



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

The West Fargo City Commission met on Monday, May 16, 2011, at 5:30 P.M. Those present were Rich Mattern, Lou Bennett, Mark Simmons, Mike Thorstad and Duane Hanson. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that a replacement Ordinance No. 894 (Item No. 2 of the Regular Agenda) had been provided by City Attorney Brian Neugebauer and Public Works Director Barry Johnson has added a Non Agenda Item, Approve Sale of Surplus Property. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the new Ordinance No. 894 and the Non-Agenda item. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Hanson seconded to approve the Minutes of May 2, 2011. No opposition. Motion carried.

The Commission reviewed Building Permits #105 - 139 along with the Building Department Activity Report dated May 16, 2011.

There were no Commissioner Committee Reports.

The Auditor's Reports for April 2011 were received by the Commission.

The Sanitation Department Report for April 2011 was received by the Commission.

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

Bills

Gaming Site Authorization:

The Arc Upper Valley Inc. at Bar Nine
Arthur W. Jones Post 7564 at the West Fargo VFW Club
Prairie Public Broadcasting, Inc. at Three Lyons Pub
ShareHouse, Inc at O'Leary's Pub
West Fargo Fire Department at Silver Dollar
Team Makers Club, Inc. at Hooligans

West Fargo VFW Post 7564 request for special permits May 19, June 16, July 21, August 18, and September 15 (West Fargo's Cruise Nights)

Games of Chance: Fargo Rotary Club for Poker 8/27/11 at the Silver Dollar

Approve Change in Employee Handbook

Resolution approving Contract and Contractor's Bond in Street Improvement District No. 2210

Public Hearing June 6, 2011 at 5:45 PM for rezoning of Westport Beach 7th Addition from Limited Multiple Dwellings to Mixed One & Two-Family Dwellings

Public Hearing June 6, 2011 at 5:45 PM for rezoning of Maple Ridge at the Preserve 2nd Addition from Agricultural to Single Family Dwellings

Storm Sewer Improvement District No. 4048 (Butler's/Halverson's): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Sewer, Water, Street & Storm Improvement District No. 1229 (Shadow Creek 1st Addition): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Sewer, Water, Street & Storm Improvement District No. 1230 (Westport Beach 7th Addition): Approve Engineer's Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specs and authorize Advertisement for Bids with bid opening on June 2, 2011

No opposition. Motion carried.

Don DuBord appeared before the Commission to request permission to put garden plots in the "green space" between 14th Avenue and Sheyenne Park Place, west of 10th Street West. Senior Planner Steven Zimmer, City Attorney Brian Neugebauer and Public Works Director Barry Johnson also appeared before the Commission. A discussion was held on the liability issue and the maintenance of the area by the City. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to allow garden plots with the City Attorney preparing a lease to cover liability and maintenance of the area. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 894 relating to separate entrances for liquor stores. An updated Ordinance No. 894 had been provided to each Commissioner prior to the meeting. Commissioner Bennett moved and Commissioner Thorstad seconded to place Ordinance No. 894 on First Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the Renaissance Zone project for Lake Agassiz Habitat for Humanity for a new home at 326 6th Street West and advised that Business Development Director Dorinda Anderson has requested to withdraw this application since it is no longer eligible because work was started prior to the City and State approval.

Planning Director Larry Weil appeared before the Commission on the Renaissance Zone project for Lake Agassiz Habitat for Humanity for a new home at 407 Morrison and advised that the Renaissance Zoning Authority recommended approval. After discussion, Commissioner Bennett moved and Commissioner Hanson seconded to approve the Renaissance Zone project as approved by the Renaissance Zone Authority. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Shadow Wood 5th Addition. Commissioner Hanson moved and Commissioner Thorstad seconded to place on Second Reading Ordinance No. 892 relating to the rezoning of Shadow Wood 5th Addition from Agricultural to Single Family Dwellings and to approve the Final Plat of Shadow Wood 5th Addition subject to any recommendations of Staff. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Shadow Creek 1st Addition. After discussion, Commissioner Bennett moved and Commissioner Hanson seconded to place on Second Reading Ordinance No. 893 relating to the rezoning of Shadow Creek 1st Addition from Agricultural to Single Family Dwellings and to approve the Final Plat of Shadow Creek 1st Addition subject to any recommendations of Staff. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from David Pralguske of DMI, Inc. for an access onto 9th Street NE (645 7th Avenue NE). City Engineer Kevin Bucholz and Planning & Zoning Chairman Frank Lenzmeier appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the temporary access onto 9th Street NE for DMI, Inc. based on Staff and Planning & Zoning Commission recommendations listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steven Zimmer gave an update on the Meyer Drive Parking issue and advised that after review with the Public Works Department, the No Parking Signs on the south side of Meyer Drive will be permanent.

City Engineer Kevin Bucholz appeared before the Commission on Sewer and Water Improvement District No. 1219 – Phase II – Rebid (4th Street East – Bridge, Roadway and Landscaping). Commissioner Bennett moved and Commissioner Thorstad seconded to award the contract for Sewer and Water Improvement District No. 1219 – Phase II – Rebid to Riley Brothers Construction, Inc. for their bid amount of \$602,002.91 as recommended by the City Engineer. Commissioners Mattern, Bennett, Thorstad and Hanson voting aye. Commissioner Simmons voting no. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer, Water, Storm and Street Improvement District No. 1228 (The Wild's 1st Addition – Phase I). Commissioner Simmons moved and Commissioner Hanson seconded to award the contract for Sewer, Water, Storm and Street Improvement District No. 1228 to Griffin Construction Co., Inc. for their bid amount of \$2,441,350.65 as recommended by the City Engineer. No opposition. Motion carried.

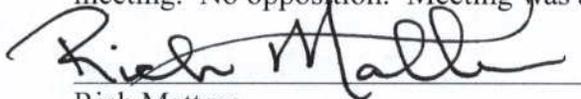
A discussion was held on the July 4, 2011 City Commission Meeting date. City Auditor James Brownlee appeared before the Commission. Commissioner Bennett moved and Commissioner Hanson seconded to cancel the July 4th meeting and set the meeting date for Thursday, July 7, 2011. No opposition. Motion carried.

Commissioner Rich Mattern advised that a Commissioner needs to be appointed to the County Redistricting Board Selection Meeting. Commissioner Simmons agreed to the appointment.

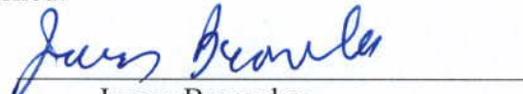
Public Works Director Barry Johnson appeared before the Commission regarding the sale of surplus property as listed in his memo of May 16, 2011. Commissioner Bennett moved and Commissioner Hanson seconded to approve the request to sell the surplus property. No opposition. Motion carried.

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor