



The West Fargo City Commission met on Monday, June 18, 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 Games of Chance for Blessed Sacrament Catholic Church for Bingo, Raffle and Calendar Raffle July 1, 2012 to June 30, 2013, be added to the Consent Agenda. Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Order of Agenda with the addition to the Consent Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of June 4, 2012. No opposition. Motion carried.

The Commission reviewed Building Permits #342 - 390 along with the Building Department Activity Report dated June 18, 2012.

There were no Commissioner Committee Reports.

The Auditor's Reports for May 2012 were received by the Commission.

There were no Department Reports.

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

Bills

Games of Chance: James Anderson Benefit for Raffle to be held August 18, 2012 at VFW

2012-2013 Liquor and Beer License Renewals

Public Hearing July 2, 2012 at 5:45 PM for rezoning of Montgomery Homestead 1st Addition from Limited Multiple Dwellings to Planned Unit Development

Public Hearing July 2, 2012 at 5:45 PM for rezoning of Shadow Creek 3rd Addition from Agricultural to Single Family Dwellings

Public Hearing July 2, 2012 at 5:45 PM for rezoning of South Pond at the Preserve 5th Addition from Agricultural to Light Commercial

Street Improvement District No. 2223 (Elmwood Court Street Overlays): Create Assessment District and authorize Engineer to prepare Engineer's Report

Street Improvement District No. 2224 (Tintes/Arbor Glen/Burlington Street Overlays): Create Assessment District and authorize Engineer to prepare Engineer's Report

Street Improvement District No. 2225 (Eagle Run Street Overlays): Create Assessment District and authorize Engineer to prepare Engineer's Report

Street Improvement District No. 2215 (7th Street East - 36th to 40th Avenue East): Approve Engineer's Report and authorize preparation of Plans and Specifications

Sewer, Water, Storm and Street Improvement District No. 1242 (Christianson's 1st Addition Phase III): Create Assessment District, authorize preparation of Engineer's Report and Plans and Specifications, approve Engineer's Report, Approve Plans and Specifications and authorize Advertisement for Bids with bid opening on July 12, 2012

Sewer, Water, Storm and Street Improvement District No. 1240 (Oak Ridge 2nd Addition): Approve Engineer's Report, Authorize Engineer to prepare Plans and Specifications, Approve Plans and Specification and Authorize Advertisement for Bids with bid opening on July 12, 2012

Games of Chance for Blessed Sacrament Catholic Church for Bingo/Raffle/Calendar Raffle July 1, 2012 to June 30, 2013

No opposition. Motion carried.

Beverly Hertzelle of 507 Garden Avenue NW, West Fargo, ND, appeared before the Commission to request a landscaping variance and provided her letter of June 18, 2012 to the City Commission. Assistant Public Works Director Chris Brungardt, Senior Planner Steven Zimmer and City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded that Staff review this request and come back to the Commission with a resolution. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 924 relating to Planning Commission: Members Appointed and Term of Office, and advised that since West Fargo population is over 25,000 three members need to be appointed in the extra territorial area so this ordinance would add one more member to the Planning Commission. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to place Ordinance No. 924 on First Reading. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on the request from Robert and Lavonne Lyberg for a Conditional Use Permit for an oversized (2400 square foot) accessory building at 4068 Woodland Place. Commissioner Bennett moved and Commissioner Simmons seconded to approve the Conditional Use Permit subject to the two conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steven Zimmer appeared before the Commission on a request from the Nordick Group for access onto 9th Street NE (Lot 1, Block 1 of Midland Second Addition) and advised that the Planning & Zoning Commission recommended approval based on the findings of the detailed traffic analysis. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the request as recommended by Staff. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission on the request from West Fargo Car Clinic for a property tax exemption on the new building they are constructing and advised that the Economic Development Advisory Committee approved this request with a conditional recommendation that competition exists and to give full consideration to that fact. Chris Schmidt, owner of West Fargo Car Clinic, appeared before the Commission to ask that this request be sent back to the Economic Development Advisory Committee for their review and discussion. No public hearing was held. Commissioner Simmons moved and Commissioner Bennett seconded to table any action and send this request back to the Economic Development Advisory Committee for further review. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer and Water Improvement District No. 1239 (Shiloh Street and 23rd Avenue East). City Engineer Kevin Bucholz stated that since the City has not worked with Johnson Excavation in the past, he called other entities that have worked with them, but his calls have not been returned. City Attorney Brian Neugebauer advised that a motion for approval could be made with the stipulation that City Engineer Kevin Bucholz gets a favorable recommendation for Johnson Excavation when he hears back on his calls. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to award the contract for Sewer and Water Improvement District No. 1239 to Johnson Excavation for their bid amount of \$42,470.00 subject to City Engineer Kevin Bucholz getting a good recommendation for Johnson Excavation. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission requesting to amend the existing Butler TIF agreement to allow the land purchase to enable the relocation of Wanzek corporate headquarters (Butler's 3rd, Lot 1, Block 2) and advised that the Economic Development Committee recommended approval. City Attorney Brian Neugebauer also appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Hanson seconded to approve the request to amend the existing Butler TIF agreement. No opposition. Motion carried.

