



**Public Art Advisory Committee Meeting Minutes**  
**Wednesday, October 19, 2022**  
**Zoom (Virtual) Meeting 5:30 p.m.**

The West Fargo Public Art Advisory Committee met on Wednesday, October 19, 2022 at 5:30 p.m. Those present were committee members Adam Montgomery, Jodee DeVaney, and Lisa Dullum. Also present was City Planner Malachi Petersen. Committee members Jay Thomas, Jessica Matson-Fluto, and Lauren Kensok were not present.

Adam Montgomery motioned for the order of the agenda to be approved. Jodee DeVaney seconded. Order of the agenda was approved.

Adam Montgomery motioned for the minutes for the August 17, 2022 meeting to be approved. Jodee DeVaney seconded. Minutes were approved.

City Planner Malachi Petersen gave a brief update of the proposal for public art on the The Lights Parking Garage. The PAAC had previously recommended approval of mural art, however, the West Fargo City Commission felt that more could be done with the design of the art and voted to send the item back to the PAAC for further discussion / action. The applicant, West Fargo Events, was unresponsive to whether or not they wanted to do revisions to the proposed art and so no further action from the PAAC is needed at this time.

Malachi Petersen then spoke about the newly done mural by West Fargo Events on the side of the VFW downtown facing the POW / MIA Public Plaza. Since the VFW is privately owned, Petersen explained that West Fargo Events was not required to first present the mural for approval from the PAAC or City Commission. Adam Montgomery then asked about whether or not such murals require a permit and if an ordinance might be needed in the future to require a permit for art placed in the downtown area. Committee members then discussed whether or not the City of Fargo requires permits for public art murals in their downtown area.

Malachi Petersen announced that the City of West Fargo has been awarded a \$100,000 grant from the State of North Dakota's Department of Commerce to create a downtown placemaking plan. This plan could potentially be combined with a downtown master plan which is an area of interest that is being talked about as part of a Planning Needs Assessment that is currently being done.

Malachi Petersen spoke about the need for the PAAC's bylaws to be revised to reflect the current state of the committee and the need for updated bylaws to be approved by the City of West Fargo City Commission. Adam Montgomery volunteered to revise the bylaws and bring back a draft of those bylaws at the next PAAC meeting for discussion.

Meeting was then adjourned.

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Lisa Dullum, Chair of the West Fargo Public Art Advisory Committee

## MEMORANDUM

**TO: West Fargo Public Art Advisory Committee**

**FROM: Malachi Petersen, City Planner**

**DATE: November 10, 2022**

**SUBJECT: Downtown Master Plan Discussion**

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The City of West Fargo was awarded a \$100,000 placemaking planning grant at the ND Main Street initiative Summit in Bismarck on Oct. 25. The grant award is the result of the City's application to fund a downtown placemaking plan through the U.S. Economic Development Administration and ND Department of Commerce's *Statewide Public Space Initiative – Placemaking Planning Grant*. The goal of this grant program is to advance the "planning and design necessary to enhance the statewide attraction of businesses, promotion of economic activity, and the retention and attraction of talented workers, thus strengthening the economic resiliency across ND communities as the state recovers from the economic impacts of Covid-19."

In response, the City has identified the need for an updated downtown master plan as part of an ongoing Planning Needs Assessment process – the initial assessment for which was presented to the Planning & Zoning Commission on Sept. 13, 2022. Given the high priority of a downtown master plan within the Planning Needs Assessment and the availability of grant funds to develop a downtown placemaking plan, staff is merging these two efforts into a single downtown master planning effort to take place in 2023.

To initiate this process, staff has started to develop a general scope of work and project overview, which is attached. Planning staff will present the project overview at the Nov. 18, 2022 Public Art Advisory Committee meeting in order to initiate discussion with the committee and solicit feedback and input.

