



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

The West Fargo City Commission met on Monday, November 2, 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 Item No. 3 under the Regular Agenda will be a Public Hearing, a Public Hearing will also be held on the Petition for Vacation of the North 9 feet of the 40-foot access and utility easement for Lot 1, Block 1, Geller's Second Addition, and Non-Agenda items are Planning & Zoning appointment and discussion on F-M Diversion plans. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Order of Agenda with the additions as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of October 19, 2009. Motion carried.

The Commission reviewed Building Permits #458 - 479 along with the Building Department Activity Report dated November 2, 2009 and the Building Department Monthly Comparison Report for October 2008/October 2009.

There were no Commissioner Committee Reports.

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

Bills

Resolution Approving Contract and Contractor's Bond in Sewer Improvement District No. 1214

Games of Chance: Cooties Pup Tent #8 West Fargo VFW for raffle to be held February 11, 2010 at the West Fargo VFW Post 7564

Games of Chance: VFW Department of North Dakota for raffle to be held April 30, 2010 at the West Fargo VFW Post 7564

Snow Emergency Map

No opposition. Motion carried.

Tom Kenville of JT Properties appeared before the Commission to ask that the City of West Fargo purchase the Riverside Apartments (509-511 West Main Avenue) from JT Properties. City Engineer Kevin Bucholz, City Auditor James Brownlee and City Attorney Brian Neugebauer also appeared before the Commission. City Auditor James Brownlee advised that after review, Staff has no unanimous consensus on this request. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to table this request until a future date within six months. No opposition. Motion carried.

City Attorney Brian Neugebauer 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. Commissioner Bennett moved and Commissioner Simmons seconded to place Ordinance No. 853 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Street Improvement District No. 2196 (7th Avenue East – 9th Street East to 17th Street East) and advised that no protests had been filed. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Bennett seconded to adopt the Resolution Determining that not Sufficient Protests were filed on Improvement in Street Improvement District No. 2196 (7th Avenue East – 9th Street East to 17th Street East). No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Petition for Vacation for the North 9 feet of the 40-foot access and utility easement in Lot 1, Block 1, Geller's Second Addition. A public hearing was held and there was no public comment. The hearing was closed. Commissioner Simmons moved and Commissioner Bennett seconded to adopt the Resolution for vacation of this property. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Charleswood 27th Addition rezoning from Agricultural to Planned Unit Development and Final Plat Approval. Senior Planner Steven Zimmer advised there will be one property owner and the one lot will remain PUD. Commissioner Schulz moved and Commissioner Bennett seconded to place on Second Reading Ordinance No. 852 on the rezoning of Charleswood 27th Addition from Agricultural to Planned Unit Development and to approve the Final Plat subject to all conditions listed in the Staff Report. No opposition. Motion carried.

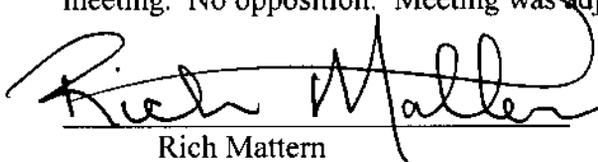
Commissioner Mattern recommended the appointment of Edward Sheeley to the Planning & Zoning Commission to replace Wayne Nelson for a fill term to April 2014. Planning Director Larry Weil appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Thorstad seconded to appoint Edward Sheeley to the Planning & Zoning Commission for a fill term to April 2014. No opposition. Motion carried.

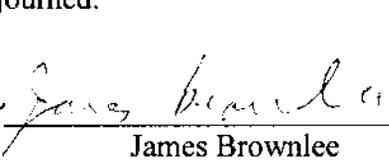
Commissioner Mattern advised that Kevin Campbell of the Metro Flood Study Work group invited the City of West Fargo officials to their public meeting November 5, 2009 at 3:30 PM at the Fargo City Hall. A discussion was held and there was a consensus that the diversion not be tied into the West Fargo Diversion. After further discussion, Commissioner Simmons moved and Commissioner Bennett seconded that if the ND side is chosen for the diversion the City Commission prefers going out three miles west. No opposition. Motion carried.

City Administrator James Brownlee appeared before the Commission to advise that the combination of all tax levies (City, School, Park) caused a reduction in taxes (on a \$100,000 house this would amount to \$339.62).

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