 21, 2024

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

KNOW ALL MEN BY THESE PRESENTS that the City of West Fargo, North Dakota, (the "Issuer") acknowledges itself to be specially indebted and for value received promises to pay to the registered owner specified above or registered assigns, the principal amount specified above, but only from its Refunding Improvement Bonds, Series 2024, Bond Fund (the "Bond Fund") on the maturity date specified above, with interest thereon from the date hereof at the annual rate specified above, payable on May 1 and November 1 in each year, commencing May 1, 2025, to the holder of record on the close of the 15th day (whether or not a business day) of the immediately preceding month, all subject to the provisions referred to herein with respect to the redemption of the principal of this Bond before maturity. The interest hereon and, upon presentation and surrender hereof, the principal hereof are payable in lawful money of the United States of America by check or draft by Starion Bond Services as Paying Agent, or its successor.

This Bond is one of an issue in the aggregate principal amount of \$15,980,000 all of like date and tenor except as to serial number, maturity date, interest rate and redemption privilege, issued, pursuant to the Resolution adopted by the governing body of the Issuer for the purpose of refunding a like principal amount of valid outstanding special improvement warrants drawn on the funds of improvement districts heretofore duly created by the Issuer for the financing of the cost of local improvements in anticipation of the levy and collection of special assessments with respect to the

improvements, all pursuant to and in full conformity with the Constitution and laws of the State of North Dakota.

Bonds of this issue maturing on May 1, 2035, are subject to optional redemption by the Issuer on May 1, 2034, and on any date thereafter, in inverse order of maturity and by lot within any maturity, at a price equal to the principal amount plus accrued interest. Not less than thirty days prior to the date specified for redemption and prepayment of any of the Bonds the Issuer will cause notice of the call thereof to be sent by mail to the Bond Registrar, Paying Agent and registered owner of the Bond to be redeemed in whole or in part at the address shown on the registration books of the Registrar.

In the event this Bond is called for prior redemption, not less than 30 days prior to the date specified for redemption and prepayment of any of the Bonds, the Issuer will cause notice of the call thereof to be sent by mail to the Bond Registrar, Paying Agent and registered owner of the bond to be redeemed in whole or in part at the address shown on the registration books of the Registrar. The Bonds to be redeemed shall be selected by the Bond Registrar in the manner prescribed in the Bond Resolution.

This Bond shall not be valid or become obligatory for any purpose or be entitled to any security or benefit under the Resolution until the Certificate of Authentication hereon shall have been executed by the Bond Registrar by manual signature of one of its authorized representatives.

As provided in the Resolution and subject to certain limitations set forth therein, this Bond is transferable upon the books of the Issuer at the principal office of the Bond Registrar, by the registered owner hereof in person or by its attorney duly authorized in writing upon surrender hereof together with a written instrument of transfer satisfactory to the Bond Registrar, duly executed by the registered owner or attorney; and may also be surrendered in exchange for Bonds of other authorized denominations. Upon such transfer or exchange the Issuer will cause a new Bond or Bonds to be issued in the name of the transferee or registered owner, of the same aggregate principal amount, bearing interest at the same rate and maturing on the same date, subject to reimbursement for any tax, fee or governmental charge required to be paid with respect to such transfer or exchange. The Issuer and the Bond Registrar may deem and treat the person in whose name this Bond is registered as the absolute owner hereof, whether this Bond is overdue or not, for the purpose of receiving payment and for all other purposes, and neither the Issuer nor the Bond Registrar shall be affected by any notice to the contrary.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of North Dakota to be done, to exist, to happen and to be performed precedent to and in the valid issuance of this Bond have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required; that the Issuer has duly created the Bond Fund as a separate and special fund and has appropriated thereto the improvement warrants refunded by the Bonds of this series, on which improvement warrant payments are required by law to be made as though none of such warrants had been refunded, and will use due diligence to collect said improvement warrants and the special assessments and any taxes appropriated for their payment; the Issuer has reserved the right and

