



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

The West Fargo City Commission met on Monday, August 20, 2007, at 5:30 P.M. Those present were Rich Mattern, Brenda Warren, Lou Bennett, Bryan Schulz 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 Approving Contract and Contractor's Bond in Sidewalk District No. 6044", amended "Resolutions Directing Assessments to be Levied in Water and Sewer Improvement District No. 1191 and 1196" and "Resolution Amending Water and Sewer Improvement District No. 1196 (Eagle Run 12th Addition – Phase II)" are to be added to the Consent Agenda. Commissioner Schulz moved and Commissioner Simmons seconded to approve the Order of Agenda with the additions to the Consent Agenda. No opposition. Motion carried.

Commissioner Bennett moved and Commissioner Warren seconded to approve the Minutes of August 6, 2007, and the Budget Meeting Minutes of August 6, 2007. No opposition. Motion carried.

The Commission reviewed Building Permits #502 - 537 along with the Building Department Activity Report dated August 20, 2007.

There were no Commissioner Committee Reports.

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

The Sanitation Department Report for June and July 2007 was received by the Commission.

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 11, 2007, at the Speedway Event Center

Games of Chance for Dakota East Central Pheasants Forever for raffle to be held September 6, 2007, at the Speedway Event Center

Resolutions Directing Assessments to be Levied in Water and Sewer Improvement District No. 1191, 1196, 1199 and 1200, Water Improvement District No. 1198, and Street Improvement District No. 2189

Change Orders: Street Improvement District No. 2191 and 32nd Avenue East – Sheyenne Street to 9th Street East

Revised Assessment District for Sewer & Water Improvement District No. 1191 (West River Addition/Windsor Green Subdivision) and authorize City Engineer to prepare Engineer's Report

Revised Assessment District for Sewer & Water Improvement District No. 1193 (Shadow Wood First Addition) and authorize City Engineer to prepare Engineer's Report

Resolution Approving Contract and Contractor's Bond in Sidewalk District No. 6044

Resolution Amending Water and Sewer Improvement District No. 1196 (Eagle Run 12th Addition – Phase II)

No opposition. Motion carried.

City Attorney Brian Neugebauer appeared before the Commission on Ordinance No. 800 relating to health issues relating to animal waste, swimming and wading pools, smoke and gases, food service establishments, and child care centers, pet shops, clean-up of clandestine drug lab sites and chemical dump sites, and soft-serve freezing/dispensing machines. The memo of August 15, 2007, from Assistant City Attorney John T. Shockley was provided to the Commission. After discussion, Commissioner Bennett moved and Commissioner Warren seconded to place Ordinance No. 800 on Second Reading. No opposition. Motion carried.

Planning Director Larry Weil appeared before the Commission on a request from Integrated Health Marketing for a Planned Unit Development Amendment and Conditional Use Permit to allow for a freestanding sign with electronic message board at 550 13th Avenue East. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve the Planned Unit Development Amendment and the Conditional Use Permit 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 Grant Larson/Arbor Glen Association for a variance to the front yard setback from 25' to zero to allow for a privacy fence located on Lots 1-18, Block 1 and Lots 1-12, Block 2 of Arbor Glen Addition. Commissioner Bennett moved and Commissioner Schulz seconded to approve the variance to the front yard setback subject to any conditions recommended by Staff. No opposition. Motion carried.

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

Planning Director Larry Weil appeared before the Commission to review the request from Grant Larson/Arbor Glen Association for a Planned Unit Development Amendment for the development fence. After discussion, Commissioner Schulz moved and Commissioner Simmons seconded to approve the PUD Amendment for the fence subject to conditions listed in the Staff Report and that the height of the fence be raised to 6'. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from DMI Industries for a Conditional Use Permit for aboveground fuel tank located on a parcel in Barnes Township. Commissioner Simmons moved and Commissioner Bennett seconded to approve the Conditional Use Permit subject to conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Wanzek Construction for a Conditional Use Permit for aboveground fuel tank at 1910 West Main Avenue. Commissioner Warren moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to conditions listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from DMI Industries, Inc. for a Conditional Use Permit for aboveground fuel tank at 420 East Main Avenue. Commissioner Bennett moved and Commissioner Schulz seconded to approve the Conditional Use Permit subject to the condition listed in the Staff Report. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Sean McAllister for a Conditional Use Permit for automobile sales at 225 East Main Avenue. Sean McAllister was not present for questions. Commissioner Warren moved and Commissioner Schulz seconded to table action until Mr. McAllister is present at the meeting. No opposition. Motion carried.

Senior Planner Steve Zimmer appeared before the Commission on the request from Jordahl Custom Homes for a Planned Unit Development Amendment to allow for decks and patios located on all of Block 1 of Westport Beach 2nd Addition. Commissioner Bennett moved and Commissioner Warren seconded to approve the Planned Unit Development Amendment subject to any conditions recommended by Staff. No opposition. Motion carried.

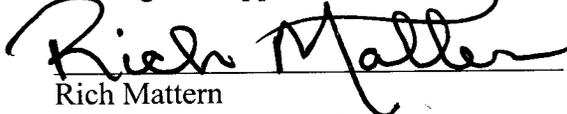
Business Development Director Dorinda Anderson appeared before the Commission on the Renaissance Zone Application from Larry Lepird to renovate the existing building on 217 and 213 East Main for a health club. After discussion, Commissioner Warren moved and Commissioner Bennett seconded to approve the Renaissance Zone Application for Larry Lepird. No opposition. Motion carried.

Business Development Director Dorinda Anderson appeared before the Commission on the request from Region V Community Development Corporation for approval of the LIHTC PILOT (Payment in lieu of taxes) application for the Sheyenne Commons Senior housing unit at 205 14th Avenue East. Anderson advised the Commission that the Economic Development Advisory Committee approved this application. After discussion, Commissioner Bennett moved and Commissioner Schulz seconded to approve the LIHTC PILOT application. No opposition. Motion carried.

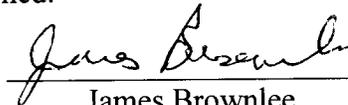
There were no Non-Agenda items.

There was no Correspondence.

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



Rich Mattern
President of the Board



James Brownlee
City Auditor