



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

The West Fargo City Commission met on Monday, June 15, 2009, at 5:30 P.M. Those present were Rich Mattern, Bryan Schulz, Mark Simmons and Mike Thorstad. Absent was Lou Bennett. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Tax Increment Sale is to be added to the Regular Agenda, Street Improvement District No. 2205 Mill and Overlay Project and Resolution authorizing final payment to Robert Gibb & Sons for Storm Sewer District No. 4038 are to be added to Non-Agenda and Item f "2009-2010 Liquor and Beer License Renewals" of the Consent Agenda is to be moved to the Regular Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Schulz moved and Commissioner Simmons seconded to approve the Minutes of June 1, 2009. No opposition. Motion carried.

The Commission reviewed Building Permits #151 - 185 along with the Building Department Activity Report dated June 15, 2009.

There were no Commissioner Committee Reports.

The Auditor's Reports for May 2009 were received by the City Commission.

The Sanitation Department Report for May 2009 was received by the Commission.

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

Bills

Games of Chance: West Fargo Amvets Post #8 for raffle to be held July 1, 2009 to June 30, 2010 at VFW Club

Games of Chance: Low Rise Community Center July 1, 2009 to June 30, 2010

Request from Speedway for a permit on June 18, 2009 at the Harley Davidson Shop

Pledging of Assets

Public Hearing June 29, 2009 at 5:45 PM for Selberg's 4th Subdivision rezoning from Agricultural to Rural Estate District

Public Hearing June 29, 2009 at 5:45 PM for rezoning Westport Beach 3rd Addition from Limited Multiple Dwellings to Single Family Dwellings

Reapproval of the Final Plat of Oak Ridge First Addition (previously called North Forty at Osgood 1st Addition)

Street Improvement District No. 2202 (9th Street West – 40th Avenue to South) – approve Plans and Specifications and authorize Advertisement for Bids with bid opening on July 2, 2009

Sewer and Water Improvement District No. 1216 (Knutson's 1st/Gateway 2nd Additions) – approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

No opposition. Motion carried.

Troy Hertz appeared before the Commission on his request to add a triangle piece to the apron of his driveway at 778 Lakeridge Drive, West Fargo, ND. Building Administrator Mark Housh and City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Thorstad seconded to allow Troy Hertz to add the triangle piece to the apron of his driveway on condition that a permit is secured and allowing the mail box to remain and the flare on one side. Commissioners Mattern, Schulz and Thorstad voting aye. Commissioner Simmons voting no. Commissioner Bennett absent and not voting. Motion carried.

Mike Manstrom of Dougherty & Company LLC appeared before the Commission and provided a statement on the City of West Fargo \$570,000 Tax Increment Revenue Bonds of 2009. City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to adopt the Resolution Providing for the Issuance of \$570,000 City of West Fargo, North Dakota Tax Increment Revenue Bonds of 2009. Commissioners Mattern, Schulz and Simmons voting aye. Commissioner Thorstad voting no. Commissioner Bennett absent and not voting. Motion carried.

The 2009-2010 Liquor and Beer License Renewals were reviewed. Commissioner Thorstad asked questions of Lieutenant Duane Sall and City Attorney Brian Neugebauer. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to approve the 2009-2010 Liquor and Beer License Renewals. No opposition. Motion carried.

Paul Wegenast did not appear before the Commission on his request for enforcement of the laws of the City of West Fargo. City Attorney Brian Neugebauer, Senior Planner Steven Zimmer, Finance Director Sharon Schacher and Lieutenant Duane Sall appeared before the Commission on the enforcement of the ordinances. Public Works Director Barry Johnson agreed to research the complaints of abandoned vehicles, junk in yards and weeds.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 847 relating to speed limits in school zones. Commissioner Schulz moved and Commissioner Simmons seconded to place Ordinance No. 847 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission for approval of a land swap with Eagle Run Plaza, LLC for land for a fire station. Fire Chief Roy Schatschneider also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve the land swap with Eagle Run Plaza, LLC and authorize the Mayor to sign the Exchange Agreement. No opposition. Motion carried.

Property Appraiser Paul Fracassi appeared before the Commission on the request from Chad Spellerberg for a five year remodeling exemption on the addition at 526 East 3rd Street Court, West Fargo, ND which would provide for a \$650.00 tax savings per year. Commissioner Thorstad suggested that receipts for the remodeling be reviewed prior to the final paperwork. After discussion, Commissioner Simmons moved and Commissioner Thorstad seconded to approve the Five year Remodeling Exemption for the addition. No opposition. Motion carried.

Lieutenant Duane Sall appeared before the Commission on the Justice Assistance Grant. Commissioner Thorstad suggested using some of the funds for the Police Training Center in order to reduce any requests for the 2010 budget. After discussion, Commissioner Thorstad moved and Commissioner Schulz seconded to authorize Police Chief Arland Rasmussen to sign the Justice Assistance Grant Memorandum of Understanding. No opposition. Motion carried.

Public Works Director Barry Johnson appeared before the Commission on the 2009 Mosquito Control Agreement between the City of West Fargo and Cass County Government and the Mosquito Spraying Agreement with Airborne Custom Spraying, Inc. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to authorize the Mayor to enter into the agreements. No opposition. Motion carried.

Joseph F. Crary of Indigo Signworks appeared before the Commission to ask for a review of the Bench Sign Franchise Ordinance. City Attorney Brian Neugebauer and Planning Director Larry Weil also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to table this request for 60 days to allow the Planning and Zoning Commission to review the ordinance. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from the Cass County Soil Conservation for a Conditional Use Permit to increase the amount of allowable signage in an Agricultural District on the Red River Valley Fairgrounds property. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to approve the Conditional Use Permit as recommended by Staff on the condition that the sign be no greater than 50 square feet on the south side of the building. Commissioners Mattern, Schulz and Simmons voting aye. Commissioner Thorstad abstained from voting. Commissioner Bennett absent and not voting. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Westport Beach 5th Addition. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Final Plat subject to all conditions listed in the Staff Report. No opposition. Motion carried.

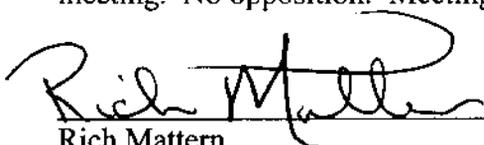
Senior Planner Steven Zimmer appeared before the Commission on the request from Mike Staber for a Conditional Use Permit to allow a concrete crushing facility and stockpiling of concrete and gravel on Lots 9 and 10, Block 1 of The Yards 2nd Addition. Mike Staber also appeared before the Commission. A discussion was held on the height limit of the stockpiles and the hours of operation. After discussion, Commissioner Thorstad moved and Commissioner Schulz seconded to approve the Conditional Use Permit as recommended by Staff with a height limit on the stockpiles of 30 feet and the hours of operation from 7AM to 10PM. Commissioners Mattern, Schulz and Thorstad voting aye. Commissioner Simmons voting no. Commissioner Bennett absent and not voting. Motion carried.

Street Improvement District No. 2205 (Mill and Overlay Project/NDDOT #STM-SU-8-094(052)347) was reviewed. Commissioner Simmons moved and Commissioner Schulz seconded to concur with the North Dakota Department of Transportation to award the contract for Street Improvement District No. 2205 to Northern Improvement Company. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Resolution Authorizing final payment to Robert Gibb & Sons, Inc. for Storm Sewer District No. 4038. Commissioner Simmons moved and Commissioner Schulz seconded to adopt the Resolution. No opposition. Motion carried.

There was no correspondence.

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



Rich Mattern
President of the Board



Sharon Schacher
Finance Director