



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

The West Fargo City Commission met on Monday, June 2, 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 advised that Item d of the Consent Agenda, West Fargo Watering Restrictions for 2008, is to be removed from the Consent Agenda and discussed under the Regular Agenda and "Request from Public Works Director Barry Johnson to sell surplus property including scrap metal and unused items in shop yard" is to be added to the Consent Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of May 5, 2008 and the Minutes of May 19, 2008. No opposition. Motion carried.

The Commission reviewed Building Permits #190 – 237 along with the Building Department Activity Report dated June 2, 2008 and the Building Department Monthly Comparison for May 2007/May 2008.

There were no Commissioner Committee Reports.

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

Bills

Reappointment of Marvin Leidal to the Special Assessment Commission for a six year term to expire in 2014

Request from Speedway Restaurant and Lounge for Special Liquor Permit
June 21, 2008

Sewer and Water Improvement District No. 1206 (Reserve at Osgood 1st Addition): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on June 19, 2008

Sewer and Water Improvement District No. 1210 (Twin Meadows/Hersch Subdivision): Create Assessment District, authorize City Engineer to prepare Engineer's Report, approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

Sewer and Water Improvement District No. 1201 (Shadow Wood 2nd Addition): Approve Plans and Specifications and authorize Advertisement for bids with bid opening on June 26, 2008

Sewer and Water Improvement District No. 1188 (Christianson's 1st Addition): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on June 19, 2008

Sewer and Water Improvement District No. 1188 (Christianson's 1st Addition): Create Revised Assessment District

Street Improvement District No. 2200 (3rd Avenue East – 3rd Street to 4th Street): Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on June 19, 2008

Request from Public Works Director Barry Johnson to sell surplus property including scrap metal and unused items in shop yard

No opposition. Motion carried.

Mark Akers appeared before the Commission to request that the City investigate the possibility of a railroad quiet zone. Gene Rudolph of 513 2nd Avenue NW also appeared before the Commission. After discussion, City Auditor Jim Brownlee was asked to contact Burlington Northern for some type of resolution. Commissioner Warren also advised that she had been in contact with Senator Byron Dorgan's office and they would be agreeable to meet to discuss Federal regulation and funding.

Planning Director Larry Weil appeared before the Commission on Doll's 5th Addition. A public hearing was held on the rezoning from Agricultural to Light Commercial. There was no public comment and the hearing was closed. Commissioner Simmons moved and Commissioner Bennett seconded to place the rezoning of Doll's 5th Addition on First Reading based on zoning consistency with the City's Comprehensive Plan and subject to conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Shadow Wood 2nd Addition. A public hearing was held on the rezoning from Agricultural to Special Single Family Dwellings. There was no public comment and the hearing was closed. Commissioner Bennett moved and Commissioner Schulz seconded to place the rezoning of Shadow Wood 2nd Addition on First Reading based on zoning consistency with the City's Comprehensive Plan and subject to conditions listed in the Staff Report. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sidewalk Improvement District No. 6045 – 2008 Walks. Commissioner Schulz moved and Commissioner Warren seconded to award the contract for Sidewalk Improvement District No. 6045 – 2008 Walks to Specialized Contracting, Inc. for their bid amount of \$299,901.00. No opposition. Motion carried.

Public Works Director Barry Johnson appeared before the Commission on West Fargo Watering Restrictions for 2008 as outlined in his memo of May 29, 2008, to the Mayor and Commissioners. After discussion, Commissioner Bennett moved and Commissioner Warren seconded to approve the Watering Restrictions for 2008 as outlined in the memo. No opposition. Motion carried.

There were no Non-Agenda items.

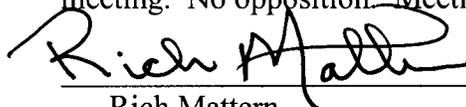
There was no correspondence.

City Attorney Brian Neugebauer advised that the Commission will be going into Executive Session. The topic or purpose of this executive session is discussion on a settlement for the Opp Construction lawsuit and to make a decision on the settlement.

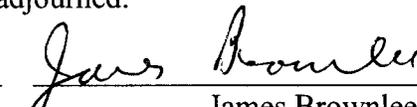
The City Commission moved to Executive Session at this time.

The City Commission reconvened. Commissioner Simmons moved and Commissioner Bennett seconded to approve the mediation agreement of \$71,000 with Opp Construction. No opposition. Motion carried.

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



Rich Mattern
Chairman of the Board



James Brownlee
City Auditor