



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

The West Fargo City Commission met on Monday, November 20, 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 the request from the West Fargo VFW Post 7564 for a special Sunday opening on December 3, 2006 and December 31, 2006 for New Year's Eve is to be placed on the Consent Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the addition as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Warren seconded to approve the Minutes of November 6, 2006. No opposition. Motion carried.

The Commission reviewed Building Permits # 868 – 897 along with the Building Department Activity Report dated November 20, 2006.

There were no Commissioner Committee Reports.

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

There were no Department Reports.

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

Bills

Five Year Graduated PILOT (Payment in Lieu of Taxes) for Northern Bag and Box at 12th Avenue North and Center Street

Games of Chance for Whitetails Unlimited for raffle to be held December 2, 2006 at the Speedway Events Center

Resolution Approving Contract and Contractor's Bond in Water Improvement District No. 1198

Resolution Approving Contract and Contractor's Bond in Water and Sewer Improvement District No. 1200

Sewer & Water Improvement District No. 1191 – Phase II (Windsor Green Sewer Extension): Approve Engineer's Report, authorize City Engineer to prepare Plans and Specifications, approve Plans and Specifications, and authorize Advertisement for bids with bid opening on December 7, 2006

Request from West Fargo VFW Post 7564 for a special Sunday opening on December 3, 2006, and on December 31, 2006, for New Years Eve.

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 792 relating to the Prohibition of Smoking in Public Indoor Workplaces and advised that since First Reading of Ordinance No. 792, the effective date has been changed to 3:00 A.M. on December 1, 2006. The following appeared before the Commission: Mark Chiodene of 1720 13th Street East, Jack Fuller of 1510 Sommerset Drive, Taisa Anderson of 5611 56th Avenue North, Harwood, ND, Nancy Otto, Richard Benson of VFW, Mark Schultz of 542 3rd Street East on behalf of Brandon Carmichael, Linda Coles of Safe Coalition, Craig Johnson of 963 5th Avenue West and Chris Rolph, Commander of the West Fargo VFW. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to place Ordinance No. 792 on Second Reading. Commissioner Bennett, Schulz, Simmons and Mattern voting aye. Commissioner Warren voting no. Motion carried.

Commissioner Warren encouraged all bar owners and managers not to spend thousands of dollars in remodeling and to proceed with all remodeling at their own risk. She advised there is a possibility of a state-wide ban or another initiated measure in West Fargo. She also stressed the importance of creating a health smoke-free environment for all.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 794 relating to Garbage Collection Fees. Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 794 on Second Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on the rezoning of a parcel located at 1724 40th Avenue West, West Fargo, ND, from Agricultural to Rural Estate District. A public hearing was held and there was no public comment. Commissioner Schulz moved and Commissioner Bennett seconded to place the rezoning on First Reading subject to conditions listed in the Staff Report. No opposition. Motion carried.

City Assessor Wanda Wilcox appeared before the Commission on the request from the Home Builders Association of Fargo-Moorhead that the City of West Fargo extend the two-year tax exemption for new residential construction for the 2007 building year. After discussion, Commissioner Warren moved and Commissioner Schulz seconded to adopt the Resolution Regarding Residential Tax Exemption for the two-year exemption for new residential construction for the 2007 building year. No opposition. Motion carried.

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

Planning Director Larry Weil appeared before the Commission on the request from Bill Cody for a variance to decrease the Front Yard Setback for an addition to Single Family Dwelling located at 3834 Willow Road, West Fargo, ND, and advised that the Planning & Zoning Commission recommended to deny the variance. Bill Cody appeared before the Commission. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to grant the variance request. No opposition. Motion carried.

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

Planning Director Larry Weil appeared before the Commission on the request from Bill Cody for a Conditional Use Permit to allow for addition to Single Family Dwelling in an Agricultural District at 3834 Willow Road, West Fargo, 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.

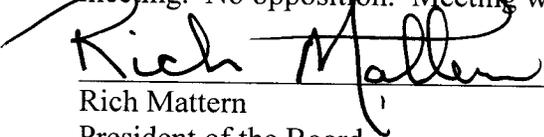
Planning Director Larry Weil appeared before the Commission on the West Fargo Comprehensive Plan Steering Committee. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve the makeup in terms of the broad categories as proposed by Planning Director Larry Weil. No opposition. Motion carried. Planning Director Larry Weil advised that appointments would be discussed at the next City Commission meeting.

Commissioner Mattern advised that Commissioner Bennett's term on the Cass County Planning Commission is expiring on December 31, 2006, and the City Commission needs to appoint a West Fargo representative for a one-year term. Commissioner Simmons moved and Commissioner Schulz seconded to reappoint Commissioner Bennett. No opposition. Motion carried.

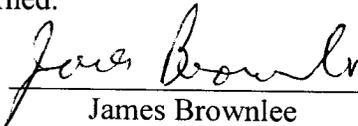
There were no Non-Agenda items.

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