



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

The West Fargo City Commission met on Monday, June 19, 2006, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Bryan Schulz, Lou Bennett and Mark Simmons. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Consent Agenda items l and m are to be removed from the Consent Agenda and placed under Non-Agenda on the Regular Agenda, item r of the Consent Agenda is to be changed on the rezoning from Agricultural to Limited Multiple Dwellings and Planned Unit Development, item t is to be added to the Consent Agenda "Sidewalk District No. 6042 – accept the Return of Assessment and schedule Public Hearing 5:45 PM July 17, 2006", item f should include Resolution Directing Assessments to be Levied for Water and Sewer Improvement District No. 1192 and that assessments for the districts under item f have been revised and the new Resolutions filed with the Clerk. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Order of Agenda with the changes as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Warren seconded to approve the Minutes of June 5, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits 411 - 478 along with the Building Department Activity Report dated June 19, 2006.

Commissioner Warren advised that Joyce Ackerman of EPA has stated it will take two months to remove the probes and that the priority will be to get the street opened, along with the driveways and sidewalks.

The Auditor's Reports for May 2006 were received by the Commission.

The Sanitation Department Reports for May 2006 and Cleanup Week 2006 were received by the Commission.

The Workforce Housing Information from Planning Director Larry Weil was received by the Commission.

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

Bills

Change Orders (Storm Sewer Improvement District No. 4038, 4035, Street Improvement District No. 2174 – Phase II, 2157 – Phase II, Sewer & Water Improvement District No. 1180 – Phase II, 1167, Water Improvement District No. 1170 – Phase I)

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1190

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2170, Phase II

Resolution Approving Contract and Contractor's Bond in Sidewalk District No. 6043

Resolution Directing Assessments to be Levied in Water and Sewer Improvement Districts No. 1175, 1179, 1180 and 1192, Street Improvement District No. 2174, Street Light Improvement Districts No. 7068, 7070 and 7071 (amended resolutions as provided by City Attorney Brian Neugebauer)

2006-2007 Liquor and Beer License Renewals

Games of Chance for West Fargo Amvets Post 8 for raffle to be held July 1, 2006 to June 30, 2007 at the VFW

Public Hearing 5:45 PM July 17, 2006, for West River Addition rezoning from Agricultural to Large Lot Single Family Dwellings, Single Family Dwellings and One & Two Family Dwellings

Public Hearing 5:45 PM July 17, 2006, for Doll's 3rd Addition rezoning from Agricultural to Light Commercial

Public Hearing 5:45 PM July 17, 2006, for Zoning Ordinance Amendment regarding Child Care Facilities

Engineer's Report for Street Improvement District No. 2188 (South Elmwood Park) and authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on July 27, 2006

Create Assessment District for Street Improvement District No. 2189 (9th Street East – 32nd Avenue to 40th Avenue) and authorize City Engineer to prepare Engineer's Report

Engineer's Report for Street Improvement District No. 2182 (Sheyenne Street Interim Improvements – Interstate 94 to 52nd Avenue), authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bid with bid opening on August 3, 2006

Assessment District for Sewer & Water Improvement District No.1195 (Kass 3rd Addition) and authorize City Engineer to prepare Engineer's Report, approve Engineer's Report, authorize preparation of Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bid with bid opening on July 13, 2006

Public Hearing 5:45 PM July 17, 2006, for Kass 3rd Addition rezoning from Agricultural to Limited Multiple Dwellings and Planned Unit Development

Request for pre-authorization of bills to be paid prior to the July 17, 2006 City Commission meeting

Accept the Return of Assessment for Sidewalk District No. 6042 and schedule Public Hearing 5:45 PM July 17, 2006 for Sidewalk District No. 6042

No opposition. Motion carried.

Angela Balint, Director of Cass County Vector Control, appeared before the Commission to give an update on mosquito control activities.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 778 relating to Flood Damage Prevention. Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No.778 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 779 relating to Public Nuisances. Commissioner Warren moved and Commissioner Schulz seconded to place Ordinance No.779 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 780 relating to Salaries of City Commissioners. Commissioner Warren moved and Commissioner Bennett seconded to place Ordinance No. 780 on Second Reading. Commissioners Mattern, Warren, Bennett and Schulz voting aye. Commissioner Simmons voting no. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Ordinance No. 776 relating to the rezoning of certain City parks to Public Facilities District (North Elmwood Park, South Elmwood Park, Armour Park, Herb Tintes Park, Maplewood Park). Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 776 on Second Reading. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on the Resolution of Intention to Grant Midcontinent Communications G.P., a Limited Cable Franchise. Tom Simmons of Midcontinent Communications and Scott Geston of Cable One appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to adopt the Resolution and schedule a Public Hearing on the cable franchise for 5:45 PM on July 17, 2006. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on a request from Northland Auto for a Conditional Use Permit for auto Sales in a Light Commercial District at 101 East Main Avenue. Jim Dunkel, representative for the business owners, and Rendell Klein, owner of Northland Auto Sales, appeared before the Commission. The Commissioners reviewed the site plan and stated that space #5 may have to be eliminated due to the site triangle and #24 needs to be eliminated. Business Development Director Dorinda Anderson appeared before the Commission on the concerns of the Economic Development Advisory Committee on this location. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to the possible elimination of space #5 due to the site triangle and elimination of space #24. Commissioners Mattern, Bennett, Simmons and Schulz voting aye. Commissioner Warren voting no. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on a request from Jeff Trnka for a Conditional Use Permit for a storage building in an Agricultural District at 16681 36th Street SE, West Fargo, ND. Commissioner Warren moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to condition listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on a request from Wade Haugeberg for a Conditional Use Permit for oversized accessory building at 2918 5th Street NW. Commissioner Bennett moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to condition listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Geller's 2nd Addition. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Detailed Development Plans subject to all conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Bogey 4th Addition. City Engineer Kevin Bucholz also appeared before the Commission. Planning Director Larry Weil also advised no final recommendation has been received from the Park District. Commissioner Bennett moved and Commissioner Schulz seconded to approve the Final Plat of Bogey 4th Addition subject to conditions listed in the Staff Report. No opposition. Motion carried.

Public Works Director Barry Johnson appeared before the Commission to review procedures for water sampling techniques and reviewed his memo of June 19, 2006 regarding recent exceed level of the microbiological maximum contaminant level. Superintendent of Sewer & Water Tom Moores also appeared before the Commission.

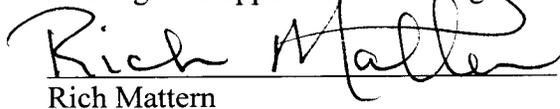
Planning Director Larry Weil appeared before the Commission on Westport Beach 2nd Addition rezoning from Multiple Dwelling to Planned Unit Development. A discussion was held on the width for private driveways. City Engineer Kevin Bucholz and Public Works Director Barry Johnson also appeared before the Commission. Commissioner Warren moved and Commissioner Schulz seconded to schedule a Public Hearing 5:45 PM July 17, 2006, for Westport Beach 2nd Addition rezoning from Multiple Dwelling to Planned Unit Development. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Sewer & Water Improvement District No. 1194 (Westport Beach 2nd Addition). After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the Plans and Specifications for Sewer & Water Improvement District No. 1194 (Westport Beach 2nd Addition) and authorize Advertisement for Bids with bid opening on July 13, 2006. No opposition. Motion carried.

Commissioner Mattern stated that the Reorganization Meeting will be held Tuesday, June 27, 2006, 5:30 PM.

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