



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

The West Fargo City Commission met on Monday, October 18, 2010 at 5:30 P.M. Those present were Rich Mattern, Lou Bennett, Mark Simmons, Mike Thorstad and Duane Hanson. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised there was one addition to the Bills for the Law Enforcement Technology Group, LLC. Commissioner Hanson moved and Commissioner Simmons seconded to approve the Order of Agenda with the addition to the bills as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Hanson seconded to approve the Minutes of October 4, 2010. No opposition. Motion carried.

The Commission reviewed Building Permits #537 - 566 along with the Building Department Activity Report dated October 18, 2010.

There were no Commissioner Committee Reports.

The Auditor's Reports for September 2010 were received by the Commission.

The Sanitation Department Report for September 2010 was received by the Commission.

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

Bills

Games of Chance: VFW Post 7564 Cooties Pup Tent #8 for Raffle
January 1, 2011 to June 30, 2011

Public Hearing November 1, 2010, 5:45 PM for rezoning Part of Lot 2, Block 3 of Eagle Run 8th Addition from Planned Unit Development to Limited Multiple Dwellings

Storm Sewer Improvement District No. 4047 – Phase II (The Preserve 1st Addition Pond): approve Engineer's Report and authorize City Engineer to prepare Plans and Specifications

No opposition. Motion carried.

Assistant City Engineer Dustin Scott appeared before the Commission regarding a FEMA buyout project at 418 Francis Street. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to authorize the use of awarded grant funds, authorize two appraisals of the site and authorize the City to perform "in-kind" work on the project. No opposition. Motion carried.

Commissioner Bennett reviewed information on the request from Minn-Kota PAAWS and a letter from Kirby Kruger, State Epidemiologist for the North Dakota Department of Health, who advised that the City should be very hesitant to return cats to an open populated area. Carol Sawicki of Minn-Kota PAAWS also appeared before the Commission. After discussion, Commissioner Bennett moved and Commissioner Thorstad seconded to deny the request from Minn-Kota PAAWS that the City of West Fargo contribute \$20 per cat to the cost of feline leukemia testing and vaccinations for feral cats living in West Fargo. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Water and Sewer Improvement Districts No. 1188, 1210 and 1216, Storm Sewer Improvement District No. 4039 and Street Improvement District No. 2195 and advised that three separate public hearings should be held.

A public hearing was held on Water and Sewer Improvement Districts No. 1188, 1210 and 1216. There was no public comment and the hearing was closed. Commissioner Bennett moved and Commissioner Hanson seconded to approve the Special Assessment Lists as confirmed by the Special Assessment Commission of the City of West Fargo. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Street Improvement District No. 2195 and advised that Staff recommends confirming the Assessment List approved by the Special Assessment Commission with one change on a property from \$87,000 to \$66,000 and that the Special Assessment Commission will meet with that land owner and it may reduce slightly lower.

A public hearing was held on Street Improvement District No. 2195. There was no public comment and the hearing was closed. The Board considered the question of approval of the assessment list for Street Improvement District No. 2195 as confirmed by the Special Assessment Commission of the City of West Fargo. It was determined that an amendment should be made to the list by changing the amount of the assessment on Parcel No. 02-3000-01690-000 (as more particularly described in the attachment hereto) from \$87,925.13 to \$66,248.98. The difference in the two amounts will be paid by sales tax. It was moved by Commissioner Hanson and seconded by Commissioner Bennett that the Assessment List for Street Improvement District No. 2195 of the City of West Fargo be confirmed as amended. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Storm Sewer Improvement District No. 4039 and advised there were no real significant changes to the Assessment List and there was one protest from Al Vetter.

A public hearing was held on Storm Sewer Improvement District No. 4039. Commissioner Thorstad read the letter from Al Vetter protesting his assessments for Storm Sewer Improvement District No. 4039. City Engineer Kevin Bucholz also appeared before the Commission. There was no other public comment and the hearing was closed. The Board considered the question of approval of the assessment list for Storm Sewer Improvement District No. 4039 as confirmed by the Special Assessment Commission of the City of West Fargo. It was moved by Commissioner Simmons and seconded by Commissioner Bennett that the Assessment List for Storm Sewer Improvement District No. 4039 of the City of West Fargo, be amended as per the attached list, and be confirmed as amended. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Sidewalk District No. 6045 and advised there were no protests. A public hearing was held. There was no public comment and the hearing was closed. The Board considered the question of the approval of the assessment list for Sidewalk District No. 6045 as prepared by the engineer for the City of West Fargo. Commissioner Bennett moved and Commissioner Hanson seconded that the Assessment List for Sidewalk District No. 6045 of the City of West Fargo, be and the same is hereby confirmed. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 870 relating to establishment of a new Visitor's Committee. Commissioner Bennett moved and Commissioner Thorstad seconded to place Ordinance No. 870 on First Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on The Preserve 1st Addition. After discussion, Commissioner Bennett moved and Commissioner Thorstad seconded to place on Second Reading Ordinance No. 872 on the rezoning of The Preserve 1st Addition from Agricultural to Mixed One and Two-Family Dwellings, One and Two Family Dwellings, Single Family Dwellings and Public Facilities, to approve the Land Use Plan Amendment from General Commercial to Low Density Residential and to approve the Final Plat of The Preserve 1st Addition subject to all conditions recommended by Staff. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request from FM Ambulance for a Planned Unit Development Amendment for an ambulance facility on Lot 3, Block 1 of Burlington 6th Addition (part of Lot 4, Block 1 of Burlington Addition). Dean Lampe, Executive Director for FM Ambulance, appeared before the Commission. After discussion, Commissioner Bennett moved and Commissioner Thorstad seconded to approve the Planned Unit Development Amendment subject to the conditions listed in the Staff Report. No opposition. Motion carried.

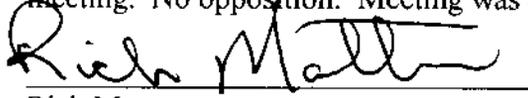
Senior Planner Steven Zimmer appeared before the Commission on the request from Julie and Gary Hornbacher for a Conditional Use Permit for an accessory building (detached garage) larger than 1,000 square feet at 217 47th Avenue East and advised that the Planning & Zoning Commission approved the request with the one condition listed in the Staff Report and an additional stipulation that the maximum size of the structure be decreased from 2500 square feet to 2100 square feet. Commissioner Hanson moved and Commissioner Bennett seconded to approve the Conditional Use Permit subject to the condition listed in the Staff Report and the condition that the maximum size of the structure be 2100 square feet. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission to review the State Audit Report for the City of West Fargo as of December 31, 2009 and the Fraud Prevention and Capital Asset Policy. City Auditor James Brownlee also advised there would be a change to the Fraud Prevention policy from accepting gifts of \$50 to \$25. Commissioner Simmons moved and Commissioner Thorstad seconded to accept the State Audit Report as of December 31, 2009 and to approve the Fraud Prevention Policy and Capital Asset Policy. No opposition. Motion carried.

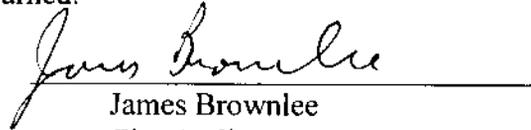
There were no Non-Agenda items.

The updated West Fargo City Projects report was provided to each Commissioner.

Commissioner Bennett moved and Commissioner Hanson seconded to adjourn the meeting. No opposition. Meeting was adjourned.



Rich Mattern
President of the Board



James Brownlee
City Auditor