



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

The West Fargo City Commission met on Monday, July 16, 2007, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Bryan Schulz and Lou Bennett. Absent was Mark Simmons. The meeting was called to order by Rich Mattern, Chairman of the Board.

The Pledge of Allegiance was recited.

Commissioner Mattern advised that Item No. 2 "Ordinance No. 803, Amendment to Smoking Ordinance" is to be removed from the Regular Agenda. Commissioner Schulz moved and Commissioner Warren seconded to approve the Order of Agenda with the change as noted. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Warren seconded to approve the Minutes of July 2, 2007. No opposition. Motion carried.

The Commission reviewed Building Permits #400 - 449 along with the Building Department Activity Report dated July 16, 2007 and the revised Building Department Activity Report for July 2, 2007.

There were no Commissioner Committee Reports.

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

There were no Department Reports.

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

#### Bills

Public Hearing 5:45 PM July 30, 2007 for Application for Retail Liquor/Beer License for Pistol Petes at 1362 W. Main Avenue, West Fargo, ND, and forward application to Police Department for background check

Games of Chance for Marine Corps League for Raffle to be held November 10, 2007, at West Fargo VFW

Games of Chance for Southdale Senior Club for Bingo and Raffle to be held July 16, 2007 to June 30, 2008

ND Department of Transportation Cost Participation and Maintenance Agreement (9<sup>th</sup> Street)

Public Hearing July 30, 2007 at 5:45 PM for subdivision Ordinance Amendment to provide for a minimum of 62 foot right-of-ways for local residential streets and Zoning Ordinance Amendment to establish a new residential district (R-1B) providing for low density residential with reduced front yard setbacks and higher design standards

Public Hearing July 30, 2007 at 5:45 PM for rezoning of Blazing Star Addition from Agricultural to proposed R-1B: Single Family Dwelling District

Public Hearing July 30, 2007 at 5:45 PM for rezoning of Francis 3<sup>rd</sup> Addition to Light Commercial

Public Hearing July 30, 2007 at 5:45 PM on the Ordinance Amendments to the Subdivision and Zoning Ordinances providing for alley right-of-ways, changes in street standards, and creating a new residential zoning district (R-1S) which will provide for single family detached and attached dwellings with shorter front yards, detached garages in rear yards only and greater lot coverage than typical residential districts allow

Public Hearing July 30, 2007 at 5:45 PM for rezoning of Industrial Builders 1<sup>st</sup> Subdivision from Agricultural to Heavy Industrial

Public Hearing July 30, 2007 at 5:45 PM for rezoning of West Fargo Soccer Subdivision from Agricultural to Public Facilities

No opposition. Motion carried.

Mayor Mattern introduced Special Guest Florenz Bjornson and proclaimed July 20, 2007, as Florenz Bjornson Day.

Assistant City Attorney John Shockley reviewed Ordinance No. 801. Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 801 relating to the granting of a non-exclusive Cable Franchise to Midcontinent Communications, G. P. on Second Reading. No opposition. Motion carried.

Rick Anderson of Work Zone Bar & Grill (701 Main Avenue East, Suite A, West Fargo, ND) appeared before the Commission to request a Special Event License for an outdoor event on August 11, 2007 from 4:00 PM – 2:00 AM. Police Chief Arland Rasmussen also appeared before the Commission. After discussion, Commissioner Schulz moved and Commissioner Bennett seconded to approve this Special Event License on August 11, 2007. No opposition. Motion carried.

City Engineer Kevin Bucholz appeared before the Commission on City Sidewalk Improvement District No. 6044 (2007 Walks). Commissioner Warren moved and Commissioner Bennett seconded to award the contract for City Sidewalk Improvement District No. 6044 to Opp Construction for their bid amount of \$144,047.25. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the rezoning from Agricultural to Heavy Commercial/Light Industrial property in the North ½ of Section 9, T139N, R50W (Mapleton Township). Commissioner Schulz moved and Commissioner Bennett seconded to place Ordinance No. 802 relating to the rezoning on Second Reading and to approve the Final Plat. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Dakota Underground for a Conditional Use Permit for stockpiling of crushed concrete and concrete rubble and periodic crushing of concrete on Lots 8-10, Block 2 of Sterling Industrial Park 4<sup>th</sup> Addition. Frank Lenzmeier, Barry Johnson of Cass County Heating, Bernard Fletcher of 404 Riverwood Drive, Steve Faught representing the Shooting Park, and Jeff Johnson of Dakota Underground appeared before the Commission. Barry Johnson of Cass County Heating provided samples of the concrete dust from the crushing. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to deny the Conditional Use Permit. No opposition. Motion carried.

Commissioner Mattern reviewed the request for approval of Amended Articles of Association for the Fargo-Moorhead Metropolitan Council of Governments. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the amendment to Metro COGs Articles of Association to eliminate a FHWA official from the Transportation Technical Committee membership. No opposition. Motion carried.

City Auditor Jim Brownlee appeared before the Commission on the request from Lake Agassiz Habitat for Humanity for a partnership to further homeownership opportunity for lower income households within the metropolitan area. After discussion, Commissioner Schulz moved and Commissioner Warren seconded to approve the partnership request. No opposition. Motion carried.

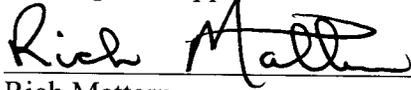
City Auditor Jim Brownlee presented a 2008 Preliminary Budget to each of the Commissioners. It was agreed that one hour Budget Meetings will be held immediately following the City Commission meetings on July 30, August 6 and August 20, 2007.

It was the consensus of the City Commission that the September 3, 2007 City Commission Meeting be held on Tuesday, September 4, 2007, due to the Labor Day Holiday.

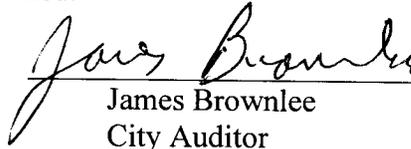
There were no Non-Agenda items.

The letter of July 11, 2007, from Alan Redenius was provided to each City Commission member.

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



Rich Mattern  
Chairman of the Board



James Brownlee  
City Auditor