Director of Economic Development and Community Services Mark Vaux appeared before the Commission requesting to amend the existing Charleswood TIF agreement to allow the land purchase to enable the expansion and new building construction for High Point Technology (Lot 1, Block 1 Charleswood 28th Addition, 728 E. Beaton Dr) and advised that the Economic Development Committee recommended approval. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to approve the request to amend the existing Charleswood TIF agreement. Commissioners Mattern, Bennett, Simmons and Hanson voting aye. Commissioner Thorstad voting no. Motion carried.

City Auditor James Brownlee appeared before the Commission on the Feasibility Study for Community Center and Aquatics Facility, and advised the cost of the study would be \$30,000 to \$60,000 which would be split among the Park, School and City, and that the Park would be the lead entity to write the RFP. Commissioner Mattern expressed his concern that all options be reviewed for donations or pledges. City Attorney Brian Neugebauer stated the City could require binding pledges before the vote and more money in the bank before the start of the contract. After discussion, Commissioner Hanson moved and Commissioner Thorstad seconded to approve the Feasibility Study for Community Center and Aquatics Facility. No opposition. Motion carried.

A discussion was held on the July 30, 2012 City Commission Meeting. Commissioner Hanson moved and Commissioner Bennett seconded that no meeting will be held on July 30, 2012. No opposition. Motion carried.

City Attorney Brian Neugebauer asked that the Commission adopt a Resolution of Necessity for Street Improvement District No. 2215 (7th Street East – 36th to 40th Avenue East) since that was not included in Item j of the Consent Agenda. Commissioner Bennett moved and Commissioner Simmons seconded to adopt the Resolution of Necessity for Street Improvement District No. 2215. No opposition. Motion carried.

City Administrator Jim Brownlee gave the following report to Commissioners:

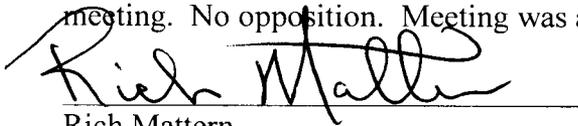
News Release from Home Builders Association of Fargo-Moorhead designating June as Homeownership Month (June 19, 2012 at 10AM at the Home Builders Care Build for Habitat at 902 27th Street North, Fargo, ND)

Reorganizational Meeting will be held Tuesday, June 26, 2012 at 7:00 PM

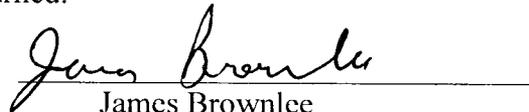
Public Meeting will be held Wednesday, June 27, 2012 at 6:00 PM at the Public Works Building to discuss Veterans Boulevard project and assessments

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