privilege of issuing additional improvement warrants on the funds of said improvement districts, if and to the extent necessary to complete payment of the cost of the Improvements, and the right and privilege of refunding such warrants by the issuance of additional series of Refunding Improvement Bonds, payable on a parity with the Bonds of this series from the Bond Fund, provided that the total amount of special assessments and taxes appropriated for payment of the cost of the improvements shall be not less than the total amount of warrants issued with respect thereto; that the governing body is required by law to levy a tax upon all the taxable property in the corporate limits of the Issuer, without limitation as to rate or amount, to meet any deficiency in any of said improvement district funds for the payment of all warrants drawn thereon, with interest; and that all collections of special assessments and taxes appropriated for the payment of said improvement warrants are required by law to be credited to the Bond Fund and applied in payment of the principal of and interest on the Bonds of this series and any other series issued pursuant to the authority hereinbefore reserved; all as more fully stated in the Resolution; and that the issuance of this Bond has not caused the indebtedness of the Issuer to exceed any constitutional or statutory limitation of indebtedness.

IN WITNESS WHEREOF the City of West Fargo, North Dakota, by its governing body, has caused this Bond to be executed in its behalf by the manual signature of the President of the Board of City Commissioners and City Auditor, and has caused the certificate appearing on the following page to be executed by the manual signatures of said officers.

Dated:

CERTIFICATE OF AUTHENTICATION

CITY OF WEST FARGO

This is one of the Bonds
delivered pursuant to the
Resolution mentioned within.

STARION BOND SERVICES
333 North Fourth Street
Bismarck, ND 58501

President of the Board of City Commissioners

BY: _____
Authorized Representative

City Auditor

CERTIFICATE AS TO LEGAL OPINION

We certify that attached is the legal opinion rendered by Bond Counsel on the issue of Bonds which includes the within Bond, dated as of the date of delivery of and payment for the Bonds.

City Auditor

President of the Board of City
Commissioners

The following abbreviations when used in the inscription on the face of this Bond, shall be construed as though they were written in full according to applicable laws or regulations:

TEN COM - as tenants in common

TEN ENT - as tenants by the entireties

JT TEN - as joint tenants with right of survivorship
and not as tenants in common

UTMA-ACT _____ Custodian _____
(Cust) (Minor)

under Uniform Transfer to Minors Act _____
(State)

Additional abbreviations may also be used.

ASSIGNMENT

FOR VALUE RECEIVED the undersigned hereby sells, assigns and transfers unto _____ the within Bond and all rights thereunder, and hereby irrevocably constitutes and appoints _____ attorney to transfer the within Bond on the books kept for registration thereof, with full power of substitution in the premises.

DATED: _____

Please insert social security or other
identifying number of Assignee:

NOTICE: The signature to this Assignment must correspond to the name as it appears upon the face of the within Bond in every particular, without alteration, enlargement, or any change whatsoever

Signature Guaranteed: NOTICE:
Signature(s) must be guaranteed
by a member of the Medallion
Signature Program.

UNITED STATES OF AMERICA

STATE OF NORTH DAKOTA

CITY OF WEST FARGO

IMPROVEMENT WARRANT

Registered
Number

DATE OF ORIGINAL
ISSUE

INTEREST RATE

October 21, 2024

REGISTERED OWNER:

PRINCIPAL AMOUNT:

DOLLARS

KNOW ALL MEN BY THESE PRESENTS that the City of West Fargo, North Dakota (the "Issuer") acknowledges itself to be specially indebted and for value received promises to pay to the registered owner specified above or registered assigns, the principal amount of \$_____ on May 1 in each of the years _____ through _____, but only from its _____ Fund, with interest thereon from the date hereof at the annual rate specified above, such interest payable on May 1 and November 1 in each year, commencing May 1, 2024, to the holder of record on the close of the 15th day (whether or not a business day) of the immediately preceding month. The interest and principal are payable in lawful money of the United States of America by check or draft by the City Auditor.

