



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

The West Fargo City Commission met on Monday, March 29, 2010 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 Item No. 9 "Executive Session" was placed on the Regular Agenda in error and should be removed and City Engineer Kevin Bucholz will give an update on the diversion under Commissioner Committee Reports. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of March 15, 2010. No opposition. Motion carried.

The Commission reviewed Building Permits #53 – 80 along with the Building Department Activity Report dated March 29, 2010.

Assistant Police Chief Michael Reitan presented the new Boy Scout Troup 279 from Holy Cross/Lutheran Church of the Cross who are working on their Citizenship in Community badge.

City Engineer Kevin Bucholz gave an update on the diversion work that has been done this spring and presented an updated 2010 Spring Melt Estimated Cost Summary as of March 19, 2010 in the amount of \$205,000, which will be presented to FEMA for reimbursement.

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

Bills

Games of Chance: North Dakota Retriever Club for Raffle to be held August 29, 2010 at 3415 8th Street West, West Fargo, ND

Games of Chance: Eastwood Elementary PTA for Raffle and Bingo to be held April 30, 2010, at Eastwood Elementary

Reapprove Final plat –Shadow Wood 3rd Addition

Sewer and Water Improvement District No. 1218 (Eaglewood 1st Addition): approve Plans and Specifications and authorize Advertisement for Bids with bid opening on April 29, 2010

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission regarding changes to Ordinance No. 4-0409, and reviewed Ordinance No. 860 relating to Subdivision Improvement Agreements and the Improvement District Agreement. City Attorney Brian Neugebauer also reviewed the current three options for developers: Developers put in all services themselves, Sewer and Water put in by developer and City would put in the Street or Improvement District Agreement where City would assess all of the costs. City Auditor James Brownlee and Todd Zabel, President of State Bank and Trust of West Fargo also appeared before the Commission. Attorney Jim Bullis appeared for District No. 1218. Commissioner Thorstad asked that a stipulation on security be put in the ordinance or a stipulation in agreement that bids would not be awarded for the district unless the agreement is signed or executed. Commissioner Thorstad also asked that No. 14 on Page 8 also include "cancelled". City Attorney Brian Neugebauer advised that March 2, 2010 will be in the agreement rather than February 16th. After discussion, Commissioner Bennett moved and Commissioner Simmons seconded to place Ordinance No. 860 on First Reading and to approve the form of the Improvement District Agreement. No opposition. Motion carried.

Assistant Public Works Director Chris Brungardt appeared before the Commission on the 2010 First Street Tree Planting project and recommended to award the contract to Kroshus Landscaping of Fargo, ND for their bid amount of \$28,800. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to award the contract to Kroshus Landscaping as recommended by Staff. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Shadow Wood 4th Addition rezoning from Special Single Family Dwellings to Planned Unit Development. A public hearing was held. Attorney Jim Bullis appeared on behalf of the developer. The hearing was closed. Commissioner Schulz moved and Commissioner Bennett seconded to place the rezoning on First Reading subject to all conditions listed in the Staff Report. No opposition. Motion carried.

A public hearing was held on Assessments for Water and Sewer Improvement Districts No. 1201, 1204, 1205, 1209 and 1215, Water Improvement District No. 1202, and Street Improvement Districts No. 2201, 2202 and 2206. There was no public comment and the hearing was closed.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1201 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Water and Sewer Improvement District No. 1201 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1204 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Water and Sewer Improvement District No. 1204 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1205 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Water and Sewer Improvement District No. 1205 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1209 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simons that the assessment list for Water and Sewer Improvement District No. 1209 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Water and Sewer Improvement District No. 1215 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Water and Sewer Improvement District No. 1215 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Water Improvement District No. 1202 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Water Improvement District No. 1202 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2201 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Street Improvement District No. 2201 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2202 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Street Improvement District No. 2202 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

The Board considered the question of approval of the assessment list for Street Improvement District No. 2206 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Schulz and seconded by Commissioner Simmons that the assessment list for Street Improvement District No. 2206 of the City of West Fargo, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried and the resolution was approved and confirmed.

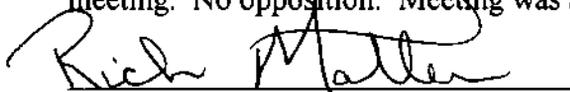
Senior Planner Steven Zimmer appeared before the Commission on the Development Sign Agreement for Shadow Wood to allow sign within City right-of-way median at the intersection of Veteran's Boulevard and 36th Avenue East. City Attorney Brian Neugebauer, Assistant Public Works Director Chris Brungardt, Attorney Jim Bullis and City Engineer Kevin Bucholz also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve the Development Sign Agreement to include \$250,000 liability as recommended by Staff. Commissioners Mattern, Bennett, Schulz and Simmons voting aye. Commissioner Thorstad abstained. Motion carried.

City Auditor James Brownlee appeared before the Commission to review the 2009 Fund Activity Statement.

There were no Non-Agenda items.

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