# DRAFT Downtown Master Plan – Project Overview

November 2, 2022

Project Abstract:	<p>The purpose of this project is to partner with a qualified multi-disciplinary consultant team to produce a Downtown Master Plan that will build upon the vision and goals of the City's Comprehensive Plan, define and respond to current conditions and issues, enhance downtown's sense of place, and guide public and private investment over the next 5-10 years.</p> <p>This effort will be funded, in part, through a \$100,000 State placemaking grant award. The project will be action oriented towards the continued transformation of downtown West Fargo into an iconic mixed-use center of urban activity and economic growth.</p>
Purposes and Needs	<ul style="list-style-type: none"><li>• To update the City's Vision for the future of Downtown West Fargo</li><li>• To build upon the recommendations of the West Fargo 2.0 Comprehensive Plan in order to "Establish Downtown as a Cultural Center for West Fargo"</li><li>• To establish a comprehensive parking and access strategy appropriate for an urban setting</li><li>• To align and calibrate the City's economic development activities and incentives with the City's vision and goals for downtown.</li><li>• To help build upon the City's branding efforts by enhancing downtown as a place that is authentically West Fargo's.</li><li>• To guide the future growth of the downtown as a walkable mixed-use neighborhood that provides opportunities for all.</li><li>• To activate the public realm through placemaking and public art.</li><li>• To support and expand the capacity of the downtown business community.</li><li>• To revitalize aging and blighted properties and to encourage infill investment into downtown.</li><li>• To manage the growth and change of downtown in a manner compatible with adjacent land-uses and existing conditions.</li><li>• To explore opportunities for civic facilities and spaces.</li></ul>
Project Outcomes:	<p>Project Outcomes:</p> <ul style="list-style-type: none"><li>• An updated community vision for downtown West Fargo</li><li>• A framework for future decision making, including land-use and incentive decisions</li><li>• An iconic downtown that is the cultural center of the City</li><li>• A solution for downtown parking</li><li>• A framework and process for the creation and support of public art and placemaking</li><li>• An understanding of market conditions relevant to downtown growth, development, and business activity</li><li>• Increased business, activity, and private investment in downtown</li><li>• A sustainable and self-sufficient downtown business association</li><li>• A clear understanding by all stakeholders of the actions and steps necessary to implement the plan</li></ul>
Plan Focus Areas:	<ol style="list-style-type: none"><li>1. <b>Business &amp; Economic Development.</b> In recent years, the City has seen some success in the redevelopment of downtown through investment in a new urban streetscape, construction of several mixed-use buildings, a downtown plaza, and the formation of a downtown business association. However, additional advancement and redevelopment has slowed, with many properties and storefronts remaining vacant. The City is interested in exploring the market</li></ol>

