



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

The West Fargo City Commission met on Monday, May 21, 2007, 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 additional information has been provided for Item No. 1 of the Regular Agenda and Approve Sale of 2003 and 2004 Crown Victoria cars in the Police Department and Emergency Response Services Agreement are to be added to Non-Agenda. Commissioner Mattern also advised that Item No. 4 of the Regular Agenda should be corrected to read Block 1 rather than Block 12 and Item No. 5 of the Regular Agenda should be corrected to read rezoning of Goldenwood 3<sup>rd</sup> Addition to Single Family Dwellings and One & Two Family Dwellings. Commissioner Schulz moved and Commissioner Warren seconded to approve the Order of Agenda with the additions and corrections as noted. No opposition. Motion carried.

Commissioner Simmons moved and Commissioner Bennett seconded to approve the Minutes of May 7, 2007. No opposition. Motion carried.

The Commission reviewed Building Permits #213 - 263 along with the Building Department Activity Report dated May 21, 2007, and the letter of May 21, 2007 and attached corrected copies of previous reports from Building Administrator Mark Housh.

There were no Commissioner Committee Reports.

The Auditor's Reports for April 2007 were received by the Commission.

The Sanitation Department Report for April 2007 was received by the Commission.

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

Bills

Site Authorization renewal from July 1, 2007 to June 30, 2008, for the West Fargo Fire Department at Silver Dollar Bar

Site Authorization renewals from July 1, 2007 to June 30, 2008, for the West Fargo Hockey Association at Work Zone Bar, Border Town Bar & Grill, M & J Brand Saloon, Speedway Restaurant and Speedway Event Center

Contract Change Orders: Water Improvement District No. 1170 – Phase I, Water Tower Improvement District No. 1170 – Phase II, Street Improvement District No. 2182 and 2186, Sewer Improvement District No. 1189, Sewer & Water Improvement District No. 1185

Final Plat (Reapproval) of Meyer's 6<sup>th</sup> Addition

Games of Chance for Military Order of Cooties – Pup Tent 8 for Raffle to be held January 1, 2008, at the A.W. Jones Post 7564 VFW

No opposition. Motion carried.

Chuck Fritz, Director of International Water Institute, appeared before the Commission to present the Red River Basin Mapping Initiative and request funding of \$14,531 from the City of West Fargo. City Auditor Jim Brownlee and Assistant City Engineer Brock Storrusten appeared before the Commission. After discussion, Commissioner Simmons moved and Commissioner Bennett seconded to deny the request. No opposition. Motion carried.

Commissioner Warren commented on a smoking ban for the City of West Fargo and moved to request that the City Attorney work with Moorhead and Fargo to devise an identical ordinance to mirror the Minnesota State Law for all three communities, West Fargo, Fargo and Moorhead. Don Faith of 1876 Charleswood Estates, Richard Fuller Jr. of 1001 7<sup>th</sup> Street West, Jack Fuller of 1510 Sommerset Drive, Kurt Lepird of Silver Dollar Bar, Lavonne Grosz of West Fargo, Rick Anderson of Work Zone Bar, June Herman of the American Heart Association, John Fisher of Fargo, ND and Holly Scott of Fargo Cass Public Health appeared before the Commission.

After discussion, Commissioner Schulz asked to add “and be in contact with surrounding communities” to the motion and then seconded the motion. Commissioners Warren, Bennett and Schulz voting aye. Commissioners Mattern and Simmons voting no. Motion carried.

Assistant City Attorney John Shockley appeared before the Commission on a Resolution establishing a fee schedule for False Alarms. Commissioner Bennett moved and Commissioner Schulz seconded to adopt the Resolution. No opposition. Motion carried.