IT IS HEREBY CERTIFIED, RECITED, COVENANTED AND AGREED that all acts, conditions and things required by the Constitution and laws of the State of North Dakota to be done, to exist, to happen and to be performed preliminary to and in the valid issuance of this warrant have been done, do exist, have happened and have been performed in regular and due form, time and manner as so required; that this warrant is duly issued to pay costs incurred and to be incurred in the making of a necessary improvement of special benefit to the above-named Improvement District, in anticipation of the collection of special assessments to be duly levied upon properties within said district, and of taxes to the extent determined by the governing body, which are irrevocably appropriated to the fund of the district in amounts sufficient to pay when due the principal of and interest on all warrants drawn thereon; that if the fund should at any time be insufficient to pay

principal or interest due, the Issuer is also required by law to levy a tax upon all of the taxable property within its corporate limits for the payment of such deficiency, without limitation of rate or amount; and that the issuance of this warrant did not cause the special or general indebtedness of the Issuer to exceed any constitutional or statutory limitation.

IN WITNESS WHEREOF the City of West Fargo, North Dakota, by its governing body has caused this warrant to be executed in its behalf by the signature of the President of the Board of City Commissioners and countersigned by the City Auditor.

President of the Board of City Commissioners

Countersigned:

City Auditor

CONTINUING DISCLOSURE CERTIFICATE

This Continuing Disclosure Certificate (the "Disclosure Certificate") is executed and delivered by the City of West Fargo, North Dakota (the "Issuer") in connection with the Issuer's \$14,370,000 Refunding Improvement Bonds, Series 2024 (the "Bonds"). The Bonds are being issued pursuant to the Authorizing Resolution adopted by the governing body of the Issuer on October 7, 2024 (the "Resolution") and delivered to the Purchaser on the date hereof. The Issuer hereby covenants and agrees as follows:

Section 1. Purpose of the Disclosure Certificate. This Disclosure Certificate is being executed and delivered by the Issuer for the benefit of the Owners of the Bonds in order to assist the Participating Underwriters within the meaning of SEC Rule 15c2-12(b)(5) (the "Rule") in complying with the Rule. This Disclosure Certificate constitutes the written undertaking required by the Rule.

Section 2. Definitions. In addition to the defined terms set forth in the Resolution, which apply to any capitalized term used in this Disclosure Certificate unless otherwise defined in this Section, the following capitalized terms shall have the following meanings:

"Annual Report" means any annual report provided by the Issuer pursuant to, and as described in Sections 3 and 4 of this Disclosure Certificate.

"EMMA" means the Electronic Municipal Market Access (EMMA®) system operated by the Municipal Securities Rulemaking board ("MSRB") as the primary portal for complying with the continuing disclosure requirements of the Rule.

"Final Official Statement" means the deemed final official statement dated October __, 2024, delivered in connection with the Bonds, which is available from the MSRB.

"Financial Obligation" means a (a) debt obligation; (b) derivative instrument entered into in connection with, or pledged as security or a source of payment for, an existing or planned debt obligation; or (c) guarantee of (a) or (b) in this definition; provided, however, the term Financial Obligation shall not include municipal securities as to which a final official statement has been provided to the MSRB consistent with the Rule.

"Financial Statements" means audited or, if unavailable, unaudited general purpose financial statements of the Issuer prepared in accordance with generally accepted accounting principles, as in effect from time to time or as required to be modified as a matter of law. If unaudited financial statements are provided, audited financial statements will be provided when and if available.

"Fiscal Year" means the fiscal year of the Issuer.

"Issuer" means City of West Fargo, North Dakota, which is the obligated person with respect to the Bonds.

"Material Event" means any of the events listed in Section 5(a) of this Disclosure Certificate.

"MSRB" means the Municipal Securities Rulemaking Board located at 1300 I Street NW, Suite 1000, Washington, D.C.

"Owner" means the person in whose name Bond is registered or a beneficial owner of such a Bond.

"Participating Underwriter" means any of the original underwriter(s) of the Bonds (including the Purchaser) required to comply with the Rule in connection with the offering of the Bonds.

"Repository" means EMMA®.

