



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

The West Fargo City Commission met on Monday, June 7, 2010, 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 Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1218 and Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1220 are to be added to the Consent Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the additions to the Consent Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of May 17, 2010. Motion carried.

The Commission reviewed Building Permits #229 - 277 along with the Building Department Activity Report for June 7, 2010 and the Building Department Monthly Comparison Report for May 2009/May 2010.

There were no Commissioner Committee Reports.

The Sanitation Department Report for April 2010 was received by the Commission.

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

#### Bills

Designation of West Fargo Pioneer as the official newspaper for the City of West Fargo

Pledging of Assets for State Bank, Alerus, Western State and 1<sup>st</sup> International Bank

Public Hearing 5:45 PM June 21, 2010 for rezoning of Cass County Highway Subdivision from Heavy Commercial/Light Industrial to Planned Unit Development

Engineers Report for 2010 Pavement Management System Projects

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1218

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1220

No opposition. Motion carried.

Mayor Mattern presented a plaque to Commissioner Bryan Schulz in appreciation for his years of service as a West Fargo City Commissioner.

Assistant Police Chief Michael Reitan appeared before the Commission on the 2010 Edward Byrne Memorial Justice Assistance Grant Funds. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Justice Assistance Grant Interlocal Agreement. No opposition. Motion carried.

Florentina Bradforde of 609 13 ½ Ave East and Rachel Westlin of 611 13 ½ Avenue East appeared before the Commission to discuss the 13 ½ Avenue East entrance and exit. City Auditor James Brownlee also appeared to advise that Staff is working on an agreement with the developer and homeowners will be advised when a meeting has been set to discuss options. Assistant Public Works Director Chris Brungardt also appeared before the Commission to review three options: wait until the developer is ready, put the road in now at an estimate of \$52,000 and assess the costs, or let it function the way it is currently. City Auditor James Brownlee advised the meeting will be held prior to the next City Commission Meeting.

City Attorney Brian Neugebauer reviewed ordinance No. 862 regarding Alcoholic Beverages. Language to 10-0103(2) and (3) regarding transfer of a license was discussed and added to the ordinance. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 862 on First Reading with the new language as outlined by City Attorney Brian Neugebauer. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Water and Sewer Improvement District No. 1219 (4<sup>th</sup> Street East from 36<sup>th</sup> Avenue to 32<sup>nd</sup> Avenue) and advised that one protest had been received. City Engineer Kevin Bucholz stated that the property owner protesting sees the need but are concerned with the timing of the specials. A public hearing was held. John Hauser of Prairie Heights Community Church and Church Board Secretary Roger Stroh appeared to ask about the cost of the road and would like to have input on the design, Park District dedication, clarification on land easements if road put in and deferment of specials. Jim Bullis, on behalf of Shadow Wood Development, also appeared before the Commission. City Attorney Brian Neugebauer stated that a decision on the deferment of specials is made at a later date. Commissioner Simmons moved and Commissioner Bennett seconded to adopt the "Resolution Determining that Not Sufficient Protests were Filed on Improvement in Water and Sewer Improvement District No.1219". No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Maple Ridge 1<sup>st</sup> Addition (previously proposed as Newbridge 1<sup>st</sup> Addition) rezoning from Agricultural to Single Family Dwellings, Limited Multiple Dwellings and Multiple Dwellings and a Land Use Plan Amendment from Medium Density Residential to Low and High Density Residential and advised that the Planning & Zoning Commission recommended approval of the revised plan subject to the ten conditions listed in the Staff Report. A public hearing was held on the rezoning. There was no public comment and the hearing was closed. Commissioner Schulz moved and Commissioner Bennett seconded to place the rezoning of Maple Ridge 1<sup>st</sup> Addition on First Reading subject to all conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the PILOT (Payment in Lieu of Taxes) for the West Fargo Technology Center at 1405 Prairie Parkway, West Fargo, ND and advised that the Economic Development Advisory Committee recommended that the PILOT be granted on 50% of the building and a reduction in rent is to be given to those businesses that lease space in the building and the PILOT would be a graduated rate and annual review will be conducted on the occupancy with a six month grace period for vacated space to be reoccupied. City Assessor Wanda Wilcox also appeared before the Commission. A public hearing was held. George Gaukler, Manager of the property, appeared before the Commission. The hearing was closed. Commissioner Simmons moved and Commissioner Schulz seconded to approve the PILOT based on the recommendations of the Economic Development Advisory Committee. Commissioners Mattern, Bennett, Schulz and Simmons voting aye. Commissioner Thorstad voting nay. Motion carried.

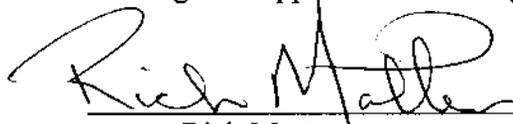
Planning Director Larry Weil appeared before the Commission on Shadow Wood 4<sup>th</sup> Addition and advised that staff recommends approval of the rezoning from Special Single Family Dwellings to Planned Unit Development and Final Plat of Shadow Wood 4<sup>th</sup> Addition subject to conditions listed in the Staff Report. Commissioner Simmons moved and Commissioner Bennett seconded to place Ordinance No. 859 on Second Reading for the rezoning of Shadow Wood 4<sup>th</sup> Addition from Special Single Family Dwellings to Planned Unit Development and to approve the Final Plat subject to conditions in the Staff Report (4-8). No opposition. Motion carried.

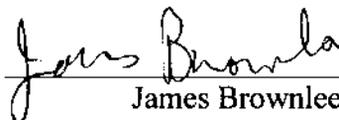
City Auditor James Brownlee appeared before the Commission on the contract for IT Services and advised that after receiving IT Support Bids, Staff recommends to award the IT contract to NRG. Commissioner Schulz moved and Commissioner Bennett seconded to authorize the signing of the contract with NRG. 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.

  
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Rich Mattern  
President of the Board

  
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James Brownlee  
City Auditor