	<p>dynamics at play and working to build upon early success in order to drive additional development investment and business growth.</p> <ol style="list-style-type: none"> <li>2. <b>Placemaking (including Urban Design, Activity, &amp; Public Art)</b>. A portion of this project is being funded through a Placemaking Planning Grant that the City has received from the State in order to develop a placemaking plan for downtown West Fargo. The City desires to create this downtown placemaking plan as part of this larger downtown master planning effort.</li> <li>3. <b>Parking &amp; Access</b>. Lack of parking availability is often cited as a deterrent to visitors and potential developers alike. The City is interested in exploring potential short- and long-term parking solutions (including the potential for public parking) which are appropriate for a walkable urban environment. Alternative modes of transportation may also be explored in conjunction with parking.</li> <li>4. <b>Infill, Redevelopment, &amp; Land Use</b>. As downtown West Fargo redevelops from a low intensity auto-oriented commercial strip to a walkable mixed-use district, it faces unique contextual challenges as new development infills adjacent to core residential neighborhoods, a US Highway, and an assortment of aging commercial/industrial buildings. Additionally, previous planning efforts have identified opportunities for civic buildings and spaces downtown. The City would like to identify likely development scenarios in order to be better positioned to manage the growth of downtown.</li> </ol> <p>In addition to the focus areas listed above, the process will incorporate stakeholder and public participation; market &amp; contextual data analysis; visioning/goal setting; identification of issues; development and of solutions; documentation and communication of findings &amp; recommendations, etc.</p>
<p>Anticipated Timeline:</p>	<ul style="list-style-type: none"> <li>• Nov 2022 – Project scoping and initiation</li> <li>• Dec 2022 – Publication of request for proposals (RFP)</li> <li>• Q1 2023 – Consultant selection &amp; contracting</li> <li>• Q2 2023 – Project kick-off &amp; consultant-lead planning process</li> <li>• Q3 2023 – Planning process continues &amp; substantial completion of placemaking element</li> <li>• Oct 1, 2023 – Deadline for expenditure of placemaking grant funds</li> <li>• Q4 2023 – Project completion</li> </ul>
<p>Feedback &amp; Questions:</p>	<p><b><u>Please contact the West Fargo Planning Department with any feedback or input you would like to share as staff works to further develop and refine the project details and proposed focus areas.</u></b></p> <p>West Fargo Planning Department  Attn: Malachi Petersen  800 4<sup>th</sup> Ave E. Suite 1  West Fargo, ND 58078</p> <p>Phone: (701) 515-5370  Email: Malachi.Petersen@westfargond.gov</p>

**PUBLIC ART ADVISORY COMMITTEE  
BY-LAWS  
CITY OF WEST FARGO**

**I. NAME**

The Public Art Advisory Committee for the City of West Fargo, North Dakota, hereinafter referred to as the "Committee," does hereby adopt these by-laws that shall govern its internal operations.

**II. PURPOSE**

Pursuant to direction ~~given by of~~ the West Fargo City Commission at ~~their the~~ May 18, 2020 meeting, the purpose of ~~this the~~ Committee is:

1. ~~To~~ review and recommend public art installations and performances on public property to the City Commission;
2. ~~The Committee will also a~~ssist city staff in identifying, drafting, and amending ordinances ~~or and~~ procedures that ~~can be streamlined or enhanced to better~~would promote public art within city limits; ~~and~~
3. ~~Additionally, the Committee will seek~~ identify ways to engage the West Fargo community to improve the quality of life for the city's residents through the promotion of public art.

**III. MEMBERSHIP**

The Public Art Advisory Committee shall be composed of those individuals who have been duly appointed ~~thereto~~ by the Board of the City Commissioners.

**Committee Chair**

~~The Chair shall preside over all committee meetings and be invested with all powers and duties usually assigned to such an office. With the advice and consent of the majority of the committee, the Chair may appoint sub-committees, made of sitting committee members and city residents at-large to perform the assigned duties and tasks. The Chairperson shall generally preside and conduct all Committee meetings, and with the advice and consent of other members, may appoint sub-committees from Committee members to perform specific duties.~~

**Vice Chair**

~~The Vice Chairperson shall assume the duties of the committee chair in the event of the absence, disability, resignation or conflict of interest of the Chairperson, the Vice-Chairperson shall exercise all the powers and duties of the chair in such an event. said Chairperson, performing this function, the Vice Chairperson shall automatically become the Committee Chairperson and the position of Vice Chairperson shall be deemed vacant and the Committee may elect from its own members a successor Vice Chairperson to fill this vacancy.~~

The Committee shall consist of five (5) voting members and two (2) ex-officio non-voting members to be appointed ~~for to~~ three (3) year terms by the City Commission President and subject to confirmation by the City Commission. Terms for committee members will be staggered so that there are at least three (3) voting members who have been on the committee at least one (1) year when two new members are appointed. The voting members of the Committee shall be residents of the City of West Fargo. One (1) ex-officio member shall be a representative from the West Fargo Parks

**Commented [ARM1]:** Still need more insight from the Commission as to what they need from us. Adam has spoken to C. Simmons. More to come with WFE.

