



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

The West Fargo City Commission met on Monday, August 17, 2009, 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 advised that Cass County Sheriff Paul Laney will be making a presentation at this meeting and Item No. 7 of the Regular Agenda should be corrected to Sewer Improvement District No. 1213. 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 Thorstad seconded to approve the Minutes of August 3, 2009, and the Budget Meeting Minutes of August 3, 2009. No opposition. Motion carried.

The Commission reviewed Building Permits #274 - 286 along with the Building Department Activity Report dated August 17, 2009.

There were no Commissioner Committee Reports.

The Auditor's Reports for July 2009 were received by the Commission.

The Sanitation Department Report for July 2009 was received by the Commission.

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

Bills

Reappointment of Gene Johnson to the Airport Authority as Ex-officio Board Member for a five year term July 2009 to July 2014

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1216

Resolution Finding that Petition for Vacation is in Proper Form and Contains the Required Signatures (Sheyenne Crossings)

Games of Chance: West Fargo Packer Backers for Bingo, Raffle, Calendar Raffle from August 17, 2009 to June 30, 2010

Request for Special Permit for outdoor event September 19, 2009 at the VFW

Board of Adjustments Public Hearing 5:45 PM August 31, 2009 for Variance to Reduce Front Yard Setback for Parking Lot at 1225 East Main Avenue

Public Hearing 5:45 PM August 31, 2009 for rezoning of Shadow Wood 3rd Addition from Agricultural to Multiple Dwellings

Public Hearing 5:45 PM August 31, 2009 for rezoning of Charleswood 27th Addition from Agricultural to Planned Unit Development

Assessment District for Street Improvement District No. 1213 (8th Street West/2nd Avenue West Sanitary Improvements)

No opposition. Motion carried.

Sheriff Paul Laney appeared before the Commission to thank the City Commission and West Fargo Police Department for all the support during the flood of 2009. Mayor Rich Mattern and Police Chief Arland Rasmussen were presented with mementos in appreciation from the Cass County Sheriff's Office.

John McIntosh of Waste Management appeared before the Commission to advise that Waste Management is interested in providing a single stream /no separating recycling program for West Fargo. After discussion, it was the consensus of the City Commission that Commissioner Lou Bennett, Public Works Director Barry Johnson and John McIntosh of Waste Management meet to discuss the program and come back to the City Commission with a recommendation.

Planning Director Larry Weil appeared before the Commission on the request from JB Real Estate Investments, LLC for a Conditional Use Permit for 12-unit multiple family dwellings on Lot 8, Block 2 of Eagle Run 12th Addition. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to all conditions based on request's consistency with City Plans and Ordinances. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the City Commission on the Resolution of Necessity for Street Improvement District No. 2207 – Lodoen Center Area Proposed Alley Reconstruction and recommended not to proceed with the project at the current time due to the amount of protests and the fact that work needs to be done on the sewer line in that area. Craig Hakanson and City Attorney Brian Neugebauer also appeared before the Commission. A public hearing was held. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to determine not to proceed with the project at this time. No opposition. Motion carried. Residents at 117 5th Avenue East and 338 1st Avenue East advised there are holes in the road that need to be repaired and Commissioner Mattern asked that Public Works Director Barry Johnson check the area.

Planning Director Larry Weil appeared before the Commission on the request from Mark Ugelstad for a Conditional Use Permit for Accessory Building in an Agriculturally zoned district located at 16606 38th Street SE, Mapleton, ND. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the Conditional Use Permit subject to conditions based on request's consistency with City Plans and Ordinances. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2208 (Lodoen Community Center Parking Lot). Commissioner Schulz moved and Commissioner Simmons seconded to award the contract for Street Improvement District No. 2208 to Aggregate Industries for their bid amount of \$136,435.80. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2206 (Carmell Place First Subdivision). Commissioner Simmons moved and Commissioner Schulz seconded to award the contract for Street Improvement District No. 2206 to Aggregate Industries for their bid amount of \$141,304.50. No opposition. Motion carried.

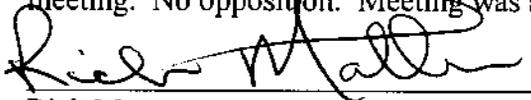
City Engineer Kevin Bucholz appeared before the Commission on Sewer Improvement District No. 1213 (8th Street West/2nd Avenue West Sanitary Improvements). Commissioner Bennett moved and Commissioner Schulz seconded to award the contract for Sewer Improvement District No. 1213 to Master Construction for their bid amount of \$1,541,702.95. No opposition. Motion carried.

After discussion on the Labor Day meeting date of September 7, 2009, Commissioner Simmons moved and Commissioner Bennett seconded that the regular meeting on September 7, 2009 not be held. No opposition. Motion carried.

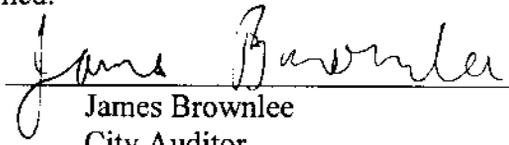
There were no Non-Agenda items.

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



James Brownlee
City Auditor