



Jim Brownlee, CPA, City Administrator
Sharon Schacher, City Finance Director
Dorinda Anderson, Business Development Director

The West Fargo City Commission met on Monday, July 21, 2008, at 5:30 P.M. Those present were Rich Mattern, Bryan Schulz, Lou Bennett, Mark Simmons and Mike Thorstad. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern asked that Item No. 8 "Reconstruction Project – West Fargo Main Avenue" be removed from the Regular Agenda, and that Item No. 6 be corrected to "Conditional approval of the Planned Unit Development ~~Agreement~~ Amendment". Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of July 7, 2008. No opposition. Motion carried.

The Commission reviewed Building Permits #318 - 351 along with the Building Department Activity Report dated July 21, 2008.

There were no Commissioner Committee Reports.

The Auditor's Reports for June 2008 were received by the Commission.

There were no Department Reports.

Commissioner Schulz moved and Commissioner Bennett seconded to approve the following items on the Consent Agenda:

Bills

Amended Gaming Site Authorizations for West Fargo Hockey Association at Border Town, Work Zone and Speedway

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1206

Public Hearing August 4, 2008 5:45 PM for Industrial Builders 1st Subdivision rezoning from Agricultural to Heavy Industrial

Public Hearing August 4, 2008 5:45 PM for Charleswood 25th Addition rezoning from Agricultural to Commercial Office Park

Public Hearing August 4, 2008 5:45 PM for rezoning from Agricultural to Rural Estate District Lot 1, Block 1 of Houkom 1st Subdivision and parcel in the SW ¼ of Section 29, T139N, R49W (3804 2nd Street East)

Engineer's Report for 2008 Pavement Management Project: Bituminous overlay of 7th Avenue and authorize preparation of Plans and Specifications

Sewer and Water Improvement District No. 1211 (Private): Create Assessment District, approve Engineer's Report, approve Plans and Specifications and Agreement Authorizing Improvements by Developer (Westgo Commercial Fifth Addition)

Sewer and Water Improvement District No. 1209 (Charleswood 25th Addition): Create Assessment District, approve Engineer's Report, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on August 14, 2008

No opposition. Motion carried.

Eugene Lykken did not appear before the Commission on his request for a stop light on Sheyenne Street right before I-94. Kevin Gorder of the ND Department of Transportation appeared before the Commission to advise that the DOT will open bids in July for signals at both ramp terminals to be in place in December 2008.

Planning Director Larry Weil appeared before the Commission on behalf of Business Development Director Dorinda Anderson on the request from Fred and Kim Fuss at 321 5th Avenue West for a Renaissance Zone application to rebuild their home, and advised that the Economic Development Advisory Committee approved the Renaissance Zone application. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Renaissance Zone application for Fred and Kim Fuss. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on DMI 2nd Addition, a replat. Commissioner Bennett moved and Commissioner Thorstad seconded to approve the Final Plat subject to conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Doll's 5th addition. Commission Thorstad questioned the elevation of the road from a safety standpoint. Police Chief Arland Rasmussen and Assistant Public Works Director Chris Brungardt also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve Second Reading of Ordinance No. 827 on the rezoning of Doll's 5th Addition from Agricultural to Light Commercial, approve the Final Plat based on zoning and platting consistency with the City's Comprehensive Plan and approve the Conditional Use Permit to expand a golf cart sales and service business subject to conditions listed in the Staff Report. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Assessment Districts for Street Improvement District No. 2191 (Pinewood Boulevard Extension – DMI), Street Improvement District No. 2193 (32nd Avenue East – Sheyenne Street to 9th Street), Sewer and Water Improvement District No. 1194 (Westport Beach 2nd Addition) and Sewer and Water Improvement District No. 1203 (Butler's 4th Addition – Phase II). City Engineer Kevin Bucholz also appeared before the Commission.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2191 as confirmed by the Special Assessment Commission of the City of West Fargo. Commissioner Bennett moved and Commissioner Simmons seconded that the assessment list for Street Improvement District No. 2191 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition, so the motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2193 as confirmed by the Special Assessment Commission of the City of West Fargo. After review, it was recommended by City Staff to adopt the attached list, which revised some of the assessments to correct an error in the calculation of the original assessments. Commissioner Bennett moved and Commissioner Simmons seconded that the assessment list for Street Improvement District No. 2193 of the City of West Fargo, as amended, be and the same is hereby confirmed. No opposition, so the motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer and Water Improvement District No. 1194 as confirmed by the Special Assessment Commission of the City of West Fargo. Commissioner Bennett moved and Commissioner Simmons seconded that the assessment list for Sewer and Water Improvement District No. 1194 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition, so the motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Sewer and Water Improvement District No. 1203 as confirmed by the Special Assessment Commission of the City of West Fargo. Commissioner Bennett moved and Commissioner Simmons seconded that the assessment list for Sewer and Water Improvement District No. 1203 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition, so the motion carried and the resolution was approved and confirmed.

Planning Director Larry Weil appeared before the Commission on Dakota Territory 11th Addition. Attorney Dan Bueide of the Vogel Law Firm, City Auditor Jim Brownlee and Donna Pierce also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Planned Unit Development Amendment and Final Plat approval, based on the application being consistent with City Plans and Ordinances and subject to 14 conditions listed in the Staff Report and also the condition to approve the reclassification of the collector street to a local street. No opposition. Motion carried.

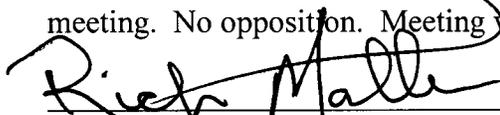
City Auditor Jim Brownlee appeared before the Commission on a Cost Participation Agreement with North Dakota Department of Transportation for repair to 9th Street overpass with a 7 ½% cost of \$390,902. Kevin Gorder of the North Dakota Department of Transportation reviewed the project and timeline. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Cost Participation agreement with NDDOT. No opposition. Motion carried.

City Auditor Jim Brownlee provided the City Commission members with Preliminary Budget Requests for the 2009 Budget reflecting a 13.8 mill levy. Budget Meetings will begin immediately after the August 4, 2008 City Commission meeting.

There were no Non-Agenda items.

There was no correspondence.

Commissioner Schulz moved and Commissioner Bennett seconded to adjourn the meeting. No opposition. Meeting was adjourned.



Rich Mattern
President of the Board



Jim Brownlee
City Auditor