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**Commented [ARM2]:** Are these still appointed? We also need to identify a city planner as an ex-officio.

District and one (1) ex-officio member shall be a representative from the Arts Partnership. Vacancies shall be filled in the same manner as other appointments to the Committee. All members of the Public Art Advisory Committee shall serve without compensation.

**Commented [ARM3]:** I would caution the naming of such a specific entity outside the purview of the city. I may suggest an alternative that would identify the equivalent position but in a different sense. For instance, to date, I have never witnessed anyone from TAP at our meetings. Why?

#### IV. MEETINGS

Quorum – A quorum shall consist of the majority of the existing-seated and qualified members of the Committee.

Annual Meeting – At the regular annual meeting, on the third Wednesday of January of each year, the Board shall elect a chairperson and Vice-Chairperson for the ensuing year.

Regular Meetings – The Committee shall meet at a time of their choosing which will be decided at the first meeting of each new calendar year. If the regular meeting date falls on a holiday when the City governing offices are generally closed, the meeting will be held on the regular meeting day and time of the succeeding week.

Special Meetings – The Chair or three Committee members may from time to time call special meetings of the Committee with not less than twenty-four (24) hours notice to Committee members.

Meeting Location - All regular meetings of the Board shall be held in the City Commission Room unless otherwise published or distributed in the public notice for the public hearing.

**Commented [ARM4]:** Amend the writing or our procedure.

Order of Business – The items of the business to be considered at any regular or special meeting shall be specified on the notice of such meetings, which shall be the meeting agenda and which shall be transmitted to each member not later than five (5) days immediately preceding the meeting date. Items of business at any meeting will be considered by the Committee in the order in which they appear on the meeting agenda and, except in the cases of emergency or mistake, no items shall be added thereto after said written agenda is transmitted to the Committee members.

**Commented [ARM5]:** I would like to understand the reasoning behind this.

Records - The Committee shall keep a record of its resolutions, transactions, findings, and determinations; and, such record shall be a public record.

#### V. VOTING

All Committee members, including the Chairperson and Vice Chairperson, shall be entitled to one equal vote at any meeting. There shall be no voting by proxy. Dissenting votes or abstentions on any matter presented to the Committee shall be clearly expressed orally or in writing when voting is in process.

The Committee member declaring a conflict of interest concerning a matter before the Committee shall declare such not vote nor participate in the discussion concerning the matter. The Committee member declaring the conflict may remove oneself from the table and participate in the discussion as a member of the public.

All matters presented for Committee consideration requiring affirmative action shall be decided by the majority vote of those present at the meeting.

**VI. ETHICS / CONDUCT**

The Committee follows the ethics, conduct, and gift policy of the City of West Fargo on board, commissions, and committees.

**VII. OTHER PROCEDURES**

All operating procedures not specifically provided for herein shall generally be governed by "Robert's Rules of Order - [Newly Revised](#)" which is hereby incorporated for purposes of reference. In the event any provision of "Robert's Rules of Order" are inconsistent herewith, these By-Laws shall govern.

**VIII. CONTROL OF LAW**

The procedures and operations of the Committee shall be governed by applicable ordinances of the City of West Fargo, North Dakota, law of the State of North Dakota, and applicable laws of the United States of America; and any provisions herein inconsistent or in conflict with such laws or ordinances shall be deemed void.

**IX. AMENDMENT AND REPEAL**

Except when in conflict with state statutes, these By-Laws may be amended or repealed from time to time by the affirmative vote of a majority of the appointed Committee members at a regular or special meeting. Said By-Laws may be made inoperative regarding any particular subject matter by the affirmative vote of a majority of Committee members. [These bylaws shall be reviewed by the committee as a whole, or a committee thereof, for relevance, revisions, and additions in ever odd-numbered year.](#)

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Chairperson, West Fargo Public Art Advisory...