"Rule" means SEC Rule 15c2-12(b)(5) promulgated by the SEC under the Securities Exchange Act of 1934, as the same may be amended from time to time, and including written interpretations thereof by the SEC.

"SEC" means Securities and Exchange Commission.

Section 3. Provision of Annual Financial Information and Financial Statements.

- (a) The Issuer shall, not later than 12 months after the end of the Fiscal Year (currently December 31), commencing with the fiscal year ending December 31, 2024 (which is due no later than December 31, 2025), provide the Repository with an Annual Report which is consistent with the requirements of Section 4 of this Disclosure Certificate. The Annual Report may be submitted as a single document or as separate documents comprising a package, and may cross-reference other information as provided in Section 4 of this Disclosure Certificate; provided that the Financial Statements of the Issuer may be submitted separately from the balance of the Annual Report.
- (b) If the Issuer is unable or fails to provide to the Repository an Annual Report by the date required in subsection (a), the Issuer shall send a notice of that fact to the Repository, and the MSRB.
- (c) The Issuer shall determine each year prior to the date for providing the Annual Report whether there has occurred a change in the MSRB's address or e-mail address or the filing procedures and requirements for the Repository.

Section 4. Content of Annual Reports. The Issuer's Annual Report shall contain or incorporate by reference the annual Financial Statements and the following sections of the Final Official Statement and Appendix A thereto:

1. Larger Employers in the Area.
2. Population.
3. Unemployment Figures.
4. Cass County Residential Building Permits.
5. Bonded Debt.
6. Overlapping General Obligation Bond Indebtedness.

7. Valuations.
8. Trend in Valuations.
9. Largest Property Taxpayers.
10. Tax Levies and Collections.
11. West Fargo Mill Levies.

In the event that the Issuer has not completed an audit of its annual financial statements by the date required in Section 3, subsection (a), of this Disclosure Certificate, then the Issuer will provide *unaudited* financial statements to the Repository. The Issuer will provide to the Repository its audited Financial Statements as soon as practicable after they are completed. The failure by the Issuer to provide an audited annual financial statement by the date required in Section 3, subsection (a) of this Disclosure Certificate shall not be deemed a violation of the reporting obligations under this Disclosure Certificate.

Section 5. Reporting of Material Events.

- (a) This Section 5 shall govern the giving of notice of the occurrence of any of the following events ("Material Events") with respect to the Bonds:
 1. Principal and interest payment delinquencies;
 2. Non-payment related defaults, if material;
 3. Unscheduled draws on debt service reserves reflecting financial difficulties;
 4. Unscheduled draws on credit enhancements reflecting financial difficulties;
 5. Substitution of credit or liquidity providers, or their failure to perform;
 6. Adverse tax opinions, the issuance by the Internal Revenue Service of proposed or final determinations of taxability, Notices of Proposed Issue (IRS Form 5701-TEB) or other material notices or determinations with respect to the tax status of the security, or other material events affecting the tax status of the security;
 7. Modification to rights of security holders, if material;
 8. Bond Calls, if material, and tender offers;
 9. Defeasances;
 10. Release, substitution, or sale of property securing repayment of the securities, if material;
 11. Rating changes.
 12. Bankruptcy, insolvency, receivership or similar event of the obligated person;
 13. The consummation of a merger, consolidation, or acquisition involving an obligated person or the sale of all or substantially all of the assets of the obligated person, other than in the ordinary course of business, the entry into a definitive agreement to undertake such an action or the termination of a definitive agreement relating to any such actions, other than pursuant to its terms, if material;

14. Appointment of a successor or additional trustee or the change of name of a trustee, if material.
 15. Incurrence of a Financial Obligation of the obligated person, if material, or agreement to covenants, events of default, remedies, priority rights, or other similar terms of a Financial Obligation of the obligated person, any of which affect security holders, if material; and
 16. Default, event of acceleration, termination event, modification of terms, or other similar events under the terms of a Financial Obligation of the obligated person, any of which reflect financial difficulties.
- (b) The Issuer shall file a notice of such occurrence with the Repository or with the MSRB within ten business days of the occurrence of the Material Event.
- (c) Unless otherwise required by law and subject to technical and economic feasibility, the Issuer shall employ such methods of information transmission as shall be requested or recommended by the designated recipients of the Issuer's information.

