



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

The West Fargo City Commission met on Monday, November 17, 2008, 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 Approval of Transportation Enhancement applications for 40th Avenue Multi-modal Path from Sheyenne River to 9th Street West and Beaton Road Multi-modal Path and bridge is to be added to the Consent Agenda and Proposal for Stability Analysis 6th Street West Option for Reconstruction of Main Avenue will be discussed under Non-Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the additions as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of November 3, 2008. No opposition. Motion carried.

The Commission reviewed Building Permits #561 - 579 along with the Building Department Activity Report dated November 17, 2008.

There were no Commissioner Committee Reports.

The Auditor's Reports for October 2008 were received by the Commission.

There were no Department Reports.

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

Bills

Resolutions Directing Assessments to be Levied for Street Improvement Districts No. 2200, 2199 and 2198 and Water and Sewer Improvement Districts No. 1206 and 1193

Site Authorization: Prairie Public Broadcasting, Inc. at Pistol Pete's Saloon

Games of Chance: Cootie Pup Tent #8 for raffle January 29, 2009 at West Fargo VFW

Public Hearing December 1, 2008 at 5:45 PM for Land Use Plan Amendment from Office Park to Medium and High Density Residential on parcel located in the NW ¼ of Section 18, T139N, R49W (Barnes Township)

Transportation Enhancement applications for the following projects: 40th Avenue Multi-modal Path from Sheyenne River to 9th Street West and Beaton Road Multi-modal Path and bridge

No opposition. Motion carried.

Jim Knutson appeared before the Commission to request a building permit for Lot 7, Block 3, Pioneer Center. City Attorney Brian Neugebauer and Planning Director Larry Weil also appeared before the Commission. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to authorize the Building Administrator to issue the building permit with the developer's knowledge that he is proceeding at his own risk prior to final approval. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 834 relating to an additional \$.50 surcharge on water bills for a special forestry fund effective January 1, 2009. Commissioner Thorstad questioned the last paragraph of Section 1 of Ordinance No. 834. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 834 on Second Reading with the last paragraph of Section 1 placed above the paragraph relating to a special vector control fund. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 837 relating to Smoking Shelters and Penalties. Police Chief Arland Rasmussen, City Engineer Kevin Bucholz, Senior Planner Steve Zimmer and Brian Dirks of M & J Saloon also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to place Ordinance No. 837 on Second Reading and to include wording that every licensed liquor premises has to have one entrance that does not go through a smoking shelter. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Initial Resolution for the Issuance of General Obligation Arterial Street Bonds of 2009 (paying for cost of I-94 Interchange). Commissioner Schulz moved and Commissioner Simmons seconded to adopt this Resolution. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Lot 5, Block 1 of Dakota Machine 1st Addition. Commissioner Schulz moved and Commissioner Bennett seconded to approve Second Reading of the rezoning of Lot 5, Block 1 of Dakota Machine 1st Addition from Agricultural to Heavy Commercial/Light Industrial and to approve the Conditional Use Permit to allow for storage/warehousing on the basis that the request is consistent with City plans and ordinances and subject to conditions listed in the Staff Report including the condition there is no tower storage on the property. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on a Planned Unit Development Amendment for proposed Christianson 1st Addition to provide for commercial and retail buildings with single or multiple tenant and also auto/recreational vehicle sales and service as permitted uses together with the previously approved list of use. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the Planned Unit Development Amendment. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of North Forty at Osgood 1st Addition from Agricultural to Light Commercial. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Second Reading on the rezoning and to approve the Final Plat on the basis that the request is consistent with City plans and ordinances and subject to conditions listed in the Staff Report and an additional condition that the name of the subdivision be changed. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the Renaissance Zone Application from Northern Grain Equipment at 202 West 8th Street, West Fargo, ND. Commissioner Bennett moved and Commissioner Thorstad seconded to approve the Renaissance Zone Application. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on the Memorandum of Understanding with the Department of Transportation for Main Avenue. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Memorandum of Understanding. No opposition. Motion carried.

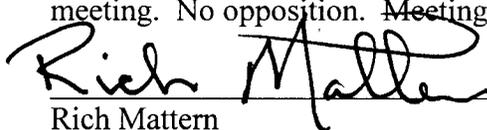
City Auditor Jim Brownlee appeared before the Commission on the Agreement of Intent to Enter into a Water Service Contract with Garrison Diversion Conservancy District. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve the Agreement of Intent to Enter into a Water Service Contract with Garrison Diversion Conservancy District contingent on getting an approved Record of Decision from the United States Department of Interior. No opposition. Motion carried.

Commissioner Mattern advised that Commissioner Bennett's term on the Cass County Planning Commission is expiring on December 31, 2008, and the City Commission needs to appoint a West Fargo representative for a one year term. Commissioner Schulz moved and Commissioner Simmons seconded to reappoint Commissioner Lou Bennett for 2009. No opposition. Motion carried.

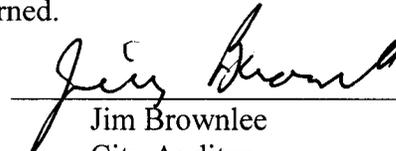
City Engineer Kevin Bucholz appeared before the Commission on a Proposal for Stability Analysis for 6th Street West Option on the Reconstruction of Main Avenue. Commissioner Simmons moved and Commissioner Schulz seconded to table action in order to review the material. No opposition. Motion carried.

There was no correspondence.

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



Rich Mattern
President of the Board



Jim Brownlee
City Auditor