



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

The West Fargo City Commission met on Monday, August 18, 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 Games of Chance for Lutheran Church of the Cross/Holy Cross Catholic Church and approval of a 5 year PILOT for Northwest Professional Color be added to the Consent Agenda and Commissioner Thorstad asked that Consent Agenda items g and h be moved to the Regular Agenda. 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 August 4, 2008 and the Budget Meeting Minutes of August 4, 2008. No opposition. Motion carried.

The Commission reviewed Building Permits #381 - 414 along with the Building Department Activity Report dated August 18, 2008.

There were no Commissioner Committee Reports.

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

The Sanitation Department Report for July 2008 was received by the Commission.

Commissioner Schulz moved and Commissioner Simmons seconded to approve the following items on the Consent Agenda. Commissioner Thorstad questioned the \$30,900 check issued to the Marcil Group, Inc. and a discussion was held.

Bills

Special Permit for Divas & Rockstars for September 12, 2008

Games of Chance for Southdale Senior Club for Bingo and Raffle August 18, 2008 to July 30, 2009

Special Sunday opening request August 24, 2008 from the VFW Post 7564

Contract Change Orders for Street Improvement District No. 2200 (3rd Avenue East – 3rd Street East to 4th Street East)

Final Plat of West Fargo 3rd Addition

Liquor License for The Work Zone, Inc.

Games of Chance for Lutheran Church of the Cross/Holy Cross Catholic Church for Raffle to be held September 14, 2008

Five Year PILOT for Northwest Professional Color at 214 12th Street NW as recommended by the Economic Development Advisory Committee

Commissioners Mattern, Bennett, Schulz and Simmons voting in favor. Commissioner Thorstad opposed. Motion carried.

Tom Kenville appeared before the Commission to request a driveway approach at 6th Street NW adjacent to Harley Davidson. Del Hofer of Harley Davidson, City Engineer Kevin Bucholz, Public Works Director Barry Johnson and Planning Director Larry Weil also appeared before the Commission. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to forward this request for a driveway approach to the Planning & Zoning Commission and also ask that cost information be provided to the Commission. No opposition. Motion carried.

Janice Wohlwend appeared before the Commission to request that the area of 4th Avenue and 6th Street behind the Harley Davidson shop be turned into a tow-away zone. Police Chief Arland Rasmussen also appeared before the Commission and advised that all officers will be advised to check on this area for illegally parked cars.

Planning Director Larry Weil appeared before the Commission on Industrial Builders 1st Subdivision. Commissioner Schulz moved and Commissioner Bennett seconded to approve Second Reading of Ordinance No. 830 on the rezoning from Agricultural to Heavy Industrial and conditional approval of the Final Plat based on the request being consistent with City plans and Ordinances. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Charleswood 25th Addition. Weil advised that East Beaton Drive will run from Sheyenne Street to 9th Street East. Commissioner Bennett moved and Commissioner Schulz seconded to approve Second Reading of Ordinance No. 831 on the rezoning from Agricultural to Commercial Office Park and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the rezoning of Lot 1, Block 1 of Houkom 1st Subdivision (3718 2nd Street East) and parcel in the SW ¼ of Section 29, T139N, R49W (3804 2nd Street East). Commissioner Schulz moved and Commissioner Bennett seconded to approve Second Reading of Ordinance No. 832 on the rezoning from Agricultural to Rural Estate District and to approve the Conditional Use Permit for Accessory Building. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a request from Barry Miller for a Conditional Use Permit for a Subdivision Fence in the Corridor Overlay District (625, 629, 633, 637, 641 and 645 12 ½ Avenue East). Barry Miller of 637 12 ½ Ave E also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded conditional approval based on the request's consistency with City Plans and Ordinances and the condition that gates are placed to the back of each property. No opposition. Motion carried.

Public Works Director Barry Johnson appeared before the Commission on the 2008 Pavement Management Project – Bituminous Overlay of 7th Avenue from 8th Street West to 9th Street East. Commissioner Schulz moved and Commissioner Simmons seconded to award the contract for 2008 Pavement Management Project to Border States Paving for their bid amount of \$163,089.00. No opposition. Motion carried.

Public Works Director Barry Johnson appeared before the Commission on the grant for interoperable communications equipment (digital radios). City Auditor Jim Brownlee and Fire Chief Roy Schatschneider also appeared before the Commission. Commissioner Bennett moved and Commissioner Schulz seconded to approve the grant award with the City's share of \$26,476.20. No opposition. Motion carried.

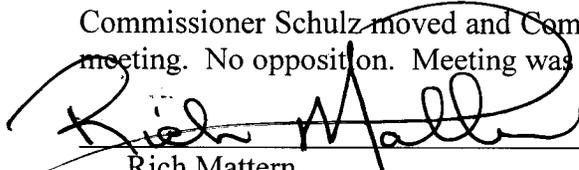
City Auditor Jim Brownlee appeared before the Commission on the New Jobs Program through Job Service of ND for Marcil Technologies. City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to approve the New Jobs Program through Job Service of ND with the City as lender on condition there are Personal Guarantees from the Marcil Group and other individuals, Promissory Note from the Marcil Technologies and State approval. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2195 (Phase I- 9th Street East – 32nd Avenue to Interstate 94, Phase II – 9th Street E Widening – 13th Avenue to Interstate 94 and Phase III – 32nd Avenue Box Culvert) and Water Improvement District No.1202 (32nd Avenue from Sheyenne Street to 9th Street East). City Auditor Jim Brownlee and City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to create the Assessment Districts and authorize the City Engineer to prepare Engineer's Reports. No opposition. Motion carried.

It was the consensus of the City Commission that the first meeting in September will be held Tuesday, September 2, 2008 at 5:30 PM. A budget meeting will be held immediately following the City Commission meeting.

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