



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

The West Fargo City Commission met on Monday, October 2, 2006, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Bryan Schultz and Mark Simmons. Absent was Lou Bennett. The meeting was called to order by Rich Mattern, President of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Item No. 1 under the Regular Agenda should be "Amendment to International Residential Code" rather than Amendment to Building Code. Commissioner Schulz moved and Commissioner Warren seconded to approve the Order of Agenda with the change as noted. No opposition. Motion carried.

Commissioner Schulz moved and Commissioner Warren seconded to approve the Minutes of September 18, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits # 739 – 782 along with the Building Department Activity Report dated October 2, 2006 and the Building Department Monthly Comparison Report for September 2005/ September 2006.

There were no Commissioner Committee Reports.

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

Bills

Public Hearing October 16, 2006 at 5:45 PM for Retail Liquor/Beer License for Grips Sports Bar and Grill at 1410 9th Street East, Suite 501, West Fargo, ND, and refer to the West Fargo Police Department for a background check

Games of Chance for NAIFA of Fargo – Moorhead (National Association of Insurance & Financial Advisors) for raffle to be held December 7, 2006, at the West Fargo High School Parking Lot

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2182

Resolution Approving Contract and Contractor's Bond in Street Improvement District No. 2189

Re-Advertisement for Bids for Sewer & Water Improvement District No. 1200 (Goldenwood 3rd Addition)

Resolution Declaring Petition for Improvement has been Received (District No. 1198)

Resolution Declaring Petition for Improvement has been Received (District No. 1199)

Resolution Declaring Petition for Improvement has been Received (District No. 1200)

Removal of Watering Restrictions

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on an Amendment to the International Residential Code, Ordinance No. 791 relating to Frost Protection for Foundations. After discussion, Commissioner Warren moved and Commissioner Schulz seconded to place Ordinance No. 791 on First Reading. No opposition. Motion carried.

At this time the City Commission was adjourned and convened as the Board of Adjustments.

Senior Planner Steve Zimmer appeared before the Commission on the request from Laverne and Verville Ames for a Variance to the side yard setback from 12 feet to three feet for an accessory building (garden shed) at 837 7th Avenue East (this matter was continued from the September 18, 2006, City Commission Meeting). City Engineer Kevin Bucholz advised that the matter has been resolved in that the Ames' will be moving the accessory building to comply with the building code. After discussion, Commissioner Warren moved and Commissioner Simmons seconded to deny the variance. No opposition. Motion carried.

The Board of Adjustments was adjourned at this time and the City Commission reconvened.

Planning Director Larry Weil appeared before the Commission on the Regional Workforce Housing Final Report. Wade Kline, Community Planner for FM Metropolitan Council of Governments, reviewed the report for the Commissioners. After discussion, Commissioner Simmons moved and Commissioner Warren seconded to adopt the Resolution for the Regional Workforce Housing Final Report. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Goldenwood 3rd Addition rezoning from Agricultural to Single Family Dwelling and One and Two Family Dwellings. The Commission was advised the Park Board wants 9 – 9 ½ acres rather than 6.8 acres of land for the park and at this time there is no agreement on park dedication. A public hearing was held. Dave Forester of 1326 5th Street NW, Terry and Karen Maul of 1329 5th Street NW, Developer Nick Bergquist, Director of Parks & Recreation Barb Erbstoesser, Park Board Commissioner Ken Zetocha, Dan Kackman of 1317 5th Street NW, Rory Jorgensen of 1323 5th Street NW, City Engineer Kevin Bucholz, City Attorney Brian Neugebauer, Diane Lehmann of 1217 Goldenwood Drive and Shane Johnson of 1407 5th Street NW appeared before the Commission. The public hearing was closed. After discussion, Commissioner Simmons moved and Commissioner Schulz seconded to table the First Reading on the rezoning until the October 16, 2006 City Commission Meeting, to see if a resolution can be worked out on the park dedication. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on Butler's 6th Addition rezoning from Agricultural to Heavy Commercial/Light Industrial. A public hearing was held. There was no public comment and the hearing was closed. Commissioner Schulz moved and Commissioner Simmons seconded to place the rezoning on First Reading subject to conditions listed in the Staff Report and to approve the Final Plat of Butler's 6th Addition. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Christianson 1st Addition rezoning from Agricultural to Planned Unit Development. City Attorney Brian Neugebauer also appeared before the Commission. A public hearing was held. Nancy Loberg appeared before the Commission. The hearing was closed. Commissioner Warren moved and Commissioner Schulz seconded to place the rezoning on First Reading subject to conditions listed in the Staff Report. No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on assessments for Water and Sewer Improvement Districts No. 1175, 1179, 1180 and 1192, Street Improvement District No. 2174 and Street Light Improvement Districts No. 7068, 7070 and 7071. City Attorney Brian Neugebauer advised that assessments on the Heiden and Loberg properties have been deferred two years. A public hearing was held. Attorney Robert Stock of the Vogel Law firm appeared on behalf of the Heiden family to request that the City Commission defer payment of all or a portion of the specials until the land is either sold, developed or some other year beyond the two years. Wayne Heiden of 2809 Sheyenne Street, City Auditor Jim Brownlee and Nancy Loberg also appeared before the Commission. After discussion, Commissioner Warren moved and Commissioner Simmons seconded that the assessment list for Water and Sewer Improvement District No. 1175, 1179, 1180 and 1192, Street Improvement District No. 2174 and Street light Improvement District No. 7068, 7070 and 7071, as confirmed by the Special Assessment Commission of the City of West Fargo, be and the same are hereby confirmed, and to keep an open mind to discuss the issue of deferment. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on the 2007 Budget which reflects no mill increase and advised at this time there is no proposal for a sanitation rate increase. A public hearing regarding the 2007 Budget for the City of West Fargo was held. There was no public comment and the hearing was closed. Commissioner Schulz moved and Commissioner Warren seconded to adopt the 2007 Budget with expenditures of \$24,106,482.00 and to set the annual levy for 2006 at \$4,910,356. No opposition. Motion carried.

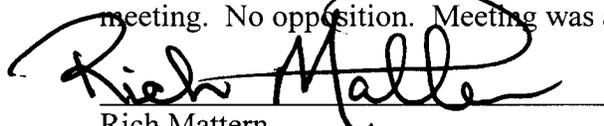
General Fund	\$6,410,076.00
Sanitation Fund	1,597,721.00
Sewer & Water Fund	2,738,326.00
Library	490,385.00
Airport	133,000.00
Debt Service	10,975,259.00
Capital Improvements	500,000.00
Special Revenue Funds	1,261,715.00
 Total 2007 Budget	 \$24,106,482.00

City Engineer Kevin Bucholz appeared before the Commission on Sewer & Water Improvement District No. 1199 (Butler's 6th Addition). Commissioner Schulz moved and Commissioner Warren seconded to award the contract for Sewer & Water Improvement District No. 1199 to Master Construction Co. Inc. for their bid amount of \$556,917.21. No opposition. Motion carried.

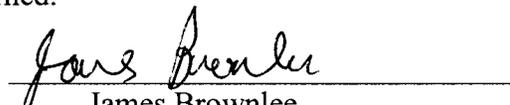
There were no Non-Agenda items.

There was no correspondence.

Commissioner Schulz moved and Commissioner Warren seconded to adjourn the meeting. No opposition. Meeting was adjourned.



Rich Mattern
President of the Board



James Brownlee
City Auditor