



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

The West Fargo City Commission met on Monday, April 6, 2009, at 5:30 P.M. Those present were Rich Mattern, Lou Bennett, Mark Simmons and Mike Thorstad. Absent was Bryan Schulz. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Order of Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of March 30, 2009. No opposition. Motion carried.

The Commission reviewed Building Permit #34 along with the Building Department Activity Report dated April 6, 2009 and the Building Department Monthly Comparison Report for March 2008/March 2009.

There were no Commissioner Committee Reports.

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

Bills

Games of Chance: West Fargo Amvets Post #8 raffle to be held March 31, 2009 to June 30, 2009 at the VFW

Sewer and Water Improvement District No. 1214 (Eagle Run – Phase II): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Resolution to allow co-location on existing communications tower at 3122 6th
Street West

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Third Addendum to Developer's Agreement with Butler Properties which includes new improvements as part of the Tax Increment District. Commissioner Bennett moved and Commissioner Simmons seconded to approve the Third Addendum to Developer's Agreement. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Amended Special Assessment List for Water and Sewer Improvement District No. 1193. The Board reconsidered the question of approval of the assessment list for Water and Sewer Improvement District No. 1193 as confirmed by the Special Assessment Commission of the City of West Fargo. After the hearing and approval of the assessment list, the developer requested some changes to the list that would only lower assessments to other parties, and the only raised assessments would be on lots owned by the developer. The proposed changes by the Developer did not reach the City Commission prior to the hearing due to the flood fight. The reason for the changes is to equalize assessments between Shadow Wood First Addition and Shadow Wood Second addition.

It was moved by Commissioner Simmons and seconded by Commissioner Bennett that the assessment list for Water and Sewer Improvement District No. 1193 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be amended for the reasons stated above, and that the list attached to this resolution is hereby confirmed as the final list. No opposition. Motion carried and the amended assessment list was approved and confirmed.

Senior Planner Steve Zimmer appeared before the Commission on Jason Subdivision rezoning from Agricultural to Rural Residential, Final Plat Approval, approval of the Land Use Plan Amendment from Agricultural Preservation to Rural Residential, and approval of a Conditional Use Permit for the trailer home on a second lot. A discussion was held on park dedication and Commissioner Simmons suggested that the park dedication requirement be waived since it is a replacement. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to place on Second Reading Ordinance No. 844 on the rezoning of Jason Subdivision from Agricultural to Rural Residential, to approve the Final Plat, to approve the Land Use Plan Amendment from Agricultural Preservation to Rural Residential, to approve the Conditional Use Permit and to authorize Staff to not include Park Dedication in the agreement. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the Site Plan for Office Building for Titan Machinery located in the Interstate Corridor District at 644 East Beaton Drive and their request for reduction of required parking from 259 spaces to 172 spaces. Senior Planner Steve Zimmer advised that buffering to the residential neighborhood to the north is important and recommends that a landscaping plan be submitted. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to approve the Site Plan, to approve the request for reduction of required parking and to require a landscaping plan. No opposition. Motion carried.

Police Chief Arland Rasmussen appeared before the Commission on the Justice Assistance Grant application by the West Fargo Police Department for Federal Assistance for an emergency communications tower and a ¾ ton pickup. A public hearing was held and there was no public comment. Commissioner Simmons moved and Commissioner Thorstad seconded to approve the grant application. No opposition. Motion carried.

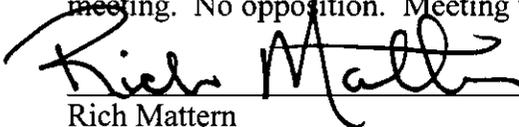
City Engineer Kevin Bucholz appeared before the Commission on Sewer and Water Improvement District No. 1207 (NHU-8-010 (030)934 Main Avenue – Segment 2). City Engineer Kevin Bucholz asked that the Commission also set a Public Meeting April 13, 2009, 6:00 PM at the Public Works Building to discuss actual assessments. City Auditor Jim Brownlee also appeared before the Commission advising that the City would cover one-half of the local share of assessments and residents cover the other one-half. After discussion, Commissioner Bennett moved and Commissioner Thorstad seconded to adopt the Resolution of Necessity for Sewer and Water Improvement District No. 1207, approve the Engineer's Report, authorize City Engineer to prepare Plans and Specifications, authorize ND Department of Transportation to Advertise for Bids, authorize the Publication of the Resolution of Necessity and set a public meeting for April 13, 2009. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on an Identity Theft Prevention Program which is required by the Federal Trade Commission. City Attorney Brian Neugebauer also appeared before the Commission. After review, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Identity Theft Prevention Program as outlined by City Auditor Jim Brownlee. No opposition. Motion carried.

There were no Non-Agenda items.

Mayor Mattern announced that the Board of Equalization Meeting will be held Tuesday, April 14, 2009 at 5:30 PM.

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