Section 6. Termination of Reporting Obligation. The Issuer's obligations under this Disclosure Certificate shall terminate upon the legal defeasance, prior redemption or payment in full of all the Bonds.

Section 7. Agent. The Issuer may, from time to time, appoint or engage a dissemination agent to assist it in carrying out its obligations under this Disclosure Certificate, and may discharge any such agent, with or without appointing a successor dissemination agent.

Section 8. Amendment: Waiver. Notwithstanding any other provision of this Disclosure Certificate, the Issuer may amend this Disclosure Certificate, and any provision of this Disclosure Certificate may be waived, if such amendment or waiver is supported by an opinion of nationally recognized bond counsel to the effect that such amendment or waiver would not, in and of itself, cause the undertakings to violate the Rule. This Disclosure Certificate, or any provision hereof, shall be null and void in the event that the Issuer delivers to the Repository an opinion of nationally recognized bond counsel to the effect that those portions of the Rule which require this Disclosure Certificate are invalid, have been repealed retroactively or otherwise do not apply to the Bonds. The provisions of this Disclosure Certificate may be amended without the consent of the Owners of the Bonds, but only upon the delivery by the Issuer to the Repository of the proposed amendment and an opinion of nationally recognized bond counsel to the effect that such amendment, and giving effect thereto, will not adversely affect the compliance of this Disclosure Certificate and by the Issuer with the Rule.

Section 9. Additional Information. Nothing in this Disclosure Certificate shall be deemed to prevent the Issuer from disseminating any other information, using the means of dissemination set forth in this Disclosure Certificate or any other means of communication, or including any other information in any Requested Report or notice of occurrence of a Material Event, in addition to that which is required by this Disclosure Certificate. If the Issuer chooses to include any information in any Requested Report or notice of occurrence of a Material Event in addition

to that which is specifically required by this Disclosure Certificate, the Issuer shall have no obligation under this Disclosure Certificate to update such information or include it in any future Requested Report or notice of occurrence of a Material Event.

Section 10. Default. In the event of a failure of the Issuer to comply with any provision of this Disclosure Certificate, any Owner of the Bonds may take such actions as may be necessary and appropriate, including seeking mandate or specific performance by court order, to cause the Issuer to comply with its obligations under this Disclosure Certificate. A default under this Disclosure Certificate shall not be deemed an event of default with respect to the Bonds and the sole remedy under this Disclosure Certificate in the event of any failure of the Issuer to comply with this Disclosure Certificate shall be an action to compel performance.

Section 11. Beneficiaries. This Disclosure Certificate shall inure solely to the benefit of the Issuer, the Participating Underwriters and Owners from time to time of the Bonds, and shall create no rights in any other person or entity.

Section 12. Counterparts. This Disclosure Certificate may be executed in several counterparts, each of which shall be an original and all of which shall constitute but one and the same instrument.

Section 13. Choice of Law. This Disclosure Certificate shall be governed by and construed in accordance with the laws of the State of North Dakota, provided that to the extent this Disclosure Certificate addresses matters of federal securities laws, including the Rule, then this Disclosure Certificate shall be construed in accordance with such federal securities laws and official interpretations thereof.

Section 14. Severability. If any portion of this Disclosure Certificate shall be held invalid or inoperative, then, so far as is reasonable and possible (i) the remainder of this Disclosure Certificate shall be considered valid and operative, and (ii) effect shall be given to the intent manifested by the portion held invalid or inoperative.

Section 15. Captions, Titles, and Headings. The captions, titles, and headings used in this Disclosure Certificate are for convenience only and shall not be construed in interpreting this Disclosure Certificate.

IN WITNESS WHEREOF, I have executed this Disclosure Certificate in my official capacity effective _____, 2024.

CITY OF WEST FARGO

Dustin T. Scott
City Auditor