



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

The West Fargo City Commission met on Monday, August 21, 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 Resolution of Offer to Purchase and Resolution of Necessity for the Oris and Marcella Heiden property is to be discussed under Non-Agenda. Commissioner Schulz moved and Commissioner Warren seconded to approve the Order of Agenda with the additions as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Simmons seconded to approve the Minutes of August 7, 2006 and the Budget Meeting Minutes of August 7, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits #634 - 674 along with the Building Department Activity Report dated August 21, 2006.

There were no Commissioner Committee Reports.

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

There were no Department Reports.

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

Bills

Games of Chance for Fargo North Raiders Hockey for Raffle to be held October 12, 2006, at Speedway Event Center.

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1195

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1170- Phase III

Lease Agreement and Cost Share Agreement with Southeast Cass Water Resource District regarding the Public Works Facility

Public Hearing September 5, 2006, 5:45 PM for Application for Retail Liquor/Beer License for Goodfellas Pizza and forward to West Fargo Police Department for a background check

Urban Agreement for Construction of Federal Aid Project (Safety Program) Railroad/Highway Crossing Cass County Road #10 – Cass County

Public Hearing September 5, 2006, 5:45 PM for rezoning of West Fargo 3rd Addition from Agricultural to Heavy Industrial

Sewer & Water Improvement District No. 1196 (Eagle Run 12th Addition – Phase II): Create revised Assessment District, authorize City Engineer to prepare Engineer's Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications and authorize Advertisement for Bids with bid opening on September 7, 2006

No opposition. Motion carried.

Building Administrator Mark Housh appeared before the Commission regarding appeals for driveway approaches where property owners were advised they were not in compliance. Assistant City Attorney John Shockley also appeared before the Commission. The Commission agreed that each property should be addressed separately.

Michael and Terri Hanson of 931 Parkway Drive appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to affirm the order with the condition that within two weeks the section of concrete be cut back to the curb. No opposition. Motion carried.

Ray and Jill Boehme of 937 Parkway Drive appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to affirm the building permit with no conditions. No opposition. Motion carried.

The driveway at 1864 Charleswood Estates Drive for Jeffry and Sara Johnson was reviewed. Commissioner Simmons moved and Commissioner Bennett seconded to affirm with no conditions. No opposition. Motion carried.

The driveway at 240 15th Avenue West for Bruce Lenertz was reviewed. Commissioner Schulz moved and Commissioner Bennett seconded to affirm the building permit. No opposition. Motion carried.

The driveway at 1538 Woodridge Lane for Michael and Julie Severson was reviewed. Commissioner Bennett moved and Commissioner Warren seconded to affirm the building permit. No opposition. Motion carried.

The driveway at 1013 39th Avenue West for Gary and Joy Beeter was reviewed. Commissioner Schulz moved and Commissioner Simmons seconded to affirm. No opposition. Motion carried.

The driveway at 738 S. Sedona Place for Brian Seehafer was reviewed. Commissioner Simmons moved and Commissioner Bennett seconded to affirm the building permit. No opposition. Motion carried.

The driveway at 739 S. Sedona Place for Mark Merck was reviewed. Commissioner Schulz moved and Commissioner Warren seconded to affirm the building permit. No opposition. Motion carried.

The driveway at 707 S. Sedona Place for Craig and Beatrice Mikkelsen was reviewed. Commissioner Schulz moved and Commissioner Bennett seconded to affirm the building permit. No opposition. Motion carried.

Commissioner Mattern asked City Engineer Kevin Bucholz, Planning Director Larry Weil, and Public Works Director Barry Johnson to discuss ideas for a change to the current ordinance.

Assistant City Attorney John Shockley appeared before the Commission on Street Improvement District No. 2182 (Sheyenne Street Interim Improvements 19th Avenue West to 52nd Avenue). City Auditor Jim Brownlee also appeared before the Commission. A public hearing was held. Gary and Joy Beeter appeared before the Commission. The hearing was closed. Commissioner Schulz moved and Commissioner Bennett seconded to adopt the Resolution Determining that not Sufficient Protests were Filed on Improvement in Street Improvement District No. 2182. No opposition. Motion carried.

