



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

The West Fargo City Commission met on Monday, September 21, 2009, 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 the following items will be discussed under Non-Agenda: Request from Dean Groth for a variance for a shed at 1869 Huntington Court, Condemnation Proceedings for Storm Sewer Improvement District No. 4039, and Request from Greg Peterson to discuss the alley behind Ace Liquors. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the additions to Non-Agenda as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of August 31, 2009. No opposition. Motion carried.

The Commission reviewed Building Permits #322 - 365 along with the Building Department Activity Report dated September 21, 2009 and the Building Department Monthly Comparison Report for August 2008/August 2009.

There were no Commissioner Committee Reports.

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

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

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

Bills

Resolution Approving Contract and Contractor's Bond in Sewer Improvement District No. 1213

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2208

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2206

Special Sunday On and Off Sale Liquor and Beer Permit for Divas and Rockstars

Resolution of Support for FM Traffic Operations Action Plan (Moorhead/Fargo/West Fargo)

Street Improvement District No. 2196 (7th Avenue East – 9th Street East to 17th Street East): Create Assessment District, authorize City Engineer to prepare Engineer's Report, approve Engineer's Report, authorize City Engineer to Prepare Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on October 29, 2009

Approve Change Order: ND Department of Transportation – 9th Street Overpass

No opposition. Motion carried.

Brian Gibson of FM Metropolitan Council of Governments appeared before the Commission to review the F-M Metropolitan Council of Governments Transportation Plan. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to adopt the Resolution to approve the Long-Range Transportation Plan as presented. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Shadow Wood 3rd Addition. Commissioner Schulz moved and Commissioner Simmons seconded to place on Second Reading Ordinance No. 851 relating to the rezoning of Shadow Wood 3rd Addition from Agricultural to Multiple Dwellings and to approve the Final Plat as recommended by Staff. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Charleswood 26th Addition. Commissioner Simmons moved and Commissioner Bennett seconded to place on Second Reading Ordinance No. 846 relating to the rezoning of Charleswood 26th Addition from Single Family Dwelling to Planned Unit Development, to approve the Detailed Development Plans and to approve the Final Plat of Charleswood 26th Addition subject to conditions 3-11 as listed in the Staff Report. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission on the 2010 Budget for the City of West Fargo showing a 2.99 mill levy increase for a total of 91.46 mills. A public hearing regarding the 2010 Budget was held. There was no public comment and the hearing was closed. Commissioner Schulz moved and Commissioner Bennett seconded to adopt the 2010 Budget with expenditures of \$31,812,975 and to set the annual levy for 2009 at \$6,467,938. No opposition. Motion carried.

General Fund	\$7,551,941
Sanitation Fund	1,829,686
Sewer Water Funds	3,951,497
Library	658,627
Airport	161,446
Debt Service	15,132,975
Capital Improvements	500,000
Special Revenue Funds	<u>2,026,803</u>
Total 2010 Budget	\$31,812,975

Commissioner Thorstad commented that he did not like to see a raise in the mill levy but felt it was necessary for the 2010 Budget, reviewed some of the larger expenditures for 2010 and complimented the Department Heads on their work on the budget.

City Auditor James Brownlee appeared before the Commission on the 2010 Contract between the West Fargo Fire Department and the City of West Fargo. Commissioner Schulz moved and Commissioner Bennett seconded to approve the contract in the amount of \$575,000.00 for fiscal year commencing January 1, 2010. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from O'Day Equipment for a Conditional Use Permit to allow construction of a Petroleum Bulk Plat at 1133 and 1217 5th Avenue NE. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the Conditional Use Permit with conditions based on request's consistency with City Plans and Ordinances. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Burlington 5th Addition. Planning Director Larry Weil advised the original landscaping plan would need to be completed or a revised plan submitted to the City and the Police Department requested signage showing locations and addresses. Commissioner Bennett moved and Commissioner Thorstad seconded to approve the Final Plat of Burlington 5th Addition subject to all conditions of Staff. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from Dave's Tire for a Planned Unit Development Amendment to allow for business expansion at 1225 East Main Avenue. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve the Planned Unit Development subject to conditions listed in the Staff Report. No opposition. Motion carried.

Assistant City Engineer Brock Storrusten appeared before the Commission on Storm Sewer Improvement District No. 4039 (Section 29 Retention Pond Improvements). Commissioner Simmons moved and Commissioner Schulz seconded to award the contract for Storm Sewer Improvement District No. 4039 to Tom's Backhoe Service, Inc. for their bid amount of \$607,617.60. No opposition. Motion carried.

The Commission reviewed a request from Dean Groth for a variance to build a shed at 1869 Huntington Court. City Attorney Brian Neugebauer and Assistant City Engineer Brock Storrusten appeared before the Commission. City Attorney Brian Neugebauer advised no action needs to be taken at this meeting, but a Public Hearing will need to be held for the variance.

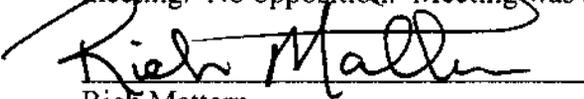
City Attorney Brian Neugebauer appeared before the Commission on condemnation proceedings for Storm Sewer Improvement District No. 4039. Assistant City Engineer Brock Storrusten advised that retention ponds are needed at this time. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the Resolutions of Necessity and Resolutions of Offer to Purchase. No opposition. Motion carried.

Greg Peterson of Ace Liquors appeared before the Commission requesting that the alley behind Ace Liquors be paved and widened. City Auditor James Brownlee and City Attorney Brian Neugebauer appeared before the Commission. City Auditor James Brownlee agreed to discuss this matter with Department of Transportation engineers and report back to the Commission.

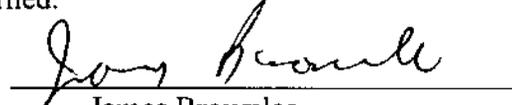
Commissioner Thorstad stated that he would like clarification on the 32nd Avenue Bridge Project as far as any extra costs. City Attorney Brian Neugebauer and Assistant City Engineer Brock Storrusten also appeared before the Commission. City Auditor James Brownlee advised that the City has not incurred additional costs at this time.

There was no correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor