



The West Fargo City Commission met on Monday, January 16, 2012, 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 that after Item No. 7 of the Regular Agenda, an Executive Session will be held. Commissioner Simmons moved and Commissioner Hanson seconded to approve the Order of Agenda with the addition of the Executive Session to the agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Hanson seconded to approve the Minutes of December 19, 2011. No opposition. Motion carried.

The Commission reviewed Building Permits #577 – 600 and Building Permits #1-10 along with the Building Department Activity Reports dated December 19, 2011, January 3, 2012 and January 16, 2012. The Building Permit Valuation Report for 2010 Valuation and 2011 Valuation was also reviewed by the Commission.

There were no Commissioner Committee Reports.

The Sanitation Department Report for December 2011 was received by the Commission along with the Total Year 2011 Sanitation Department Report.

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

Bills

Reappointments of Rich Mattern, Bob Potter and Mark Simmons to the Visitors Committee for four terms from February 2012 to February 2016

Sewer, Water, Storm and Street Improvement District No. 1234 (4th Street E & 23rd Avenue East – to Veteran's Boulevard): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Sewer, Water, Storm and Street Improvement District No. 1236 (South Pond at the Preserve 4th Addition): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Street Improvement District No. 2217 (31st Avenue East - Veteran's Boulevard to 7th Street East): Create Assessment District and authorize City Engineer to prepare Engineer's Report

Memorandum of Understanding regarding turn over of 12th Avenue North

Bid Results and Recommendations for 2012 Equipment

No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on a request from Kerri Streyle for a Conditional Use Permit for a group child care facility for up to 18 children in a home at 3314A 8th Street West. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the Conditional Use Permit subject to the four recommendations in the Staff Report. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on Westport Beach 7th Addition, a replat. Commissioner Hanson moved and Commissioner Thorstad seconded to re-approve the Final Plat of Westport Beach 7th Addition. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a Comprehensive Plan Land Use Plan Text Amendment to increase the maximum allowable density for the High Density Residential classification and advised that the Planning and Zoning Commission recommended approval on the basis that the proposed change would meet the goals and objectives of the comprehensive plan through good site planning and landscaping. Commissioner Simmons moved and Commissioner Bennett seconded to approve the Comprehensive Plan Land Use Plan Text Amendment as outlined by Planning Director Larry Weil. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request to change the street name in Shadow Wood 5th Addition from 3rd Street East to Shadow Wood Lane East and the request to change Violette Place East to 35th Avenue East. Planning Director Larry Weil stated that he would like to place this request on the next Agenda with a Resolution for Street name changes. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to put this matter on the next City Commission Agenda. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on an Urban Development Plan (Midland Industrial Area Development Plan) and the establishment of a Tax Increment Financing District. City Auditor James Brownlee, City Attorney Brian Neugebauer and City Engineer Kevin Bucholz also appeared before the Commission. A public hearing was held and there was no public comment. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to adopt the Resolution Approving Developer's Agreement and Midland Industrial Area Development II and establishing a Midland Tax Increment District. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission regarding new ownership for Spirit Properties, Inc. DBA Goodfellas Pizza and advised that the health inspection and fire inspections have passed, but the background check is not complete at this time. Police Chief Arland Rasmussen appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the new ownership on condition the background check is clean. No opposition. Motion carried.

City Auditor James Brownlee appeared before the Commission on a Resolution to hire Real Estate Broker for Sale of Tax Forfeited Properties and provided a list of the parcels. City Auditor James Brownlee stated there are two parcels that will not be included until City Staff has a chance to review the City's need for those parcels. After discussion, Commissioner Bennett moved and Commissioner Hanson seconded to adopt the Resolution as outlined by City Auditor James Brownlee. No opposition. Motion carried.

Commissioner Mattern stated that the next item on the Agenda is Executive Session. The legal authority for closing this portion of the meeting is North Dakota Century Code Section 44-04-18.4. The topic of this Executive Session is an Economic Development Project. The Commission will return to an open meeting after the Executive Session.

The Commission returned from the Executive Session. Commissioner Hanson moved and Commissioner Simmons seconded to approve the Developers Agreement with Rusty Goose. No opposition. Motion carried.

There were no Non-Agenda items.

City Administrator Jim Brownlee gave the following report to Commissioners:

Petitions for Commission election will need 243 signatures

He will be on vacation February 1-10, 2012

Joint Meeting with School/Park/City on January 25, 2012 at 4:30 PM at Public Works

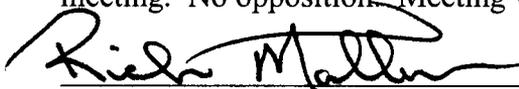
Senior Planner Steven Zimmer will be heading up a committee to address the tracking of plats with a type of tracking software. The plan and recommendation will be placed on the January 30th Agenda.

Commissioner Simmons then made a motion to reconsider the motion regarding new ownership for Spirit Properties, Inc. DBA Goodfellas Pizza. Commissioner Hanson seconded the motion. No opposition. Motion carried.

After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the new ownership for Spirit Properties, Inc. DBA Goodfellas Pizza and authorize Police Chief Arland Rasmussen and City Administrator James Brownlee to revoke the license if the background check fails. No opposition. Motion carried.

There was no correspondence.

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