Assistant City Attorney John Shockley and City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2183 (Bituminous Overlays 2006). City Engineer Kevin Bucholz advised that meetings were held with property owners in Huntington Woods, Arbor Glen and Charleswood and a lot of the property owners felt this project did not have to be done at this time and advised this project would be discontinued at this time. A public hearing was held. Mark Chiodini of 1720 13th Street East appeared before the Commission. The hearing was closed. Since City Engineer Kevin Bucholz had suggested the project be discontinued at this time, there was no action taken by the Commission.

Assistant City Attorney John Shockley appeared before the Commission on Street Improvement District No. 2189 (9th Street East – 32nd Avenue to 40th Avenue). City Engineer Kevin Bucholz and City Auditor Jim Brownlee advised that no protests had been received for Street Improvement District No. 2189. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Schulz moved and Commissioner Warren seconded to adopt the Resolution Determining that not Sufficient Protests were Filed on Improvement in Street Improvement District No. 2189. No opposition. Motion carried.

Assistant City Attorney John Shockley appeared before the Commission on the Annexation of part of SE ¼ of Section 31, Township 140 North, Range 49 West. A public hearing was held. There was no public comment and the hearing was closed. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 786 on First Reading. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the commission on the payoff of special assessments on city property. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to approve the payoff of special assessments against city property as recommended by City Auditor Jim Brownlee. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a request from David Moyer for a Conditional Use Permit for a single family dwelling in an agriculturally zoned district at 3581 166 ¼ Avenue SE, Mapleton, ND. Commissioner Bennett moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to conditions listed in the Staff Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the request for a Planned Unit Development Amendment for Senior Housing at 218 and 230 14th Avenue East. Commissioner Simmons moved and Commissioner Schulz seconded to approve the Planned Unit Development Amendment subject to conditions listed in the Staff Report. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2182 (Sheyenne Street Interim Improvements). Commissioner Warren moved and Commissioner Schulz seconded to award the contract for Street Improvement District No. 2182 to Central Specialties, Inc. for their bid amount of \$974,807.57. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2189 (9th Street – 32nd Avenue to 40th Avenue). Commissioner Schulz moved and Commissioner Bennett seconded to award the contract for Street Improvement District No. 2189 to Aggregate Industries, Inc. for their bid amount of \$857,957.00. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2186 (Meyer Drive Extension). Commissioner Schulz moved and Commissioner Warren seconded to award the contract for Street Improvement District No. 2186 to Northern Improvement Company for their bid amount of \$226,031.65 contingent upon approval of the final plat. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on Street Improvement District No. 2190 (Sheyenne Street & 6th Avenue West – Camelot Cleaners Site). Commissioner Bennett moved and Commissioner Warren seconded to award the contract for Street Improvement District No. 2190 to Northern Improvement Company for their bid amount of \$77,324.00. No opposition. Motion carried.

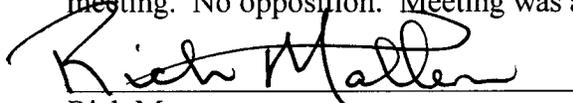
City Engineer Kevin Bucholz appeared before the Commission on the 2006 West Fargo Pavement Management Project (Bituminous Overlays – 2006). Commissioner Warren moved and Commissioner Bennett seconded to award the contract the Bituminous Overlays 2006 to Border States Paving, Inc. for their bid amount of \$213,442.50. No opposition. Motion carried.

Assistant City Attorney John Shockley appeared before the Commission on the Resolution of Offer to Purchase and the Resolution of Necessity to acquire property from Oris and Marcella Heiden for right of way for turning lane and street light for Street Improvement District No. 2182. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to approve the Resolution of Offer to Purchase. No opposition. Motion carried.

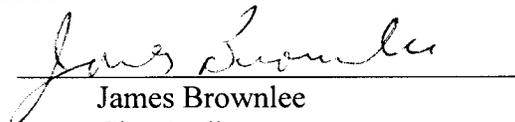
Commissioner Schulz then moved and Commissioner Simmons seconded to approve the Resolution of Necessity to acquire this property. No opposition. Motion carried.

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