Mike Vipond appeared before the Commission on behalf of Del Arneson for approval of a building permit at the owners risk to begin construction on an industrial building on part of Lot 1 and all of Lot 2, Block 1 of Gateway 1<sup>st</sup> Addition. Senior Planner Steve Zimmer also appeared before the Commission. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the building permit at the owners risk. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Goldenwood 3<sup>rd</sup> Addition rezoning, final plat approval and a change to a number of addresses that were assigned to the Goldenwood First Addition. A public hearing was held on the rezoning of Goldenwood 3<sup>rd</sup> Addition to Single Family Dwellings and One & Two Family Dwellings. Brian Cronin of 1314 5<sup>th</sup> Street NW appeared before the Commission to express concerns with the costs for address changes. The public hearing was closed. Commissioner Simmons moved and Commissioner Bennett seconded to approve First Reading of the rezoning subject to the conditions listed in the Staff Report, approve the Final Plat and approve the address scheme as recommended by Staff. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on Eagle Run Plaza 1<sup>st</sup> Addition. Commissioner Warren moved and Commissioner Bennett seconded to place the rezoning of Eagle Run Plaza 1<sup>st</sup> Addition from Light Commercial to Planned Unit Development on Second Reading subject to conditions listed in the Staff Report and applicant reviewing proposed signage calculations with Staff and making adjustments as necessary. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a Planned Unit Development Amendment for Lots 10, 11 and 16, Block 1 of Beaver Creek Addition. Commissioner Bennett moved and Commissioner Schulz seconded to approve the proposed PUD Amendment on the basis that it is consistent with City plans and ordinances and does not affect the character of the development. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a Planned Unit Development Amendment for all of Block 1 of Knutson's 1<sup>st</sup> Addition, all of Block 1 of Knutson's 2<sup>nd</sup> Addition and 2210 West Main Avenue, providing for Building Material Standards according to the Redevelopment Corridor Overlay and Interstate Corridor Overlay District and review of building expansion plans. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Planned Unit Development Amendment subject to conditions listed in the Staff Report. 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 Aspen Heights Development, Ryan Barkie, John Rygg and Eid Co Buildings for a subdivision variance for Lots 7-12, Block 3 of the Replat Lots 2-16, Block 3 and Lots 1-14, Block 5 of Sheyenne Park Addition, to allow Simple Lot splits to adjust property lines. Commissioner Bennett moved and Commissioner Warren seconded to approve the subdivision variance on the basis that the conditions relating to the variance are met. No opposition. Motion carried.

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

Senior Planner Steve Zimmer appeared before the Commission on the Shared Parking Agreement for Spitfire Gill (formerly Unos) at 1660 13<sup>th</sup> Avenue East, West Fargo, ND and asked that this matter be tabled at this time. Commissioner Warren moved and Commissioner Schulz seconded to table this request. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Iva Jean Tegtmeier of 1450 Sheyenne Street for an Access Permit to allow for driveway onto Sheyenne Street. Planning Director Larry Weil also appeared before the Commission. Commissioner Warren moved and Commissioner Schulz seconded to approve the request. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Troy Erickson for a Conditional Use Permit for a second story addition onto a single family dwelling at 609 32<sup>nd</sup> Avenue NW. Planning Director Larry Weil also appeared before the Commission. Commissioner Warren moved and Commissioner Bennett seconded to approve the Conditional Use Permit as recommended by Staff. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Danny Schatz for a Conditional Use Permit for a detached storage building at 1225 32<sup>nd</sup> Avenue West. Commissioner Schulz moved and Commissioner Bennett seconded to approve the Conditional Use Permit as recommended by Staff. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from John and Jennifer Albrecht for a Conditional Use Permit for a detached storage building at 757 42<sup>nd</sup> Avenue West. Planning Director Larry Weil also appeared before the Commission. Commissioner Warren moved and Commissioner Bennett seconded to approve the Conditional Use Permit as recommended by Staff with the condition that the applicant agrees to reduce the size of the building to 4,800 square feet or less. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Moore Engineering for a Planned Unit Development Amendment for office use on Lot 2, Block 1 of Dakota Territory 10<sup>th</sup> Addition. Planning Director Larry Weil and Assistant City Engineer Brock Storrusten appeared before the Commission. Commissioner Schulz moved and Commissioner Warren seconded to approve the Planned Unit Development subject to conditions listed in the Staff Report and to approve the reduction in parking spaces from 187 to 157. No opposition. Motion carried.

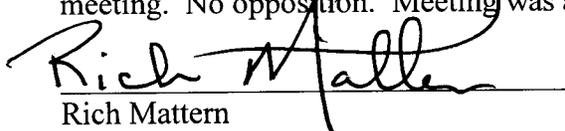
The request from Police Chief Arland Rasmussen and Captain Michael Reitan for permission to sell the 2003 and 2004 Crown Victoria cars was reviewed by the Commission. Commissioner Schulz moved and Commissioner Bennett seconded to approve the sale. No opposition. Motion carried.

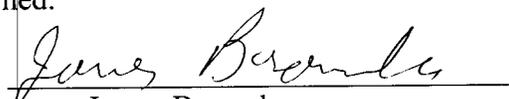
City Auditor Jim Brownlee appeared before the Commission on the Emergency Response Services Agreement which now includes West Fargo as a responder. Commissioner Warren moved and Commissioner Bennett seconded to authorize the Mayor to sign the agreement. No opposition. Motion carried.

Dan Passolt of Homeland Developers appeared before the Commission for approval of a change to the garage site plan at 2345/2355 Meadowridge Parkway. After discussion, Commissioner Bennett moved and Commissioner Warren seconded to approve the site plan change. No opposition. Motion carried.

There was no correspondence.

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

  
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Rich Mattern  
President of the Board

  
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James Brownlee  
City Auditor