



The West Fargo City Commission met on Monday, March 5, 2012, 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 stated that Item No. 8 of the Regular Agenda should read "Forestry Board" and Well #9 Rehabilitation is to be added to the Non-Agenda. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of February 20, 2012. No opposition. Motion carried.

The Commission reviewed Building Permits #56 - 74 along with the Building Department Activity Report dated March 5, 2012 and the Building Department Monthly Comparison Report for February 2011/February 2012.

There were no Commissioner Committee Reports.

The Auditor's Reports for January 2012 were received by the Commission.

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

Bills

Games of Chance: West Fargo Baseball for Calendar Raffle at Western State Bank, West Fargo, ND

Games of Chance: South Elementary PTA for Raffle to be held May 4, 2012 at South Elementary

2011 Stormwater Annual Report

Contract with Citi Lites for Cable Locating

Award Bid for 1750 Gallon Liquid Anti-Ice Applicator to VeriTech Industries for \$10,980.00

Public Hearing March 19, 2012, 5:45 PM for rezoning of The Wild's 2nd Addition from Agricultural to Single Family Dwellings

Street Improvement District No. 2217 (31 Ave E – 7th Street to Veterans Boulevard): approve Plans and Specifications and authorize Advertisement for bids with bid opening on March 29, 2012

Sewer, Water, Storm and Street Improvement District No. 1238 (The Wilds 2nd Addition): create Assessment District and authorize City Engineer to prepare Engineer's Report

Street Improvement District No. 2218 (West Fargo High School Parking Lot): approve Engineer's Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications and authorize Advertisement for bids with bid opening on March 29, 2012

Sewer, Water, Storm and Street Improvement District No. 1237 (Maple Ridge 2nd Addition): approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

No opposition. Motion carried.

Mayor Rich Mattern and Commissioners Bennett, Thorstad, Hanson and Simmons provided State of the City information pertaining to their portfolios and their appointments to Boards and Committees. Mayor Mattern thanked each of the Commissioners and Staff for their work during the past year.

City Attorney Brian Neugebauer reviewed the "Declaration of Restrictive Covenants" regarding Costco Wholesale Corporation. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to authorize the Mayor and City Auditor James Brownlee to execute the agreement. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of South Pond at the Preserve 4th Addition from Agricultural to Single Family Dwellings and from Single Family Dwellings to One & Two Family Dwellings. A public hearing was held. Attorney Dan Bueide of the Vogel Law Firm appeared on behalf of Rusty Goose Development. The hearing was closed. Commissioner Hanson moved and Commissioner Bennett seconded to place the rezoning on First Reading subject to the seven conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of Maple Ridge at the Preserve 2nd Addition from Single Family Dwellings to One and Two Family Dwellings and from Agricultural to Rural Residential. A public hearing was held. Attorney Jim Bullis appeared on behalf of the developer, Section 20 Investments LLC. The hearing was closed. Commissioner Simmons moved and Commissioner Hanson seconded to place the rezoning on First Reading subject to the ten conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from Adams Development for a Planned Unit Development Amendment for an apartment complex at 2915 Bluestem Drive, West Fargo, ND. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Planned Unit Development Amendment subject to the recommendation listed in the Staff Report. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Drain #45 Improvements (7th Avenue to 12th Avenue East) with a project cost of \$869,000. City Auditor James Brownlee also appeared before the Commission to advise that Highway Tax Distribution Funds and Capital Improvement Funds will be used to fund this project rather than assessments. After discussion, Commissioner Bennett moved and Commissioner Hanson seconded to approve the Engineer's Report and authorize the City Engineer to prepare Plans and Specifications. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission on the name/ownership/resident manager change for WF Maxwells. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the name change to M Foods Group, LLC dba as WF Maxwells, and to approve the background check for new owner Michael Marcil and new resident manger Roman Jose Sosa Escobar. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Hanson seconded to appoint Commissioner Bennett to the Forestry Board for a three year term April 2012 to April 2015. No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission on Well #9 Rehabilitation, provided bid proposals for the project and recommended to award the project to Traut Wells for their bid amount of \$47,400. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to award the bid to Traut Wells for \$47,400.00. No opposition. Motion carried. If the well is not repairable, only Items 1, 2 and 3 on the bid proposal will be done.

City Administrator Jim Brownlee reported on the following:

Bonds that were approved for sale at a later date at the last meeting did get sold with a cash savings of \$1,802,205 and net present value of \$1,537,391

The city will be calling two other bonds early

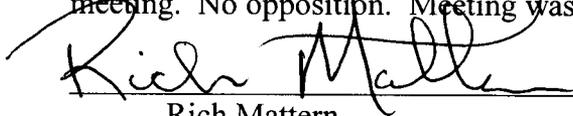
Home Builders Association City Night will be held March 22, 2012, 6 PM at the Radisson

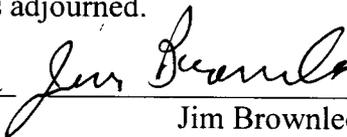
Economic Development Committee will be meeting Thursday morning

Mark Vaux, the new Director of Economic Development and Community Services, started March 1st

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


Jim Brownlee
City Auditor