



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

The West Fargo City Commission met on Monday, October 19, 2009, at 5:30 P.M. Those present were Rich Mattern, Bryan Schulz, Mark Simmons and Mike Thorstad. Absent was Lou Bennett. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Approval of Change Orders for the Main Avenue Project is to be added to the Consent Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Schulz seconded to approve the Minutes of October 5, 2009. No opposition. Motion carried.

The Commission reviewed Building Permits #410 - 457 along with the Building Department Activity Report dated October 19, 2009.

Commissioner Mattern asked if leaves could be taken directly to the Fargo Compost Site. City Auditor James Brownlee is to contact Public Works Director Barry Johnson.

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

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

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

Bills

Sidewalk Improvement District No. 6048 (2010 Walks): Approve Engineer's Report and Authorize City Engineer to prepare Plans and Specifications

Amended Resolution of Offer to Purchase in Sewer Improvement District No. 1214 (Eagle Run 12th Addition – Phase II)

Change Orders No. 5, No. 6, No. 7 and No. 8 for Main Avenue Project

No opposition. Motion carried.

City Attorney Robert Hoy appeared before the Commission on Ordinance No. 854 relating to the Bench Sign Franchise. Planning Director Larry Weil asked about the fee for the temporary franchise and the Commission advised it would be the same permit fee. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to place Ordinance No. 854 on Second Reading. Commissioners Mattern, Schulz and Simmons voting aye. Commissioner Thorstad abstained from voting. Commissioner Bennett absent and not voting. No opposition. Motion carried.

City Attorney Robert Hoy appeared before the Commission on Ordinance No. 853 relating to Landing or Taking Off of Aircraft at Unauthorized Airports, Helipads, or other Unauthorized Locations Prohibited. Police Chief Arland Rasmussen, Assistant Chief Michael Reitan and Planning Director Larry Weil also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Thorstad seconded to place Ordinance No. 853 on First Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Steffes 5th Addition. Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Final Plat of Steffes 5th Addition with conditions based on request's consistency with City Plans and Ordinances. No opposition. Motion carried.

Police Chief Arland Rasmussen and Assistant Chief Michael Reitan appeared before the Commission on the Mutual Aid Policy. After discussion, Commissioner Schulz moved and Commissioner Thorstad seconded to authorize the Mayor and City Administrator to sign the Mutual Aid Policy. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Inn 2nd Addition. Commissioner Simmons moved and Commissioner Schulz seconded to approve the Final Plat of Inn 2nd Addition and to approve the Conditional Use Permit to allow for storage on Lot 1, Block 1 of the Inn Addition, with conditions based on request's consistency with City Plans and Ordinances. No opposition. Motion carried.

The City Commission meeting was adjourned at this time and the Board of Adjustments was convened.

Senior Planner Steven Zimmer appeared before the Board of Adjustments on the request from Dean Groth for a variance to reduce the rear yard setback for an accessory building at 1869 Huntington Court and advised that Staff recommends that the variance request be denied on the basis that it cannot be justified under the criteria for granting a variance and that the City cannot issue a permit to construct an accessory building over a utility easement. City Attorney Robert Hoy, City Engineer Kevin Bucholz and Planning & Zoning Commission Chairman Frank Lenzmeier also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to approve the variance. No opposition. Motion carried.

The Board of Adjustments was adjourned and the City Commission reconvened.

Senior Planner Steven Zimmer appeared before the Commission on the request from Delan Schmidt for a Planned Unit Development Amendment to allow for accessory buildings on Lots 1-10, Block 1 of Burlington 3rd Addition (1904 Burlington Drive). After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to approve the Planned Unit Development Amendment with conditions based on request's consistency with City Plans and Ordinances and the addition to the first recommendation that the lot coverage of the total development not exceed 30%. No opposition. Motion carried.

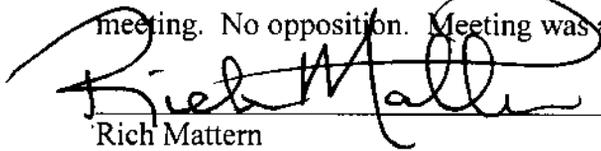
Senior Planner Steven Zimmer appeared before the Commission on the request from John Tassava for a building permit prior to approval of Conditional Use Permit for a 4968 square foot pole building at 833 4th Avenue West. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to allow John Tassava to proceed with a Building Permit at his own risk. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the blighted conditions for a habitat for Humanity Project at 407 Morrison Street, West Fargo, ND. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded that the City Commission has determined that the property is in blighted condition. No opposition. Motion carried.

There were no Non-Agenda items.

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor