



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

The West Fargo City Commission met on Monday, October 5, 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 Approval of Contract and Contractor's Bond in Storm Sewer Improvement District No. 4039 (Reserve at Osgood) is to be added to the Consent Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Schulz seconded to approve the Minutes of September 21, 2009. Motion carried.

The Commission reviewed Building Permits #366 - 409 along with the Building Department Activity Report dated October 5, 2009 and the Building Department Monthly Comparison Report for September 2008/September 2009.

There were no Commissioner Committee Reports.

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

Bills

Write off list of uncollectible invoices totaling \$3,687.55

Gaming Site Authorization: Ducks Unlimited, Inc at Speedway Event Center

Contract and Contractor's Bond in Storm Sewer Improvement District No. 4039

No opposition. Motion carried.

City Assessor Wanda Wilcox appeared before the Commission to review the New Residential Construction Exemptions. Executive Director for Home Builders Association Bryce Johnson, President of Home Builders Association Jason Eid, Don Dabbert and City Attorney Brian Neugebauer also appeared before the Commission. City Assessor Wanda Wilcox reviewed the City of Fargo Guidelines as follows: For the buyers: Grant an exemption up to \$150,000 of the building value for the two taxable years after completion of construction and home is owner occupied starting with the 2009 construction and for the builders: Grant an exemption up to \$150,000 of the building value on 5 properties for the year of construction and one additional year starting with the 2009 construction. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to adopt the Resolution for new Residential Construction Exemptions with the same guidelines as the City of Fargo. Commissioners Mattern, Schulz, Simmons and Bennett voting aye. Commissioner Thorstad voting no. Motion carried.

City Auditor James Brownlee appeared before the Commission on the request from Jim Bullis that assessments be spread over 25 years rather than 15 years. Jim Bullis, City Attorney Brian Neugebauer, Don Dabbert, City Engineer Kevin Bucholz and Public Works Director Barry Johnson also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve assessments over a 25 year period with equal principle payments. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the request for Vacation of Sheyenne Crossings Easement located on Lot 1, Block 1, Sheyenne Crossings Addition and Lot 2, Block 1, Sheyenne Crossings Second Addition. A Public Hearing was held and there was no public comment. The hearing was closed. Commissioner Schulz moved and Commissioner Bennett seconded to adopt the Resolution for Vacation of Easement. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on two Renaissance Zone applications at 349 11th Street West for construction of a shop and office building by Leier Investments and Real Estate and for a carpet cleaning and restoration business by Superior Steam Clean. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve both Renaissance Zone applications for Leier Investments and Real Estate and Superior Steam Clean. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the Bench Franchise Ordinance Amendment. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to place on First Reading the Bench Franchise Ordinance Amendment to add one temporary franchise with a permit fee of \$300 for the remaining period until the end of next June with a total number up to 35 benches between the two franchises which would be the same number as proposed within the bid solicitation for the franchise next year. Commissioners Mattern, Schulz, Bennett and Simmons voting aye. Commissioner Thorstad abstained from voting. Motion carried.

City Auditor James Brownlee appeared before the Commission to discuss options for the Main Avenue Bridge to rebid and construct the bridge next year or wait to construct the bridge with Phase III in 2015. City Auditor James Brownlee advised that Staff recommends waiting until Phase III. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded that the bridge work be completed with Phase III. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer Improvement District No. 1214 (North Central Forcemain Replacement). After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to award the contract for Sewer Improvement District No. 1214 to LaTour Construction, Inc. for their bid amount of \$1,672,048.90. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission regarding easements for Sewer Improvement District No. 1214 and advised that the City needs to commence condemnation proceedings. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to approve the Resolutions of Necessity and Resolutions of Offer to Purchase for the four parcels. 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



James Brownlee
City Auditor