



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

The West Fargo City Commission met on Monday, May 5, 2008, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Bryan Schulz, Lou Bennett and Mark Simmons. The meeting was called to order by Rich Mattern, Chairman of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern announced that Items No. 1 (Dakota Territory 11<sup>th</sup> Addition) and No. 5 (Bids for Video Recording) are to be removed from the Regular Agenda. Commissioner Schulz moved and Commissioner Warren 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 April 21, 2008. No opposition. Motion carried.

The Commission reviewed Building Permits #98 - 133 along with the Building Department Activity Report dated May 5, 2008 and the Building Department Monthly Comparison for April 2007/April 2008.

Commissioner Bennett reported that West Fargo had again received the recognition of Tree City USA from the National Arbor Day Foundation

Commissioner Bennett was congratulated by the Commission on the Recycling Campaign.

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

#### Bills

Site Authorization for West Fargo Fire Department at Silver Dollar Bar from July 1, 2008 to June 30, 2009

Site Authorization for ShareHouse, Inc. at O'Leary's Pub from July 1, 2008 to June 30, 2009

Resolution Approving Contract and Contract's Bond in Street Improvement District No. 2199

Sewer & Water Improvement District No. 1206 (Reserve at Osgood 1<sup>st</sup> Addition): Create Assessment District for Sewer & Water Improvement District No.1206 and authorize City Engineer to prepare Engineer's Report

No opposition. Motion carried.

City Attorney Brian Neugebauer and City Engineer Kevin Bucholz appeared before the Commission on City Sidewalk District No. 6045 – New Walks 2008. City Engineer Kevin Bucholz advised that this Sidewalk District will include placement of sidewalks on undeveloped lots. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the Engineer's Report, the Resolution Directing Preparation of Plans and Specifications, the Resolution Approving Plans and Specifications, the Resolution Directing Advertisement for Bids and the Resolution Declaring Work Necessary. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the City Commission on a request from Key Contracting to reconsider the Conditional Use Permit on Lot 2 Block 1 of Center @ 7<sup>th</sup> First Addition for just the purpose of stockpiling no higher than 20 feet with the use of no mechanical conveyer, just front end loaders and scrapers. Tom Martin of Key Contracting also appeared before the Commission. Sheila Siler of 52 Pinewood Boulevard, Maurita Hess of 78 Pinewood Boulevard, Mark Berntson of 66 Evergreen Circle and Wanda Asleson of 86 Pinewood Boulevard also appeared before the Commission. After discussion, Commissioner Warren moved and Commissioner Schulz seconded to deny the Conditional Use Permit because of the negative impact it would have on the adjoining residential neighborhood. No opposition. Motion carried.

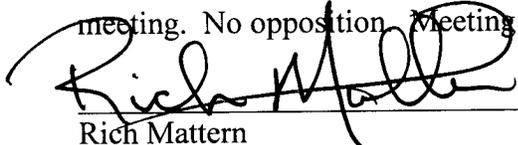
City Assessor Wanda Wilcox appeared before the Commission on the PILOT (Payment in Lieu of Taxes) application for Midcontinent Communications at 50 22<sup>nd</sup> Avenue East, West Fargo, ND, and advised that the West Fargo Economic Development Advisory Committee had recommended a graduated PILOT program. A public hearing was held. Dan Nelson of Midcontinent Communications appeared before the Commission. The hearing was closed. Commissioner Bennett moved and Commissioner Simmons seconded to approve the five year PILOT for Midcontinent Communications as recommended by the EDC Advisory Committee. No opposition. Motion carried.

There were no Non-Agenda items.

City Assessor Wanda Wilcox provided written Recommendations for 2008 Appeals information to each Commissioner.

City Attorney Brian Neugebauer advised that the Commission will be going into Executive Session. The topic or purpose of this executive session is pending litigation with Opp Construction. City Attorney Brian Neugebauer also advised that the City Commission can be adjourned at this time.

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

  
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Rich Mattern  
Chairman of the Board

  
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James Brownlee  
City Auditor